CONSTITUTION AND BYLAWS

OF

(Son' Of The American Legion Jack D Levy, Squadron 573 ATTACHED TO *Jack D Levy, Post 573, Harker Heights*, TEXAS

Adopted 7/1/2024

Constitution of *Sons Of The American Legion Jack D Levy, 573* attached to *Jack D Levy, Squadron 573,* Department of Texas.

PREAMBLE

Proud possessors of a priceless heritage, we male descendants of veterans of All Wars, associate ourselves together as "Sons of The American Legion' 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 true spirit of Americanism; to preserve the memories of our former members and the associations of our members and our forefathers 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 friendship by our devotion to mutual helpfulness; to adopt in letter and spirit all of the great principles for which The American Legion stands; and to assist in carrying on for God and Country.

ARTICLE I - NAME

Section 1. The name of this organization shall be the Sons of The American Legion ***Jack D Levy Squadron 573*** attached to ***Jack D Levy Post 573***, Department of Texas.

ARTICLE II - NATURE

Section 1. The Sons of The American Legion, is a civilian organization. Membership therein does not affect nor increase liability for military or police service.

Section 2. The Squadron 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.

Section 3. The Squadron shall be absolutely non-sectarian.

Section 4. Each member shall perform his full duty as a citizen according to his own conscience and understanding, in accord with the law.

ARTICLE III – ORGANIZATION

Section 1. This Squadron is organized as a subordinate body of the Sons of The American Legion, Detachment of Texas and under the sponsorship and jurisdiction of ***Jack D Levy Post 573***, Department of Texas, The American Legion.

Section 2. This Squadron shall be governed by such rules and regulations as may be prescribed by the

National Executive Committee of The American Legion, by such rules and regulations as may be prescribed by the Detachment Headquarters, approved by the Department Executive Committee of The American Legion, and by such rules and regulations as may be prescribed by its sponsoring Post of The American Legion, not inconsistent with those prescribed by the National Organization.

ARTICLE IV - ELIGIBILITY

Section 1. All male descendants, adopted sons, and stepsons of members of The American Legion, and such male descendants of veterans who died in service during World War I, and December 7, 1941, to date, as set forth in Article IV, Section 1,of the National Constitution of The American Legion, or who died subsequent to their honorable discharge from such service, shall be eligible for membership in the Sons of The American Legion.

Section 2. There shall be no form or class of membership except an active membership.

ARTICLE V - OFFICERS

Section 1. The officers of this Squadron shall be a Commander, First Vice Commander, Second Vice Commander, Adjutant, Finance Officer, Sergeant-at-Arms, Chaplain, Judge Advocate, Historian and such other officers as may be deemed necessary.

Section 2. All Officers and Executive Committeeman shall be elected annually, at the annual General Membership meeting of the Squadron. Said Officers and Executive Committee members shall hold office until their successors are duly installed. Only members holding current calendar year membership cards shall have the privilege of vote in said election.

ARTICLE VI – EXECUTIVE COMMITTEE

Section 1. Between Squadron meetings, the administrative power of the Squadron shall be vested in the Squadron Executive Committee.

Section 2. Voting members of the Squadron Executive Committee shall consist of all elective officers for the current year and in addition the three immediate Past Commanders. However, no voting member shall cast more than one vote.

Section 3. All other Past Squadron Commanders shall be members of the Squadron Executive Committee without vote.

ARTICLE VII – FINANCE

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

Section 2. The Squadron shall determine the amount of Annual membership dues of this Squadron, each year at their annual meeting.

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

Section 4. A member whose dues for the current year have not been paid by January first shall be classed as delinquent. If his dues are paid on or before February first, he shall be automatically reinstated. If he is still delinquent after February first, he shall be suspended from all privileges. If he is still under such suspension on June thirtieth of such year, his membership in the Sons of The American Legion shall be forfeited. A member so suspended or whose membership has been so forfeited may be reinstated to active membership in good standing by vote of the Squadron and payment of current dues for the year in which reinstatement occurs. Provided, however, that the Squadrons, Detachments, and the National Organization may waive the provisions hereof, upon payment of dues for the year in which reinstatement occurs, with reference to former members who have been prevented from the payment of dues by reason of active military service.

