

§ 40108. 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. 1330.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---|
| 40108 | 36:2614 (1st sentence). | Aug. 17, 1984, Pub. L. 98-382, §15 (1st sentence), 98 Stat. 1345. |

§ 40109. 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. 1331.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|--|
| 40109 | 36:2610. | Aug. 17, 1984, Pub. L. 98-382, §10, 98 Stat. 1345. |

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.

§ 40110. 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. 1331.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---|
| 40110 | 36:2604. | Aug. 17, 1984, Pub. L. 98-382, §4, 98 Stat. 1344. |

§ 40111. 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. 1331.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---|
| 40111 | 36:2609. | Aug. 17, 1984, Pub. L. 98-382, §9, 98 Stat. 1345. |

§ 40112. 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. 1331.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|--|
| 40112 | 36:2611. | Aug. 17, 1984, Pub. L. 98-382, §12, 98 Stat. 1345. |

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 198 of House Document No. 103-7.

CHAPTER 403—CIVIL AIR PATROL

- Sec. 40301. Organization.
- 40302. Purposes.
- 40303. Membership and governing body.
- 40304. Powers.
- 40305. Restrictions.
- 40306. Exclusive right to name, insignia, copyrights, emblems, badges, marks, and words.
- 40307. Annual report.

AMENDMENTS

2000—Pub. L. 106-398, §1 [[div. A], title X, §1090(b)(2)(C)], Oct. 30, 2000, 114 Stat. 1654, 1654A-300, inserted “and governing body” after “Membership” in item 40303.

§ 40301. Organization

(a) FEDERAL CHARTER.—Civil Air Patrol (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. 1331.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---|---|
| 40301(a) | 36:201. | July 1, 1946, ch. 527, §§1, 5 (related to perpetual succession), 60 Stat. 346, 347. |
| 40301(b) | 36:205 (related to perpetual succession). | |

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

§ 40302. Purposes

The purposes of the corporation are as follows:

- (1) To provide an organization to—
 - (A) encourage and aid citizens of the United States in contributing their efforts, services, and resources in developing aviation and in maintaining air supremacy; and
 - (B) encourage and develop by example the voluntary contribution of private citizens to the public welfare.