

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 54th Legislature (2013)

4   HOUSE BILL 1996

                                  By: Grau

5  
6  
7                                   AS INTRODUCED

8           An Act relating to corporations; creating the Revised  
9           Uniform Unincorporated Nonprofit Association Act;  
10          providing short title; defining terms; providing for  
11          conflicts of law; specifying governing law;  
12          specifying powers and duration of unincorporated  
13          nonprofit associations; providing for the ownership  
14          and transfer of property; specifying liability  
15          parameters; providing for claims, venue and judgments  
16          of unincorporated nonprofit associations; providing  
17          for service agents and service of process; requiring  
18          approval of members for certain actions; providing  
19          procedures and requirements for meetings and members  
20          of unincorporated nonprofit associations; providing  
21          requirements and duties of managers of unincorporated  
22          nonprofit associations; providing for compensation  
23          and reimbursement of members and managers; providing  
24          procedures for dissolution, termination and merger of  
          unincorporated nonprofit associations; providing for  
          interpretation and applicability of act; providing  
          for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1.       NEW LAW       A new section of law to be codified  
in the Oklahoma Statutes as Section 870.1 of Title 18, unless there  
is created a duplication in numbering, reads as follows:

1 This act shall be known and may be cited as the "Revised Uniform  
2 Unincorporated Nonprofit Association Act".

3 SECTION 2. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 870.2 of Title 18, unless there  
5 is created a duplication in numbering, reads as follows:

6 As used in the Revised Uniform Unincorporated Nonprofit  
7 Association Act:

8 1. "Established practices" means the practices used by an  
9 unincorporated nonprofit association without material change during  
10 the most recent five (5) years of its existence, or if it has  
11 existed for less than five (5) years, during its entire existence;

12 2. "Governing principles" means the agreements, whether oral,  
13 in a record, or implied from its established practices, that govern  
14 the purpose or operation of an unincorporated nonprofit association  
15 and the rights and obligations of its members and managers. The  
16 term includes any amendment or restatement of the agreements  
17 constituting the governing principles;

18 3. "Manager" means a person that is responsible, alone or in  
19 concert with others, for the management of an unincorporated  
20 nonprofit association;

21 4. "Member" means a person that, under the governing  
22 principles, may participate in the selection of persons authorized  
23 to manage the affairs of the unincorporated nonprofit association or  
24

1 in the development of the policies and activities of the  
2 association;

3 5. "Person" means an individual, corporation, business trust,  
4 statutory entity trust, estate, trust, partnership, limited  
5 liability company, cooperative, association, joint venture, public  
6 corporation, government or governmental subdivision, agency, or  
7 instrumentality, or any other legal or commercial entity;

8 6. "Record" means information that is inscribed on a tangible  
9 medium or that is stored in an electronic or other medium and is  
10 retrievable in perceivable form;

11 7. "State" means a state of the United States, the District of  
12 Columbia, Puerto Rico, United States Virgin Islands, or any  
13 territory or insular possession subject to the jurisdiction of the  
14 United States; and

15 8. "Unincorporated nonprofit association" means an  
16 unincorporated organization consisting of two or more members joined  
17 under an agreement that is oral or in a record, for one or more  
18 common, nonprofit purposes. The term does not include:

- 19 a. a trust,  
20 b. a marriage, domestic partnership, common law domestic  
21 relationship, civil union, or other domestic living  
22 arrangement,

23  
24

- c. an organization formed under any other statute that governs the organization and operation of unincorporated associations,
- d. a joint tenancy, tenancy in common, or tenancy by the entirety even if the co-owners share use of the property for a nonprofit purpose, or
- e. a relationship under an agreement in a record that expressly provides that the relationship between the parties does not create an unincorporated nonprofit association.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 870.3 of Title 18, unless there is created a duplication in numbering, reads as follows:

A. Principles of law and equity supplement the Revised Uniform Unincorporated Nonprofit Association Act unless displaced by a particular provision of it.

B. A statute governing a specific type of unincorporated nonprofit association prevails over an inconsistent provision in the Revised Uniform Unincorporated Nonprofit Association Act.

C. The Revised Uniform Unincorporated Nonprofit Association Act supplements the law of this state that applies to nonprofit associations operating in this state. If a conflict exists, the state law applies.

