

**BYLAWS
OF
THE AMERICAN LEGION,
DEPARTMENT OF VIRGINIA, INC.**

**ARTICLE I.
DEPARTMENT EXECUTIVE COMMITTEE**

Section 1. All questions affecting the election, eligibility and conduct of Department Officers shall be referred to and determined by the Department Executive Committee.

DUTIES

Section 2. It shall be the duty of the Department Executive Committee to pass upon all matters relating to the administration of the organization; including regulations affecting the employment and discharge of paid Department employees with the approval of the Department Finance Committee the establishment and operation of a retirement plan for the employees of the Department with the cost of that part to be paid by Department being included in the budget of each Department Convention, after adoption of a retirement plan. It shall further be the duty of the Department Executive Committee to authorize or approve all expenditures conforming to the budget adopted by the preceding Department Convention; to review, pass upon, accept or reject all audits or reports of business and accounts of the Department Treasurer, and said Committee may at any time during its term of office, call upon the said Treasurer for a report of accounts or business transactions by him in the execution of his office.

GENERAL POLICY MATTERS

Section 3. All matters of policy relating to the Department and not otherwise covered by these Bylaws shall be referred to the Department Executive Committee for determination.

RECORDINGS

Section 4. As soon as practicable after each meeting of the Executive Committee, it shall cause a synopsis of its proceedings to be sent to each member of the Department Executive Committee.

DISTRICT COMMANDER'S DUTIES

Section 5. The District Commander in each of the Districts in this Department shall have charge of, and supervision over, the Posts in his respective District. Each District Commander or his designated representative, shall visit each of the Posts in his District at least once during his term of office. He shall make a quarterly report of such visits to the Department Commander showing the condition of the Posts in his District. Forms for such report shall be furnished by the Department Headquarters. The District Commander shall also cause a written notice to be sent to the Commander or Adjutant of each Post in his District at least thirty (30) days prior to the date fixed for the District Convention.

WHO ACTS FOR COMMANDER

Section 6. In case of absence or inability of any District Commander to act, a District Vice Commander designated by the District Commander from his District shall act in his place. The District Commander may also designate a District Vice-Commander from his District to represent him at the Department Executive Committee Meeting with authority to exercise his vote. No person other than such duly authorized Vice Commander may represent the District Commander nor receive expenses therefore.

COMMANDER VACANCY

Section 7. Upon the death, resignation or inability or refusal to act by a District Commander, the District Adjutant shall certify to the Department within thirty (30) days after the vacancy occurs, the name of

the new Commander who has been elected to complete the unexpired term. Should the said District Adjutant fail to act within the 30 days, the Department Executive Committee or its designee will coordinate the activities of the District until the District certifies the name of a duly elected Commander or until the next succeeding District Convention, whichever event shall first occur.

ARTICLE II.
DEPARTMENT STANDING COMMITTEES

COMMANDER VACANCY

Section 1. There shall be the following Department Standing Committees and Sub-Committees which shall have the primary responsibility for the programs and activities of the Department of Virginia as names would indicate:

Department American Legion Boys State Committee

Department Americanism Committee

Sub-Committees: Department Boy Scout Sub Committee
Department Sons of The American Legion Sub-Committee
Department Junior Shooting Sports Sub-Committee
Department Ceremonials Sub-Committee
Department Athletic Committee

Sub-Committees: Department Baseball Sub-Committee
Department Bowling Sub-Committee
Department Golf Sub-Committee
Department Softball Sub-Committee

Department Awards and Recognition Committee

Department Children and Youth Committee

Department Convention and Conference Committee

Department Finance Committee

Department Foreign Relations Committee

Sub-Committee: POW/MIA Sub-Committee

Department Internal Affairs Committee

Sub-Committee: American Legion College Sub-Committee

Department Legislative Committee

Department Membership Committee

Department National Security Committee

Sub-Committees: Law and Order Sub-Committee
Junior Law Cadet Sub-Committee

Department New Post and DMS Committee

Department Oratorical Committee

Department Veterans Affairs and Rehabilitation Sub-Committee

Sub-Committees: Employment Sub-Committee
Veterans Administration Volunteer
Service Sub-Committee

COMMITTEE REPORTS

Section 2: Standing Committees shall file with the Department Adjutant, following each meeting, a report with names of members present or absent, with a summary of all actions taken during the meeting. Sub-Committees shall file with their parent Committees a similar report of their meetings.

