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 DEC.

Duties

Section 2. It shall be the duty of the DEC 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 Department employees 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 DEC 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 Department Treasurer for a report of accounts or business transactions by the Department Treasurer in the execution of that 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 DEC for determination.

Recordings

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

District Commanders

Section 5. Each District Commander within this Department shall have charge of and supervision over, the Posts in his or her respective District. Each District Commander or a designated representative, shall visit each of the Posts in the District at least once during his or her term of office. The District Commander shall make a Quarterly Report of such visits to the Department Commander showing the condition of the Posts in the 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 Post Commander or Post Adjutant within the District at least thirty (30) days prior to the date fixed for the District Convention.

Who Acts for the District 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 the District shall act in his or her place. The District Commander may also designate a District Vice-Commander from the District to represent him or her at the DEC Meeting with authority to exercise vote on behalf of the District Commander. No person other than such duly authorized District Vice Commander may represent the District Commander nor receive reimbursements, therefore.

District Commander Vacancy

Section 7. Upon the death, resignation, 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 and provide the Department with the name of the newly elected or selected District Commander to complete the unexpired term. Should the said District Adjutant fail to act within the 30 days, the DEC or its designee will coordinate the activities of the District until the District certifies the name of a duly elected or selected District Commander or until the next succeeding District Convention, whichever event shall first occur.

ARTICLE II.

DEPARTMENT STANDING COMMITTEES

Section 1. There shall be the following Department Standing Committees and Sub-Committees which shall have the primary responsibility for the Department's programs and activities as names would indicate. All regular and *Ex Officio* members of the any Department Standing Committee or Sub-Committee must be an active Legionnaire and in good standing of the Department.

- Americanism Committee
  - Boy Scout Sub-Committee
  - Flag Promotion and Protection Sub-Committee
  - JROTC Drill Team Sub-Committee
  - American Legion Junior Shooting Sports Sub-Committee
  - D-Day Memorial Sub-Committee
  - Ceremonials Sub-Committee (Guards of Honor)
- Athletic Committee
  - American Legion Baseball Sub-Committee
  - Bowling Sub-Committee
  - Golf Sub-Committee

    - Girls' Fast Pitch Softball Sub-Committee
- Awards and Recognition Committee
- VA Boys State Committee
- Children and Youth Committee
- Convention and Conference Committee
- Finance Committee
- Internal Affairs Committee
    - The American Legion College Sub-Committee
    - Sons of the American Legion Sub-Committee
    - American Legion Prison Post Sub-Committee
    - American Legion Riders Sub-Committee
- Legislative Committee
- Membership Committee
- National Security Committee
    - Foreign Relations Sub-Committee
    - POW/MIA Sub-Committee
    - Blood Donor Sub-Committee
    - Law and Order/Youth Cadet Law Enforcement Sub-Committee
- New Post and DMS Committee
- Media and Communications Committee
- Oratorical Committee
- Veterans Affairs and Rehabilitation Committee
    - Veterans Affairs Volunteer Services Sub-Committee
        - ✓ Women's Outreach Coordinators
        - ✓ State Cemetery Coordinators
    - Veterans Employment and Education Sub-Committee
    - Post Service Officer 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 its report with their respective parent Committee.

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 as needed.

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 Standing Committees. All appointments shall be made by the DEC 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

Department Commander

Section 1. The Department Commander shall be the executive head of the Department with full power to enforce the provisions of the Department's Constitution, Bylaws, and the will of the Department Convention. He or she shall be Chairman of the DEC and of the Department Convention; shall name such Committees as he or she may deem advisable and necessary for carrying out the business of the Department, subject to ratification by the DEC; and perform such other duties as are usually incident to the office. The Department Commander should attempt to visit all Districts, when invited, during his or her term of office.

Department Vice Commanders

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 or her; shall exercise special supervision over such territory; and shall visit each District at least twice during his or her term of office. Subject to the approval of the Department Finance Committee, reasonable provisions shall be made, consistent with financial conditions of the Department, toward defraying the necessary traveling incurred by the Department Vice Commanders in execution of their duties as aforesaid.

Department Adjutant

Section 3. The Department Adjutant shall conduct the correspondence, keep the files, and maintain 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 DEC; shall be the Secretary of the DEC 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. The Department Adjutant shall receive such salary as shall be determined by the DEC, provided the salary proposed is approved by an affirmative vote of at least five (5) members of the Department Finance Committee. The Department Adjutant shall also be authorized, in the event of the death or resignation of the Department Commander, to summon

the DEC for the election of a successor. Attest to the accuracy and validity of the Department Constitution and Bylaw by May 1st annually.

