# CONSTITUTION
# OF
# THE AMERICAN LEGION,
# DEPARTMENT OF VIRGINIA, INC.

## PREAMBLE

For God and Country, we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred per cent 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 principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

## ARTICLE I.

## NAME

Section 1. The name of this organization shall be THE AMERICAN LEGION, DEPARTMENT OF VIRGINIA, INCORPORATED.

Section 2. The Department Headquarters of The American Legion, Department of Virginia, Incorporated, shall be located at the Headquarters Building, 1708 Commonwealth Avenue, in the City of Richmond, Virginia.

## ARTICLE II.

## NATURE

### *NO MILITARY RANK IN THE AMERICAN LEGION*

Section 1. The American Legion, Department of Virginia, is a civilian organization; membership therein does not affect nor increase liability for military or police service. Rank shall not exist in The American Legion, no member shall be addressed by his military or naval title in any convention or meeting of the Department or any Post thereof, unless he be at the time on duty with some branch of the military service. This restriction (on use of military title) does not apply to courtesies extended outside the said Legion meetings, including correspondence or introductions.

### *THE AMERICAN LEGION IS NONPOLITICAL AND NONPARTISAN*

Section 2. The American Legion shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment. No Department, District, Post, or individual Legionnaire can endorse a candidate for public office on behalf of The American Legion.

Section 3. Campaign Posters, signs, and materials are prohibited inside or outside an American Legion Post Home or on American Legion properties.

Section 4. The Department, Districts, and Posts are encouraged to participate in nonpartisan "Get Out the Vote" campaigns and such nonpartisan activities as voter registration, rides to and from the polls, assisting homebound individuals applying for absentee ballots, and working as Election Officials for the Commonwealth.

## ARTICLE III.

## ELIGIBILITY

Section 1. Eligibility for membership in the Department shall be governed by the membership eligibility of the National Constitution of The American Legion.

### NO "ASSOCIATE" MEMBERS

Section 2. There shall be no form or class of membership except an active membership and dues shall be paid annually or for life. There shall be no "associate" or "honorary"' memberships nor any memberships by any other designation for anyone who does not meet the eligibility requirements of The American Legion.

### DUAL MEMBERSHIP FORBIDDEN

Section 3. No person may be a member at any time of more than one Post. Should it become apparent that such "dual membership" exists, the offending Legionnaire shall be notified immediately and required to select the Post in which he wishes to remain.

### POST IS JUDGE OF QUALIFICATIONS

Section 4. Each Post shall be the judge of the standards of eligibility of its members, provided such members are eligible for membership in The American Legion. No Post shall judge the standards of eligibility for their Post based on age, race, sex, sexual orientation, religious beliefs, or national origin.

Section 5. No person, who has been expelled by a Post, shall be admitted to membership in another Post, without the consent of the expelling Post, except that where such consent has been asked for and denied by such Post, the individual may then appeal to the Department Executive Committee (DEC) to be admitted to membership in another Post, and shall be ineligible for membership until such permission is granted.

## TRANSFERS

Section 6. Transfers of membership from one Post to another within this Department shall be upon application and acceptance by the other Post. No dues shall be transferred between Posts. For purposes of calculating membership standings, a transferee shall be credited to only the Post to which the Legionnaire has paid dues. The Post accepting the transfer of membership should reverify the veteran's eligibility for membership in The American Legion before accepting the transfer of membership.

# ARTICLE IV.

## CONVENTIONS

### *DEPARTMENT CONVENTIONS*

### Time

Section 1. The legislative body of the Department shall be the Department Convention to be held annually not less than two weeks before the National Convention. The time and place of the annual convention shall be determined by the DEC, including authorizing a virtual convention, which shall have the authority to change such time and place for sufficient reasons.

### Votes

Section 2. In the Department Convention, each Post shall be entitled to two votes and to an additional vote for each fifty (50) members whose annual dues have been received by the Department Headquarters fifteen (15) days prior to the opening of said Convention; but no Post shall be entitled to representation in the convention which shall not have so paid Department and National dues for at least fifteen (15) members nor shall any Post be entitled to representation therein which shall not have paid to Department Headquarters prior to the convention all Department and National dues collected by it during the current or preceding year, or any other sums due by it to the Department.

