

THE AMERICAN LEGION, Department of Texas

1624 East Anderson Lane
Austin, TX 78752

PH: 512/472-4138
FAX: 512/472-0603
txlegion@txlegion.org



July 11, 2021

The American Legion 12th District
Joseph W Campbell
3930 Glade Road, Ste 108-187
Colleyville TX 76034

Dear Commander:

Enclosed please find the Constitution and By-Laws for the American Legion 12th District. The American Legion, Department of Texas, as approved by the Department Executive Committee on July 11, 2021.

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

"Still Serving America"

William West
Department Adjutant

MTP: njb

CC: Dan Corbin,
Department Judge Advocate

Enclosure: Approved Constitution & By-Laws

CONSTITUTION

PREAMBLE

For God and Country, we associate ourselves together for the following purpose: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations in all 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 principals of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

ARTICLE I – NAME AND CHARTER

Section 1. Name:

The name of this organization shall be 12th District, The American Legion, Department of Texas.

Section 2. Charter:

The 12th District, The American Legion, Department of Texas is an integral part of The American Legion, Department of Texas, as provided in Section 5a, Article IV, of the Department of Texas Constitution.

ARTICLE II – PURPOSE

Section 1.

The object and purpose of this District shall be to promote the principles and policies set forth in the foregoing Preamble and the National and Department Constitutions of The American Legion; and in assisting and coordinating the Posts programs in expending and promoting the services of The American Legion throughout the District.

Section 2.

This District is a Veterans Organization and membership therein does not affect or increase liability for military or police service.

Section 3.

This organization shall be nonpolitical and shall not be used for the dissemination of partisan principals nor the promotion of the candidacy of any person seeking public office or preferment.

Section 4.

Rank does not exist in The American Legion; no member shall be addressed by their military rank or title in any meeting of this District.

ARTICLE III – MEMBERSHIP

Eligibility for membership in this District shall be current members in good standing of all Posts in this District, currently in good standing, as prescribed by the National and Department Constitution and By-Laws of The American Legion, and as further stated in this District Constitution and By-Laws.

ARTICLE IV – OFFICERS

Section 1.

The administrative affairs of this 12th District, Department of Texas of The American Legion, except as otherwise provided in this Constitution and By-Laws, be under the supervision of the Executive Committee which shall consist of the elected and appointed officers of this District, plus three members at large of each Post in the 12th District, one being the Post Commander, all 12th District Chairmen and the Past 12th District Commander.

- a. The term of office of the Executive Committee shall be the term of office of the District Officers two years and the current officers of the Posts one year.
- b. This District, by its By-Laws, may provide for such other standing committees as the business of this organization may require.

Section 2.

The Officers of this District shall be a Commander, Vice Commander, Finance Officer, Judge Advocate and Sergeant at Arms who shall be nominated and elected from the floor at the Spring Convention, each two (2) years, (on numerically even years). The Adjutant, Chaplain, Historian and Service Officer shall be appointed by the District Commander Elect. The elected and appointed officers underlined above may wear the blue and white cap denoting them as District Officers. No other Officer in this District will be eligible to wear this type cap.

Section 3.

In accordance with the Department of Texas Constitution, Article IV, Section 3 e. (2), all District Officers, elected and appointed, must complete the most recent ALEI Basic training within three (3) months of their election or appointment.

ARTICLE V – CONVENTIONS

Section 1.

The District Commander shall call a Spring and/or a Fall Convention each year. Said call to be forwarded to all Posts within the District and to Department not less that 30 days prior to the date of the Convention.

Section 2.

A quorum for transaction of business at a District Convention shall consist of the representation, and on the floor, of the Convention of at least six (6) of the Posts that are members of the 12th District.

Section 3.

Virtual Meetings may be utilized to expedite information or other online meetings needed to complete the business of the District. If this method is used and includes the need for voting, all necessary documentation must be received by the District Commander from each Post to include delegate authentication.

ARTICLE VI – AMENDMENTS

This Constitution may be amended at any District Convention by a vote of two thirds (2/3) of the Convention vote certified and/or voting at the Convention; provided that the proposed amendment(s)/amendment shall have been submitted in writing and read at the previous meeting. Copies of the proposed amendment(s)/amendment shall be forwarded to all posts within the 12th District at least twenty (20) days prior to the date of the Convention, notifying all Posts, that at the Convention, a proposal to amend the Constitution shall be voted upon.

