

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 1444

By: Jech

COMMITTEE SUBSTITUTE

An Act relating to the Rural Electric Cooperative Act; amending 18 O.S. 2021, Section 437.7, which relates to members; authorizing certain registrations to count towards quorum; requiring vote taken in certain circumstances be limited to certain proposed actions within notice; defining term; and declaring an emergency.

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

SECTION 1. AMENDATORY 18 O.S. 2021, 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 person shall agree 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 if he or she shall fail or refuse to use electric energy made available by the cooperative or if electric energy shall not be made available to

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

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

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

21 ~~(f)~~ F. Five percent (5%) of all members, present in person,
22 shall constitute a quorum for the transaction of business at all
23 meetings of the members, unless the bylaws prescribe the presence of
24 a greater percentage of the members for a quorum. If less than a

1 quorum is present at any meeting, a majority of those present in
2 person may adjourn the meeting from time to time without further
3 notice. If allowed by the bylaws of a cooperative, mail-in ballots
4 may be counted toward the required five percent (5%) of members
5 necessary to constitute a quorum. If specified in the meeting
6 notice, in-person registrations shall be counted toward the required
7 five percent (5%) of members necessary to constitute a quorum. Any
8 vote taken at a time when less than five percent (5%) of all members
9 are physically present shall be taken only on proposed actions which
10 were specifically identified and provided to the members in advance
11 through the meeting notice.

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

19 H. For purposes of this section, "in-person registration" means
20 a member registering for a meeting at any location designated in the
21 meeting notice.

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

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