

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 993

By: Silk

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5
6 AS INTRODUCED

7 An Act relating to Rural Electric Cooperatives;
8 amending 18 O.S. 2011, Section 437.7, which relates
9 to membership; authorizing mail-in ballots for
10 certain purpose; and declaring an emergency.

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

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

14 Section 437.7. (a) No person who is not an incorporator shall
15 become a member of a cooperative unless such person shall agree to
16 use electric energy furnished by the cooperative when such electric
17 energy shall be available through its facilities. The bylaws of a
18 cooperative may provide that any person, including a corporation,
19 shall cease to be a member thereof if he or she shall fail or refuse
20 to use electric energy made available by the cooperative or if
21 electric energy shall not be made available to such person by the
22 cooperative within a specified time after such person shall have
23 become a member thereof. Membership in the cooperative shall not be
24 transferable, except as provided in the bylaws. The bylaws may

1 prescribe additional qualifications and limitations in respect to
2 membership.

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

5 (c) Special meetings of the members may be called by the board
6 of trustees, by any three trustees, by not less than ten percent
7 (10%) of the members, or by the president.

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

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

18 (f) Five percent (5%) of all members, present in person, shall
19 constitute a quorum for the transaction of business at all meetings
20 of the members, unless the bylaws prescribe the presence of a
21 greater percentage of the members for a quorum. If less than a
22 quorum is present at any meeting, a majority of those present in
23 person may adjourn the meeting from time to time without further
24 notice. If allowed by the bylaws of a cooperative, mail-in ballots

1 may be counted toward the required five percent (5%) of members
2 necessary to constitute a quorum.

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

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

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