### Delegates

Section 3. Each Post may elect one Delegate for each vote that it is entitled to cast in the manner agreed upon. The Post shall elect as many Alternates as Delegates, and in the event of the failure of a Delegate to attend the convention or during the absence of a Delegate from any roll call of the convention, one of the Alternates present, who shall be selected by the majority of the Delegates present from his or her Post, shall act as a Delegate. The vote of any Delegate absent from the convention and not represented by an Alternate shall be cast by the majority of Delegates present from his or her Post provided that no one shall act as Delegate or Alternate of any Post unless he or she is a member in good standing of such Post. Alternates shall always have the privileges of the Delegates; except they shall not vote unless acting as Delegates as herein prescribed. Upon a vote by roll call, the voting shall be by Posts.

## *Ex Officio* Delegates

Section 4. Each voting member of the DEC, as set forth in ARTICLE V, Section 1 hereof, each Past Department Commander and each Past Member of National Executive Committee (NEC) of this Department shall be an *Ex Officio* Delegate with vote to the annual Department Convention, provided that he or she is a member in good standing of a Post in this Department, and is present at the Department Convention, and provided further that the vote of such *Ex Officio* Delegate shall be added to and cast with the vote of his or her respective Post and; provided further that no person shall cast more than one *Ex Officio* vote and that the vote of an *Ex Officio* Delegate shall not be bound nor controlled by the vote of his or her respective Post. Said member of the DEC, Past Department Commander and Past NEC need not be present on the floor of the convention at the time his or her vote is cast so long as he or she is officially registered at said Convention. For purposes of voting at a Department Convention, *Ex Officio* members of the DEC are not considered *Ex Officio* delegates.

## Code of Procedure

Section 5. The DEC shall provide a Uniform Code of Procedure for the Orderly Organization and Operation of Department Conventions with the continuing power of revision and said Code shall be applicable to all Department Conventions, unless it is amended, suspended, or replaced by a two-thirds (2/3) vote of the total authorized representation at a Department Convention.

## Quorum

Section 6. A quorum shall exist at a Department Convention when forty (40) percent of the Posts of the Department are represented as provided above.

## Procedural Rules

Section 7. A Call to Annual Department Convention shall be set forth in Robert's Rules of Order (most current edition) and the Parliamentary Procedure for the Department Convention with such modification as may be adopted by the convention.

## Resolutions

Section 8. Before any resolution shall be permitted on the floor of the Department Convention for action, the resolution shall first be considered by the appropriate Convention Committee and shall bear the recommendation of such Convention Committee for or against adoption, or for other action which the committee may deem appropriate. Each Convention Committee shall consider all resolutions referred to it for action and shall make a report of its actions on the floor of the convention. Upon completion of the work of the Resolutions Assignment Committee, a list of assignments shall be posted at a prominent place in the Department Convention Headquarters for the information of Delegates who may wish to follow such resolutions.

**Delegates and Alternates to the National Convention**

Section 9. The Delegates and Alternates to represent this Department at the National Convention shall be elected by the Department Convention.

Section 10. Each District will be allowed one (l) Delegate and one (l) Alternate for each one thousand (1,000) members exclusive of fractional parts, upon nomination submitted to the Department Convention by each respective District. However, a District with less than 1,000 members is authorized one Delegate and one Alternate. Those nominated shall have indicated affirmatively they will attend the National Convention. The District Commander shall notify the Department Adjutant in the event a District has no Delegate or Alternate who will attend the National Convention prior to the Department Convention.

Section 11. The remaining number of Delegates and Alternates shall be elected at large by the Department Convention in the same manner and at the same time as the Department Officers are elected.

**Chair of Delegation**

Section 12. The retiring Department Commander shall be Chair of the Department Delegation at the National Convention, and vacancies in the Department Delegation shall be filled by appointment by the Chair of the Delegation to the National Convention. In the absence of the retiring Department Commander, the Delegates to the said Convention shall select their own Chair.