1 SECTION 4. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 870.4 of Title 18, unless there  
3 is created a duplication in numbering, reads as follows:

4 A. Except as otherwise provided in subsection B of this  
5 section, the law of this state governs the operation in this state  
6 of all unincorporated nonprofit associations formed or operating in  
7 this state.

8 B. Unless the governing principles specify a different  
9 jurisdiction, the law of the jurisdiction in which an unincorporated  
10 nonprofit association has its main place of activities governs the  
11 internal affairs of the association.

12 SECTION 5. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 870.5 of Title 18, unless there  
14 is created a duplication in numbering, reads as follows:

15 A. An unincorporated nonprofit association is a legal entity  
16 distinct from its members and managers.

17 B. An unincorporated nonprofit association has perpetual  
18 duration unless the governing principles specify otherwise.

19 C. An unincorporated nonprofit association has the same powers  
20 as an individual to do all things necessary or convenient to carry  
21 on its purposes.

22 D. An unincorporated nonprofit association may engage in  
23 profit-making activities but profits from any such activities must  
24 be used or set aside for the nonprofit purposes of the association.

1 SECTION 6. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 870.6 of Title 18, unless there  
3 is created a duplication in numbering, reads as follows:

4 A. An unincorporated nonprofit association may acquire, hold,  
5 encumber, or transfer in its name an interest in real or personal  
6 property.

7 B. An unincorporated nonprofit association may be a beneficiary  
8 of a trust or contract, a legatee or a devisee.

9 SECTION 7. NEW LAW A new section of law to be codified  
10 in the Oklahoma Statutes as Section 870.7 of Title 18, unless there  
11 is created a duplication in numbering, reads as follows:

12 A. In this section, "statement of authority" means a statement  
13 authorizing a person to transfer an interest in real property held  
14 in the name of an unincorporated nonprofit association.

15 B. An interest in real property held in the name of an  
16 unincorporated nonprofit association may be transferred by a person  
17 authorized to do so in a statement of authority filed by the  
18 association in the office of the county clerk in which a transfer of  
19 the property would be filed.

20 C. A statement of authority must set forth:

21 1. The name of the unincorporated nonprofit association;

22 2. The association's street address in this state or, if the  
23 association does not have a street address in this state, the street  
24

1 address in the state in which the association has its main place of  
2 activities;

3 3. That the association is an unincorporated nonprofit  
4 association; and

5 4. The name, title, or position of a person authorized to  
6 transfer an estate or interest in real property held in the name of  
7 the association.

8 D. A statement of authority must be executed in the same manner  
9 as a deed by a person other than the person authorized in the  
10 statement to transfer the interest.

11 E. The county clerk may collect a fee for filing a statement of  
12 authority in the amount authorized for filing a deed.

13 F. A document amending, revoking, or canceling a statement of  
14 authority or stating that the statement is unauthorized or erroneous  
15 must meet the requirements for executing and filing an original  
16 statement.

17 G. Unless canceled earlier, a filed statement of authority and  
18 its most recent amendment expire five (5) years after the date of  
19 the most recent filing.

20 H. If the record title to real property is in the name of an  
21 unincorporated nonprofit association and the statement of authority  
22 is filed in the office of the county clerk in which a transfer of  
23 the property would be filed, the authority of the person named in  
24

1 the statement to transfer is conclusive in favor of a person that  
2 gives value without notice that the person lacks authority.

3 SECTION 8. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 870.8 of Title 18, unless there  
5 is created a duplication in numbering, reads as follows:

6 A. A debt, obligation, or other liability of an unincorporated  
7 nonprofit association, whether arising in contract, tort, or  
8 otherwise:

9 1. Is solely the debt, obligation, or other liability of the  
10 association; and

11 2. Does not become a debt, obligation, or other liability of a  
12 member or manager solely because the member acts as a member or the  
13 manager acts as a manager.

14 B. The status of a person as a member or manager does not  
15 prevent or restrict law other than the Revised Uniform  
16 Unincorporated Nonprofit Association Act from imposing liability on  
17 the person or the association because of the conduct of the person.

