

Office of
Department Adjutant



THE AMERICAN LEGION, Department of Texas

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July 12, 2015

Post Commander 597
PO Box 112111
Carrollton TX 75011-2111

Dear Post Commander:

Enclosed please find the Constitution and By-laws for the American Legion Carrollton Post 597 of the American Legion, The American Legion, Department of Texas, as approved by the Department Executive Committee on July 12, 2015.

If you have any questions, please feel free to call me.

"Still Serving America"

William West
Department Adjutant

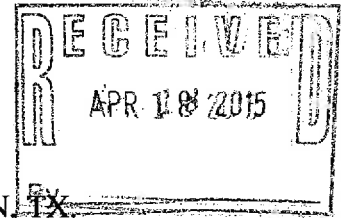
MTP: njb

CC: Steve Watkins,
Department Judge Advocate

Enclosure: Approved Constitution & By-Laws

CONSTITUTION

OF CARROLLTON AMERICAN LEGION, POST 597, CARROLLTON, TX.



PURPOSE

The purpose of this organization is to foster and to perpetuate a one hundred per cent Americanism, to preserve the memories and incidents of our association in the Great Wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness; to maintain law and order, a representative form of government, and to uphold and defend the Constitution of the United States and of the State of Texas.

ARTICLE I -- NAME

Section 1, The name of this organization shall be CARROLLTON AMERICAN LEGION, Post No. 597, The American Legion Department of Texas. The charter of incorporation as filed in the office of the Secretary of State of Texas March 1947, is adopted as the charter of this post.

ARTICLE II -- OBJECTS

Section 1, The objectives and purposes of this Post shall be to promote the principles and policies as set forth in the foregoing purpose, and the National and Departmental Constitutions of The American Legion.

ARTICLE III -- NATURE

Section 1, This Post is a civilian organization and membership therein does not affect or increase liability for military or police service.

Section 2, This organization shall be absolutely non political and shall not be used for the dissemination of partisan principles, nor for the promoting or retarding of the candidacy of any person seeking public office or preferment.

Section 3, Rank does not exist in The American Legion; no member shall be addressed by his/her military title in any meeting of this post.

ARTICLE IV -- MEMBERSHIP

Section 1, Eligibility to membership in this Post shall be as prescribed by the National Constitution of The American Legion, and the Constitution and By-Laws of the American Legion, Department of Texas, and as further stated in this Constitution and By-Laws.

Section 2, Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the Post Executive Committee.

Section 3, All applications for membership in the Post shall be acted upon at the next Post Membership meeting following the making of such application, and shall at such meeting be accepted, rejected, or referred for further investigation and consideration. If a majority or more of the Post membership cast their vote against the acceptance of such application, then such application shall be recorded as rejected.

Section 4, Any member of this post may be expelled for cause by a two-thirds (2/3) vote of the Post Executive Committee after charges are preferred under oath in writing, and a fair trial is had upon the same, under the rules and regulations of the Department of Texas and the Uniform Code of Procedure of the Post, (which are not to be in conflict with the rules and regulations of the Department of Texas) and Article IV, National By-Laws of the American Legion.

Section 5, If the accused is convicted, his/her membership is suspended until his/her final appeal is heard and a decision is rendered, and if he/she is expelled by the decision, he/she shall not be eligible for membership in this Post for one year from the date of expulsion, and then only in the event his/her application for reinstatement is approved in the manner in which memberships are approved in this Post.

Section 6, No person who has been expelled by a Post shall be admitted to membership in this Post, without consent of the expelling Post, until after a year has elapsed since his/her expulsion, and then only in event his/her application for reinstatement is approved in the manner in which memberships are approved in that Post.

ARTICLE V -- OFFICERS

Section 1, The administrative affairs of this Post of The American Legion shall, except as may be otherwise provided by the By-Laws, be under the supervision of a Post Executive Committee which shall consist of Officers of the Post. The Post, by its By-Laws, may provide for such other standing committees as the business of the organization may require.

