

ELECTING NOT TO BE GOVERNED BY THIS SUBTITLE; OR

(IV) AN INVESTMENT COMPANY REGISTERED UNDER THE INVESTMENT COMPANY ACT OF 1940.

(2) FOR PURPOSES OF SUBPARAGRAPH (II) OF THIS SUBSECTION, ALL STOCKHOLDERS OF A CORPORATION THAT HAVE EXECUTED AN AGREEMENT TO WHICH THE CORPORATION IS AN EXECUTING PARTY GOVERNING THE PURCHASE AND SALE OF STOCK OF THE CORPORATION OR A VOTING TRUST AGREEMENT GOVERNING STOCK OF THE CORPORATION SHALL BE CONSIDERED A SINGLE BENEFICIAL OWNER OF THE STOCK COVERED BY THE AGREEMENT.

(F) A BUSINESS COMBINATION OF A CORPORATION THAT HAS A CHARTER PROVISION PERMITTED BY § 2-104(B)(5) OF THIS ARTICLE IS SUBJECT TO THE VOTING REQUIREMENTS OF § 3-602 OF THIS SUBTITLE UNLESS ONE OF THE REQUIREMENTS OR EXEMPTIONS OF SUBSECTIONS (B), (C), (D), OR (E) OF THIS SECTION HAVE BEEN MET.

8-301.

A real estate investment trust has the power to:

(12) Exercise these powers, including the power to take, hold, and dispose of the title to real and personal property in the name of the trust or in the name of its trustees, without the filing of any bond, except a bond required under § 8-204 of this title; [and]

(13) Generally exercise the powers set forth in its declaration of trust which are not inconsistent with law and are appropriate to promote and attain the purposes set forth in its declaration of trust; AND

(14) ENTER INTO A BUSINESS COMBINATION SUBJECT TO THE PROVISIONS OF SUBTITLE 6 OF TITLE 3 OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved June 21, 1983.

-----