18 SECTION 9. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 870.9 of Title 18, unless there  
20 is created a duplication in numbering, reads as follows:

21 A. An unincorporated nonprofit association may sue or be sued  
22 in its own name.

23  
24

1 B. A member or manager may assert a claim the member or manager  
2 has against the unincorporated nonprofit association. An  
3 association may assert a claim it has against a member or manager.

4 SECTION 10. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 870.10 of Title 18, unless there  
6 is created a duplication in numbering, reads as follows:

7 A judgment or order against an unincorporated nonprofit  
8 association is not by itself a judgment or order against a member or  
9 manager.

10 SECTION 11. NEW LAW A new section of law to be codified  
11 in the Oklahoma Statutes as Section 870.11 of Title 18, unless there  
12 is created a duplication in numbering, reads as follows:

13 In any action or proceeding against an unincorporated nonprofit  
14 association, process may be served on a manager of the association  
15 or in any other manner authorized by the law of this state.

16 SECTION 12. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 870.12 of Title 18, unless there  
18 is created a duplication in numbering, reads as follows:

19 An action or proceeding against an unincorporated nonprofit  
20 association does not abate merely because of a change in its members  
21 or managers.

22 SECTION 13. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 870.13 of Title 18, unless there  
24 is created a duplication in numbering, reads as follows:

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

1 Unless otherwise provided by law other than the Revised Uniform  
2 Unincorporated Nonprofit Association Act, venue of an action against  
3 an unincorporated nonprofit association brought in this state is  
4 determined under the statutes applicable to an action brought in  
5 this state against a corporation.

6 SECTION 14. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 870.14 of Title 18, unless there  
8 is created a duplication in numbering, reads as follows:

9 A member is not an agent of the association solely by reason of  
10 being a member.

11 SECTION 15. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 870.15 of Title 18, unless there  
13 is created a duplication in numbering, reads as follows:

14 A. Except as otherwise provided in the governing principles, an  
15 unincorporated nonprofit association must have the approval of its  
16 members to:

- 17 1. Admit, suspend, dismiss, or expel a member;
- 18 2. Select or dismiss a manager;
- 19 3. Adopt, amend, or repeal the governing principles;
- 20 4. Sell, lease, exchange, or otherwise dispose of all, or  
21 substantially all, of the property of the association, with or  
22 without the goodwill of the association, outside the ordinary course  
23 of its activities;

24

1 5. Dissolve under paragraph 2 of subsection A of Section 27 of  
2 this act;

3 6. Undertake any other act outside the ordinary course of the  
4 activities of the association; or

5 7. Determine the policy and purposes of the association.

6 B. An unincorporated nonprofit association must have the  
7 approval of the members to do any other act or exercise a right that  
8 the governing principles require to be approved by members.

9 SECTION 16. NEW LAW A new section of law to be codified  
10 in the Oklahoma Statutes as Section 870.16 of Title 18, unless there  
11 is created a duplication in numbering, reads as follows:

12 A. Unless the governing principles provide otherwise:

13 1. Approval of a matter by members requires an affirmative  
14 majority of the votes cast at a meeting of members; and

15 2. Each member is entitled to one vote on each matter that is  
16 submitted for approval by members.

17 B. Notice and quorum requirements for member meetings and the  
18 conduct of meetings of members are determined by the governing  
19 principles.

20 SECTION 17. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 870.17 of Title 18, unless there  
22 is created a duplication in numbering, reads as follows:

23 A. A member does not have a fiduciary duty to an unincorporated  
24 nonprofit association or to another member solely by being a member.

1 B. A member shall discharge the duties to the unincorporated  
2 nonprofit association and the other members and exercise any rights  
3 under the Revised Uniform Unincorporated Nonprofit Association Act  
4 consistent with the governing principles and the obligation of good  
5 faith and fair dealing.

6 SECTION 18. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 870.18 of Title 18, unless there  
8 is created a duplication in numbering, reads as follows:

9 A. A person becomes a member and may be suspended, dismissed,  
10 or expelled in accordance with the governing principles of the  
11 association. If there are no applicable governing principles, a  
12 person may become a member or be suspended, dismissed, or expelled  
13 from an association only by a vote of its members. A person may not  
14 be admitted as a member without the consent of the person.

