

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 245, Page 1, Section A, Line 2, by  
2 inserting after said section and line the following:

3  
4 "394.120. 1. No person shall become a member of a cooperative unless such person shall  
5 agree to use electric energy furnished by the cooperative when such electric energy shall be  
6 available through its facilities. The bylaws of a cooperative may provide that any person, including  
7 an incorporator, shall cease to be a member thereof if he or she shall fail or refuse to use electric  
8 energy made available by the cooperative or if electric energy shall not be made available to such  
9 person by the cooperative within a specified time after such person shall have become a member  
10 thereof. Membership in the cooperative shall not be transferable, except as provided in the bylaws.  
11 The bylaws may prescribe additional qualifications and limitations in respect of membership.

12 2. An annual meeting of the members shall be held at such time as shall be provided in the  
13 bylaws.

14 3. Special meetings of the members may be called by the board of directors, by any three  
15 directors, by not less than ten percent of the members, or by the president.

16 4. Meetings of members shall be held at such place as may be provided in the bylaws. In  
17 the absence of any such provisions, all meetings shall be held in the city or town in which the  
18 principal office of the cooperative is located.

19 5. Except as herein otherwise provided, written or printed notice stating the time and place  
20 of each meeting of members and, in the case of a special meeting, the purpose or purposes for which  
21 the meeting is called, shall be given to each member, either personally or by mail, not less than ten  
22 nor more than twenty-five days before the date of the  
23 meeting.

24 6. Two percent of the first two thousand members and one percent of the remaining  
25 members, present in person, or if the bylaws so provide, participating electronically or by mail, shall  
26 constitute a quorum for the transaction of business at all meetings of the members, unless the bylaws  
27 prescribe the presence of a greater percentage of the members for a quorum. If less than a quorum is  
28 present at any meeting, a majority of those present in person may adjourn the meeting from time to  
29 time without further notice.

30 7. Each member shall be entitled to one vote on each matter submitted to a vote at a  
31 meeting. Voting shall be in person, but, if the bylaws so provide, may also be by proxy, by  
32 electronic means, by mail, or any combination thereof. If the bylaws provide for voting by proxy,  
33 by electronic means, or by mail, they shall also prescribe the conditions under which proxy,  
34 electronic, or mail voting shall be exercised. In any event, no person shall vote as proxy for more  
35 than two members at any meeting of the members.

36 8. Notwithstanding the provisions of subsections 2 and 7 of this section, the board of

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 directors shall have the power to set the time and place of the annual meeting and also to provide for  
2 voting by proxy, electronic means, by mail, or any combination thereof, and to prescribe the  
3 conditions under which such voting shall be exercised. The meeting requirement provided in this  
4 section may be satisfied through virtual means. The provisions of this subsection shall expire on  
5 August 28, 2022."; and

6  
7 Further amend said bill by amending the title, enacting clause, and intersectional references  
8 accordingly.