

CHAPTER 695

S.B. No. 1388

AN ACT

relating to the duration of existence of agricultural cooperative marketing associations.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subchapter A, Chapter 52, Agriculture Code, is amended by adding Section 52.006 to read as follows:

*Sec. 52.006. DURATION OF EXISTENCE. Each association incorporated and organized under this chapter after August 1, 1987, has perpetual existence unless a limited duration is provided for and stated in its charter or articles of incorporation or in an amendment to either of the documents. Each association incorporated and organized under this chapter that is in existence on August 1, 1987, has perpetual existence unless a limited duration is provided for and stated in an amendment to its charter or articles of incorporation.*

SECTION 2. Subsection (a), Section 52.034, Agriculture Code, is amended to read as follows:

(a) The articles of incorporation must state:

- (1) the name of the association;
- (2) the term of existence, *if it is limited* [~~which may be perpetual~~];
- (3) the purpose for which the association is formed;
- (4) the location and street address of the association's principal place of business;
- (5) the number of directors; and

(6) the term of office of each director.

SECTION 3. This Act takes effect August 1, 1987.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force according to its terms, and it is so enacted.

Passed the Senate on May 7, 1987, by the following vote: Yeas 31, Nays 0. Passed the House on May 22, 1987, by a non-record vote.

Approved June 19, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.