SPECIAL COMMITTEES

Section 3: The Department Internal Affairs Committee may create such special Committees as may be deemed appropriate with the members appointed thereto subject to the approval of the Department Commander and financial support therefore.

Section 4: Standing Committees and Sub-Committees shall consist of such members as the Department Internal Affairs Committee may from time to time determine as necessary for carrying out of the responsibilities of the committees. All appointments shall be made by the Department Executive Committee upon the nomination of the Department Commander.

Section 5: Within forty-five (45) days following the Annual Department Convention the Department Adjutant shall notify all members of their appointments to Department Standing Committees or Sub-Committees.

ARTICLE III.
DUTIES OF OFFICERS

Commander

Section 1. The Department Commander shall be the executive head of the Department with full power to enforce the provisions of this Constitution and Bylaws and the will of the Department Convention. He shall be Chairman of the Department Executive Committee and of the Department Convention, shall name such committees as he may deem advisable and necessary for carrying out the business of the Department, subject to ratification by the Department Executive Committee, and perform such other duties as are usually incident to the office. The Department Commander shall visit various sections of the State by Districts, and shall visit each District at least once during his term of office.

VICE COMMANDER

Section 2. Each Department Vice Commander shall act as the representative of the Department Commander in connection with the Posts and territory assigned to him and shall exercise special supervision over such territory, and shall visit each District at least twice during his term of office. Subject to the approval of the Department Finance Committee reasonable provision shall be made, consistent with financial conditions of the Department, toward defraying the necessary traveling expenses incurred by the Department Vice Commanders in execution of their duties as aforesaid.

ADJUTANT SALARY

Section 3. The Department Adjutant shall conduct the correspondence and keep the files and records of the Department including the names and addresses of Posts and of their officers and members; shall give notice of all Department Conventions and of all meetings of the Department Executive Committee; shall be the Secretary of the Executive Committee and of the Department Conventions; shall Receive all monies due the Department from any source whatever and shall deposit same in a depository approved by the Department Finance Committee; shall execute all vouchers for disbursement of all Department funds; and shall perform such other duties as are usually incident to the office and as the Department Commander may direct. He shall receive such salary as shall be determined by the Department Executive Committee, provided the salary proposed is approved by an affirmative vote of at least five members of the Department Finance Committee. He shall also be authorized, in the event of the death or resignation of the Department Commander, to summon the Executive Committee for the election of a successor.

TREASURER

Section 4: The Department Treasurer shall be custodian of all assets of the Department. The Treasurer, the Department Adjutant and such other persons as are officially designated shall be authorized as signatories for the issuance of checks. The person(s) designated to prepare the checks and/or reconcile the cash accounts shall not be an authorized signatory. The Treasurer shall oversee compliance with prudent internal control and procedures established by the Department. The Treasurer shall make a report concerning the financial condition of the Department at each meeting of the Department Executive Committee. The Treasurer shall perform such other duties as are usually incident to the office.

JUDGE ADVOCATE

Section 5. The Department Judge Advocate shall advise Department Officers and the Department Executive Committee on all legal matters including the construction and interpretation of the National and Department Constitution and Bylaws, shall serve as the Department Parliamentarian and shall perform such other duties as are usually incident to the office.

HISTORIAN

Section 6. The Department Historian shall collect from year to year all records of data of value and interest for the Department Headquarters and shall compile during his term of office a complete history of the year's activities. He shall also assist the Post Historians so as to coordinate and unify the work of these officials, and shall have such other duties as the Department Executive Committee may prescribe.

