

CONSTITUTION AND BY-LAWS AMENDMENTS

The 7th District, The American Legion, Department of Texas

BY-Laws

Article IV, Section 2., which reads, in part "... Each Post shall be entitled to one additional delegate for each 25 members or a major fraction thereof in excess of fifteen.",

is changed to read "... each Post shall be entitled to two (2) delegates for the first fifteen (15) members. Posts with less than fifteen (15) members shall be entitled to only one (1) delegate."

Explanation: Language limiting Posts with less than fifteen (15) members to one vote, rather than two votes, is consistent with guidance from Department.

Article VII, which reads, in part "...solvent surety company authorized to do business in Texas, in the sum of \$1,000 ...",

is changed to read "solvent surety company authorized to do business in Texas, in the sum of \$10,000 ..."

Explanation: The original bond requirement of \$1,000 was established in 1979, so \$10,000 is more realistic in 2007 dollars. In addition Article VI, Section 1 of the National By-Laws require a bond of double of the average amount of money handled each year, so \$10,000 is closer to that requirement.

The title of Article XII, which reads "ARTICLE XII, DUTIES OF DISTRICT EXECUTIVE COMMITTEE, (OPTIONAL TO THE BY-LAWS)",

is changed to read "ARTICLE XII, DUTIES OF DISTRICT EXECUTIVE COMMITTEE"

Explanation: The phrase "OPTIONAL TO THE BY-LAWS" is a stock phrase that is directive in nature, so the elimination of the phrase makes it clear that the Executive Committee has been established, and is no longer optional.

Article XII, Section 5., which reads, in part "...any Legionnaire who is a member of a Post in the District...",

is changed to read "...any Legionnaire who is a member in good standing of a Post in the..."

Explanation: the phrase "in good standing" was added to ensure that only valid members could attend the meetings.

The title of Article XIII, which reads "ARTICLE XIII, BOARD OF TRUSTEES, (OPTIONAL TO THE BY-LAWS)",

is changed to read "ARTICLE XIII, BOARD OF TRUSTEES" (CONTINGENT AS DIRECTED BY EXECUTIVE COMMITTEE OF CONVENTION)

Explanation: The phrase "OPTIONAL TO THE BY-LAWS" is a stock phrase that is directive in nature, but misleading, so the change makes it clear that the Executive Committee or District Convention may create the Board in the future.

Article XIII, Section 1., which reads, in part "A Board of Trustees of the District is hereby created to consist of ...",

is changed to read "A Board of Trustees of the District is authorized, to be activated contingent on the assets of the District, to include cash, investments, trust funds, and all properties, real, personal or mixed, exceeding a total value of \$25,000 the legal title to which is now vested, or may hereafter vest, in the _____ 7th _____ District,..."

Explanation: The Board of Trustees had been an optional feature of the C&BL, but had never been activated because its purpose was to manage property and/or high value assets, but the District had no such assets. This makes the activation of the Board contingent on the acquisition of assets.

Article XIII, Section 6., which reads, in part "All meetings of the Board of Trustees shall be open to any Legionnaire and the",

is changed to read "All meetings of the Board of Trustees shall be open to any Legionnaire who is a member in good standing of a Post in the District and the"

Explanation: the phrase "who is a member in good standing of a Post in the District" was added to ensure that only valid members could attend the meetings.

Rather than changing the various gender-related pronouns throughout the entire document, thereby creating language that is cumbersome, the following statement has been added to clarify the gender neutral issue:

"All pronouns used throughout this document are to be interpreted as non-gender in nature."

DISTRICT CERTIFICATE

We, the following Officers of the 7th District, Department of Texas, The American Legion, hereby certify that the foregoing Constitution and By-Laws, after due notice was given, was adopted by the certified delegates sitting in Convention at Willis, Texas, on this the 27th day of October, 2007, A. D.

DISTRICT COMMANDER

Attest:

DISTRICT ADJUTANT

DEPARTMENT CERTIFICATE

Passed on by the Department Judge Advocate on the _____ day of _____, 20__, A. D., and approved by the Department Executive Committee on the _____ day of _____, 20__, A. D.

DEPARTMENT JUDGE ADVOCATE