***DISTRICT CONVENTIONS***

Section 9. At least thirty (30) calendar days, but no more than sixty (60) calendar days, prior to the Department Convention, there shall be held in each of the said Districts, a District Convention, the time and place to be designated by the District Commander. Each District Convention shall elect a District Commander and two (2) District Vice Commanders and may elect not more than two (2) additional Vice Commanders and such other officers as to the District shall appear necessary, for a term of one year, beginning immediately upon final adjournment of the ensuing Department Convention. Posts in each District shall be entitled to representation and vote, as provided in **ARTICLE IV.**, Section 2., of the Constitution, and the representation and vote shall be based upon the paid-up membership of each Post, which shall have been received at the Department Headquarters ten (10) days prior to the date of the District Convention. The Department Adjutant shall certify to the District Commander, the District Vice Commanders, Post Commanders and Post Adjutants, at least five (5) days before said convention, the membership in respective Districts and Posts.

Section 10. A quorum shall exist at a District Convention when forty (40) percent of the Posts of the District are represented as provided above.

## ARTICLE V.

## DEPARTMENT EXECUTIVE COMMITTEE

### *MEMBERSHIP*

Section 1. The administrative and executive power shall be vested in the DEC which shall consist of the following voting members: the Department Commander, the District Commanders, the Department Vice Commanders, the retiring Department Commander, the Department Chaplain, the Department Sergeant-at-Arms, and the NEC or Alternate NEC.

Section 2. The Department Adjutant, Department Treasurer, Department Service Officer, Department Historian, Department Chaplain, and Department Judge Advocate shall be *Ex Officio* members of the DEC ***without vote***. *Ex Officio* membership on the DEC does not constitute *Ex Officio* Delegate status at the Department Convention.

### *LIFE MEMBERS*

Section 3. All Past Department Commanders and such honorary officers, as may from time to time be so designated by a Department Convention, while in good standing as a member of a Post in this Department, shall be Members for Life of the DEC ***without vote***.

### *EMERGENCY CONVENTION*

Section 4. The DEC shall have power and authority in the case of an emergency to call a Department Convention at a time and place designated by the said DEC, provided that notice of at least thirty (30) days prior thereto shall have been given to all Posts in the Department and the reason(s) stated for the calling of such a Convention. The DEC is authorized to call for a virtual Convention, if necessary.

### *NUMBER OF MEETINGS*

Section 5. The DEC shall meet within twenty-four (24) hours after the final adjournment of the Department Convention and thereafter, at the call of the Department Commander or upon the written request of four (4) members of the DEC. Provided, however, that regular meetings of the DEC, other than those required at the adjournment of each Department Convention, shall be held at least three (3) times each calendar year (Fall Conference, Spring Conference, and Convention), exclusive of the Post-Convention meeting.

### *TELEPHONIC VOTE*

Section 6. When in the judgment of the Department Commander failure to act on a matter requiring immediate Department Executive Committee action would be detrimental to the best

interests of the Department, the Department Commander may, with the concurrence of the Department Judge Advocate, order a telephonic or written survey of all DEC members, who can be reached after a diligent effort. The result of such survey shall have the full force and effect of a vote of the sitting DEC, provided that at least two-thirds (2/3) of the DEC shall have voted.

## ARTICLE VI.

## DEPARTMENT OFFICERS

Section 1. The Department Convention shall elect a Department Commander and three (3) Department Vice-Commanders. All Department Vice-Commanders shall have equal duties and responsibilities. Each Department Vice Commander shall represent the Department Commander and shall be elected at-large at the Department Convention in the same manner prescribed for the election of other officers. Each Department Vice Commander shall be elected at-large at the Department Convention provided however, that one Department Vice Commander shall be a member in good standing of a Post in District 1, 2, 3, 4, 11 or 12; one from a Post in District 5, 6, 7, 8, 9 or 10 and one from a Post in District 13, 14, 15, 16 or 17. In the event more than one candidate is nominated from any of the said groups or Districts, the candidate from that group receiving the largest number of votes of the Convention shall be elected. No person shall be eligible to succeed himself as Department Commander or as Department Vice Commander. The Department Convention shall also elect a Department Sergeant-at-Arms and a Department Chaplain, and every alternate year, beginning with the Department Convention in 1947, shall elect a Legionnaire from the Department to serve as a member of National Executive Committee (NEC) and another Legionnaire from the Department to serve as an Alternate NEC. For any meeting of the NEC, which the Department NEC or the Department Alternate NEC may be unable to attend, the Department Commander is authorized, empowered, and directed to appoint himself/herself or another as the Department Alternate NEC for such meeting.