SERVICE OFFICER

Section 7. The Department Service Officer shall coordinate the activities of the Post Service Officer; shall disseminate to the Post Service Officers such information and instruction as may be helpful in dealing with the affairs of disabled veterans, claims of ex-servicemen against the United States Government, and such other matters as may be referred to him by the Executive Committee.

CHAPLAIN

Section 8. The Department Chaplain shall perform such duties as are usual and consistent with the office.

SERGEANT-AT-ARMS

Section 9. The Department Sergeant-at-Arms shall perform such duties as are usually prescribed for such an officer and in particular, play a key role in the logistics of conferences and conventions.

Section 10. No Department, District or Post Officer shall hold Office of Commander, (any) Vice Commander, Adjutant, Finance Officer or their equivalent offices in any other veterans' organization during such person's term, except those two veterans' organizations known as Twenty and Four and La Societe des 40 Hommes et 8 Chevaux."

ARTICLE IV.
DISCIPLINE

CHARGES

Section 1. Members may be suspended or expelled from the Legion only upon a proper showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty and conduct unbecoming a member of The American Legion. Charges against any member shall be made under oath and in writing. Said charges shall specify with reasonable particularity the act or failure to act constituting the offense complained of, together with a definite statement as to the time and place of said act or failure to act. No member in good standing shall lose his membership until given a fair trial as set forth in this ARTICLE.

INVESTIGATION

Section 2. Charges against any member shall be presented to the Commander of the Post to which the member belongs, or in whose jurisdiction he may reside, if a sojourning member. The Post Commander shall then, without making the nature of the charge or the name of any of the parties thereto known to the Post, submit the same to a committee of three members of the Post, to be by him appointed, Investigation who shall investigate the matter and endeavor to reconcile the parties making the charges and the accused if the matter be merely personal and should they fail to effect an amicable arrangement, or the charge be of such nature as to require the action of the Post, they shall report accordingly. If the Post Commander be charged, then the Vice-Commander shall appoint the Investigation Committee.

SERVICE ON ACCUSED

Section 3. When the committee has reported that a trial is necessary, the Post Adjutant shall serve upon the accused a copy of the charges, the name of the witnesses relied upon to prove the same and summons him to appear and answer the charges in writing, within ten (10) days from the time the same have been served upon him, and to furnish the names and residences of such witnesses as he may wish to examine in his

defense. The Adjutant shall endorse upon said summons the time and manner of service.

Section 4. After the expiration of ten days, whether the accused has answered or not, the Post shall fix a time for trial, and summon all members of the Post then living in its jurisdiction, the party accused, and all the witnesses, who are members of The American Legion, to appear at the time appointed and should there be witnesses who cannot attend the meeting, the Post Commander shall appoint a committee of three members to take the testimony of such witness. This committee shall give due notice to the accused of the time and place of taking such testimony, shall reduce same to writing and cause it to be sworn to by the party giving it.

JUDGE ADVOCATE PRESIDES

Section 5. The Post Judge Advocate shall preside at the trial. He shall have power and authority to pass upon the materiality and relevancy of all the evidence presented and shall have general power to prescribe the necessary and reasonable rules and regulations for the orderly procedure of said trial. In the event of death, removal, vacancy or resignation of the Post Judge Advocate, it shall be the duty of the Department Commander, when duly notified by the Post Adjutant, to appoint a special Judge Advocate, who shall have the powers and authority of a duly elected Judge Advocate.

CONDUCT OF TRIAL

Section 6. On the day fixed for the trial the Post shall first determine by a majority vote of the members present, whether the several votes shall be taken viva voce or by ballot, after which the trial shall commence, and after the charges shall have been read and all the testimony heard of the witnesses named and of such others as may have been discovered, the accused shall be allowed to speak in his defense, or avail himself of the assistance of some member to speak for him. He shall then retire and the Post shall proceed at once, and without debate, to vote on the guilt or innocence of the accused, taking a separate vote on each specific charge.

