



2025-2026 General Assembly

HOUSE BILL 388:

Amend Business Corporations Act, Part II:

Clarify Provisions for Emergency Bylaws and Emergency Powers

Analysis of: S.L. 2025-33, Part II

Date: August 5, 2025

Prepared by: Legislative Analysis
Division Staff

Part II of S.L. 2025-33 (House Bill 388) clarifies that emergency bylaws can only become effective during an emergency if adopted in advance of an emergency. During an emergency, unless the emergency bylaws say otherwise, the board of directors is permitted to postpone a meeting of shareholders for which notice had been given or allow for remote participation. The corporation is required to give notice to shareholders of any postponement and means of permissible remote communication.

This Part became effective October 1, 2025.

Kara McCraw
Director



* H 3 8 8 - S M B B - 8 2 S L - V - 6 *

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.