## TERMS OF OFFICE

Section 3. The term of office of such officers, except the Department NEC and the Department Alternate NEC, shall commence immediately upon the final adjournment of the Department Convention by which they are elected and shall terminate upon the final adjournment of the next succeeding Department Convention. The term of office of the Department NEC and the Department Alternate NEC shall commence upon the final adjournment of the National Convention next ensuing after his or her election and shall terminate upon the adjournment of the second next succeeding National Convention. Vacancies in either office shall be filled by the DEC. No Department Officer shall hold multiple leadership positions within the Department.

Section 4. The Department Adjutant, Department Treasurer, Department Service Officer, Department Historian, and Department Judge Advocate shall be elected by the DEC upon nomination by the Department Commander and shall be removed from office only upon a two-thirds (2/3) vote of the members of the DEC present.

## VACANCIES

Section 5. Any vacancies occurring for any reason among the appointed Department Officers shall be filled by the Department Commander until a successor has been elected or appointed at a regular or special meeting of the DEC.

## ARTICLE VII.

## BONDS

Section 1. All officers of the Department, District, Post and/or other The 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. Each Post Commander shall appoint a three (3) person audit team comprised of general members of the Post to conduct an annual Post Finance Audit to be completed before June 30th of each year and before new Post Officers are installed.

Section 2. The Department shall, should it be deemed advisable, detail special auditors under the supervision of the Department Judge Advocate or representative to conduct a Post audit. Such a special audit is usually prompted by written complaints of the Post Officers and/or members of the Post to the Department Adjutant. The complaint will be forwarded to the Department Judge Advocate for investigation. Failure of a Post to cooperate with the investigation or special audit will cause for immediate DEC approved charter suspension.

## ARTICLE VIII.

## ORGANIZATION

### *MAKE UP OF 17 DISTRICTS BY CITIES AND COUNTIES*

Section 1. The Department shall be divided into the following Districts, and shall remain so constituted unless changed by the action of a Department Convention, after forty-five (45) days' notice to all Posts prior to the opening of a Department Convention of any proposed changes in the composition of said District:

- The counties of Accomack and Northampton shall constitute the First District;
- The cities of Chesapeake, Norfolk, Portsmouth, and Virginia Beach shall constitute the Second District;
- The cities of Hampton, Newport News, Poquoson, and Williamsburg and the counties of Charles City, Gloucester, James City, King and Queen, Mathews, King William, New Kent, and York shall constitute the Third District;
- The cities of Emporia, Franklin, Hopewell, Petersburg, and Suffolk and the counties of Dinwiddie, Greensville, Isle of Wight, Prince George, Southampton, Surry, and Sussex shall constitute the Fourth District;

- The city of South Boston and the counties of Brunswick, Charlotte, Halifax, Lunenburg, Mecklenburg, Nottoway, and Prince Edward shall constitute the Fifth District;
- The cities of Danville and Martinsville and the counties of Floyd, Franklin, Henry, Patrick, and Pittsylvania shall constitute the Sixth District;
- The city of Galax and the counties of Bland, Carroll, Giles, Grayson, Pulaski, Smyth, and Wythe shall constitute the Seventh District;
- The cities of Bristol and Norton and the counties of Buchanan, Dickenson, Lee, Russell, Scott, Tazewell, Washington, and Wise shall constitute the Eighth District;
- The cities of Clifton Forge, Covington, Radford, Roanoke, and Salem and the counties of Allegheny, Botetourt, Craig, Montgomery, and Roanoke shall constitute the Ninth District;
- The cities of Bedford and Lynchburg and the counties of Amherst, Appomattox, Buckingham, Campbell, Cumberland, Nelson and Bedford shall constitute the Tenth District;
- The cities of Colonial Heights and Richmond, and the counties of Amelia, Chesterfield, Henrico, and Powhatan shall constitute the Eleventh District;
- The city of Fredericksburg and the counties of Caroline, Essex, King George, Lancaster, Middlesex, Northumberland, Richmond, Spotsylvania, and Westmoreland shall constitute the Twelfth District;
- The city of Charlottesville and the counties of Albemarle, Fluvanna, Goochland, Greene, Hanover, Louisa, Madison, and Orange shall constitute the Thirteenth District.
- The cities of Buena Vista Harrisonburg, Lexington, Staunton, and Waynesboro and the counties of Augusta, Bath, Highland, Rockingham, and Rockbridge shall constitute the Fourteenth District;
- The city of Winchester, and the counties of Clarke, Frederick, Page, Shenandoah and Warren shall constitute the Fifteenth District;
- The cities of Manassas and Manassas Park and the counties of Culpeper, Fauquier, Loudoun, Prince William, Rappahannock, and Stafford shall constitute the Sixteenth District; and
- The cities of Alexandria, Fairfax, and Falls Church and the counties of Arlington and Fairfax shall constitute the Seventeenth District.

