



## ADMINISTRATIVE RULES OF MONTANA



### 6.6.6809 ACQUISITION OF CONTROL OF OR MERGER WITH A DOMESTIC COMPANY

- (1) No person, other than the issuer shall make a tender offer of or a request or invitation for tenders of, or enter into any agreement to exchange securities for, seek to acquire, or acquire in the open market or otherwise, any voting security of a domestic company if, after the consummation thereof, such person would, directly or indirectly (or by conversion or by exercise of any right to acquire) be in control of the company.
- (2) No person shall enter into an agreement to merge with or otherwise to acquire control of a domestic company without the prior written approval of the commissioner.
- (3) In considering an application for acquisition of control or merger with a domestic company, the commissioner shall consider all of the facts and circumstances surrounding the application as well as the criteria for establishing a company in these rules and Title 33, chapter 28, MCA.

**Authorizing statute(s):** 33-28-206, MCA

**Implementing statute(s):** 33-28-105, MCA

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**History:** NEW, 2002 MAR p. 171, Eff. 2/1/02.