

(B) THE FOLLOWING PROVISIONS SHALL PREVAIL WHEN ANY OF THE NET SAVINGS ARE ALLOCATED AS PATRONAGE-REFUNDS SAVINGS RETURNS:

(1) IN THE CASE OF A SUBSCRIBER PATRON, THE PROPORTIONATE AMOUNT OF NET SAVINGS MAY, AS THE ARTICLES OF INCORPORATION OR BYLAWS OF THE COOPERATIVE PROVIDE:

(I) BE DISTRIBUTED TO THE SUBSCRIBER PATRON;

(II) BE SET ASIDE IN THE GENERAL FUNDS OF THE COOPERATIVE; OR

(III) BE CREDITED TO THE SUBSCRIBER PATRON'S ACCOUNT UNTIL THE MINIMUM AMOUNT OF CAPITAL NECESSARY FOR MEMBERSHIP IS ACCUMULATED. WHEN A SUM EQUAL TO THE MINIMUM CAPITAL HAS ACCUMULATED SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE SUBSCRIBER PATRON WILL BECOME A MEMBER IF THE SUBSCRIBER PATRON AGREES AND REQUESTS; OR

(2) (I) IF WITHIN A PERIOD OF TIME SPECIFIED IN THE BYLAWS, A SUBSCRIBER PATRON HAS NOT ACCUMULATED AND PAID THE AMOUNT OF CAPITAL SUBSCRIBED FOR, OR NECESSARY FOR MEMBERSHIP, AS SPECIFIED IN ITS ARTICLES OF INCORPORATION OR BYLAWS, OR IF A NONMEMBER HAS ACCUMULATED IN THE NONMEMBER'S ACCOUNT THE SUM NECESSARY FOR MEMBERSHIP, OR HAS ACCUMULATED THE SUM BUT, WITHIN 30 DAYS OF BEING NOTIFIED OF THE ACCUMULATION, NEITHER REQUESTS NOR AGREES TO BECOME A MEMBER, OR FAILS TO COMPLY WITH THE PROVISIONS OF THIS SUBTITLE OR THE BYLAWS FOR ADMISSION TO MEMBERSHIP, THEN THE AMOUNT SO ACCUMULATED OR PAID MAY, IF THE ARTICLES OF INCORPORATION OR BYLAWS PROVIDE, BE ADDED TO THE GENERAL FUNDS OF THE COOPERATIVE.

(II) THEREAFTER NO SUBSCRIBER PATRON OR NONMEMBER MAY HAVE ANY FURTHER RIGHTS IN THAT PAID-IN CAPITAL OR ACCUMULATED CREDITS.

(C) THIS SUBTITLE DOES NOT PREVENT A COOPERATIVE ENGAGED IN PROVIDING GOODS, FACILITIES, OR SERVICES FROM USING THE NET SAVINGS IN A MANNER CALCULATED TO LOWER THE FEES CHARGED FOR GOODS, FACILITIES, OR SERVICES OR OTHERWISE TO FURTHER THE COMMON BENEFIT OF THE MEMBERS.

(D) THIS SUBTITLE DOES NOT PREVENT A COOPERATIVE FROM ADOPTING A SYSTEM BY WHICH THE PAYMENT OF NET SAVINGS, WHICH WOULD OTHERWISE BE DISTRIBUTED, IS DEFERRED FOR A FIXED PERIOD OF TIME, NOR FROM ADOPTING A SYSTEM BY WHICH THE NET SAVINGS DISTRIBUTED ARE PARTLY IN CASH, STOCK, MEMBERSHIP CAPITAL, DEBT INSTRUMENTS, GOODS, OR SERVICES.

5-5A-23.

(A) (1) EACH COOPERATIVE SHALL HAVE AN AUDIT COMMITTEE AS SPECIFIED IN ITS BYLAWS.