§ 4504. Amendments to charter, constitution and by-laws; waiver of provisions. (a) A domestic society may amend its charter and by-laws by a majority vote at any regular meeting or special meeting (called for that purpose) of its supreme governing body, but no such amendment shall take effect unless and until filed with the superintendent and approved by him. The superintendent may approve any such amendment if he finds that it has been duly adopted and is not inconsistent with any requirement of the law or with the character, objects and purposes of such society.

(b) A domestic society may amend its constitution and by-laws, in accordance with the provisions of its constitution, by the action of its supreme governing body at any regular meeting or special meeting thereof, or, if its constitution so provides, by referendum. Such referendum may be held, in accordance with the provisions of the constitution, by the vote of the voting members or by the vote of delegates or representatives of voting members or by the vote of local lodges or branches; but no such amendment shall take effect unless, within six months from the date of submission thereof, a majority of all of the members of such society entitled to vote shall have signified their consent to such amendment. Such amendment to the constitution or by-laws shall be filed with the superintendent within not more than ninety days after the adoption thereof or, in an appropriate case, after such consent of the members. Amendments to the constitution and by-laws may be adopted by the board of directors whenever such amendments, in the opinion of the board, are necessary to meet the requirements of the this chapter, but such amendments shall be submitted for ratification by the supreme governing body of the society at its next regular meeting, or at any special meeting thereof, or if its constitution so provides by referendum and shall be filed with the superintendent within ninety days after such ratification.

(c) Within ninety days from the approval by the superintendent required by subsection (a) hereof, and within ninety days from the filing with the superintendent required by subsection (b) hereof, all such amendments, or a synopsis thereof, shall be furnished to all members of the society either by mail or by publication in full in the official organ of the society.

(d) Every authorized foreign or alien society shall file a certified

copy of every amendment to its charter, constitution, and by-laws with the superintendent within not more than ninety days after the same takes effect; and every such society shall, within ninety days from the filing thereof, furnish to all members of the society in this state, a copy of all amendments, or a synopsis thereof, either by mail or by publication in full in the official organ of the society.

(e) If the superintendent finds after notice and hearing, that any authorized society has wilfully violated any of the foregoing provisions of this section relating to the filing of amendments to its charter, constitution, and by-laws, he may, in lieu of any other penalty provided by law, order such society to pay to the people of this state a penalty in a sum not exceeding five hundred dollars for each such offense, and failure of any such society to pay such penalty within thirty days after the making of such order, unless such order is suspended by an order of a court of competent jurisdiction, shall constitute a violation of the provisions of this chapter.

(f) Unless authorized by express provisions in the constitution and by-laws of the society, no subordinate lodge or branch and no officer or member of any authorized society shall have power or authority on behalf of the society to waive or modify any of the provisions of the constitution or by-laws of the society or of any certificate or other evidence of insurance contract issued by such society, nor to waive any violation, forfeiture or default thereof.

(g) Every authorized society shall provide in its constitution or by-laws and in its certificates that if its reserves as to any class of certificates, other than those portions of any certificate that provide variable benefits based on the experience of a separate account, become impaired, its board of directors may require that there shall be paid by the member to the society the amount of the member's equitable proportion of such deficiency as ascertained by its board and that if the payment be not made it shall stand as an indebtedness against the certificate and draw interest not to exceed five percent per annum compounded annually, or the equivalent effective rate of interest if payable in advance, or in lieu thereof, or in combination therewith, the member may consent to a reduction of the corresponding insurance benefit proportionate to the value of the additional contributions.