Department 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 checks and/or reconcile the cash accounts shall not be an authorized signatory. The Department Treasurer shall oversee compliance with prudent internal control and procedures established by the Department. The Department Treasurer shall make a report concerning the financial condition of the Department at each meeting of the DEC. The Department Treasurer shall perform such other duties as are usually incident to the office.

Department Judge Advocate

Section 5. The Department Judge Advocate shall advise Department Officers, DEC, and the Department Internal Affairs Committee on all legal matters arising with Posts, Districts, and Department, as appropriate. The Department Judge Advocate will direct and supervise investigations of written complaints from members, Posts, Districts, and/or Department received by the Department Adjutant when it is determined there is a basis for the complaint or as directed by the DEC or Department Internal Affairs Committee Chairman. The Department Judge Advocate shall be responsible and have authority to construct and interpret the National and Department Constitution and Bylaws and shall serve as the Department Parliamentarian and shall perform such other duties as are usually incidental to the office. Attest to the accuracy and validity of the Department Constitution and Bylaws by May 1st annually.

Department 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 or her term of office, a complete history of the year's activities. The Department Historian shall also assist the Post Historians to coordinate and unify the work of these officials and shall have such other duties as the DEC may prescribe.

Department 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; and claims of veterans filed with the Department of Veterans Affairs' Veterans Benefit Administration.

Department Chaplain

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

Department Sergeant-At-Arms

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

Limitations of Department Officers

Section 10. No Department Officers shall hold the office of Commander, Vice Commander, Adjutant, Finance Officer, or their equivalent offices in any Veterans' Service Organization during such person's term.

ARTICLE IV.

DISCIPLINE

Charges

Section 1. Members may be suspended or expelled from The American Legion only upon a proper showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty, or conduct unbecoming a member of The American Legion. Charges against any Legionnaire 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 Legionnaire in good standing shall lose his or her membership until given a fair trial as set forth in this ARTICLE.

Investigation

Section 2. Charges against any member shall be presented to the Post Commander to which the Legionnaire belongs, or in whose jurisdiction he or she 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 (3) members of the Post. The appointed three (3) member team will conduct an investigation into 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 affect 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 Post Vice Commander shall appoint the three (3) member team to conduct the investigation. The

Department reserves the right to bring charges against members and if a trial is warranted by a Department Commander appointed investigation committee of at least three (3) Department members, the case will be referred to the DEC for trail in which the Department Judge Advocate will preside, as outlined in **Article IV**., Section 6.

Service on Accused

Section 3. When the appointed three (3) member team 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 the accused to appear and answer the charges in writing, within ten (10) days from the time the same have been served upon him or her, and to furnish the names and residences of such witnesses as the accused may wish to examine in his or her defense. The Post Adjutant shall endorse upon said summons the time and manner of service.

Section 4. After the expiration of ten (10) days, whether the accused has answered or not, the Post/Department shall fix a time for trial, and summon all members of the Post then living in its jurisdiction, ten (10) members of the DEC, 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, or if there are nonmember witnesses, the Post Commander shall appoint a committee of three (3) 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.

Post Judge Advocate Presides

Section 5. The Post Judge Advocate shall preside at the trial. The Post Judge Advocate 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 Department or Post Adjutant, to appoint a special Judge Advocate, who shall have the powers and authority of a duly elected Post Judge Advocate.

Conduct of Trial

Section 6. On the day fixed for the trial the Department or Post shall first determine by a majority vote of the bonafide members (in possession of a current membership card) 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 or her defense, or avail himself or herself of the assistance of some Legionnaire to speak on his or her behalf. The accused shall then retire and the Post or DEC members present 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 bonafide 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 three-quarters percent (75%) of the vote by members present and voting). 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.

"Club" Suspension is not Legion Suspension

Section 8. 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 American 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.

Absent Accused

Section 9. Whenever the accused cannot be readily found or fails to answer or appear as a result of other communications efforts, the Post or Department Adjutant shall send a "registered" letter and/or "return receipt required" letter to the member's address as listed with Department Membership Rolls. This will satisfy all requirements for notification of the accused. The Department/Post Commander shall appoint some DEC/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 or DEC may or may not grant a new trial.

