

3-702.

(c) This subtitle does not apply to:

- (1) A close corporation as defined in § 4-101(b) of this article;
- (2) A corporation having fewer than 100 beneficial owners of its stock;

[or]

(3) [An investment company registered] A CORPORATION REGISTERED under the Investment Company Act of 1940 AS AN OPEN END INVESTMENT COMPANY; OR

(4) A CORPORATION REGISTERED UNDER THE INVESTMENT COMPANY ACT OF 1940 AS A CLOSED END INVESTMENT COMPANY UNLESS ITS BOARD OF DIRECTORS ADOPTS A RESOLUTION TO BE SUBJECT TO THIS SUBTITLE ON OR AFTER JUNE 1, 2000, PROVIDED THAT THE RESOLUTION SHALL NOT BE EFFECTIVE WITH RESPECT TO ANY PERSON WHO HAS BECOME A HOLDER OF CONTROL SHARES BEFORE THE TIME THAT THE RESOLUTION IS ADOPTED.

3-710.

THIS SUBTITLE MAY BE CITED AS THE MARYLAND CONTROL SHARE ACQUISITION ACT.

3-803.

(a) (1) [Before] EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, NOTWITHSTANDING ANY PROVISION IN THE CHARTER OR THE BYLAWS OF A CORPORATION, BEFORE the first annual meeting of stockholders after a corporation elects to be subject to this subtitle, the board of directors shall designate by resolution, from among its members, directors to serve as class I directors, class II directors, and class III directors.

3-804.

(a) Notwithstanding any other lesser proportion of votes required by a provision in the charter or the bylaws, but subject to § 2-406(b)(3) OR § 8-205(B)(3) of this article the stockholders of a corporation may remove any director by the affirmative vote of at least two-thirds of all the votes entitled to be cast by the stockholders generally in the election of directors.

8-202.

(E) (1) IN THIS SUBSECTION, "FACTS ASCERTAINABLE OUTSIDE THE BYLAWS" INCLUDE:

(I) AN ACTION OR DETERMINATION BY ANY PERSON, INCLUDING THE REAL ESTATE INVESTMENT TRUST, ITS BOARD OF TRUSTEES, AN OFFICER OR AGENT OF THE REAL ESTATE INVESTMENT TRUST, AND ANY OTHER PERSON AFFILIATED WITH THE REAL ESTATE INVESTMENT TRUST;

(II) ANY AGREEMENT OR OTHER DOCUMENT; OR