

RCW (Revised Code of Washington)

Title 24 (Corporations and associations – nonprofit)

Chapter 03 (Washington nonprofit corporation act)

Section 9 (Notice by electronic transmission-- Consent required -- When effective)

addresses conditions for a nonprofit corporation to send notices to its members via e-mail:

RCW 24.03.009

## Notice by electronic transmission — Consent required — When effective.

(1) A notice to be provided by electronic transmission must be electronically transmitted.

(2) Notice to members and directors in an electronic transmission that otherwise complies with the requirements of this chapter is effective only with respect to members and directors who have consented, in the form of a record, to receive electronically transmitted notices under this chapter.

(a) Notice to members and directors includes material that this chapter requires or permits to accompany the notice.

(b) A member or director who provides consent, in the form of a record, to receipt of electronically transmitted notices shall designate in the consent the message format accessible to the recipient, and the address, location, or system to which these notices may be electronically transmitted.

(c) A member or director who has consented to receipt of electronically transmitted notices may revoke the consent by delivering a revocation to the corporation in the form of a record.

(d) The consent of any member or director is revoked if the corporation is unable to electronically transmit two consecutive notices given by the corporation in accordance with the consent, and this inability becomes known to the secretary of the corporation or other person responsible for giving the notice. The inadvertent failure by the corporation to treat this inability as a revocation does not invalidate any meeting or other action.

(3) Notice to members or directors who have consented to receipt of electronically transmitted notices may be provided notice by posting the notice on an electronic network and delivering to the member or director a separate record of the posting, together with comprehensible instructions regarding how to obtain access to this posting on the electronic network.

(4) Notice provided in an electronic transmission is effective when it: (a) Is electronically transmitted to an address, location, or system designated by the recipient for that purpose, and is made pursuant to the consent provided by the recipient; or (b) has been posted on an electronic network and a separate record of the posting has been delivered to the recipient together with comprehensible instructions regarding how to obtain access to the posting on the electronic network.

[2004 c 265 § 4.]

The complete RCW is available at <http://apps.leg.wa.gov/rcw>.