

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1323

By: Sharp

6 AS INTRODUCED

7 An Act relating to rural electric cooperatives;
8 amending 18 O.S. 2011 Section 437.7, as amended by
9 Section 1, Chapter 96, O.S.L. 2016 (18 O.S. Supp.
10 2019, Section 437.7), which relates to meetings of
11 rural electric cooperatives; removing quorum
12 requirement for rural electric cooperative meetings;
13 modifying authorized types of voting; and providing
14 an effective date.

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

16 SECTION 1. AMENDATORY 18 O.S. 2011, Section 437.7, as
17 amended by Section 1, Chapter 96, O.S.L. 2016 (18 O.S. Supp. 2019,
18 Section 437.7), is amended to read as follows:

19 Section 437.7. ~~(a)~~ A. No person who is not an incorporator
20 shall become a member of a cooperative unless such person shall
21 agree to use electric energy furnished by the cooperative when such
22 electric energy shall be available through its facilities. The
23 bylaws of a cooperative may provide that any person, including a
24 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) Five percent (5%) of all members, present in person, shall~~
22 ~~constitute a quorum for the transaction of business at all meetings~~
23 ~~of the members, unless the bylaws prescribe the presence of a~~
24 ~~greater percentage of the members for a quorum. If less than a~~
25

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.~~

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

14 SECTION 2. This act shall become effective November 1, 2020.

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