

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

167D0535

HOUSE JUDICIARY COMMITTEE ENGROSSED NO. **HB1128** - 1/27/00

Introduced by: Representatives Brooks, Chicoine, Fischer-Clemens, Garnos, Munson (Donald),
and Sebert and Senators Drake, Duxbury, and Lange

1 FOR AN ACT ENTITLED, An Act to revise certain quorum provisions regarding cooperatives.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 47-16-7 be amended to read as follows:

4 47-16-7. A quorum at a member meeting of a cooperative shall be ten percent of the first one
5 hundred members plus five percent of additional members, present in person or represented by
6 delegate. Unless the bylaws fix a larger number of members to constitute a quorum, a quorum
7 ~~shall~~ may never be more than fifty members nor less than five members, or a majority of all
8 members, whichever is smaller. Members represented by signed vote may be counted in
9 computing a quorum only on those questions as to which the signed vote is taken. The
10 sufficiency or requirement of a quorum for the transaction of business at a district meeting of
11 members shall be established in the bylaws. However, the quorum may not be less than five
12 members.

13 Section 2. That § 47-21-56 be amended to read as follows:

14 47-21-56. Unless the bylaws prescribe the presence of a greater percentage or number of the
15 members for a quorum, a quorum for the transaction of business at all meetings of the members
16 of a cooperative having not more than one thousand members, shall be five ~~percentum~~ percent

1 of all members, present in person, and of a cooperative having more than one thousand members,
2 shall be fifty members, present in person. If less than a quorum is present at any meeting, a
3 majority of those present in person may adjourn the meeting from time to time without further
4 notice. The sufficiency or requirement of a quorum for the transaction of business at a district
5 meeting of members shall be established in the bylaws. However, the quorum may not be less
6 than five members.

1 **BILL HISTORY**

2 1/18/00 First read in House and referred to Judiciary. H.J. 117

3 1/26/00 Scheduled for Committee hearing on this date.

4 1/26/00 Judiciary Do Pass Amended, Passed, AYES 12, NAYS 1. H.J. 251