Section 2, The officers of this Post shall be a Commander, a Vice Commander, 2nd Vice Commander, an Adjutant, a Finance Officer, a Judge Advocate, a Historian, a Chaplain, a Sergeant at Arms, a Service Officer, other officers may be deemed necessary by this organization.

Section 3, Nominations will be made from the floor at a regular Post meeting at least 30 days prior to annual elections, and again at the meeting for the annual election.

Section 4, All officers shall be elected annually, by majority vote on written ballots, at a post meeting held not less than fifteen (15) days prior to the Department Convention (Article V, Section 4, Department Constitution), and shall be installed not later than the first regular Post meeting in October following their election. Only those members holding current calendar year membership cards shall have the privilege of voting in the election. They shall hold office until their successors are duly installed or as otherwise provided. Any Post Officer may be removed for cause by the Post Executive Committee,

a two-thirds (2/3) vote of said Committee being necessary to effect such removal. The membership shall be entitled to be present at the Post Executive Committee meeting without voice or vote. The decision of the Post Executive Committee shall be subject to the approval or reversal by the Post membership at the next regular Post meeting where a quorum is present.

Section 5, The duties of Officers shall be those usually appertaining to such Officers as further provided in the By-Laws.

Section 6, Officers are expected to attend the regular meetings of the Post and Post Executive Committee. Failure of any Officer to attend three (3) successive meetings, without reasonable cause having been furnished to the Post Adjutant or Post Commander, shall be cause for forfeiture of said office. The Post Executive Committee shall decide when an Officer's failure to attend three (3) successive regular business meetings, without reasonable cause having been furnished to the Post Adjutant or Post Commander shall be cause for forfeiture of said office. The Post Executive Committee shall decide, when an Officer by his/her failure to attend three (3) successive business meetings has forfeited his/her right to continue in office, when or whether to declare such office vacant, and when to order an election to fill the vacancy.

Section 7, In case of vacancy in any office for any cause, the said vacancy shall be filled at any regular meeting provided at least five (5) days notice of such election has been given to the members.

ARTICLE VI -- FINANCE

Section 1, The revenue of this Post shall be derived from annual membership dues and from other such sources as may be approved by the Post Executive Committee and approved by the Post.

Section 2, The amount of membership or initiation fees and the amount of annual dues shall be fixed and determined by this Post.

Section 3, The Post shall pay to Department Headquarters the Department and National annual membership dues within thirty (30) days from receipt thereof for each paid member of the Post.

ARTICLE VII -- CHARTER MEMBERS

Section 1, Members who joined this Post prior to the issuance of charter shall be known as charter members.

ARTICLE VIII -- AMERICAN LEGION AUXILIARY

Section 1, This Post recognizes as an auxiliary organization to be known as the Auxiliary Unit of _ CARROLLTON AMERICAN LEGION Post No. 597 ___, The American Legion.

Section 2, Membership in the Auxiliary shall be as prescribed by the National and Department of Texas Constitutions and By-Laws of the American Legion.

ARTICLE IX -- AMENDMENTS

Section 1, This Constitution is adopted subject to the provisions of the National Constitution of The American Legion and of the Constitution of The American Legion Department of Texas. Any amendment to said National Constitution or Department Constitution which is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.

Section 2. This Constitution may be amended at any regular Post meeting by a vote of two-thirds (2/3) of the members of said Post attending such regular meeting; provided that the proposed amendment shall have been submitted in writing to the Post Executive Committee in session and approved by it; or if rejected, in whole or in part, it may be taken to a regular Post meeting on a minority report; and provided that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said Post; and provided further, that notice shall have been posted at least five (5) days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the constitution is to be voted upon.

Section 3, Anything not covered by this constitution shall be governed by the Constitution of the Department of Texas.

ARTICLE X -- REAL PROPERTY

Section 1, Real Property owned by the Post may be sold (after first complying with Article VI, Section 6, Department Constitution), leased or otherwise disposed of, where control of said property is involved, at any regular meeting by a vote of two-thirds (2/3) if the Post members attending a regular meeting, provided that the proposal shall have been submitted in writing, after approval by a majority of the Post Executive Committee, if there is a Post Executive Committee, and further after approval by a majority of the Board of Trustees, if there is a Board of Trustees, and read at the preceding regular meeting of the Post, and provided further notice shall have been posted at least fifteen (15) days in advance of the date when such proposal is to be voted upon.

