

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 87 Session of 2013

INTRODUCED BY ROSS, YOUNGBLOOD, MARSHALL, SCHLOSSBERG,
 LONGIETTI, FRANKEL, GINGRICH, KORTZ, CARROLL, FABRIZIO, KULA,
 FLECK, HESS, BOBACK, PASHINSKI, C. HARRIS, O'NEILL, CUTLER,
 GROVE, READSHAW, HICKERNELL, PICKETT, CALTAGIRONE, LAWRENCE,
 MOUL AND PEIFER, JANUARY 10, 2013

REFERRED TO COMMITTEE ON COMMERCE, JANUARY 10, 2013

AN ACT

1 Amending Title 15 (Corporations and Unincorporated Associations)
 2 of the Pennsylvania Consolidated Statutes, in officers,
 3 directors and members relating to nonprofit corporations,
 4 further providing for manner of giving notice.

5 The General Assembly of the Commonwealth of Pennsylvania
 6 hereby enacts as follows:

7 Section 1. Section 5702(a) of Title 15 of the Pennsylvania
 8 Consolidated Statutes is amended to read:

9 § 5702. Manner of giving notice.

10 (a) General rule.--[Whenever written]

11 (1) A notice [is] required to be given to any person
 12 under the provisions of this subpart or by the articles or
 13 bylaws of any nonprofit corporation[, it may] shall be given
 14 to the person either personally or by sending a copy [thereof
 15 by] of the notice pursuant to one of the following:

16 (i) By first class or express mail, postage prepaid,
 17 [or by telegram (with messenger service specified), telex

1 or TWX (with answer back received)] or courier service,
2 charges prepaid, [or by facsimile transmission,] to [his]
3 the person's postal address [(or to his telex, TWX or
4 facsimile number)] appearing on the books of the
5 corporation or, in the case of directors or members of
6 [an other] another body, supplied by [him] the person to
7 the corporation for the purpose of notice. [If the notice
8 is sent by mail, telegraph or courier service, it shall
9 be deemed to have been given to the person entitled
10 thereto when deposited in the United States mail or with
11 a telegraph office or courier service for delivery to
12 that person or, in the case of telex or TWX, when
13 dispatched.] Notice under this subparagraph shall be
14 deemed to have been given to the person entitled to the
15 notice when deposited in the United States mail or with a
16 courier service for delivery to that person.

17 (ii) By facsimile transmission, e-mail or other
18 electronic communication to the person's facsimile number
19 or address for e-mail or other electronic communications
20 supplied by the person to the corporation for the purpose
21 of notice. Notice under this subparagraph shall be deemed
22 to have been given to the person entitled to the notice
23 when sent.

24 (2) A notice of meeting shall specify the [place,] day
25 [and], hour and geographic location, if any, of the meeting
26 and any other information required by any other provision of
27 this subpart.

28 * * *

29 Section 2. This act shall take effect in 60 days.