ARTICLE VIII – DISCIPLINE

Section 1. A member of this Squadron may only be disciplined in accordance with the Department of Texas Uniform Code of Procedures and Supplement 1.

ARTICLE IX – AMENDMENTS

Section 1. This Constitution is adopted, subject to the provision of the National Constitution and the Detachment constitution of which this Squadron is a subordinate member. Any amendment to the National or Detachment Constitutions, which is in conflict with any provision hereof, shall be regarded as automatically repealing or modifying the provisions of this Constitution, to the extent of such conflict.

Section 2. This Constitution may be amended at any regular Squadron meeting by vote of two-thirds of the members attending such regular meeting, provided, that the proposed amendment shall have been submitted in writing, and read at the preceding Squadron meeting, and provided further, that written notice shall have been given to all members at least five days in advance of the date which such amendment is to be voted upon, notifying said members at such meeting a proposal to amend the Constitution is to be voted upon.

NOTE: Only members in good standing will be privileged to participate in the business of a meeting, vote or hold office.

Bylaws Of The Son's Of The American Legion *Squadron 573,* attached to Jack D Levy *Post 573*, Department of Texas.

ARTICLE I – MEMBERSHIP

Section 1. Applications for membership shall be made in writing on blanks prescribed therefore by the National Organization.

Section 2. All applications for membership shall be acted upon at the next meeting of the Executive Committee following the making of such application. The Executive Committee shall present such application to the Squadron at its next regular meeting with its recommendation for acceptance or rejection. If three (3) or more Squadron members cast their vote against the acceptance of such applicant, then such applicant shall be recorded as rejected.

Section 3. Each Squadron shall be the judge of its own membership, subject to the restrictions of this Constitution and Bylaws.

ARTICLE II – NOMINATIONS AND ELECTIONS OF OFFICERS

Section 1. At a regular meeting held at least 60 days prior to the Detachment Convention, the Commander shall appoint a nominating committee of three members who will, acting together with and under the advice of the Supervisory Committee of the Post, present to the regular meeting held at least 30 days prior to the Detachment Convention a list of one or more candidates for each office required to be elected under the Constitution of this Squadron.

Section 2. At the conclusion of the report of the nominating committee, any Squadron member may present the name of any other Squadron member for nomination to any office for which such Squadron member is not nominated by the nominating committee, and upon said nomination being seconded, the same shall be considered as though contained in the report of the nominating committee after said report has been accepted and adopted by the Squadron.

Section 3. Those officers shall be declared elected who have by secret ballot received a majority of the votes of the Squadron members in good standing present at the annual meeting.

Section 4. The newly elected officers and members of the Executive Committee shall take office upon installation of the proper authority.

Section 5. Every member of this Squadron in good standing shall be eligible to hold office in this Squadron.

ARTICLE III – DUTIES OF OFFICERS

Section 1. Commander: The Commander, who corresponds to the President of an organization, shall be the executive head of this Squadron of the Sons of The American Legion, with full power to enforce

the provisions of the local Constitution and Bylaws and the policies and mandates of the National and of the Department Committees of the Son of The American Legion and of the Executive Committee of the Squadron. He shall perform such other duties as are usually incident to the office.

Section 2. First Vice Commander: The First Vice Commander, who corresponds to the First Vice President of an organization, shall act as representative of the Commander on all matters referred to them by him, and shall, on his request, preside over the meetings. He shall be in charge of membership. He shall perform such other duties as are usually incident to the office.

Section 3. Second Vice Commander: The Second Vice Commander, who corresponds to a Second Vice President, shall likewise act as representative of the Commander, and he shall specifically be in charge of Squadron activities. He shall perform such other duties as are usually incident to the office.

Section 4. Adjutant: The Adjutant, who corresponds to the secretary of an organization, shall be charged with the administrative duties required in carrying out the policies and mandates of the National and Department Committees of the Sons of The American Legion and of the Executive Committee of this Squadron.

