

GC/MFR:bhs  
SSIC 3700  
01-0827

TO:

FROM: Sheila A. Albin, Associate General Counsel

SUBJ: Nonstandard Bylaw Amendment

DATE: August 30, 2001

You have asked this office to review and comment on a nonstandard bylaw amendment submitted for approval by [ ] Federal Credit Union (FCU). The proposed nonstandard amendment addresses the issue of resolving an election that ends in a tie. This issue is not addressed in the FCU Bylaws or Robert's Rules of Order. The FCU proposes having the members present at the annual meeting break the tie by voting by secret ballot only for the candidates involved in the tie. We have no legal concerns with the proposal. It is a reasonable alternative to the prohibitive cost of conducting another election.