ARTICLE XI -- PROGRAMS

Section 1, This Post may sponsor a Sons of The American Legion Squadron or Chapter of the American Legion Riders. Such Squadron or Chapter, once formed, shall be subject to the rules, regulations and supervision of Post 597 as may be promulgated by the Post Executive Committee and ratified by the Post Membership, and which shall not be in conflict with the rules and regulations set up for the Sons of The American Legion, American Legion Riders or by the National Executive Committee, The American Legion.

Section 2, Said SAL Squadron 597 or ALR Chapter may adopt its own Constitution and By-Laws, subject to approval of same by the Post Executive Committee. Until SAL Squadron 597 or ALR Chapter adopts its own Constitution and By-Laws, it shall be

governed by Post 597 rules and regulations, and by the recommended Constitution and By-Laws of a SAL Squadron and ALR Chapter as has been approved by the Department Executive Committee, The American Legion, Department of Texas.

Section 3, Once created, this Post may cease its sponsorship of SAL Squadron 597 or ALR Chapter for good cause, such as failure to maintain a minimum membership of at least ten (10) members, failure to function, participating in activities illegal, immoral or opposed to our form of Government and the American way of life, and in the discretion of the Post Executive Committee, subject to ratification by the Post membership.

BY-LAWS OF CARROLLTON AMERICAN LEGION POST NO. 597
CARROLLTON, TEXAS

ARTICLE I -- NAME

Section 1, The Post existing under these By-Laws is to be known as CARROLLTON AMERICAN LEGION Post No. 597, The American Legion

Section 2, The objectives of the Post are as set forth in the Constitution.

ARTICLE II -- MANAGEMENT

Section 1, The government and management of the Post is entrusted to a Post Executive Committee which shall consist of all Officers of the Post. They shall be elected annually as provided in Article V, Section 4, of this Constitution, and all shall take office immediately upon installation.

Section 2, The Post Executive committee shall meet for organization and such other business as may come before it at the call of the Post Commander within ten days after the installation of the new officers. Thereafter the Post Executive Committee shall meet at the call of the Post Commander. The Post Commander shall call a meeting of the Post Executive Committee upon the written request of ONE(1) member of said Post Executive Committee, SIX(6) of the members of the Committee shall constitute a quorum thereof.

Section 3, The Post Executive committee shall hire such employees as may be necessary; shall authorize and approve all expenditures; shall require adequate bonds from all persons having the custody of Post funds; shall cause all funds to be placed in the hands of the Post Finance Officer for deposit and accounting purposes; shall hear the reports of Post Committee Chairmen, and generally, shall have charge of and be responsible for the management of the affairs of this Post. At the end of each fiscal year, an audit committee shall be responsible for the management of the affairs of this Post. At the end of each fiscal year, an audit committee shall be appointed with the Post Judge Advocate as Chairman to conduct a complete audit of Post records before turning them over to the new Post Finance Officer. Except for hiring and firing of employees, all actions of the Post Executive Committee shall be submitted for approval to the membership at the next regular membership meeting.

ARTICLE III -- DUTIES OF OFFICERS

Section 1, Duties of Post Commander – It shall be the duty of the Post Commander to preside at all meetings of the Post and to have general supervision over the business and affairs of the Post, and such officer shall be the Chief Executive Officer of the Post. The Post Commander shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the Post for the year, and recommendations for the ensuing year, which shall be read at the annual meeting. The Post Commander shall see that this Constitution and By-Laws is observed. The Post Commander shall perform such other duties as are directed by the Post.

Section 2, Duties of Post Vice Commander – The Post Vice Commander shall assume and discharge the duties of the Office of Post Commander in the absence or disability of, or when called upon by the Post Commander.