PENALTY

Section 7. If the accused is found guilty by a simple majority vote of the members present and voting, a second vote will be taken to determine if the accused will be permanently expelled from the American Legion, suspended from the American Legion or a lesser punishment as determined by majority vote. In no case shall a member be permitted to vote who was not present at the commencement and during the whole progress of the trial. Expulsion means no longer eligible to be a member of the American Legion (requires 75% of the vote). Suspension means suspended from the American Legion for the remainder of the current membership year in which dues have been paid and the following membership year.

ABSENT ACCUSED

Section 8. Whenever the accused cannot be readily found, or fails to answer or appear as a result of other communications efforts, the Post Adjutant shall send a "registered" letter and/or "return receipt required" letter to the members address as listed with department membership rolls. This will satisfy all requirements for notification of the accused. The post commander shall appoint some post members to appear and stand for the accused and the proceedings shall continue without the accused. Upon return of the accused, the accused may request a new trial due to legitimate circumstances outside of the accused control. The post executive committee may or may not grant a new trial.

APPEAL

Section 9. When any member shall have been convicted and sentenced he shall, on giving notice in writing, if within thirty (30) days after receiving notice of his sentence, be allowed an appeal to the Department Executive Committee, and shall immediately forward to the Department Adjutant the grounds upon which he relies for a reversal of the verdict and sentence of the Post; whereupon, the Post Commander within thirty (30) days after the reception of such notice, shall cause to be made up and forwarded to the Department Adjutant a complete transcript of all the proceedings, documents and testimony in the case and such testimony as shall not have been reduced to writing shall be taken by a committee of the Post in the same manner as is provided in Section 4 of this ARTICLE. Should the

Department Adjutant find the transcript incomplete he shall, under the instructions of the Department Commander, order the Post forth-with to complete the transcript in case the Post should neglect to send up the transcript in the first instance within the time required, or should refuse or neglect to complete the transcript in thirty (30) days after notice to that effect, the Post Commander shall be held guilty of contempt, and be punished accordingly; and any member taking an appeal from a sentence against him, failing to forward to the Department Adjutant his reasons for a reversal shall have his appeal dismissed. Should any of the grounds for a reversal be that the trial was not conducted in conformity with the Bylaws, the papers shall be referred at once to the Department Judge Advocate, who shall proceed to examine the case, and if he finds that the proceedings have been irregular, he shall report the same to the Department Commander, who shall remand the case to the Post for a new trial in conformity with the Bylaws, the Department Adjutant furnishing the Post with a copy of the report made by the Department Judge Advocate. The member injured, or any member of the Post may appeal therefrom to the Department Convention, and the appeal shall proceed and take the same course, so far as may be, as is provided for in the case of an appeal by the member who has been convicted. Appeal pursuant to this Section may be perfected by the accused only and not by his surrogate.

REVERSAL BY EXECUTIVE COMMITTEE

Section 10. If a sentence of expulsion or suspension be reversed and annulled by the Department Executive Committee, it shall restore the party to membership in the Post. A member who has been expelled and sentence affirmed, cannot be restored to membership except by a Department Executive Committee and on the recommendation of the Post which expelled him by the vote required for the expulsion; provided that an application for reinstatement, in cases other than suspension for non-payment of dues, shall be read at a stated meeting, due notice having been given in writing to members of the Post of intended action.

Section 11. No Post shall give any other notice of the expulsion or suspension of a member than to the Department Adjutant, which it shall do immediately, and the Department Adjutant shall notify National Headquarters and take such other action as the Department Executive

Committee may direct.

"CLUB" SUSPENSION IS NOT LEGION SUSPENSION

Section 12. Suspension or expulsion from privileges of a Post club or other non-Legion activity for disciplinary reasons does not constitute suspension or expulsion from the American Legion, and the member so suspended or expelled does not lose any of the rights or privileges that accompany membership in the American Legion, including the right to access to the Legion premises to attend meetings or participate in American Legion activities, to be a candidate for or serve as an officer of the Post (other than a position that pertains exclusively to a non-Legion activity) and to serve on or chair a committee of the Post (other than a non-Legion committee). Nothing herein shall preclude the offense resulting in the suspension or expulsion from non-Legion activity from serving as a basis for a trial and punishment under this ARTICLE for an offense under Section 1 hereof.