15 B. Unless the governing principles provide otherwise, the  
16 suspension, dismissal, or expulsion of a member does not relieve the  
17 member from any unpaid capital contribution, dues, assessments,  
18 fees, or other obligation incurred or commitment made by the member  
19 before the suspension, dismissal, or expulsion.

20 SECTION 19. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 870.19 of Title 18, unless there  
22 is created a duplication in numbering, reads as follows:  
23  
24

1 A. A member may resign as a member in accordance with the  
2 governing principles. In the absence of applicable governing  
3 principles, a member may resign at any time.

4 B. Unless the governing principles provide otherwise,  
5 resignation of a member does not relieve the member from any unpaid  
6 capital contribution, dues, assessments, fees, or other obligation  
7 incurred or commitment made by the member before resignation.

8 SECTION 20. NEW LAW A new section of law to be codified  
9 in the Oklahoma Statutes as Section 870.20 of Title 18, unless there  
10 is created a duplication in numbering, reads as follows:

11 Except as otherwise provided in the governing principles, the  
12 interest of a member or any right under the governing principles is  
13 not transferable.

14 SECTION 21. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 870.21 of Title 18, unless there  
16 is created a duplication in numbering, reads as follows:

17 Except as otherwise provided in the Revised Uniform  
18 Unincorporated Nonprofit Association Act or the governing  
19 principles:

- 20 1. Only the members may select a manager or managers;
- 21 2. A manager may be a member or a nonmember;
- 22 3. If a manager is not selected, all members are managers;
- 23 4. Each manager has equal rights in the management and conduct  
24 of the activities of the association;

1 5. All matters relating to the activities of the association  
2 are decided by its managers except for matters reserved for approval  
3 by members in Section 15 of this act; and

4 6. A difference among managers is decided by a majority of the  
5 managers.

6 SECTION 22. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 870.22 of Title 18, unless there  
8 is created a duplication in numbering, reads as follows:

9 A. A manager owes to the unincorporated nonprofit association  
10 and to its members the fiduciary duties of loyalty and care.

11 B. A manager shall manage the unincorporated nonprofit  
12 association in good faith, in a manner the manager reasonably  
13 believes to be in the best interests of the association, and with  
14 such care, including reasonable inquiry, as a prudent person would  
15 reasonably exercise in a similar position and under similar  
16 circumstances. A manager may rely in good faith upon any opinion,  
17 report, statement, or other information provided by another person  
18 that the manager reasonably believes is a competent and reliable  
19 source for the information.

20 C. After full disclosure of all material facts, a specific act  
21 or transaction that would otherwise violate the duty of loyalty by a  
22 manager may be authorized or ratified by a majority of the members  
23 that are not interested directly or indirectly in the act or  
24 transaction.

1 D. A manager that makes a business judgment in good faith  
2 satisfies the duties specified in subsection A of this section if  
3 the manager:

4 1. Is not interested, directly or indirectly, in the subject of  
5 the business judgment and is otherwise able to exercise independent  
6 judgment;

7 2. Is informed with respect to the subject of the business  
8 judgment to the extent the manager reasonably believes to be  
9 appropriate under the circumstances; and

10 3. Believes that the business judgment is in the best interests  
11 of the unincorporated nonprofit association and in accordance with  
12 its purposes.

13 E. The governing principles in a record may limit or eliminate  
14 the liability of a manager to the unincorporated nonprofit  
15 association or its members for damages for any action taken, or for  
16 failure to take any action, as a manager, except liability for:

17 1. The amount of financial benefit improperly received by a  
18 manager;

19 2. An intentional infliction of harm on the association or one  
20 or more of its members;

21 3. An intentional violation of criminal law;

22 4. Breach of the duty of loyalty; or

23 5. Improper distributions.  
24

1 SECTION 23. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 870.23 of Title 18, unless there  
3 is created a duplication in numbering, reads as follows:

4 Notice and quorum requirements for meetings of managers and the  
5 conduct of meetings of managers are determined by the governing  
6 principles.

7 SECTION 24. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 870.24 of Title 18, unless there  
9 is created a duplication in numbering, reads as follows:

10 A. On reasonable notice, a member or manager of an  
11 unincorporated nonprofit association may inspect and copy during the  
12 regular operating hours of the unincorporated nonprofit association,  
13 at a reasonable location specified by the association, any record  
14 maintained by the association regarding its activities, financial  
15 condition, and other circumstances, to the extent the information is  
16 material to the rights and duties of the member or manager under the  
17 governing principles.