Section 3, Duties of Post 2nd Vice Commander – The Post 2nd Vice Commander shall be responsible for coordinating and promoting all social activities of the Post to include maintaining the monthly activities calendar.

Section 4, Duties of Post Adjutant – The Post Adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the Department and National Organizations may require, issue membership cards and handle certificates of transfer, render reports of membership annually or when called upon at a meeting, and under direction of the Post Commander, handle all correspondence of the Post. The Post Adjutant shall comply with Article V, Section 5, Department Constitution.

Section 5, Duties of the Post Finance Officer – The Post Finance Officer shall have charge of all finances and see that they are safely deposited in some local bank or banks and shall report once a month to the Post Executive Committee and the Post, in writing, the condition of the finances of the Post, with such recommendations as The Post Finance Officer may deem expedient or necessary for raising funds with which to carry on the activities of the Post. The Post Finance Officer or authorized Officers shall sign all checks disbursing the moneys of the Post, such checks to be countersigned by the Post Commander, as authorized by the Post Executive Committee. The Post shall furnish such surety bond in such sum as shall be fixed by the Post Executive Committee.

Section 6, Duties of Post Judge Advocate – The Post Judge Advocate shall supply professional advice in the conduct of the Post business, or to procure proper counsel. The Post Judge Advocate shall be the Chairman of any committee concerning the Post Constitution or By-Laws revision. The Post Judge Advocate shall be in charge of the annual audit of the Post financial accounts as set out in section 3, Article II of these By-Laws. The Post Judge Advocate shall be responsible for the orderly conduct of disciplinary procedures.

Section 7, Duties of the Post Historian – The Post Historian shall be charged with the individual records and incidents of the Post and Post members, shall perform such other duties as may properly pertain to the office as may be determined by the Post or Post Executive Committee.

Section 8, Duties of Post Chaplain – The Post Chaplain shall be charged with the spiritual welfare of the Post comrades and will offer divine but non-sectarian service in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by the National or Department Headquarters from time to time.

Section 9, Duties of Post Sergeant at Arms – The Post Sergeant at Arms shall preserve order at all times and meetings, and shall perform such other duties as may be from time

to time assigned to Post Sergeant at Arms by the Post Commander or Post Executive Committee. The Post Sergeant at Arms shall have charge of the Post Colors, and shall not display or permit them to be displayed without specific authority of the Post Commander.

Section 10, Duties of Post Service Officer – The Post Service Officer shall comply with the Service Officer's Manual and Post Officers Guide of The American Legion, and recommendations of National and Department Headquarters, and needs of this Post.

ARTICLE IV -- DELEGATES

Section 1, Delegates and alternates to a Department, Division, or District Convention shall be elected by the Post at a regular meeting of the Post to be held not less than fifteen (15) days prior to the date of such convention. However, the Post, by two-thirds (2/3) vote of members present may authorize the Post Commander to appoint said delegates. The Post Commander shall, immediately upon their election or appointment, designate the chairman.

Section 2, Each duly registered delegate shall be entitled to one vote. A Post may select one of the following methods of providing for those votes of delegates that do not attend the convention. A Post may select either the Pro-Rata Rule or the Modified Unit Rule for their by-laws. Alternates for delegates shall have all the privileges of registered delegates except that of voting. A registered delegate is one who has received his/her credentials after his/her registration fee has been paid.

Section 3, The chairman of the delegation shall cast the entire delegate vote on any convention matter, after first polling the delegates present, so as to reflect the vote of each delegate present.

ARTICLE V -- DUES – FISCAL YEAR

Section 1, Annual dues shall be as determined by the Post and shall reflect the National membership rate and any other additions voted by the membership.

Section 2, The newly elected Post Officers shall be installed at a regular or special meeting, as may be designated by the Post Executive Committee, as soon as practicable after the annual election, not later than the first regular Post meeting in October following their election, and according to Article V, Section 4 of this Constitution.

