

115TH CONGRESS
2D SESSION

H. R. 4100

IN THE SENATE OF THE UNITED STATES

JULY 24, 2018

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To amend title 36, United States Code, to revise the Federal charter for the Foundation of the Federal Bar Association.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Foundation of the Fed-
3 eral Bar Association Charter Amendments Act of 2017”.

4 **SEC. 2. ORGANIZATION.**

5 Section 70501 of title 36, United States Code, is
6 amended by striking subsection (b) and redesignating sub-
7 section (c) as subsection (b).

8 **SEC. 3. MEMBERSHIP.**

9 Section 70503 of title 36, United States Code, is
10 amended—

11 (1) by striking subsections (a) and (b) and in-
12 serting the following:

13 “(a) ELIGIBILITY.—Except as provided in this chap-
14 ter, eligibility for membership in the corporation and the
15 rights and privileges of members are as provided in the
16 bylaws.”;

17 (2) by redesignating subsection (c) as sub-
18 section (b); and

19 (3) by adding at the end the following:

20 “(c) NONDISCRIMINATION.—The terms of member-
21 ship may not discriminate on the basis of race, color, reli-
22 gion, sex, disability, age, sexual orientation, or national
23 origin.”.

24 **SEC. 4. GOVERNING BODY.**

25 Section 70504 of title 36, United States Code, is
26 amended to read as follows:

1 **“§ 70504. Governing body**

2 “(a) BOARD OF DIRECTORS.—The board of directors
3 is the governing body of the corporation. The board may
4 exercise, or provide for the exercise of, the powers of the
5 corporation. The board of directors and the responsibilities
6 of the board are as provided in the bylaws.

7 “(b) OFFICERS.—The officers and the election of the
8 officers are as provided for in the bylaws.

9 “(c) NONDISCRIMINATION.—The requirements for
10 serving as a director or officer may not discriminate on
11 the basis of race, color, religion, sex, disability, age, sexual
12 orientation, or national origin.”.

13 **SEC. 5. RESTRICTIONS.**

14 Section 70507 of title 36, United States Code, is
15 amended to read as follows:

16 **“§ 70507. Restrictions**

17 “(a) STOCK AND DIVIDENDS.—The corporation may
18 not issue stock or declare or pay a dividend.

19 “(b) POLITICAL ACTIVITIES.—The corporation or a
20 director or officer in his or her corporate capacity may
21 not contribute to, support, or participate in any political
22 activity or in any manner attempt to influence legislation.

23 “(c) DISTRIBUTION OF INCOME OR ASSETS.—The in-
24 come or assets of the corporation may not inure to the
25 benefit of, or be distributed to, a director, officer, or mem-
26 ber during the life of the charter granted by this chapter.

1 This subsection does not prevent the payment, in amounts
2 approved by the board of directors, of—

3 “(1) reasonable compensation; or

4 “(2) reimbursement for expenses incurred in
5 undertaking the corporation’s business, to officers,
6 directors, or members.

7 This subsection does not prevent the award of a grant to
8 a Federal Bar Association chapter of which an officer, di-
9 rector, member may be a member. This subsection also
10 does not prevent the payment of reasonable compensation
11 to the corporation’s employees for services undertaken on
12 behalf of the corporation.

13 “(d) LOANS.—The corporation may not make a loan
14 to a director, officer, member, or employee.

15 “(e) IMMUNITY FROM LIABILITY.—Members and pri-
16 vate individuals are not liable for the obligations of the
17 corporation.

18 “(f) CLAIM OF GOVERNMENTAL APPROVAL OR AU-
19 THORITY.—The corporation may not claim congressional
20 approval or the authority of the United States Govern-
21 ment for any of its activities; it may, however, acknowl-
22 edge this charter.”.

23 **SEC. 6. PRINCIPAL OFFICE.**

24 Section 70508 of title 36, United States Code, is
25 amended by striking “the District of Columbia,” and in-

1 setting “a United States location decided by the board of
2 directors and specified in the bylaws,”.

3 **SEC. 7. SERVICE OF PROCESS.**

4 Section 70510 of title 36, United States Code, is
5 amended to read as follows:

6 **“§ 70510. Service of process**

7 “The corporation shall comply with the law on service
8 of process of the State or District in which it is incor-
9 porated.”.

10 **SEC. 8. DEPOSIT OF ASSETS ON DISSOLUTION OR FINAL**
11 **LIQUIDATION.**

12 Section 70512 of title 36, United States Code, is
13 amended to read as follows:

14 **“§ 70512. Deposit of assets on dissolution or final liq-**
15 **uidation**

16 “On dissolution or final liquidation of the corpora-
17 tion, any assets of the corporation remaining after the dis-
18 charge of all liabilities shall be distributed as provided by
19 the board of directors, but in compliance with the charter
20 and bylaws.”.

Passed the House of Representatives July 23, 2018.

Attest:

KAREN L. HAAS,

Clerk.