ARTICLE V.
FINANCE

BOND

Section 1. The Department Treasurer, Assistant Department Treasurer, Department Adjutant, and all Department employees shall be bonded for amounts determined by the Department Finance Committee with an insurer approved by the Department Finance Committee.

Section 2. Post Adjutants and Post Finance Officers shall be bonded under regulations determined by the Department Executive Committee.

FINANCE COMMITTEE MAKE-UP

Section 3. The Department Finance Committee shall consist of six (6) members in addition to the Department Treasurer and the Department Commander. Following the 1955 Department Convention, the six (6) appointive members shall be as follows: One member presently on the Committee who shall serve out his unexpired term of two years, one member to be appointed for a term of one year, another member for a

term of two years and two members for a term of three years; thereafter each succeeding appointee shall serve for the full term of three years or until removed by a majority vote of the Executive Committee. The Department Commander and the Department Treasurer shall be ex-officio members of said Committee with all rights and privileges including the right to vote. A quorum of said Committee for the transaction of business shall consist of not less than five out of the eight members. The Department Adjutant shall be ex-officio secretary of the Committee without vote.

BUDGET & AUDIT

The Committee shall be charged with the preparation of the yearly budget and the handling of funds under that budget, and such other duties as shall be prescribed by the Department Executive Committee, and shall have the books of the Department audited annually by a certified accountant.

APPOINTMENTS

All appointments to the Finance Committee shall be made by the Department Commander subject to approval and confirmation by the Department Executive Committee by a vote of not less than two-thirds of the total membership thereof.

SURPLUS FUNDS

Section 4. The excess of revenues over expenditures for a fiscal year may be expended during the next succeeding year provided such expenditure has been approved by the Department Convention in its regular budgetarial manner. After adoption of the budget by the Convention, any surplus funds not budgeted for the following year shall become Restricted Funds. Expenditure of such Restricted Funds shall be permitted only by approval in the normal budgetary process. Restricted Funds may be invested in securities of the United States Government or

agencies thereof, or in such other investments recommended by the Investment Advisory Committee and approved by the Department Finance Committee.

NON-BUDGETED EXPENDITURES

Section 5. All requests for expenditures of Department funds not budgeted for the purpose requested shall, before referral to the Department Executive Committee or the Convention for approval, be referred to the Department Finance Committee, which shall render an advisory opinion as to the availability of funds, the impact on the Department of the expenditure and the non-binding recommendation of the Finance Committee as to the advisability of the proposed expenditure. Any requests for the expenditure of funds made directly to the Department Executive Committee or to the Department Convention shall be referred by those bodies to the Department Finance Committee for study and recommendation.

POWER OF COMPTROLLER

Section 6. The Power of Comptroller shall be vested with the Department Finance Committee with the authority to transfer funds from time to time within the budget, and with the right to reduce the budget if, at any time during the fiscal year the income receipts fall short of estimated income. Upon recommendation of the Department Finance Committee with the approval of the Department Executive Committee, the

budget may be increased during the fiscal year, should the anticipated income warrant such increase.

CALLS

Section 7. The Department Commander is authorized and empowered to approve the calling of any Department Standing Committee or Special Committee not otherwise specifically provided for in the current budget before such Committee can be convened and expenses for such meeting paid out of Department funds.

ARTICLE VI
FUND RAISING

Section 1. Posts or Districts will not be restricted from conducting general fund raising activities, without the prior approval of the Department, provided the activity is allowed by applicable State and Federal laws and regulations and is conducted in full compliance with all governing State and/or Federal laws and regulations.

Section 2. If, however, a Post or District wishes to conduct a specific fund raising activity which utilizes bulk mail, telemarketing, media broadcast, or other random means to communicate with, and solicit funds from the general public, sanction and approval of the Department must be requested and received before commencement of the said activity.