18 B. An unincorporated nonprofit association may impose  
19 reasonable restrictions on access to and use of information to be  
20 furnished under this section, including designating the information  
21 confidential and imposing obligations of nondisclosure and  
22 safeguarding on the recipient.

23  
24

1 C. An unincorporated nonprofit association may charge a person  
2 that makes a demand under this section reasonable copying costs,  
3 limited to the costs of labor and materials.

4 D. A former member or manager is entitled to information to  
5 which the member or manager was entitled while a member or manager  
6 if the information pertains to the period during which the person  
7 was a member or manager, the former member or manager seeks the  
8 information in good faith, and the former member or manager  
9 satisfies subsections A through C of this section.

10 SECTION 25. NEW LAW A new section of law to be codified  
11 in the Oklahoma Statutes as Section 870.25 of Title 18, unless there  
12 is created a duplication in numbering, reads as follows:

13 A. Except as otherwise provided in subsection B of this  
14 section, an unincorporated nonprofit association may not pay  
15 dividends or make distributions to a member or manager.

16 B. An unincorporated nonprofit association may:

17 1. Pay reasonable compensation or reimburse reasonable expenses  
18 to a member or manager for services rendered;

19 2. Confer benefits on a member or manager in conformity with  
20 its nonprofit purposes;

21 3. Repurchase a membership and repay a capital contribution  
22 made by a member to the extent authorized by its governing  
23 principles; or  
24

1 4. Make distributions of property to members upon winding up  
2 and termination to the extent permitted by Section 28 of this act.

3 SECTION 26. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 870.26 of Title 18, unless there  
5 is created a duplication in numbering, reads as follows:

6 A. Except as otherwise provided in the governing principles, an  
7 unincorporated nonprofit association may reimburse a member or  
8 manager for authorized expenses reasonably incurred in the course of  
9 the activities of the member or manager on behalf of the  
10 association.

11 B. An unincorporated nonprofit association may indemnify a  
12 member or manager for any debt, obligation, or other liability  
13 incurred in the course of the activities of the member or manager on  
14 behalf of the association if the person seeking indemnification has  
15 complied with Sections 17 and 22 of this act. Governing principles  
16 in a record may broaden or limit indemnification.

17 C. If a person is made or threatened to be made a party in an  
18 action based on the activities of that person on behalf of an  
19 unincorporated nonprofit association and the person makes a request  
20 in a record to the association, a majority of the disinterested  
21 managers may approve in a record advance payment, or reimbursement,  
22 by the association, of all or a part of the reasonable expenses,  
23 including attorney fees and costs, incurred by the person before the  
24 final disposition of the proceeding. To be entitled to an advance

1 payment or reimbursement, the person must state in a record that the  
2 person has a good faith belief that the criteria for indemnification  
3 in subsection B of this section have been satisfied and that the  
4 person will repay the amounts advanced or reimbursed if the criteria  
5 for payment have not been satisfied. The governing principles in a  
6 record may broaden or limit the advance payments or reimbursements.

7 D. An unincorporated nonprofit association may purchase  
8 insurance on behalf of a member or manager for liability asserted  
9 against or incurred by the member or manager in the capacity of a  
10 member or manager, whether or not the association has authority  
11 under the Revised Uniform Unincorporated Nonprofit Association Act  
12 to reimburse, indemnify, or advance expenses to the member or  
13 manager against the liability.

14 E. The rights of reimbursement, indemnification, and  
15 advancement of expenses under this section apply to a former member  
16 or manager for an activity undertaken on behalf of the  
17 unincorporated nonprofit association while a member or manager.

18 SECTION 27. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 870.27 of Title 18, unless there  
20 is created a duplication in numbering, reads as follows:

21 A. An unincorporated nonprofit association may be dissolved as  
22 follows:

23 1. If the governing principles provide a time or method for  
24 dissolution, at that time or by that method;

1        2. If the governing principles do not provide a time or method  
2 for dissolution, upon approval by the members;

3        3. If no member can be located and the operations of the  
4 association have been discontinued for at least three (3) years, by  
5 the managers or, if the association has no current manager, by its  
6 last manager;

7        4. By court order; or

8        5. Under law other than the Revised Uniform Unincorporated  
9 Nonprofit Association Act.