BY-LAWS

ARTICLE I – ELECTION OF OFFICERS

Section 1. All Officers shall be elected at the Spring Convention on even years (every two years) and shall hold office until their successors are duly installed, or as otherwise provided. Any Officer or Executive Committeeman may be removed for cause by a two-thirds (2/3) vote of the Executive Committee, however, where the office of the District Commander is involved, the provisions of Article III, Section 9 e. (1) of the Department By-Laws, The American Legion, shall be followed.

Section 2. Any current member in good standing of a Post, in this District, having served in an elective office of a Post in this District, shall be eligible to hold an elective office in this District, except as otherwise provided in Article IV, Section 3 of the 12th District Constitution.

Section 3. The duties of the Officers and Executive committeemen shall be those usually appertaining to such Officer and Committeemen and as further provided by the By-Laws.

Section 4. Elected Officers, not attending three (3) meetings in concession, without just cause (which is acceptable by the Commander) shall be removed from office by a majority vote at a regular meeting.

Section 5. Appointed Officers or Committee persons may be removed from office by the Commander (no vote of the membership is needed).

Section 6. Vacancies in District offices not herein or hereafter provided shall be filled by the District Commander subject to action by the Executive Committee at the next District meeting.

ARTICLE II – DUTIES OF OFFICERS

Section 1. DISTRICT COMMANDER: It shall be the duty of the District Commander to preside at all meetings of the District, and to have general supervision over the business affairs of the District and shall be the Chief Executive Officer of the District. The Commander shall approve all orders directing the disbursement of funds and shall make a report covering the business of the district at each District Convention and cause a copy of the Convention report to be mailed to the

Department Adjutant. The Commander shall perform such other duties as directed by Department.

Section 2. VICE COMMANDER: The Vice Commander shall assume and discharge the duties of the office of Commander in the absence or disability of, or when called upon by the Commander. The Vice Commander normally, unless otherwise designated, shall assume the Chairmanship of Membership.

Section 3. ADJUTANT: The 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 Organization may require, render reports of membership annually, or when called upon at a meeting, and under the direction of the Commander and handle all correspondence of the District.

Section 4. FINANCE OFFICER: The Finance Officer shall have charge of the finances and see that they are safely deposited in a local bank and shall report once a month to the Executive Committee. All checks disbursing the money of the District must be signed by any two of the following: Commander, 1st Vice Commander or Finance Officer. These officers shall furnish surety bonds in such a sum as shall be fixed by the District Executive Committee.

Section 5. JUDGE ADVOCATE: The Judge Advocate shall advise the Commander and the Executive Committee on legal matters and the provisions of the Posts, District, Department and National Constitutions.

Section 6. HISTORIAN: The Historian shall be charged with the individual records and incidents of the 12th District and shall perform such other duties as may be properly pertain to the office as may be determined by the Executive Committee.

Section 7. SERVICE OFFICER: The Service Officer duties shall consist of assisting Veterans, Veterans families, widows and children in securing their needs, rights and benefits. The Service Officer shall work with the Posts Service Officers, in this District, in a coordinated Rehabilitation and Welfare program.

Section 8. CHAPLAIN: The Chaplain shall be charged with the Spiritual Welfare of the District and will offer divine but non-sectarian services in the event of dedications, funerals, public functions and other appropriate events. The Chaplain will adhere to such ceremonial rituals as/or recommended by National or Department from time to time.

Section 9. SERGEANT AT ARMS: The Sergeant at Arms shall preserve order at all meetings and shall perform such other duties as may be assigned to him by the Executive Committee.

ARTICLE III – MANAGEMENT

Section 1. The government and management of this District is entrusted to the Executive Committee as provided in the Constitution.

Section 2. The Executive Committee consisting of the members provided for in the Constitution shall be elected each two (2) years for the District Officers and Appointees, and annually for Post Officers, serving on the District Executive Committee. District Officers shall take office at the first Executive Committee meeting after the Department Convention following their election. All members of the Executive Committee shall be elected or appointed as provided in the Constitution with the approval of the Executive Committee on Appointees.

