

An Act

ENROLLED SENATE
BILL NO. 1444

By: Jech of the Senate

and

Newton of the House

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.

SUBJECT: Rural Electric Cooperative Act

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

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

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

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

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

~~(f)~~ F. Five percent (5%) of all members, present in person, shall constitute a quorum for the transaction of business at all meetings of the members, unless the bylaws prescribe the presence of a greater percentage of the members for a quorum. If less than a quorum is present at any meeting, a majority of those present in person may adjourn the meeting from time to time without further notice. If allowed by the bylaws of a cooperative, mail-in ballots may be counted toward the required five percent (5%) of members necessary to constitute a quorum. If specified in the meeting notice, in-person registrations shall be counted toward the required five percent (5%) of members necessary to constitute a quorum. Any vote taken at a time when less than five percent (5%) of all members are physically present shall be taken only on proposed actions which were specifically identified and provided to the members in advance through the meeting notice.

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

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

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

Passed the Senate the 1st day of March, 2022.

Presiding Officer of the Senate

Passed the House of Representatives the 27th day of April, 2022.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____