10        B. After dissolution, an unincorporated nonprofit association  
11 continues in existence until its activities have been wound up and  
12 it is terminated pursuant to Section 28 of this act.

13        SECTION 28.        NEW LAW        A new section of law to be codified  
14 in the Oklahoma Statutes as Section 870.28 of Title 18, unless there  
15 is created a duplication in numbering, reads as follows:

16        Winding up and termination of an unincorporated nonprofit  
17 association must proceed in accordance with the following rules:

18        1. All known debts and liabilities must be paid or adequately  
19 provided for;

20        2. Any property subject to a condition requiring return to the  
21 person designated by the donor must be transferred to that person;

22        3. Any property subject to a trust must be distributed in  
23 accordance with the trust agreement; and

24        4. Any remaining property must be distributed as follows:

- 1 a. as required by law other than the Revised Uniform  
2 Unincorporated Nonprofit Association Act that requires  
3 assets of an association to be distributed to another  
4 person with similar nonprofit purposes,  
5 b. in accordance with the governing principles of the  
6 association or in the absence of applicable governing  
7 principles, to the members of the association per  
8 capita or as the members direct, or  
9 c. if neither subparagraph a nor b of this paragraph  
10 applies, under the Uniform Unclaimed Property Act.

11 SECTION 29. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 870.29 of Title 18, unless there  
13 is created a duplication in numbering, reads as follows:

14 A. If, before the effective date of the Revised Uniform  
15 Unincorporated Nonprofit Association Act, an interest in property  
16 was by terms of a transfer purportedly transferred to an  
17 unincorporated nonprofit association but under the law of this state  
18 the interest did not vest in the association, or in one or more  
19 persons on behalf of the association under subsection B of this  
20 section, on the effective date of the Revised Uniform Unincorporated  
21 Nonprofit Association Act the interest vests in the association,  
22 unless the parties to the transfer have treated the transfer as  
23 ineffective.  
24

1 B. If, before the effective date of the Revised Uniform  
2 Unincorporated Nonprofit Association Act, an interest in property  
3 was by terms of a transfer purportedly transferred to an  
4 unincorporated nonprofit association, but the interest was vested in  
5 one or more persons to hold the interest for members of the  
6 association, on or after the effective date of the Revised Uniform  
7 Unincorporated Nonprofit Association Act, the persons, or their  
8 successors in interest, may transfer the interest to the association  
9 in its name, or the association may require that the interest be  
10 transferred to it in its name.

11 SECTION 30. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 870.30 of Title 18, unless there  
13 is created a duplication in numbering, reads as follows:

14 In applying and construing the Revised Uniform Unincorporated  
15 Nonprofit Association Act, consideration must be given to the need  
16 to promote uniformity of the law with respect to its subject matter  
17 among states that enact it.

18 SECTION 31. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 870.31 of Title 18, unless there  
20 is created a duplication in numbering, reads as follows:

21 The Revised Uniform Unincorporated Nonprofit Association Act  
22 modifies, limits, and supersedes the federal Electronic Signatures  
23 in Global and National Commerce Act, 15 U.S.C., Section 7001, et  
24 seq., but does not modify, limit, or supersede Section 101(c) of

1 that act, 15 U.S.C., Section 7001(c), or authorize electronic  
2 delivery of any of the notices described in Section 103(b) of that  
3 act, 15 U.S.C., Section 7003(b).

4 SECTION 32. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 870.32 of Title 18, unless there  
6 is created a duplication in numbering, reads as follows:

7 The Revised Uniform Unincorporated Nonprofit Association Act  
8 does not affect an action or proceeding commenced or right accrued  
9 before the Revised Uniform Unincorporated Nonprofit Association Act  
10 takes effect.

11 SECTION 33. This act shall become effective November 1, 2013.

12

13 COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND FINANCIAL  
14 SERVICES, dated 02/07/2013 - DO PASS.

15

16

17

18

19

20

21

22

23

24