Section 3. In order to receive Department sanction and approval, the Post or District must provide documentation, in writing to the Department Adjutant no later than 45 days prior to the beginning of such activity, indicating the following,

- a. Name, address and phone number of each designated point of contact within each involved party. This must include, but is not limited to, the applicable Post or District Commander and activity Chairman or representative, and fund raising contractor or promoter representative if applicable.
- b. The type of activity (bulk mail, telemarketing media broadcast, etc.).
- c. An explanation of the purpose of the activity. For example, raise funds for a specifically identified American Legion program such as baseball, boys state, children and youth, or community activity such as homeless shelter, holiday food drive, hunters for the hungry, etc.
- d. An explanation of the geographical area and target population of the activity, as well as the time frame of the activity.

- e. Detailed explanation of the anticipated product or result and expenses versus income breakdown.
- f. Copies of all applicable Federal, State, County and City licenses, certificates, permits, registrations, etc.
- g. Copies of all implements of solicitation and advertisement such as letters, flyers, video tapes, presentation scripts, etc. When applicable, all such implements MUST identify the responsible Post or District by name and/or number. Implements simply identifying the activity as being conducted by, or on behalf of "The American Legion", will not be approved.

Section 4. Department sanction and approval will be given, in writing, by the Department Adjutant after contacting the State of Virginia Division of Consumer Affairs, to verify that all applicable fees have been paid and, if applicable, that no complaints have been received against the contractor or promoter. As necessary, the Department Adjutant will seek the advice and counsel of the Department Judge Advocate and Department Internal Affairs Committee, before granting the sanction and approval for the Department.

Section 5. Each Post or District is responsible for monitoring its own fund raising activities to ensure they are conducted totally within the governing policy of the Department. Anyone learning of fund raising practices not approved by the Department, or potentially embarrassing to The American Legion, should see that same is made known to the Department Adjutant. The Department Adjutant shall address such information and complaints, in concert with the Department Judge Advocate. Department Internal Affairs Committee and the Division of Consumer Affairs, as applicable.

Section 6. Should further policy guidelines or definition be required, they should be developed by the Department Judge Advocate, in concert with the Department Adjutant and Department Internal Affairs Committee.

ARTICLE VII
AMENDMENTS

Section 1. These Bylaws may be amended at any Department Convention by a of two-thirds of the total representatives thereat; provided that notice of the proposed amendment shall have been sent out to all Post Commanders at least thirty (30) days prior to the convening of the Department Convention; or have been published in the Virginia Legionnaire at least ten (10) days prior thereto.

Section 2. Any amendment to these Bylaws shall become effective immediately upon the final adjournment of the annual Department Convention at which adopted, unless otherwise provided.

NOTE

The descriptive phrases which appear in the margin of the revised Constitution and By-Laws are for indexing purposes only and are not intended to be a part of or an official interpretation of the provisions to which they refer.

References to the masculine gender are for convenience and shall be taken to include persons of both genders unless specifically stated otherwise.

Amendments to the Constitution and Bylaws

The 70th Annual Department Convention held in Richmond, Virginia, July 14-17, 1988, after the required notice to all Virginia Posts within the required time frame, adopted in its entirety completely new Bylaws to replace the last published Bylaws of 1986. Said Bylaws are as set forth above.

The 72nd Annual Department Convention, held in Richmond, Virginia July, 1990, after the required notice to all Virginia Posts within the required time frame, added wording to Article III, Section 12 as follows:

"except those two veterans' organizations known as Twenty and Four and La Societe des 40 Hommes et 8 Chevaux."

The 74th Annual Department Convention, held in Richmond, Virginia, July 17-19, 1992, after the required notice to all Virginia Posts within the required time frame, changed ARTICLE X to read as presently set forth; Deleted ARTICLE XI, Section 1, and renumbered old Section 2 as Section 1.

The 75th Annual Department Convention, held in Richmond, Virginia, July 15-18, 1993, after the required notice to all Virginia Posts within the required time frame, changed ARTICLE II, ARTICLE III and ARTICLE IV to read as presently set forth; added Section 7 to ARTICLE I.

For administrative clarification, ARTICLE IV, Section 12 has been added.