ARTICLE VI -- POST COMMITTEES APPOINTMENTS

Section 1, The Post Commander, shall appoint such standing committees as the Post Commander deems necessary for the efficient operation of the Post, such as those listed in the Post, such as those listed in the Post Officers Guide, the Post Commander shall also appoint such other committees as the Post Commander finds to be necessary from time to time. All of such committees shall consist of such members and the chairman thereof as shall be designated by the Post Commander and confirmed by the Post Executive Committee.

Section 2, The duties and functions of the respective Post committees shall be in accordance with the recommendations of National and Department Headquarters.

ARTICLE VII -- RESOLUTIONS

Section 1, All resolutions of State or National scope presented to this Post by a member or reported to this Post by a committee shall merely embody the opinion of this Post on the subject and copy of same shall be forwarded to the Department Headquarters for its approval before any publicity is given or action other than mere passage by the Post is taken.

ARTICLE VIII -- MEETINGS

Section 1, The regular and special meetings of the post shall be held at __ Post Home or as otherwise designated by the Post Commander, at which place may be transacted such business as may properly be brought up for action, approve the minutes of the previous meeting and minutes of all Post Executive Committee meetings since the last regular meeting, such meetings may be converted into entertainment meetings, as may be deemed advisable by the officers of the Post. Procedure at regular meetings shall comply with the current Manual of Ceremonies.

Section 2, The regular business meetings of the Post shall be as determined by the Post. Other business or social meetings may be held as directed by the Post Commander and the Post Executive Committee.

Section 3, The Post Commander or a majority of the Post Executive Committee shall have power to call a special meeting of the Post at any time.

Section 4, Upon the written request by signed petition of not less than ten (10) of the members in good standing of this Post delivered to the Post Commander, requesting a special meeting of the Post, the Post Commander shall call the said special meeting within not less than seven (7) days, nor more than fourteen (14) days after receipt of the said petition. In the said petition shall be stated the purpose for which the meeting is requested, and matters not pertaining to said purpose for the meeting shall not be considered at such meeting. In notices given to the membership of said meeting, the subject matter to be discussed at the said meeting, and the said meeting shall not discuss other matters not relating to said notice.

Section 5, At least seven (7) members in good standing shall constitute a quorum at any regular or special meeting of the Post.

ARTICLE IX -- NOTICES

Section 1, Every member shall furnish the Post Adjutant with his/her address for mailing purposes. Notices sent to the last known address shall constitute legal notice.

Section 2, The Post Adjutant shall post notice of the annual election to be given at least five (5) days prior thereto.

ARTICLE X --RULES OF ORDER

Section 1, All proceedings of this Post shall be conducted under and pursuant to the Roberts Rules of Order, Newly Revised, except as herein otherwise provided.

ARTICLE XI -- LIMITATIONS OF LIABILITIES

Section 1, This Post shall incur, or cause to be incurred, no liability nor obligations whatsoever which shall subject to liability any other Post, subdivision, group of men or women, members of The American Legion, or other individual, corporation, or organization.

ARTICLE XII -- AMENDMENTS

Section 1, These By-Laws may be amended at any regular Post meeting by a vote of two-thirds (2/3) of the members of said Post attending such regular meeting; provided that the proposed amendment shall have been submitted in writing to the Post Executive Committee in session and approved by it; or if rejected in whole or in part, it may be taken to a regular Post meeting on a minority report; and provided that the proposed amendment shall have been submitted in writing and read at the previous regular meeting of said Post, and provided, further, that notice shall have been posted at least five (5) days in advance of the date when such amendment is to be voted upon, notifying all said members that at such meeting a proposal to amend the By-Laws is to be voted upon.

(Note: Article X111 is an optional Article for those Posts owning their own property, or for those who have Trust Funds.)

ARTICLE XIII -- BOARD OF TRUSTEES

Section 1, A Board of Trustees is hereby created to consist of the four (4) previous past Commanders of the Post and the current Post Commander, with right to vote.