Section 3. All vacancies in the Executive Committee or any Office in the 12th District, from any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the Committee, and a person so appointed shall hold office for the unexpired term of the member of the Committee or Officer whom he/she succeeded; however, as concerns the Office of District Commander. Article III, Section 9 e. (1) of the Department By-Laws, The American Legion, shall be followed.

ARTICLE IV – DISTRICT EXECUTIVE COMMITTEE

Section 1. The District Executive Committee shall meet for the organizational and other business as may come before it at the call of the District Commander within ten (10) days after installation of the District Commander. Thereafter, the District Executive Committee shall meet at the call of the District Commander at least four (4) times a year and as often as said Commander may deem necessary. The date, time and location of the Meetings and Conventions will be at the discretion of the District Commander. The Commander shall call a meeting of the District Executive Committee upon the joint written request of three (3) or more members of said Executive Committee. Five (5) District Officers and or District Appointees plus four (4) Posts being represented at a meeting shall constitute a quorum thereof.

Section 2. Virtual Meetings may be utilized to expedite information or other online meetings needed to complete the business of the District. If this method is used and includes the need for voting, all necessary documentation must be received by the District Commander from each Post to include delegate authentication.

Section 3. The District Executive Committee shall hire such employees as may be necessary; shall authorize and approve all expenditures; and require adequate bonds from all persons having the custody of District funds; shall hear the reports of District Committee Chairmen; and generally, shall have charge of and be responsibility for the management of the affairs of the 12th District.

ARTICLE V – DELEGATES

Section 1. Delegates and alternates to the Department Convention shall be elected by the District at the District Convention preceding the Department Convention.

ARTICLE VI – COMMITTEES

Section 1. The District Commander, immediately upon taking office, shall appoint the standing committees provided by the Department and any other committees deemed necessary to properly promote the programs of The American Legion. The Commander shall appoint the Chairman of each committee.

Section 2. The Chairman of each Committee shall be charged with the responsibility of assisting and coordinating the Posts Standing Committees throughout the District.

Section 3. The Chairman of each Committee shall report to the Commander and to the Executive Committee at each meeting.

ARTICLE VII – RESOLUTIONS

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

ARTICLE VIII – NOTICES

Section 1. Each member of the District Executive Committee shall furnish the District Adjutant with his or her address for mailing purposes. Notices sent to the last known address shall constitute sufficient legal notice.

ARTICLE IX – RULES OF ORDER

Section 1. All proceedings of this District shall be conducted under the direction of the Constitution and By-Laws of the 12th District. Things not covered in the Constitution and By-Laws, will be covered by “Robert’s Rules of Order: (Revised Edition)”.

ARTICLE X – LIMITATIONS OF LIABILITY

Section 1. This District shall incur, or cause to be incurred, no liability nor obligation whatsoever which shall subject liability any Post, District, subdivision, group of men or women, members of The American Legion, or other individuals, corporations or organizations.

ARTICLE XI – AMENDMENTS

Section 1. These By-Laws may be amended at any District Convention by a vote of two-thirds (2/3) of the Convention vote certified and/or voting at the Convention; provided that the proposed amendment(s) shall have been submitted in writing and read at the previous meeting. Copies of the proposed amendment(s) shall be forwarded to all Posts within the 12th District at least twenty (20) days prior to the date of the Convention, notifying all Posts, that at the Convention, a proposal to amend the By-Laws shall be voted upon.

DISTRICT CERTIFICATION

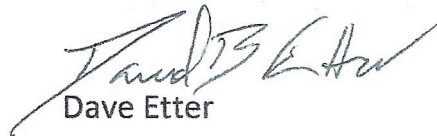
We the following Officers of 12th District, The American Legion, Department of Texas, hereby certify that the foregoing Constitution and By-Laws, after due notice was given to all Posts, was adopted at the 12th District Convention held on 24 April 2021.



Joseph Campbell

12th District Commander

ATTEST:



Dave Etter

12th District Adjutant

DEPARTMENT CERTIFICATION

Passed on by the Department Judge Advocate on the 27 day of April, 2021. And Approved by the Department Executive Committee on the 27 day of April, 2021.



Dan Corbin

Department Judge Advocate