The 77th Annual Department Convention, held in Richmond, Virginia, July 13-16, 1995, after the required notice to all Virginia Posts within the required time frame, redesignate Article VI (Amendments) to Article VII with Section 1 and 2 of and added a new ARTICLE VI (Fund Raising).

The 81st Annual Department Convention, held in Richmond, Virginia, July 15-18, 1999, after the required notice to all Virginia Posts within the required time frame, added Section 5 to Article V (Finance) and renumbered Sections 5 and 6 to 6 and 7.

The 82nd Annual Department Convention, held in Roanoke, Virginia, July 6-9, 2000, after the required notice to all Virginia Posts within the required time frame, amended Article IX, Section 1 and Article IX, Section 5 of the Constitution to state that the minimum requirement has changed from 25 to 15 members to charter and maintain a Post.

The 83rd Annual Department Convention, held in Richmond, Virginia, July 12-15, 2001, after the required notice to all Virginia Posts within the required time frame, amended Article III, Section 4 of the Department By-Laws designating the signatories for the issuance of checks. The Person(s) designated to prepare the checks and/or reconcile the cash accounts shall not be an authorized signatory.

The 86th Annual Department Convention, held in Richmond, Virginia, July 9-11, 2004 after the required notice to all Virginia Posts within the required time frame, amended Article I, Section II of the Department Constitution changing the location of Department Headquarters from 1805 Chantilly Street to 1708 Commonwealth Avenue.

The 87th Annual Department Convention, held in Roanoke, Virginia, July 14-17, 2005 after the required notice to all Virginia Posts within the required time frame, amended Article V, Section II of the Department Constitution removing the Department War Museum Director.

The 90th Annual Department Convention, held in Falls Church, Virginia, July 10-13, 2008 after the required notice to all Virginia posts within the required time frame, amended Article III, Section 10 of the Department By-Laws to be as follows: No Department, District, or Post Officer shall hold the office of Commander, (any) Vice Commander, Adjutant, Finance Officer, or their equivalent in any other veterans organization during such person's term, except those two veteran's organizations known as "Twenty and Four" and La Soceite des 40 Hommes et 8 Chevaux.

The 91st Annual Department Convention, held in Roanoke Virginia, July 14-17, 2011 after

the required notice to all Virginia posts within the required time frame, amended Article IX, Section 1 of the Department By-Laws to be as follows: In order for the post to be presented their permanent charter, the post MUST BE incorporated and have a post constitution and bylaws in place.

The 92nd Annual Department Convention, held in Richmond, Virginia, July 20-22, 2012 after the required notice to all Virginia posts within the required time frame; amended Article IV, Section 7 of the Department By-Laws to be as follows: If the accused is found guilty by a simple majority vote of the members present and voting, a second vote will be taken to determine if the accused will be permanently expelled from the American Legion, suspended from the American Legion or a lesser punishment as determined by majority vote. In no case shall a member be permitted to vote who was not present at the commencement and during the whole progress of the trial. Expulsion means no longer eligible to be a member of the American Legion (requires 75% of the vote). Suspension means suspended from the American Legion for the remainder of the current membership year in which dues have been paid and the following membership year; Article IV, Section 8 of the Department By-Laws to be as follows: Whenever the accused cannot be readily found, or fails to answer or appear as a result of other communications efforts, the Post Adjutant shall send a "registered" letter and/or "return receipt required" letter to the members address as listed with department membership rolls. This will satisfy all requirements for notification of the accused. The post commander shall appoint some post members to appear and stand for the accused and the proceedings shall continue without the accused. Upon return of the accused, the accused may request a new trial due to legitimate circumstances outside of the accused control. The post executive committee may or may not grant a new trial; Article VII, Section 1 of the Department Constitution be as follows: All officers of the Department, District, Post and/or other American Legion entities thereof, entrusted with actual funds or control of funds through the power of office held or contracted services or any other means of legion funds distribution, shall be required to give bond with surety in accordance with the National Bylaws; Article VI, Section 2, of the Department Constitution be as follows: At least thirty (30) calendar days, but no more than sixty (60) calendar days.