Section 5. Finance Officer. The Finance Officer shall be the custodian of the funds of the Squadron. He shall be charged with the receiving and disbursing of the funds of the Squadron and shall make reports upon the condition of the Squadron treasury at each regular meeting, and when called for by the Commander or Executive Committee; provided, however, that all disbursements shall first be approved at the Post committee. He shall perform such other duties as are usually incident to the office.

Section 6. Sergeant-at-Arms: The Sergeant-at-Arms shall be charged with the responsibility of preserving order at all Squadron meetings and shall be given the custody of the Squadron Colors. He shall perform such other duties as are usually incident to the office.

Section 7. Chaplain: The Chaplain shall perform such divine and nonsectarian service as may be necessary; adhering to such ceremonial rituals as may be prescribed.

Section 8. Historian: The Historian shall collect from year to year all records and data of value and interest to the Sons of The American Legion and The American Legion, and shall compile during his term of office a complete history of the year's activities.

Section 9. Judge Advocate: The Judge Advocate shall ensure that parliamentary procedures are followed at all Squadron meetings, shall supply professional advice in the conduct of the Squadron business or to procure proper counsel, shall be responsible for the orderly conduct of all disciplinary procedures. He shall serve as the Chairman of any committee concerning the Squadron Constitution and/pr Bylaws revisions. He shall be in charge of the annual audit of the Squadron financial accounts.

Section 10. All officers of the Sons of The American Legion in the performance of their duties shall be governed by The American Legion at the appropriate level. All actions of the Sons of The American Legion of this Squadron shall be subject to review and ratification by the host Post.

ARTICLE IV – EXECUTIVE COMMITTEE

Section 1. The Squadron Executive Committee shall fill any vacancy in the membership of the committee occurring between annual Squadron meetings for the remainder of the unexpired term.

Section 2. Any Officer or Executive Committeeman may be removed for inefficiency by the Executive Committee, a two-thirds vote of the said committee being necessary to effect such removal. An Officer or Executive Committeeman who absents himself for three or more consecutive Squadron or Executive Committee meetings can, on due investigation, by the Executive Committee, be held to be sufficient proof of inefficiency, warranting such removal.

Section 3. The Executive Committee shall meet for organization and such business as may come before it within fifteen (15) days after the annual election on the call of the Squadron Commander. Thereafter the Executive Committee shall meet at a time determined by the Squadron or as often as said Commander may deem necessary. The Squadron Commander shall call a meeting of the Executive Committee upon the written request of three (3) members of the Executive Committee.

ARTICLE V – POST SAL ADVISOR

Section 1. The jurisdiction of Jack D Levy ***Post 573***, Department of Texas, The American Legion, over this Squadron shall be exercised through an Advisor appointed annually by the Post Executive Committee on nomination of the Post Commander. The Advisor will be known as the Post SAL Advisor.

ARTICLE VI – STANDING COMMITTEES

Section 1. Upon nomination of the Squadron Commander, the Executive Committee shall annually appoint such standing committee as it shall deem advisable for the benefit of the membership of the Squadron as a whole.

ARTICLE VII - MEETINGS

Section 1. The regular stated Membership meeting of this Squadron shall be held at a date and time set by the Executive Committee of Squadron.

Section 2. Special meetings shall be called upon the majority vote of the Executive Committee or upon written request of ***573*** Squadron members.

Section 3. Every member shall furnish to the Adjutant his address and email address, to which all notices and documents may be sent, and the same shall be held to have been duly sent to or served upon a member if mailed to such address so furnished. In default of an address having been furnished by a Squadron member, any notice or documents will be held to have been duly served upon such member five (5) days after the same shall have been deposited into the local Post Office addressed to such member at such Post Office address.

Section 4. Notice of all special meetings of the Squadron shall be sent to each Squadron member and/or posted on the Squadron bulletin board seventy two (72) hours prior to the holding of such meeting and at least one (1) month in advance of the holding the annual meeting.

