

–CITE–

36 USC CHAPTER 311 – BOYS & GIRLS CLUBS OF AMERICA 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND
ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 311 – BOYS & GIRLS CLUBS OF AMERICA

–HEAD–

CHAPTER 311 – BOYS & GIRLS CLUBS OF AMERICA

–MISC1–

Sec.

31101. Organization.

31102. Purposes.

31103. Membership.

31104. Governing body.

31105. Powers.

31106. Restrictions.

31107. Principal office.

31108. Records and inspection.

31109. Service of process.

31110. Liability for acts of officers and agents.

31111. Distribution of assets on dissolution or final
liquidation.

–End–

–CITE–

36 USC Sec. 31101 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND
ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 311 – BOYS & GIRLS CLUBS OF AMERICA

–HEAD–

Sec. 31101. Organization

–STATUTE–

(a) Federal Charter. – Boys & Girls Clubs of America (in this chapter, the "corporation") is a federally chartered corporation.

(b) Place of Incorporation and Domicile. – The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) Perpetual Existence. – Except as otherwise provided, the corporation has perpetual existence.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1326.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

31101 36:691. Aug. 6, 1956, ch. 976, Sec.

1, 70 Stat. 1052; Dec. 10,

1991, Pub. L. 102–199, Sec.

1(2), 105 Stat. 1628.

36:692. Aug. 6, 1956, ch. 976, Secs.

2, 4(1), 70 Stat. 1052.

36:694(1).

This section is substituted for the source provisions for consistency in the revised title and to eliminate executed and unnecessary words.

–End–

–CITE–

36 USC Sec. 31102 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 311 – BOYS & GIRLS CLUBS OF AMERICA

–HEAD–

Sec. 31102. Purposes

–STATUTE–

The purposes of the corporation are –

(1) to promote the health, social, educational, vocational, and character development of youth throughout the United States; and

(2) to receive, invest, and disburse funds and to hold property

for the purposes of the corporation.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1327.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

31102 36:693. Aug. 6, 1956, ch. 976, Sec.

3, 70 Stat. 1052; Dec. 10,

1991, Pub. L. 102–199, Sec.

1(3), 105 Stat. 1628.

–End–

–CITE–

36 USC Sec. 31103 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND
ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 311 – BOYS & GIRLS CLUBS OF AMERICA

–HEAD–

Sec. 31103. Membership

–STATUTE–

- (a) Eligibility. – Except as provided in this chapter, eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the constitution and bylaws of the corporation.
- (b) Voting. – Each member has one vote on each matter submitted to a vote at a meeting of the members.
- (c) Benefits of Member Organizations. – Each organization that is a member of the corporation as provided in the constitution of the corporation is entitled to all the benefits of incorporation under this chapter. Those benefits cease immediately on termination of membership, whether by –
- (1) resignation from the corporation; or
 - (2) termination of its membership by the board of directors of the corporation as provided in the constitution.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1327.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

31103(a) 36:696(a) (1st Aug. 6, 1956, ch. 976, Sec. sentence). 6, 70 Stat. 1053.

31103(b) 36:696(a) (last

sentence).

31103(c) 36:696(b).

In subsection (a), the words "are as provided in the constitution and bylaws of the corporation" are substituted for "shall . . . be determined as the constitution and bylaws of the corporation may provide" for consistency in the revised title and to eliminate unnecessary words.

In subsection (b), the words "the right to" are omitted as unnecessary.

In subsection (c), the words "on termination of membership, whether by" are substituted for "either upon" for clarity. The words "in the event that" and "canceled or otherwise" are omitted as unnecessary.

–End–

–CITE–

36 USC Sec. 31104 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 311 – BOYS & GIRLS CLUBS OF AMERICA

–HEAD–

Sec. 31104. Governing body

–STATUTE–

(a) Board of Directors. – (1) The board of directors is the governing body of the corporation. The powers, duties, and responsibilities of the board are as provided in the constitution and bylaws of the corporation.

(2) The number of directors is as provided in the constitution of the corporation. Their manner of selection (including the filling of vacancies) and their term of office are as provided in the constitution and bylaws.

(b) Officers. – (1) The officers of the corporation are a chairman of the board of directors, a president, one or more vice presidents as provided in the constitution and bylaws, a secretary, a treasurer, and one or more assistant secretaries and assistant treasurers as provided in the constitution and bylaws.

(2) The manner of election, term of office, and duties of the officers are as provided in the constitution and bylaws.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1327.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

31104(a) 36:697. Aug. 6, 1956, ch. 976, Secs.

7, 8, 70 Stat. 1053.

31104(b) 36:698.

In subsection (a)(1), the word "governing" is substituted for "managing" for consistency in the revised title. The text of 36:697(a) is omitted as executed and obsolete.

