

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

HOUSE BILL 2666

By: Pruett

AS INTRODUCED

An Act relating to electric utilities; amending 18 O.S. 2011, Section 437.7, which relates to membership, meetings and voting of rural electric cooperatives; updating statutory language; updating statutory outline; allowing certain mail-in ballots to count towards a quorum; making voting by mail a requirement; and declaring an emergency.

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

SECTION 1. AMENDATORY 18 O.S. 2011, Section 437.7, is amended to read as follows:

Section 437.7 ~~(a)~~ A. No person who is not an incorporator shall become a member of a cooperative unless ~~such~~ the person shall ~~agree~~ agrees to use electric energy furnished by the cooperative when ~~such~~ electric energy shall be available through its facilities. The bylaws of a cooperative may provide that any person, including a corporation, shall cease to be a member ~~thereof~~ of the cooperative if ~~he shall fail~~ the member fails or ~~refuse~~ refuses to use electric energy made available by the cooperative or if electric energy shall not be made available to ~~such~~ the person by the cooperative within a

1 specified time after ~~such~~ the person shall have become a member  
2 ~~thereof~~ of the cooperative. Membership in the cooperative shall not  
3 be transferable, except as provided in the bylaws. The bylaws may  
4 prescribe additional qualifications and limitations in respect to  
5 membership.

6 ~~(b)~~ B. An annual meeting of the members shall be held at ~~such~~ a  
7 time as shall be provided in the bylaws.

8 ~~(c)~~ C. Special meetings of the members may be called by the  
9 board of trustees, by any three trustees, by not less than ten  
10 percent (10%) of the members, ~~or~~ by the president.

11 ~~(d)~~ D. Meetings of members shall be held at ~~such~~ any place as  
12 may be provided in the bylaws. In the absence of any ~~such~~ meeting  
13 place provision, all meetings shall be held in the city or town in  
14 which the principal office of the cooperative is located.

15 ~~(e)~~ E. Except as ~~hereinafter~~ otherwise provided for in this  
16 subsection, written or printed notice stating the time and place of  
17 each meeting of members and, in the case of a special meeting, the  
18 purpose or purposes for which the meeting is called, shall be given  
19 to each member, either personally or by mail, not less than ten (10)  
20 nor more than twenty-five (25) days before the date of the meeting.

21 ~~(f)~~ F. Five percent (5%) of all members, who are either present  
22 in person, or who have submitted mail-in ballots which have been  
23 verified as submitted by a qualified member shall constitute a  
24 quorum for the transaction of business at all meetings of the

1 members, unless the bylaws prescribe the presence of a greater  
2 percentage of the members for a quorum. If ~~less than~~ there is not a  
3 quorum ~~is present~~ at any meeting, a majority of those present in  
4 person may adjourn the meeting ~~from time to time~~ without further  
5 notice.

6 ~~(g)~~ G. Each member shall be entitled to one vote on each matter  
7 submitted to a vote at a meeting. Voting shall be in person or by  
8 mail, but, if the bylaws so provide, may also be by proxy ~~or by~~  
9 ~~mail, or both.~~ If the bylaws provide for voting by proxy ~~or by~~  
10 ~~mail, they~~ it shall also prescribe the conditions under which proxy  
11 ~~or mail~~ voting shall be exercised. In any event, no person shall  
12 vote a proxy for more than three members at any meeting of the  
13 members.

14 SECTION 2. It being immediately necessary for the preservation  
15 of the public peace, health and safety, an emergency is hereby  
16 declared to exist, by reason whereof this act shall take effect and  
17 be in full force from and after its passage and approval.

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19 55-2-8822 KB 01/19/16  
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