

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 56-224.2, relating to distribution*
3 *cooperatives; donation of certain patronage capital to the cooperative.*

4 [S 1334]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 56-224.2 as follows:**8 *§ 56-224.2. Donation of certain patronage capital to the cooperative.*

9 *Notwithstanding any other provision of law, when there is held by any cooperative any retired*
10 *patronage capital to the credit of (i) a deceased person who has no spouse or next of kin identified in*
11 *the records of the cooperative or (ii) a member or former member who has terminated service and who*
12 *does not have a current address on file with the cooperative, then the bylaws or member agreements of*
13 *the cooperative may provide that such credits shall be deemed to have been transferred as a gift to the*
14 *cooperative and shall thereafter be the property of the cooperative; however, after July 1, 1999, such*
15 *credits may be deemed gifts to the cooperative only if the cooperative publishes notice of such credit in*
16 *its regular member publication and a publication of general circulation, and such credit is not claimed*
17 *by such member, former member or next of kin within one hundred twenty days of such publication or*
18 *such longer period as set out in the bylaws or member agreements of the cooperative. If there is no*
19 *such provision in the cooperative's bylaws or member agreement, or if there is no publication, then any*
20 *unclaimed credit shall be treated in accordance with the Uniform Disposition of Unclaimed Property*
21 *Act (§ 55-210.1 et seq.). This section shall apply only to cooperatives organized under or governed by*
22 *this article for the purpose of providing regulated electric utility service on a mutual, not-for-profit*
23 *basis, with a board democratically elected by its member consumers.*

24 **2. That the notice and publication provisions of this act shall become effective on July 1, 1999, but**
25 **that the other provisions of this act are declaratory of existing law with respect to cooperatives**
26 **organized under or governed by this chapter.**

ENROLLED

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