Appeal

Section 10. When any member shall have been convicted and sentenced, he or she shall, on giving notice in writing, if within thirty (30) days after receiving notice of the sentence, be allowed an appeal to the DEC, and shall immediately forward to the Department Adjutant the grounds upon

which he or she 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, the Post Adjutant 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 the accused, failing to forward to the Department Adjutant the accused's reasons for a reversal shall have the accused's 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 the Department Judge Adjutant finds that the proceedings have been irregular, the Department Judge Adjutant 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 there from 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 a surrogate.

Reversal by the Department Executive Committee

Section 11. If a sentence of expulsion or suspension be reversed and annulled by the DEC, 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 DEC and on the recommendation of the Post which expelled the member 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 12. 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 DEC may direct.

ARTICLE V.

FINANCE

Bond

Section 1. All Department Officers, American Legion entities thereof and employees of the Department, entrusted with actual funds or control of funds through the power of office held or contracted services or any other means of Legion fund distribution, shall be required to give bond with surety, in accordance with, the National Bylaws.

Department Finance Committee

Section 2. The Department Finance Committee shall consist of eight (8) members, including 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 an 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 DEC. 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 (5) out of the eight (8) members. The Department Adjutant shall be *Ex Officio* Secretary of the Department Finance Committee without vote.

Budget and Audit

Section 3. 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 DEC and shall have the books of the Department audited annually by a certified accountant. A three (3) member committee composed of non-Department Officers may be periodically appointed by the Department Commander to perform an audit of the Department's finances.

Appointments

Section 4. All appointments to the Department Finance Committee shall be made by the Department Commander subject to approval and confirmation by the DEC by a vote of not less than two-thirds (2/3) of the total membership thereof.

Surplus Funds

Section 5. 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 budgetary manner. After adoption of the budget by the Department Convention delegates, 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 6. All requests for expenditures of Department funds not budgeted for the purpose requested shall, before referral to the DEC or the Department Convention for approval, be referred to the Department Finance Committee, which shall render an advisory opinion as the availability of funds, the impact on the Department of the expenditure and the non-binding recommendation of the Department Finance Committee as the advisability of the proposed expenditure. Any requests for the expenditure of funds made directly to the DEC or to the Department Convention shall be referred by those bodies to the Department Finance Committee for study and recommendation.

Power of the Comptroller

Section 7. The Power of Comptroller (Department Executive Assistant) 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 DEC, the budget may be increased during the fiscal year, should the anticipated income warrant such increase.

Calls

Section 8. 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.

FUNDRAISING

Section 1. Posts or Districts will not be restricted from conducting general fundraising activities, provided the activity is allowed by applicable Commonwealth and Federal laws and regulations and is conducted in full compliance with all governing Commonwealth and/or Federal laws and regulations.

Section 2. If, however, a Post or District wishes to conduct a specific fundraising activity which utilizes bulk mail, telemarketing, media broadcast, or other random means to communicate with, and solicit funds from the 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 forty-five (45) days prior to the beginning of such activity, indicating the following:

- 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 fundraising contractor or promoter representative if applicable.
- The type of activity (bulk mail, telemarketing media broadcast, etc.).
- An explanation of the purpose of the activity. For example, raise funds for a specifically identified The 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.
- An explanation of the geographical area and target population of the activity, as well as the time frame of the activity.
- Detailed explanation of the anticipated product or result and expenses versus income breakdown.
- Copies of all applicable Federal, Commonwealth, County and City licenses, certificates, permits, registrations, etc.
- 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 Commonwealth of Virginia Division of Agriculture and Consumer Affairs Services, 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 fundraising activities to ensure they are conducted totally within the governing policy of the Department. Anyone learning of fundraising 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 Commonwealth's Division of Agriculture and Consumer Affairs Services, 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 (2/3) of the total representatives thereat; if 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 by USPS, email, signage or published in the electronic version of 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 Bylaws 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.

AMENDMENTS TO THE DEPARTMENT 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 Bylaws 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 Bylaws 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' service organization during such person's term, except those two veterans' organizations known as "Twenty and Four" and "La Soceite des 40 Hommes et 8 Chevaux."

The **93rd 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 Bylaws 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 **94th 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 Bylaws 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 Bylaws 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.

The **104th Annual Department Convention** held in Herndon, Virginia July 13-17, 2022, after the required notice to all Virginia Posts within the required time frame; revised the Department Constitution and Department Bylaws.