

ARTICLE III - COUNTY COUNCILS

Sec. 301 - Formation, Chartering.

A Department, if the Bylaws of the Department having jurisdiction so provide, may form County Councils.

(End of Article III)

ARTICLE IV - DISTRICTS

Sec. 401 - Formation, Institution and Chartering.

The Department Convention or the Department Council of Administration, if provided for in Department Bylaws, shall determine the number of Districts and the geographical boundaries established in the Department. No District shall be established with less than five (5) Posts and 175 members.

A Charter shall be issued by the Commander-in-Chief to such Districts as the Department Convention determines to establish. The Charter shall be signed by the Commander-in-Chief and countersigned by the Adjutant General.

Sec. 402 - Bylaws.

The District Convention shall adopt or may amend Bylaws governing the District as prescribed in the Manual of Procedure, provided such Bylaws do not conflict with the Congressional Charter, Bylaws, Manual of Procedure, Ritual or laws and usages of the Veterans of Foreign Wars of the United States or the Bylaws of the Department having jurisdiction.

Sec. 403 - Regular, Special and Committee Meetings; Convention; Quorum; Authorized Attendees.

Regular Meeting. Districts shall hold at least two (2) regular meetings each year for purposes of transacting business and conducting schools of instruction.

Special Meeting. Special meetings will be called in accordance with the procedures set forth in the Manual of Procedure. No business shall be transacted at any special meeting except that for which the meeting was called.

Committee Meeting. Meetings called by District Committee Chairmen, or as authorized by the District Bylaws, for the purpose of conducting the business of that committee.

Convention. Each District shall hold an annual District Convention for the purpose of electing District officers and for the transaction of business; such Convention to be held not less than ten (10) days nor more than seventy-five (75) days prior to the convening of the Department Convention.

Quorum. The minimum number of delegates required to constitute a quorum for the transaction of business at District meetings and Conventions shall not be less than one (1) delegate each from fifty (50) percent of Posts in the District.

Electronic Attendance. Members may be allowed to participate in meetings using technology that allows participating members to communicate with each other simultaneously.

Authorized Attendees. Any member, not a member of the District Convention, may attend the Convention, however, they shall have no voice in business discussions unless requested by the Commander, and shall have no voting privileges. Those on official business shall be recognized by the Commander for the conduct of business.

Sec. 404 - Governing Body; Composition.

Each District shall be governed by a District Convention. The District Convention and District meetings shall consist of:

1. The Commander-in-Chief and Past Commanders-in-Chief who are members in good standing in a Post in the District.
2. The National Council of Administration member who is in good standing in a Post in the District.
3. The Department Commander and Past Department Commanders who are members in good standing in a Post in the District.
4. The District Commander, all Past District Commanders who are members in good standing in a Post in the District, all elected officers of the District and the Adjutant.

Should any District's geographical boundaries be changed, due to redistricting, any Past District Commander, who is a member in good standing, in a Post, within the geographical boundaries of the District the Commander was elected from and served to the end of the term as District Commander shall retain the title, recognition and any privilege the District Commander may otherwise be entitled to, including voting.

5. All County Council Commanders (if applicable) throughout the District.
6. All Post Commanders throughout the District. In the absence of the Post Commander, the Post Senior Vice Commander, or, in their absence the Post Junior Vice Commander may function as a member of the Convention or meetings.
7. Delegates to be elected by the Posts as prescribed in Section 222 of the Manual of Procedure.

Sec. 405

Sec. 406 - District Dues.

Delegates assembled at a District Convention, providing notice has been given to each Post thirty (30) days in advance of pending proposal, may assess or increase annual dues per member per Post.

Sec. 407

Sec. 408

Sec. 409

Sec. 410 - Surrender of Charter.

Voluntary Surrender. A District may voluntarily surrender its charter only upon a vote at a District convention conducted in accordance with the procedures herein set forth. A proposition to surrender the charter must be made at a meeting of the District at least four (4) weeks before the convening of the District Convention and due notice of the proposition must be given, in writing, to every Post in the District, and to the Department Commander. If a majority of the Posts vote to surrender the Charter, the District Commander shall, within thirty (30) days, notify the Department Commander of such action and unless the Department Commander during said thirty (30) day period receives a demand in writing from two-thirds (2/3) of the Posts in the District to continue the District, the cancellation or revocation of the District Charter shall be effected by requesting the Commander-in-Chief to cancel or revoke the Charter.

Sec. 411 - Suspension and Revocation of Charter.

- (a) **Actions by the Department Commander—Suspension.** The Department Commander may suspend a District Charter.
- (b) **Actions by the Department Convention—Revocation.** The Department Convention may cancel or revoke a District Charter.
- (c) **Establishment of an Administrative Committee.** Upon the imposition of any suspension under this section, the Department Commander shall establish an administrative committee as prescribed in Section 411 of the Manual of Procedure.

Sec. 412 - Defunct Districts.

