

**§ 190305. 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. 1450.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190305(a) .....	36:5106.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §§ 1826, 1827, 106 Stat. 2584.
190305(b) .....	36:5107.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, § 1828 (related to directors and officers), 106 Stat. 2585; Nov. 30, 1993, Pub. L. 103-160, title XI, § 1182(c)(6), 107 Stat. 1772.
190305(c) .....	36:5108 (related to directors and officers).	

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

In subsection (c), the words “The requirements for serving as a director or officer” are substituted for “in determining the requirements for serving on the board of directors or as an officer of the corporation” for consistency in the revised title and to eliminate unnecessary words.

**§ 190306. 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. 1450.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190306 .....	36:5102.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, § 1822, 106 Stat. 2584.

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

**§ 190307. Exclusive right to name, seals, emblems, and badges**

The corporation has the exclusive right to use the names “The Retired Enlisted Association, Incorporated”, “The Retired Enlisted Association”, “Retired Enlisted Association”, and “TREA” and seals, emblems, and badges the corporation adopts. This section does not affect any vested rights.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1450.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190307 .....	36:5115.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, § 1836, 106 Stat. 2586.

The words “sole” and “lawfully” are omitted as unnecessary. The last sentence is substituted for “Noth-

ing in this section may be construed to conflict or interfere with rights that are established or vested before October 23, 1992” for consistency in the revised title and to eliminate unnecessary words.

**§ 190308. 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 AUTHORITY.—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. 1450.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190308(a) .....	36:5109(c).	Oct. 23, 1992, Pub. L. 102-484, title XVIII, § 1829, 106 Stat. 2585.
190308(b) .....	36:5109(a).	
190308(c) .....	36:5109(b).	
190308(d) .....	36:5109(d).	

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

In subsection (b), the words “This subsection does not” are substituted for “Nothing in this subsection shall be construed to” for consistency in the revised title.

In subsection (d), the words “by virtue of this chapter” are omitted as unnecessary.

**§ 190309. 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. 1450.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190309 .....	36:5114 (1st sentence).	Oct. 23, 1992, Pub. L. 102-484, title XVIII, § 1835 (1st sentence), 106 Stat. 2586.

**§ 190310. 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 in-

spect the records of the corporation for any proper purpose, at any reasonable time.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1451.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
190310 .....	36:5111.	Oct. 23, 1992, Pub. L. 102–484, title XVIII, §1831, 106 Stat. 2585.

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.

**§ 190311. 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. 1451.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
190311 .....	36:5104.	Oct. 23, 1992, Pub. L. 102–484, title XVIII, §1824, 106 Stat. 2584.

**§ 190312. 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. 1451.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
190312 .....	36:5110.	Oct. 23, 1992, Pub. L. 102–484, title XVIII, §1830, 106 Stat. 2585.

**§ 190313. 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.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1451.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
190313 .....	36:5112.	Oct. 23, 1992, Pub. L. 102–484, title XVIII, §1833, 106 Stat. 2586.

**CHAPTERS 1905 THROUGH 1999—RESERVED**

AMENDMENTS

2014—Pub. L. 113–237, §3(b)(16), Dec. 18, 2014, 128 Stat. 2838, added placeholder for chapters 1905 to 1999.

**CHAPTER 2001—SOCIETY OF AMERICAN FLORISTS AND ORNAMENTAL HORTICULTURISTS**

Sec.

- 200101. Organization.
- 200102. Purposes.
- 200103. Powers.
- 200104. Restrictions.
- 200105. Principal office.
- 200106. Nonapplication of audit requirements.

**§ 200101. Organization**

Society of American Florists and Ornamental Horticulturists (in this chapter, the “corporation”) is a body corporate and politic in the District of Columbia.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1451.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200101 .....	36:5401 (1st sentence words before “for the education of the general public”).	Mar. 3, 1901, ch. 876, §1 (1st sentence words before “for the education of the general public”), 31 Stat. 1453; June 29, 1938, ch. 796, 52 Stat. 1226.

This section is substituted for the source provision to eliminate executed and unnecessary words.

**§ 200102. Purposes**

The purposes of the corporation are to educate members of the florist industry and the public, and to promote scientific development, in floriculture and horticulture.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1451.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200102 .....	36:5401 (1st sentence words beginning with “for the education of the general public”).	Mar. 3, 1901, ch. 876, §1 (1st sentence words beginning with “for the education of the general public”), 31 Stat. 1453; June 29, 1938, ch. 796, 52 Stat. 1226.

The words “The purposes of the corporation are” are added for consistency in the revised title. The words “to promote” are added for clarity. The words “in all their branches” are omitted as unnecessary.

**§ 200103. Powers**

The corporation may—

- (1) adopt a constitution and bylaws for the management of its property and the regulation of its affairs; and
- (2)(A) hold property, in the District of Columbia or elsewhere, necessary to carry out the purposes of the corporation, in an amount not to exceed \$1,000,000; and
- (B) hold other property donated or bequeathed in any State or territory of the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1451.)