



2009 SENATE BILL 528

February 9, 2010 – Introduced by Senators TAYLOR, KREITLOW and LASSA, cosponsored by Representatives HRAYCHUCK, STEINBRINK, JORGENSEN, PETERSEN, A. OTT, TURNER and SMITH. Referred to Committee on Rural Issues, Biofuels, and Information Technology.

1 **AN ACT** *to create* 185.12 (5) (a) 3. of the statutes; **relating to:** methods of voting
2 by members of a cooperative.

Analysis by the Legislative Reference Bureau

Current law specifies the means for governance of a cooperative organized in this state. Currently, a member of a cooperative who is entitled to vote on a motion may vote only by attending the meeting at which a vote is held, unless one of the following applies: (1) the cooperative provides members with ballots for the vote on the motion with the notice of the meeting at which the vote will be taken, together with exact copies of the motion and any resolution to which the motion pertains, or (2) the cooperative makes ballots and copies of the motion and resolution available to members for the vote on the motion.

The bill authorizes a cooperative to permit electronic voting on a motion if the cooperative permits absent members to vote on the motion as permitted under current law, if the bylaws provide for electronic voting, if the cooperative is able to authenticate that it is a member who is casting a vote, and if the cooperative gives an electronic vote the same effect as a vote by an absent member under current law.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 185.12 (5) (a) 3. of the statutes is created to read:

SENATE BILL 528

1 185.12 **(5)** (a) 3. By electronic means, if all of the following apply:

2 a. The cooperative permits absent members to vote on the motion under subd.

3 1. or 2.

4 b. The bylaws provide for electronic voting.

5 c. The cooperative is able to authenticate that it is a member who is casting a

6 vote.

7 d. The cooperative gives a vote cast under this subdivision the same effect as

8 it would have if it was cast under subd. 1. or 2., whichever is applicable.

(END)