Section 2, At the first regular meeting of the Board of Trustees in each year, the Board shall elect a Chairman and a Vice-Chairman who shall serve for a term of one (1) year and shall not be eligible to succeed themselves. The Post Finance Officer, Post Judge Advocate, and Post Adjutant shall serve the Board in their respective capacities, but shall not be granted the privilege of vote on any question coming before the Board of Trustees. The members of the Board shall meet as necessary and hold special meetings at such time and place as deemed necessary by the Chairman or on call of three (3) members thereof. Quorum will consist of no less than three (3) members.

Section 3, A majority shall have power to act and to exercise all the authority of the Board. The members of the Board shall serve without pay.

Section 4, Vacancies in the Board of Trustees to be filled in accordance with Article XIII Section 1.

Section 5, Duties and Functions.

- A. The duties of the Board of Trustees shall be to take care of all Trust Funds and all properties, real personal or mixed, the legal title to which is now vested, or may

hereafter vest, in the Post, or which may be offered to and accepted by the Post. Real Property owned by the Post may be sold (after first complying with Article VI, Section 6, Department Constitution), leased, or otherwise disposed of, where control of said property is involved, at any regular meeting of the Post by a vote of two-thirds (2/3) of the members of said Post attending such regular meeting; provided that the proposal shall have been submitted in writing and read at a meeting of the Post Executive Committee, if there be one, and approved by a majority of the Post Executive Committee present and voting, and further provided that the proposal shall have been submitted in writing and read at a meeting of the Board of Trustees and approved by a majority of those present and voting, and provided further that the proposal shall have been submitted in writing and read at the first regular meeting of said Post following action by the Board of Trustees; provided further that notice shall have been posted at least fifteen (15) days in advance of the date when such proposal is to be voted upon, notifying the said members that at such a meeting a proposal to sell, lease, or otherwise dispose of said property is to be voted upon.

- B. No changes, alterations or additions to the real property of the Post shall be made without the prior approval of the Board of Trustees; final approval after recommendation by the Board of Trustees shall be vested in the Post Executive Committee and the Post.
- C. The disposal of control of real property of the Post can only be amended by the same procedure as set forth in the above Section 5(a) for the disposal of control of real property.

Section 6, The Board of Trustees shall act as a Building and Grounds Committee for the purpose of rental of said property on a temporary basis and/or otherwise handle use of said property; subject to final approval of the Post Executive committee. The Post Executive Committee may assign such other duties to the Board of Trustees as it deems advisable.

ARTICLE XIV - DISCIPLINE

Section 1, Nothing contained herein shall prohibit the Commander or any other elected Officer from taking immediate action against a member of the American Legion, the Sons of the American Legion, the Auxiliary, American Legion Riders or a guest in order to maintain order and decorum regarding the use of Post facilities and/or Post property.

The Commander may, without a hearing, suspend a member from the use of the Post facilities for a period not to exceed thirty (30) days. Within ten (10) days of being advised of said suspension, the member can request, in writing, a hearing before the Post Executive Committee. A requested hearing must be held within ten (10) days of the Post receiving such request.

Section 2, A member, with a showing of cause, can bring charges against another member requesting that the accused member be reprimanded, denied use of Post facilities (except as otherwise stated in these by-laws), suspended from the Post or expelled from the American Legion. Charges shall be based upon disloyalty, neglect

of duty, dishonesty or conduct unbecoming a member of the American Legion. No member shall be so disciplined until given a fair hearing by the Post Executive Committee.

In the event an Executive Committee Member (including a Post Officer) is involved as a principle or witness in the charges he or she may not act as a juror. When there are insufficient Executive Committee Members for a minimum jury of five (5) members, the Commander shall select, or have the Sergeant-At-Arms select, additional members of the Post to serve as jurors, provided the members are not principles or witnesses to the charges.

The section, Practice and Procedure in the Expulsion or Suspension of a Member of the American Legion, in the current Officers Guide, shall be used as a guide in disciplinary cases of Post Members.

Section 3, Any charges filed against a member shall be made in accordance with the by-laws of the Department of Texas.

Section 4, In the event of charges filed against a Post member, a screening committee shall examine the validity of such charges and make a determination as to whether the charges are sufficient for hearing by the Executive Committee. The screening committee shall be composed of five members of the Executive Committee, less the Adjutant, Commander and any Executive Committee member involved as a principle or witness, in the charges.

