

**7-9-49 Limitation of personal liability of directors and committee members.**

- (1) Without limiting the generality of Section 7-9-50, the articles of incorporation may include a provision eliminating or limiting the personal liability of a director, supervisory committee member, or credit committee member to the credit union, its members, or its depositors for monetary damages for any action taken or any failure to take any action as a director, supervisory committee member, or credit committee member, except liability for:
  - (a) the amount of a financial benefit received by a director, supervisory committee member, or credit committee member to which he is not entitled;
  - (b) an intentional infliction of harm on the credit union, its members, or depositors; or
  - (c) an intentional violation of criminal law.
- (2) No provision authorized under this section may eliminate or limit the liability of a director, supervisory committee member, or credit committee member for any act or omission occurring prior to the date when the provision becomes effective.
- (3) Any provision authorized under this section to be included in the articles of incorporation may also be adopted in the bylaws or by resolution, but only if the provision is approved by the same percentage of members as would be required to approve it as an amendment to the articles of incorporation.

Amended by Chapter 200, 1994 General Session