

**§ 152104. Membership**

Eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1411.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                            |
|-----------------|--------------------|---|
| 152104 .....    | 36:4104.           | Nov. 14, 1988, Pub. L. 100-655, §104, 102 Stat. 3850. |

**§ 152105. 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. 1411.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                                  |
|-----------------|--------------------|---|
| 152105(a) ..... | 36:4105.           | Nov. 14, 1988, Pub. L. 100-655, §§105, 106, 102 Stat. 3850. |
| 152105(b) ..... | 36:4106.           |   |

The words “and in conformity with the laws of the State or States in which it is incorporated” in 36:4105 and “and in conformity with the laws of the State or States wherein it is incorporated” in 36:4106 are omitted as unnecessary.

**§ 152106. 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. 1411.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                            |
|-----------------|--------------------|---|
| 152106 .....    | 36:4102.           | Nov. 14, 1988, Pub. L. 100-655, §102, 102 Stat. 3849. |

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

**§ 152107. 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 a director, officer, or employee.

(e) 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.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1411.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                                   |
|-----------------|--------------------|--|
| 152107(a) ..... | 36:4107(d).        | Nov. 14, 1988, Pub. L. 100-655, §107(a)-(e), 102 Stat. 3850. |
| 152107(b) ..... | 36:4107(c).        |  |
| 152107(c) ..... | 36:4107(a).        |  |
| 152107(d) ..... | 36:4107(b).        |  |
| 152107(e) ..... | 36:4107(e).        |  |

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.

**§ 152108. 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 Colorado.

(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. 1411.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)   |
|-----------------|--------------------|--|
| 152108(a) ..... | 36:4107(f).        | Nov. 14, 1988, Pub. L. 100-655, §§107(f), 115, 102 Stat. 3851, 3852. |
| 152108(b) ..... | 36:4114.           |  |

**§ 152109. 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. 1411.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                            |
|-----------------|--------------------|---|
| 152109 .....    | 36:4110.           | Nov. 14, 1988, Pub. L. 100-655, §110, 102 Stat. 3851. |

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 con-

travene any applicable State law” are omitted as unnecessary.

**§ 152110. 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. 1412.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                             |
|-----------------|--------------------|--|
| 152110 .....    | 36:4109.           | Nov. 14, 1988, Pub. L. 100-655, § 109, 102 Stat. 3851. |

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

**§ 152111. 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. 1412.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                             |
|-----------------|--------------------|--|
| 152111 .....    | 36:4108.           | Nov. 14, 1988, Pub. L. 100-655, § 108, 102 Stat. 3851. |

**§ 152112. 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. 1412.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                             |
|-----------------|--------------------|--|
| 152112 .....    | 36:4111.           | Nov. 14, 1988, Pub. L. 100-655, § 112, 102 Stat. 3851. |

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 204 of House Document No. 103-7.

**CHAPTER 1523—NATIONAL MUSIC COUNCIL**

Sec.

152301. Organization.

152302. Purposes.

152303. Membership.

152304. Governing body.

152305. Powers.

152306. Exclusive right to name, seals, emblems, and badges.

152307. Restrictions.

152308. Principal office.

152309. Records and inspection.

152310. Service of process.

152311. Liability for acts of officers and agents.

152312. Distribution of assets on dissolution or final liquidation.

**§ 152301. Organization**

(a) FEDERAL CHARTER.—National Music Council (in this chapter, the “corporation”) is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1412.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code)            | Source (Statutes at Large)                          |
|-----------------|-------------------------------|---|
| 152301 .....    | 36:661.<br>36:662.<br>36:679. | Aug. 1, 1956, ch. 824, §§ 1, 19, 70 Stat. 794, 797. |

This section is substituted for the source provisions for consistency in the revised title and to eliminate unnecessary and executed words.

**§ 152302. Purposes**

The purposes of the corporation are—

(1) to provide the member organizations with a forum for the free discussion of problems affecting national musical life in this country;

(2) to speak with one voice for music whenever an authoritative expression of opinion is desirable;

(3) to provide for the interchange of information between the various member organizations;

(4) to encourage the coordination of efforts of the member organizations, thereby avoiding duplication or conflict;

(5) to organize exploratory surveys or fact-finding commissions whenever the corporation considers them necessary for the solution of important problems; and

(6) to encourage the development and appreciation of the art of music and to foster the highest ethical standards in the musical professions and industries.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1412.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                |
|-----------------|--------------------|---|
| 152302 .....    | 36:663.            | Aug. 1, 1956, ch. 824, § 3, 70 Stat. 795. |

Before clause (1), the word “objects” is omitted as unnecessary.

In clause (5), the word “considers” is substituted for “shall deem” for consistency in the revised title.

**§ 152303. Membership**

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and by-laws of the corporation.

(b) VOTING.—Each member has one vote in the conduct of official business of the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1413.)