

HISTORICAL AND REVISION NOTES—Continued

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
140704(b) .....	36:5008 (related to membership).	

In subsection (a), the words “Except as provided in this chapter” are substituted for “Except as provided in section 5008 of this title” for consistency in the revised title.

In subsection (b), the words “The terms of membership” are substituted for “In establishing the conditions of membership in the corporation” for consistency in the revised title and to eliminate unnecessary words.

**§ 140705. Governing body**

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

(c) NONDISCRIMINATION.—The requirements for serving as a director or officer may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1385.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
140705(a) .....	36:5006.	Oct. 23, 1992, Pub. L. 102–484, title XVIII, §§1806, 1807, 1808 (related to directors and officers), 106 Stat. 2582.
140705(b) .....	36:5007.	
140705(c) .....	36:5008 (related to directors and officers).	

In subsections (a) and (b), the words “Except as provided in section 5008 of this title” and “in conformity with the laws of the State in which it is incorporated” are omitted as unnecessary.

**§ 140706. Powers**

The corporation has only the powers provided in its bylaws and articles of incorporation filed in the State in which it is incorporated.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1385.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
140706 .....	36:5002.	Oct. 23, 1992, Pub. L. 102–484, title XVIII, §1802, 106 Stat. 2581.

The words “and subject to the laws of such State” are omitted as unnecessary.

**§ 140707. Restrictions**

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

(b) 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 during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable

compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(c) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1385.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
140707(a) .....	36:5009(c).	Oct. 23, 1992, Pub. L. 102–484, title XVIII, §1809, 106 Stat. 2582.
140707(b) .....	36:5009(a).	
140707(c) .....	36:5009(b).	
140707(d) .....	36:5009(d).	

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

**§ 140708. Duty to maintain tax-exempt status**

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1385.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
140708 .....	36:5014 (1st sentence).	Oct. 23, 1992, Pub. L. 102–484, title XVIII, §1815 (1st sentence), 106 Stat. 2583.

**§ 140709. 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. 1385.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
140709 .....	36:5011.	Oct. 23, 1992, Pub. L. 102–484, title XVIII, §1811, 106 Stat. 2583.

The word “records” is substituted for “books and records” for consistency in the revised title and with other titles of the United States Code. The words “Nothing in this section shall be construed to contravene any applicable State law” are omitted as unnecessary.

**§ 140710. Service of process**

The corporation shall comply with the law on service of process of each State in which it is in-