## ARTICLE IX.

## POSTS

### *CHARTER*

Section 1. The smallest administrative unit of The American Legion of the Department shall be termed the "Post" which shall have a minimum of fifteen (15) paid-up members. No Post shall be received into this organization until it shall have received a charter. Those desiring a charter shall file application on forms furnished by Department Headquarters, which application shall be forwarded to the Department Adjutant, and if approved by the DEC or the Department Commander, shall be forwarded to National Headquarters. All Post Charters shall be countersigned by the Department Commander and the Department Adjutant. For the Post to be presented its permanent charter, the Post **MUST BE** incorporated and have a Post Constitution

and Bylaws in place. In the event any Post in this Department has less than fifteen (15) paid-up members at Department Headquarters by May 1st of any year, the charter of such delinquent Post shall be automatically suspended. Existing members of other American Legion Posts, upon transfer, may be counted as charter members of a newly established post.

Section 2. All Department Posts, except 141, shall be incorporated under the Virginia State Corporation Commission and maintain that incorporation if the Post Charter is retained. Failure to do so will result in immediate and automatic suspension of the Post Charter until incorporation is complete. The incorporation of the Post shall include Articles of Incorporation and Incorporation Bylaws. These documents will reflect the major decisions affecting any Post property and/or assets must be made by a two-thirds (2/3) majority vote of the incorporation membership present at the meeting plus proxy votes comprised of The American Legion members of the Post. The vote affecting post assets/property **MUST** be advertised by USPS, email, or local signage to **ALL** members in good standing at least sixty (60) days in advance of the vote. The votes received will be made at the meeting or a written proxy vote granted to a person in attendance, signed and dated a maximum of 5 days prior to the meeting. Copies of the incorporation documents and the Post EIN must be provided to the Department. Changes to these documents must also be sent immediately to the Department.

## *POST OFFICERS*

Section 3. The officers of the Post, except for the Post-at Large, shall be a Commander, one or more Vice Commanders, Adjutant, Finance Officer, Chaplain, Historian, Judge Advocate, Sergeant-at Arms, Service Officer, and such other officers as may from time to time be authorized.

Section 4. All officers of the Post and Delegates and Alternates to the Department Convention shall be certified by the Post Adjutant to the Department Adjutant prior to the Department Convention; certification to be made on forms furnished or prescribed by the Department.

## *ELECTION AND INSTALLATION*

Section 5. Post elections and installations will be scheduled far enough in advance to enable the new officers adequate time to organize prior to assuming their responsibilities immediately upon their installation, provided that no installation shall be held before May 15 nor after July 15.

## *POST-AT-LARGE*

Section 6. There shall be maintained in the Department one Post-at-Large, which shall be known as Raymond E. Maxie Post No. 141, and notwithstanding any other provisions of this Constitution said Post shall not be required to have any specified number of members in order to retain its Charter, nor shall it be entitled to vote in a District or Department Convention. Any eligible veteran may become a member of the Post-at-Large upon written application and the payment of Department and National per capita dues plus an amount fixed by the Department Internal Affairs Committee. Officers of the Post shall be a Post Adjutant; who shall be the

Department Adjutant, and a Post Finance Officer, who shall be the Department Office Accountant. After payment of per capita membership dues to Department and National Headquarters, all funds of the said Post shall be transferred annually by the Post Finance Officer to the Department. Current members of Raymond E. Maxie Post No. 141, Post-at-Large, may be considered as new members for the purpose of fulfilling the requirement of fifteen (15) members necessary to charter a new The American Legion Post in the Department.

Section 7. No Post shall be named after any living person.