Notwithstanding the provisions of Section 410, if and when the Posts in good standing in a District are less than five (5) in number, the District's charter may be canceled by the Department Convention.

Disposition of Property. In all cases of surrender, revocation or forfeiture of a charter, title to all real and personal property shall immediately pass to the Department who shall take possession and control for disposition as directed by the Department Council of Administration for the purposes set forth in the Congressional Charter. In addition, the books and records of the District shall be recovered by the Department.

In case of surrender or forfeiture of a charter, the Department Council of Administration in the case of trust funds or trust property, or both, shall carry out the intent and purpose of such trust to the extent of such funds or property, or both.

Sec. 413 - Arrearages, Deficiencies and Omissions.

The Commander of the District in arrears for financial obligations to Department or National, for fees, dues, poppy money, supply money, or failing to have the office of the Quartermaster properly bonded in accordance with Section 703, failing to ensure that the District is properly insured in accordance with Section 709, failing to submit properly completed District Trustees Report of Audit, District Election Report for the ensuing year, or other obligations, shall be deprived of all representation at the Department Convention. Such representation shall be restored promptly upon proper adjustment of such deficiencies.

A properly completed District Election Report shall be submitted to National Headquarters prior to the convening of the Department Convention.

Sec. 414 - Solicitation of Funds.

Districts shall be permitted to solicit funds or donations only as prescribed in the Manual of Procedure.

Sec. 415 - Eligibility to Office.

Any member in a Post in the District shall be eligible to any office in the District; provided that no member shall hold two (2) elected District offices at the same time, but may hold one (1) elected and one (1) or more appointed offices. District officers, elected or appointed, shall be eligible to hold office in a higher or lower body, and such offices may be held concurrently, except as provided for in Section 515 of these Bylaws.

District Trustees shall not be eligible to serve on committees or as officers having to do with the receipt and expenditure of District funds whose records and accounts are audited by the Trustees.

Any officer or committee member whose membership is not in good standing by reason of failure to pay current dues by their anniversary date shall forfeit eligibility to hold any office during that administrative year.

Any member who is suspended from membership, pursuant to Article IX, shall forfeit eligibility to hold any office or committee membership during the period of suspension.

Sec. 416 - Elected and Appointed Officers; Chairmen and Committees.

- (a) The elected officers of each District shall consist of a Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, and three (3) Trustees.

- (b) The Commander shall appoint an Adjutant, Chaplain, *Benefits Advisor* and Inspector.
- (c) The District may elect or the District Commander may appoint a Judge Advocate, Surgeon, Chief of Staff or Officer of the Day if required by the District Bylaws.
- (d) The District Commander may appoint such other chairmen and committees as deemed necessary to conduct the affairs of the District or as may be required by District Bylaws.

Sec. 417 - Nomination, Election, Installation and Term of Office.

The elected District officers shall be nominated and elected annually at the District Convention. Nomination, election and installation shall be in the manner prescribed in the Manual of Procedure.

An officer elected and assuming the duties of office shall continue to hold office for the period for which elected and until a successor assumes the duties of the office unless the office is declared vacant under the provisions of Sections 416 or 420 of these Bylaws. An officer or committee member must remain in good standing in a Post in the District, otherwise they forfeit the office and the office shall be vacated.

Sec. 418 - Officers: Duties and Obligations.

District officers, elected and appointed, shall have such duties and obligations as prescribed in these Bylaws and Manual of Procedure.

Sec. 419

Sec. 420 - Vacancies and Removal of Elected Officers or Committee Members.

Vacancies. All vacancies occurring in the elected offices of the District shall be filled in accordance with Section 420 of the Manual of Procedure at the next regular or special meeting as prescribed in Section 403 of the Manual of Procedure.

Removal. Elected officers or committee members can be removed as prescribed in Section 420 of the Manual of Procedure. *If elected officers and committee members removed in accordance with this section hold more than one elected office and there is cause to remove them from additional offices, each removal shall be treated separately by issuance of a unique Special Order.*

The Department Commander may, with respect to any District within the Department, remove any District officer who fails to fulfill the duties of office as required by Section 418.

Any District officer removed by the Commander-in-Chief by the reason of failure to pay current dues or under the provisions of this section, shall not be eligible to serve in any District office in the same administrative year in which the officer is removed.

Sec. 421 - Voting.

Each member of a District Convention or District meeting are those persons as defined in Section 404, except delegates elected by the Posts, present at a District Convention or meeting shall be entitled to one vote, and an individual possessing more than one qualification for membership in the District Convention or meeting shall have no more than one vote. The delegate or delegates of a Post present at a District Convention or meeting shall be entitled to vote the full delegate strength to which the Post is entitled.

Should there be a division among the delegates representing the Post, each delegate present and voting shall cast their pro rata share of the total voting strength of the Post. For the purpose of this section, a Post Commander shall be considered a delegate.

A roll call vote may be required and entered upon the record at the call of any three officers or delegates representing three different Posts.

(End of Article IV)