

No. 69

AN ACT

To further amend section seven hundred two of the act, approved the fifth day of May, one thousand nine hundred thirty-three (Pamphlet Laws, two hundred eighty-nine), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof.

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

Section 1. Section seven hundred two of the act, approved the fifth day of May, one thousand nine hundred thirty-three (Pamphlet Laws, two hundred eighty-nine), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," as amended by the act, approved the second day of July, one thousand nine hundred thirty-seven (Pamphlet Laws, two thousand eight hundred thirty-eight), is hereby further amended to read as follows:

Section 702. Approval of Amendments by Members.—Before the application is made to the court, a resolu-

Section 702, act of May 5, 1933, P. L. 289, as last amended by act of July 2, 1937, P. L. 2338, further amended.

tion authorizing the proposed amendments shall be adopted by the affirmative vote of at least a majority of the members *who are then present in person or by proxy and* entitled to vote thereon at a regular or special meeting duly convened after at least ten days' written notice to all the members of this purpose. If a proposed amendment would make any change in the rights of the members of any class, then the members of such class shall be entitled to vote as a class upon such amendment, whether by the terms of the article such class is or is not entitled to vote, and, in addition to the general vote herein required, the affirmative vote of at least a majority of the members of each class so affected by the amendment *who are present in person or by proxy at such meeting*, shall be necessary for the adoption thereof. Any amendment* which might be adopted at a meeting of the members may be adopted without a meeting, if written consent to the amendment has been given by all members entitled to vote thereon. The resolution shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full, or that any provision thereof be amended so as to read as therein set forth in full, or that the matter stated in the resolution be added to or stricken from the articles.

Act effective
immediately.

Section 2. This act shall become effective immediately upon final enactment.

APPROVED—The 30th day of April, A. D. 1943.

EDWARD MARTIN

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No. 70

AN ACT

To further amend sections three hundred one and three hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth or any agency thereof, and all receipts of appropriations from the Commonwealth and

* "amendments" in original.