

2876.3020 FEDERAL COVERED SECURITIES; NOTICE FILINGS.

Subpart 1. **Section 18(b)(2) securities.** With respect to a federal covered security, as defined in section 18(b)(2) of the Securities Act of 1933, United States Code, title 15, section 77r(b)(2), that is not otherwise exempt under Minnesota Statutes, sections 80A.45 to 80A.47:

A. An initial notice filing by or on behalf of an issuer must be filed with the administrator, and the notice filing must contain:

(1) Form NF (Uniform Investment Company Notice Filing), completed in accordance with the Form NF Instructions;

(2) a consent to service of process complying with Minnesota Statutes, section 80A.88; and

(3) a filing fee to be determined in accordance with Minnesota Statutes, section 80A.65, subdivision 1, paragraph (c).

B. On or before expiration of a notice filing, the issuer may amend or renew a notice filing by filing Form NF and a fee, if applicable.

C. All notice filings expire at midnight on June 30.

Subp. 2. **Section 18(b)(4)(D) securities.** With respect to a security that is a federal covered security under section 18(b)(4)(D) of the Securities Act of 1933, United States Code, title 15, section 77r(b)(4)(D), a notice filing by or on behalf of an issuer must be filed with the administrator, and the notice filing must contain:

A. a copy of Form D as promulgated by the Securities and Exchange Commission;

B. a report of the aggregate value of securities included in this offering already sold or offered to be sold to persons located in this state;

C. a consent to service of process complying with Minnesota Statutes, section 80A.88, signed by the issuer not later than 15 days after the first sale of the federal covered security in Minnesota; and

D. a filing fee to be determined in accordance with Minnesota Statutes, section 80A.65, subdivision 1, paragraph (a).

Statutory Authority: *MS s 45.023; 80A.82*

History: *34 SR 593*

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