–End–

–CITE–

36 USC Sec. 31105 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 311 – BOYS & GIRLS CLUBS OF AMERICA

–HEAD–

Sec. 31105. Powers

–STATUTE–

The corporation may –

- (1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;
- (2) adopt and alter a corporate seal;
- (3) choose officers, managers, agents, and employees as the activities of the corporation require;
- (4) make contracts;
- (5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;
and

(7) sue and be sued.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1327.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

31105 36:694(2)–(9). Aug. 6, 1956, ch. 976, Secs.

4(2)–(9), 16, 70 Stat. 1052,

1056.

36:706.

In this section, the text of 36:706 is omitted as executed and obsolete.

In clause (1), the words "and alter" and "not inconsistent with the laws of the United States or any State in which the corporation is to operate" are omitted as unnecessary.

In clause (2), the word "use" is omitted as unnecessary.

In clause (4), the words "make contracts" are substituted for "contract and be contracted with" to eliminate unnecessary words.

Clause (5) is substituted for "take by lease, gift, purchase,

grant, devise, or bequest from any private corporation, association, partnership, firm, or individual and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation" and "transfer, convey, lease, sublease, encumber and otherwise alienate real, personal or mixed property" for consistency in the revised title and to eliminate unnecessary words. The words "subject, however, to applicable 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 "for the purposes of the corporation" are omitted as unnecessary. The words "issue instruments of indebtedness, and secure its obligations by granting security interests in its property" are substituted for "issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise" to eliminate unnecessary words. The words "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.

–End–

–CITE–

36 USC Sec. 31106 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 311 – BOYS & GIRLS CLUBS OF AMERICA

–HEAD–

Sec. 31106. Restrictions

–STATUTE–

(a) Stock and Dividends. – The corporation may not issue stock or declare or pay a dividend.

(b) Political Activities. – The corporation or a director or officer 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 director, officer, or member as such during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of compensation to an officer in an amount approved by the board of directors.

(d) Loans. – The corporation may not make a loan or advance to a director, officer, or employee. Directors who vote for or assent to making a loan or advance to a director, officer, or employee, 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.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1328.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

31106(a) 36:702. Aug. 6, 1956, ch. 976, Secs.

9, 10, 12, 70 Stat. 1055.

31106(b) 36:700.

31106(c) 36:699(a).

31106(d) 36:699(b).

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.

–End–

–CITE–

36 USC Sec. 31107 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 311 – BOYS & GIRLS CLUBS OF AMERICA

–HEAD–

Sec. 31107. Principal office

–STATUTE–

The principal office of the corporation shall be in New York, New York, or another place decided by the board of directors. 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.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1328.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

31107 36:695(a). Aug. 6, 1956, ch. 976, Sec.

5(a), 70 Stat. 1053.

The word "various" is omitted as unnecessary.

–End–

–CITE–

36 USC Sec. 31108 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND
ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 311 – BOYS & GIRLS CLUBS OF AMERICA

–HEAD–

Sec. 31108. Records and inspection

–STATUTE–

(a) Records. – The corporation shall keep –

- (1) correct and complete records of account;
- (2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; 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.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1328.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

31108 36:703. Aug. 6, 1956, ch. 976, Sec.

13, 70 Stat. 1055.

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

–End–

–CITE–

36 USC Sec. 31109 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 311 – BOYS & GIRLS CLUBS OF AMERICA

–HEAD–

Sec. 31109. Service of process

–STATUTE–

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1328.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

31109 36:695(b). Aug. 6, 1956, ch. 976, Sec.

5(b), 70 Stat. 1053.

The words "at all times" are omitted as unnecessary.

–End–

–CITE–

36 USC Sec. 31110 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND
ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 311 – BOYS & GIRLS CLUBS OF AMERICA

–HEAD–

Sec. 31110. Liability for acts of officers and agents

–STATUTE–

The corporation is liable for the acts of its officers and agents
acting within the scope of their authority.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1328.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

31110 36:701. Aug. 6, 1956, ch. 976, Sec.

11, 70 Stat. 1055.

–End–

–CITE–

36 USC Sec. 31111 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND
ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 311 – BOYS & GIRLS CLUBS OF AMERICA

–HEAD–

Sec. 31111. Distribution of assets on dissolution or final
liquidation

–STATUTE–

On dissolution or final liquidation of the corporation, any
assets remaining after the discharge of all liabilities shall be
distributed as provided by the board of directors, but in
compliance with the constitution and bylaws of the corporation.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1329.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

31111 36:705. Aug. 6, 1956, ch. 976, Sec.

15, 70 Stat. 1056.

The word "satisfaction" is omitted as included in "discharge",
and the word "obligations" is omitted as included in "liabilities".

The words "outstanding" and "all Federal and State laws applicable
thereto" are omitted as unnecessary.

–End–