

HISTORICAL AND REVISION NOTES—Continued

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70105(c) .....	36:5608(g) (related to directors and officers).	

In subsections (a) and (b), the words “and in conformity with the laws of the State of Delaware” 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 association” for consistency in the revised title and to eliminate unnecessary words.

§ 70106. 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. 1348.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70106 .....	36:5602.	Sept. 23, 1996, Pub. L. 104–201, title XVIII, §1802, 110 Stat. 2760.

The words “each State in which it is incorporated” are substituted for “the State of Delaware” for consistency in the revised title. The words “and subject to the laws of such State” are omitted as unnecessary.

§ 70107. 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 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, employee, or member.

(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. 1348.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70107(a) .....	36:5608(c).	Sept. 23, 1996, Pub. L. 104–201, title XVIII, §1808(a)–(d), 110 Stat. 2761.
70107(b) .....	36:5608(a).	
70107(c) .....	36:5608(b).	
70107(d) .....	36:5608(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 may be construed to” for consistency in the revised title.

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

§ 70108. Duty to maintain corporate and tax-exempt status

(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of Pennsylvania.

(b) 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. 1348; Pub. L. 106–398, §1 [[div. A], title X, §1087(g)(4)], Oct. 30, 2000, 114 Stat. 1654, 1654A–294.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70108(a) .....	36:5608(e).	Sept. 23, 1996, Pub. L. 104–201, title XVIII, §§1808(e), 1814 (related to duty to maintain status), 110 Stat. 2761, 2762.
70108(b) .....	36:5613 (related to duty to maintain status).	

In subsection (a), the words “organized and” and “the State of” are omitted as unnecessary.

AMENDMENTS

2000—Subsec. (a). Pub. L. 106–398 substituted “Pennsylvania” for “Delaware”.

§ 70109. 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. 1349.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70109 .....	36:5610.	Sept. 23, 1996, Pub. L. 104–201, title XVIII, §1810, 110 Stat. 2762.

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 “This section may not be construed to contravene any applicable State law” are omitted as unnecessary.

§ 70110. 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. 1349.)