

ble provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State” are omitted as unnecessary.

In clause (6), the words “instruments of indebtedness” are substituted for “bonds” for consistency in the revised title. The words “secure its obligations by granting security interests in its property” are substituted for “secure the same by mortgage, deed of trust, pledge, or otherwise” for consistency in the revised title and to eliminate unnecessary words. The words “for the purposes of the corporation” and “subject in every case to all applicable provisions of Federal and State laws” are omitted as unnecessary.

In clause (7), the words “complain and defend in any court of competent jurisdiction” are omitted as unnecessary and for consistency in the revised title.

**§ 23106. Restrictions**

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

(b) POLITICAL ACTIVITIES.—The corporation or a trustee, officer, employee, member of the board of nominations, or member of the corporation as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a trustee, officer, member of the board of nominations, or member of the corporation, as such, during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of reasonable compensation to an officer or employee in an amount approved by the board of trustees.

(d) LOANS.—The corporation may not make a loan or advance to a trustee, officer, employee, member of the board of nominations, or member of the corporation. Trustees who vote for or assent to making such a loan or advance, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

(e) CONTRIBUTIONS TO CERTAIN ORGANIZATIONS.—None of the principal or interest of a fund referred to in section 23102(1) of this title may be contributed to an organization if—

- (1) a substantial part of its activities is carrying on propaganda or attempting to influence legislation; or
- (2) any part of its net earnings benefits a private shareholder or individual.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1313.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code)                               | Source (Statutes at Large)   |
|-----------------|--|--|
| 23106(a) .....  | 36:4313.   | July 14, 1964, Pub. L. 88–372, §§3(1) (1st sentence words after 8th comma), 10, 11, 13, 78 Stat. 314, 317. |
| 23106(b) .....  | 36:4311.   |  |
| 23106(c) .....  | 36:4310(a).                                      |  |
| 23106(d) .....  | 36:4310(b).                                      |  |
| 23106(e) .....  | 36:4303(1) (1st sentence words after 8th comma). |  |

In subsection (a), the words “any shares of” are omitted as unnecessary.

In subsection (c), the words “inure to the benefit of” are substituted for “inure to” for consistency in the revised title.

In subsection (d), the words “or advance” are added in 2 places for consistency in the subsection.

**§ 23107. Principal office**

The principal office of the corporation shall be in Ohio. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1313; Pub. L. 115–91, div. B, title XXVIII, §2862, Dec. 12, 2017, 131 Stat. 1868.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                          |
|-----------------|--------------------|---|
| 23107 .....     | 36:4305(a).        | July 14, 1964, Pub. L. 88–372, §5(a), 78 Stat. 316. |

The word “various” is omitted as unnecessary. The words “the Commonwealth of Puerto Rico” are omitted as included in “territories, and possessions of the United States”.

**Editorial Notes**

AMENDMENTS

2017—Pub. L. 115–91 substituted “Ohio” for “Dayton, Ohio, or another place decided by the board of trustees”.

**§ 23108. Records and inspection**

(a) RECORDS.—The corporation shall keep—

- (1) correct and complete records of account;
- (2) minutes of the proceedings of its members, board of trustees, board of nominations, and committees having any of the authority of its board of trustees; and
- (3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1313.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                        |
|-----------------|--------------------|---|
| 23108 .....     | 36:4314.           | July 14, 1964, Pub. L. 88–372, §14, 78 Stat. 317. |

The word “records” is substituted for “books and records” for consistency in the revised title and with other titles of the United States Code.

**§ 23109. Statement required in audit report**

The corporation shall include in the audit report statement required under section 10101(b)(1)(B) of this title a schedule of all contracts requiring payments greater than \$10,000 and all payments of compensation or fees at a rate greater than \$10,000 a year.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1314.)