

§ 240105. 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.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1489.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 240105(a) | 36:3106. | Oct. 30, 1984, Pub. L. 98–584, §§ 6, 7, 98 Stat. 3097. |
| 240105(b) | 36:3107. | |

The words “and in conformity with the laws of the States in which it is incorporated” in 36:3106 and “and shall be in conformity with the laws of the States in which it is incorporated” in 36:3107 are omitted as unnecessary.

§ 240106. Powers

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

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1489.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 240106 | 36:3102. | Oct. 30, 1984, Pub. L. 98–584, § 2, 98 Stat. 3097. |

The words “provided in” are substituted for “granted to it through” for consistency in the revised title. The words “and subject to the laws of such States” are omitted as unnecessary.

§ 240107. 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 otherwise participate in any political activity or in any manner attempt to influence legislation.

(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 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.

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

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

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1489.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 240107(a) | 36:3108(d). | Oct. 30, 1984, Pub. L. 98–584, § 8, 98 Stat. 3098. |

HISTORICAL AND REVISION NOTES—Continued

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|----------------------------|
| 240107(b) | 36:3108(c). | |
| 240107(c) | 36:3108(a). | |
| 240107(d) | 36:3108(b). | |
| 240107(e) | 36:3108(e). | |

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

In subsection (b), the words “as such” are substituted for “thereof” for consistency in the revised title.

In subsection (c), the words “inure to the benefit of” are substituted for “inure” for consistency in the revised title. The words “This subsection does not prevent” are substituted for “Nothing in this subsection shall be construed to prevent” for consistency in the revised title and to eliminate unnecessary words.

§ 240108. 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. 1489.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|-------------------------|--|
| 240108 | 36:3114 (1st sentence). | Oct. 30, 1984, Pub. L. 98–584, § 15 (1st sentence), 98 Stat. 3099. |

§ 240109. 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. 1489.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---|
| 240109 | 36:3110. | Oct. 30, 1984, Pub. L. 98–584, § 10, 98 Stat. 3098. |

In this section, 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.

In subsection (a)(3), the words “in any proceeding of the corporation” are omitted as unnecessary.

In subsection (b), the words “in any corporation proceeding” are omitted as unnecessary.

§ 240110. 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.