

CALIFORNIA CORPORATIONS CODE, DIVISION 2. NONPROFIT CORPORATION LAW - PART 9. SOCIETIES FOR PREVENTION OF CRUELTY TO CHILDREN AND ANIMALS

CORPORATIONS CODE SECTION 10400-10406

10400. Corporations for the prevention of cruelty to children or animals, or both, may be formed under the Nonprofit Public Benefit Corporation Law, Part 2 (commencing with Section 5110) of this division by 20 or more persons, who shall be citizens and residents of this state.

10401. All articles of incorporation of such corporations filed with the Secretary of State shall be endorsed by the Department of Justice or by a judge of the superior court of the county in which the principal office of the corporation is located, as evidence of necessity.

10402. The endorsement of a judge of the superior court shall not be granted, however, unless the endorsement of the Department of Justice has been first refused or withheld for more than 90 days. If the endorsement of the Department of Justice is withheld for more than 90 days, or refused, application may be made to the judge of the superior court of the county in which the principal office of the corporation is located, and if, after giving due consideration to the necessity of such corporation and assuring himself that the incorporators are acting in good faith, the judge so desires, he may endorse the articles.

10403. Every such corporation may take by gift, purchase, devise, or bequest, any property, real or personal, and hold it or dispose thereof at its pleasure; but no such corporation shall hold real property the annual income of which exceeds fifty thousand dollars (\$50,000).

10404. Any such corporation, or any member or officer thereof, may prefer a complaint against any person, before any court or magistrate having jurisdiction, for the violation of any law relating to or affecting children or animals, and may aid in the prosecution of any such offender before such court or magistrate.

10405. All magistrates, sheriffs, and officers of police shall, as occasion may require, aid any such corporation, its officers, members, and agents, in the enforcement of all laws relating to or affecting children or animals.

10406. This part applies to all corporations for the prevention of cruelty to children or animals, whether formed prior to or after May 20, 1905, but does not apply to any association, society, or corporation which uses or specifies a name or style the same, or substantially the same, as that of any previously existing society or corporation in this State organized for a like purpose.