

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1330.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40105(a) .....	36:2606.	Aug. 17, 1984, Pub. L. 98-382, §§ 6, 7, 98 Stat. 1344.
40105(b) .....	36:2607.	

The words “and in conformity with the laws of the State or States in which it is incorporated” in 36:2606 and “and in conformity with the laws of the State or States wherein it is incorporated” in 36:2607 are omitted as unnecessary.

§ 40106. Powers

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

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HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40106 .....	36:2602.	Aug. 17, 1984, Pub. L. 98-382, § 2, 98 Stat. 1343.

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

§ 40107. 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 employee in an amount 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.

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HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40107 .....	36:2608.	Aug. 17, 1984, Pub. L. 98-382, § 8, 98 Stat. 1344.

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

In subsection (b), the words “inure to the benefit of” are substituted for “inure to” for consistency in the revised title.

§ 40108. 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.).

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HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40108 .....	36:2614 (1st sentence).	Aug. 17, 1984, Pub. L. 98-382, § 15 (1st sentence), 98 Stat. 1345.

§ 40109. 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. 1331.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40109 .....	36:2610.	Aug. 17, 1984, Pub. L. 98-382, § 10, 98 Stat. 1345.

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.

§ 40110. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1331.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40110 .....	36:2604.	Aug. 17, 1984, Pub. L. 98-382, § 4, 98 Stat. 1344.

§ 40111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1331.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40111 .....	36:2609.	Aug. 17, 1984, Pub. L. 98-382, § 9, 98 Stat. 1345.

§ 40112. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.