

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80504(a)	36:1605.	Dec. 4, 1980, Pub. L. 96-497, §§3 (related to discrimination in membership), 5, 94 Stat. 2595.
80504(b)	36:1603 (related to discrimination in membership).	

§ 80505. 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 holding office in the corporation may not discriminate on the basis of race, color, religion, or national origin.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1363.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80505(a)	36:1606.	Dec. 4, 1980, Pub. L. 96-497, §§3 (related to discrimination in holding office), 6, 7, 94 Stat. 2595, 2596.
80505(b)	36:1607.	
80505(c)	36:1603 (related to discrimination in holding office).	

In subsections (a) and (b), the words “and in conformity with the laws of the State or States where incorporated” in 36:1606 and 36:1607 are omitted as unnecessary.

§ 80506. 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. 1363.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80506	36:1602.	Dec. 4, 1980, Pub. L. 96-497, §2, 94 Stat. 2595.

§ 80507. 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 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 any director, officer, or employee.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1363.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80507(a)	36:1608(d).	Dec. 4, 1980, Pub. L. 96-497, §8, 94 Stat. 2596.
80507(b)	36:1608(c).	
80507(c)	36:1608(a).	
80507(d)	36:1608(b).	

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

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

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

§ 80508. 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. 1364.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80508	36:1614 (1st sentence).	Dec. 4, 1980, Pub. L. 96-497, §15 (1st sentence), 94 Stat. 2597.

§ 80509. 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. 1364.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80509	36:1610.	Dec. 4, 1980, Pub. L. 96-497, §10, 94 Stat. 2596.

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 “However, nothing in this section shall be construed to contravene any applicable State law” are omitted as unnecessary.

§ 80510. 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. 1364.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80510	36:1604.	Dec. 4, 1980, Pub. L. 96-497, § 4, 94 Stat. 2595.

The words “in furtherance of its corporate purposes” are omitted as unnecessary.

§ 80511. 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 and in accordance with the laws of the States in which it carries on its activities.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1364.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80511	36:1609.	Dec. 4, 1980, Pub. L. 96-497, § 9, 94 Stat. 2596.

§ 80512. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior calendar year. The report may not be printed as a public document.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1364.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80512	36:1611.	Dec. 4, 1980, Pub. L. 96-497, § 12, 94 Stat. 2597.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in this section, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 201 of House Document No. 103-7.

CHAPTERS 807 THROUGH 899—RESERVED

AMENDMENTS

2014—Pub. L. 113-237, § 3(b)(7), Dec. 18, 2014, 128 Stat. 2837, substituted “CHAPTERS 807 THROUGH 899—RESERVED” for “CHAPTER 901—[RESERVED]”.

CHAPTER 901—HELP AMERICA VOTE FOUNDATION

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90101.	Organization.
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90104.	Officers and employees.
90105.	Powers.
90106.	Principal office.
90107.	Service of process.
90108.	Annual audit.
90109.	Civil action by Attorney General for equitable relief.
90110.	Immunity of United States Government.
90111.	Authorization of appropriations.
90112.	Annual report.

AMENDMENTS

2014—Pub. L. 113-237, § 3(c)(6)(A), (B), Dec. 18, 2014, 128 Stat. 2840, renumbered chapter 1526 of this title as this

chapter and renumbered items 152601 to 152612 as 90101 to 90112, respectively.

§ 90101. Organization

(a) FEDERAL CHARTER.—The Help America Vote Foundation (in this chapter, the “foundation”) is a federally chartered corporation.

(b) NATURE OF FOUNDATION.—The foundation is a charitable and nonprofit corporation and is not an agency or establishment of the United States Government.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the foundation has perpetual existence.

(Added Pub. L. 107-252, title VI, § 601(a), Oct. 29, 2002, 116 Stat. 1718, § 152601; renumbered § 90101, Pub. L. 113-237, § 3(c)(6)(B), Dec. 18, 2014, 128 Stat. 2840.)

AMENDMENTS

2014—Pub. L. 113-237 renumbered section 152601 of this title as this section.

§ 90102. Purposes

(a) IN GENERAL.—The purposes of the foundation are to—

(1) mobilize secondary school students (including students educated in the home) in the United States to participate in the election process in a nonpartisan manner as poll workers or assistants (to the extent permitted under applicable State law);

(2) place secondary school students (including students educated in the home) as nonpartisan poll workers or assistants to local election officials in precinct polling places across the United States (to the extent permitted under applicable State law); and

(3) establish cooperative efforts with State and local election officials, local educational agencies, superintendents and principals of public and private secondary schools, and other appropriate nonprofit charitable and educational organizations exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 as an organization described in section 501(c)(3) of such Code to further the purposes of the foundation.

(b) REQUIRING ACTIVITIES TO BE CARRIED OUT ON NONPARTISAN BASIS.—The foundation shall carry out its purposes without partisan bias or without promoting any particular point of view regarding any issue, and shall ensure that each participant in its activities is governed in a balanced manner which does not reflect any partisan bias.

(c) CONSULTATION WITH STATE ELECTION OFFICIALS.—The foundation shall carry out its purposes under this section in consultation with the chief election officials of the States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the United States Virgin Islands.

(Added Pub. L. 107-252, title VI, § 601(a), Oct. 29, 2002, 116 Stat. 1718, § 152602; renumbered § 90102, Pub. L. 113-237, § 3(c)(6)(B), Dec. 18, 2014, 128 Stat. 2840.)