Section 5. Notice of special meetings shall state the object and purpose thereof, and no other business shall be transacted at such special meeting except for such business as is contained in the notice thereof.

Section 6. The notice of special meetings shall state the object and purpose thereof, and no business shall be transacted at such special meeting except for such business as is contained in the notice thereof.

Section 7. The Executive Committee shall meet for organization and such business as may come before it as often as said Commander may deem necessary. The Commander shall call a meeting of the Executive Committee upon the written request of five members of the committee.

Section 8. In the event a public emergency or natural disaster makes the holding of an in-person meeting unlawful or impossible, the post may conduct its meeting by electronic or other remote access means as reasonably necessary for the duration of the emergency or disaster.

a. The Squadron shall use its best efforts to implement any such virtual meetings with full regard for the need to maintain as much as possible accessibility for all members, including those with disabilities and those who lack the access to sophisticated technology.

b. Any action that could be taken at an in-person meeting, including amendment of the constitution and by-laws, may also be taken at a virtual meeting held pursuant to this provision.

c. Any action taken at any such virtual meeting shall be ratified at the first regular in-person Squadron meeting.

d. During a virtual meeting, the Squadron adjutant shall ensure that all participants are members in good standing and that a quorum is present.

e. The Squadron Commander shall determine the need for a virtual meeting.

f. If there is a vote, the Adjutant must make a record of the vote and ensure that every voter is sufficiently identified and a member of the Squadron in good standing.

ARTICLE VIII - QUORUM

Section 1. *3* members, in addition a qualified presiding officer, shall constitute a quorum at any meeting of the Squadron.

Section 2. *4* members of the Executive Committee shall constitute a quorum for the legal transaction of business.

ARTICLE IX - FINANCE

Section 1. All funds of this Squadron shall be deposited in a bank. Withdrawals shall only be made upon draft or check signed by the current authorized signatories.

Section 2. All Squadron officials handling Squadron monies shall be properly bonded with a good and solvent bonding and surety company to cover the double average amount of monies handled in a single year.

ARTICLE X – RULES OF ORDER

Section 1. The procedure at all Squadron meetings shall be governed by Robert's Rules of Order, Revised.

ARTICLE XI - AMENDMENTS

Section 1. These Bylaws are adopted subject to the provisions of the National and Detachment Bylaws, of which this Squadron is a subordinate member. Any amendment to the National or Detachment Bylaws which is in conflict with any provision hereof shall be regarded as automatically repealing or modifying the provisions of these Bylaws to the extent of such conflict.

Section 2. These Bylaws may be amended at any regular Squadron meeting by vote of two-thirds of the members attending such regular meeting, provided that the proposed amendment shall have been submitted in writing and read at the preceding Squadron meeting, and provided further, that written notice shall have been given to all members at least five days in advance of the date which such amendment is to be voted upon, notifying said members at such meeting a proposal to amend the Bylaws is to be voted upon.

SQUADRON CERTIFICATION

We, the following Officers of The Son's OF The American Legion ***Squadron 573***, The American Legion, Detachment of Texas, hereby certify that the foregoing Constitution and By-Laws, after due notice was given to all members, was adopted at a regular meeting of this Squadron held on the 1 day of July, 2024, A. D.

George W. Green Jr
SQUADRON COMMANDER

Rayluce Jones
ATTESTED: **SQUADRON ADJUTANT**

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POST CERTIFICATION

We, the following Officers of ***Jack D Levy Post 573***, The American Legion, Department of Texas, hereby certify that the foregoing Constitution and By-Laws for Jack D Levy ***Squadron 573***, was approved by the Post at its regular meeting of this Post held on the 20th day of July, 2024, A. D.

POST COMMANDER

ATTESTED: **POST ADJUTANT**

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DEPARTMENT CERTIFICATION

Passed on by the Department Judge Advocate on the _____ day of _____,20___, A. D., and Approved by the Department Executive Committee on the _____day of _____, 20 ___, A. D.

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DEPARTMENT JUDGE ADVOCATE