

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130305	36:634(2)–(9). 36:646.	Aug. 4, 1955, ch. 546, §§ 4(2)–(9), 16, 69 Stat. 487, 490.

In this section, the text of 36:646 is omitted as executed and obsolete.

In clause (1), the word “alter” is omitted as included in “amend”. The words “not inconsistent with the laws of the United States or any State in which the corporation is to operate” are omitted as unnecessary.

In clause (2), the word “use” is omitted as unnecessary.

In clause (3), the words “make contracts” are substituted for “contract and be contracted with” for consistency in the revised title.

Clause (4) is substituted for “to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation” and “to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal or mixed property” for consistency in the revised title and to eliminate unnecessary words. The words “subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State” are omitted as unnecessary.

In clause (5), the words “for the purposes of the corporation” are omitted as unnecessary. The words “issue instruments of indebtedness, and secure its obligations by granting security interests in its property” are substituted for “issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise” for consistency in the revised title. The words “subject in every case to all applicable provisions of Federal and State laws” are omitted as unnecessary.

In clause (7), the words “complain and defend in any court of competent jurisdiction” are omitted as unnecessary.

§ 130306. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member except on dissolution or final liquidation of the corporation. This subsection does not prevent the payment of compensation to an officer in an amount approved by the executive committee of the corporation.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1375.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130306(a)	36:642.	Aug. 4, 1955, ch. 546, §§ 9, 10, 12, 69 Stat. 489.
130306(b)	36:640.	
130306(c)	36:639(a).	
130306(d)	36:639(b).	

In subsection (a), the words “any shares of” are omitted as unnecessary.

In subsection (b), the words “or otherwise” are omitted as unnecessary.

In subsection (c), the words “inure to the benefit of” are substituted for “inure to” for consistency in the revised title. The words “as provided in section 645 of this title” are omitted as unnecessary. The words “This subsection does not prevent” are substituted for “Nothing in this subsection, however, shall be construed to prevent” for consistency in the revised title and to eliminate unnecessary words. The reference to the “executive committee of the corporation” is retained although 36:637 and 36:638 do not create an executive committee.

§ 130307. Principal office

The principal office of the corporation shall be in a place decided by the board of directors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1376.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130307	36:635(a).	Aug. 4, 1955, ch. 546, § 5(a), 69 Stat. 487.

The words “a place decided” are substituted for “Pittsburgh, Pennsylvania, or in such other place as may later be determined”, and the word “various” is omitted, to eliminate unnecessary words.

§ 130308. Records and inspection

(a) RECORDS.—The corporation shall keep—

- (1) correct and complete records of account;
- (2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1376.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130308	36:643.	Aug. 4, 1955, ch. 546, § 13, 69 Stat. 489.

The word “records” is substituted for “books and records” for consistency in the revised title and to eliminate unnecessary words.