Screening committee names shall be drawn at random by the Commander and witnessed by the Adjutant. The selected members shall pick a chairperson, review the charges and make their determination.

Section 5, Any member who has been charged may be barred from Post activities. Should such charges involve physical violence the member shall be immediately barred from Post activities. Any member so barred shall continue in that status until final determination is completed on the charges. However, the member may attend Post membership meetings.

Section 6, In all cases, if the accuser or the accused is an Officer of the Post or an Executive Committee member, he or she will be required to leave the hearing during the deliberation by the Executive Committee, and will not be permitted to participate in the decision of the Committee.

Section 7, The Executive Committee by a two-thirds (2/3) majority of those present and voting, upon a finding of guilty, may impose the following actions: reprimand; denial of the use of Post Home and social facilities open to other members for up to

two (2) years; suspension from all Post activities for a period not exceeding one (1) year; or expulsion from the American Legion.

Section 8, A member brought up on charges must be considered for expulsion from the American Legion if he or she has been found guilty three times for violations during the previous twenty-four (24) month period.

Section 9, Any member who has been disciplined has the right to appeal to the Department Executive Committee, whose decision on appeal shall be final. Said appeal must be in writing and filed with the Department within thirty (30) days after the date of decision by the Executive Committee.

Section 10, The Executive Committee is empowered to take necessary action to recover any damages to Legion property, including prosecution by civil authorities.

Section 11, A Post Officer, or an elected Delegate or Alternate, may be removed from office for neglect of duty, or conduct unbecoming the office held, by action of two-thirds (2/3) of the membership of the Post present and voting at a regular membership meeting and no formal charges shall be necessary to initiate such removal.

A member shall be afforded thirty (30) days notice prior to such action. The affected member shall be entitled to know the reason for such action and, upon request, to be heard at a regular membership meeting in the Officers own defense either before or after the action has been taken. If the defense is first heard after the action has been taken, the membership of the Post shall reconsider the motion of removal from office and once again vote on the removal motion.


Section 12, The Post recognizes the right of the Auxiliary Unit 597, The Sons of the American Legion Squadron 597 and American Legion Riders to discipline its members. However, the Post reserves the right to take the necessary action when an Auxiliary, Squadron or Chapter member violates any portion to the Constitution or By-laws, and/or House Rules. The action will be coordinated with the Auxiliary, Squadron or Chapter. Results of disciplinary actions by the Auxiliary, Squadron or Chapter must be reported to the Post Commander when the action affects the status of the member as it pertains to Post Home functions.

POST CERTIFICATION

We, THE FOLLOWING OFFICERS OF Carrollton American Legion Post No. 597, The American Legion, Department of Texas, hereby certify that the foregoing Constitution and By-Laws, after due notice was given to all members, was adopted at a regular meeting of this Post held on the 9th day of March 2015, A.D.

Added American Legion Riders to Article XI Section 1, 2, 3
Added Article XIV - Discipline


POST COMMANDER

ATTEST:

POST ADJUTANT

DEPARTMENT CERTIFICATION

Passed on by the Department Judge Advocate on the ____ day of _____, 2015, A.D. and approved by the Department Executive Committee on the ____ day of _____, 2015, A.D.


DEPARTMENT JUDGE ADVOCATE

POST CERTIFICATION

We, THE FOLLOWING OFFICERS OF Carrollton American Legion Post No. 597, The American Legion, Department of Texas, hereby certify that the foregoing Constitution and By-Laws, after due notice was given to all members, was adopted at a regular meeting of this Post held on the 9th day of March 2015, A.D.

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POST COMMANDER

ATTEST:

POST ADJUTANT

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DEPARTMENT CERTIFICATION

Passed on by the Department Judge Advocate on the 9th day of July, 2015, A.D. and approved by the Department Executive Committee on the 9th day of July, 2015, A.D.


DEPARTMENT JUDGE ADVOCATE