## ARTICLE X.

## DISCIPLINE OF POST

### *PENALTY GROUNDS*

Section 1. The DEC, pursuant to ARTICLE III of the National Bylaws, may suspend, cancel or revoke a Post Charter. The action taken by the DEC shall be final and conclusive unless an appeal is taken to the NEC within thirty (30) days from the date of said suspension, cancellation or revocation. The DEC shall have full power and authority to provide for the government and administration of the Post during the period of any suspension under this section.

Section 2. Any suspension, cancellation or revocation of a Post Charter pursuant to this ARTICLE will make a reasonable effort to follow all steps in accordance with the provisions of the Uniform Code of Procedure (as printed after the changes to the Constitution and Bylaws of the National Constitution and Bylaws) for the Revocation, Cancellation, or Suspension of Post Charters promulgated by The American Legion. However, if the lengthy Uniform Code of Procedure proves to be detrimental to the Department, District, or Post, the Department reserves the right to deviate accordingly.

Section 3. When a failure to act immediately versus following the lengthy suggested Uniform Code of Procedure for Revocation, Cancellation, or Suspension of a Post Charter listed in the National Constitution and Bylaws, would be detrimental to the best interests of the Department, District, or the Post, and with concurrence of the Department Judge Advocate, the Department Commander may direct the Department Adjutant to conduct a telephonic or written (email) survey of the DEC to suspend the violating Post's Charter while all actions under the Uniform Code of Procedure are accomplished.

## ARTICLE XI.

## DISCIPLINE OF MEMBERS

### *GROUNDS*

Section 1. Any Legionnaire who violates the National or Department Constitution, or who, in the opinion of the Post of which he or she is a member, has been guilty of conduct unbecoming a member of The American Legion shall be expelled or otherwise suitably punished after notice

and upon hearing by any such Post, in accordance with, the provisions of **ARTICLE IV.** of the Department Bylaws.

## ARTICLE XII.

## DUES

### *DEPARTMENT REVENUE*

Section 1. The revenue of this Department shall be derived from annual dues of members, and by such other measures as may be determined by the DEC. Each annual Department Convention shall determine the amount of Department dues for each succeeding fiscal year, provided, however, that the annual National dues as determined by the National Convention each year may be paid by members directly to National Headquarters or may be collected by the Post and paid directly to the National Headquarters whenever the same becomes due or payable.

Section 2. No person shall be considered as a member of The American Legion or have authority to wear the emblem of The American Legion in this Department unless his or her annual Post, Department, and National dues have been paid.

Section 3. Annual membership dues shall be payable by October 20 of each year for the succeeding year. Any member whose dues for the current year have not been paid by January 1 shall be classed as delinquent. If the dues are paid by February 1st, the member shall be automatically reinstated. If the member is still delinquent after February 1st, all privileges shall be suspended.

Section 4. The failure on the part of any Post for more than thirty (30) days to remit Department and National dues collected from members shall be a cause for the suspension or revocation of the Charter of such Post.

## ARTICLE XIII.

## FISCAL YEAR

Section 1. The fiscal year of the Department shall be July 1 through June 30, of the following year.

## ARTICLE XIV.

## THE AMERICAN LEGION AUXILIARY

Section 1. The American Legion, Department of Virginia, recognizes an Auxiliary Organization to be known as, "American Legion Auxiliary, Department of Virginia, Incorporated."

Section 2. Eligibility for membership in The American Legion Auxiliary shall be limited to:

- Grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all members of The American Legion; and

- Grandmothers, mothers sisters, spouses, and direct and adopted female descendants of all men and women who served in either of the following periods: April 6, 1917, to November 11, 1918 and any time after December 7, 1941 who, being a citizen of the United States at the time of their entry therein served on active duty in the Armed Forces of any of the governments associated with the United States during either eligibility periods and died in the line of duty or after honorable discharge; and

- Grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who were in the Armed Forces of the United States during either of the following periods: April 6, 1917, to November 11, 1918; and any time after December 7, 1941 who served on active duty in the Armed Forces of the United States during either eligibility periods and died in the line of duty or after honorable discharge; and

- Women who, of their own right, are eligible for membership in The American Legion.

## ARTICLE XV.

## AMENDMENTS

### *NOTICE*

Section 1. This Constitution may be amended at any Department Convention by a vote 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; local signage; or have been published in the **VIRGINIA LEGIONNAIRE** at least ten (10) days prior thereto.

### *EFFECTIVE DATE*

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