

## **ARTICLE XIII – NATIONAL VFW RIDERS**

### **Sec. 1301 - Formation.**

(a) **Formation.**

- (1) **Chapters.** *Chapters may be formed and chartered in accordance with the National Bylaws of the VFW Riders provided no chapter shall be formed by less than eight (8) members in good standing of the Veterans of Foreign Wars of the United States or its Auxiliary, and, provided further that no chapter shall be chartered unless the Post with which such chapter is to be affiliated has consented to the chartering thereof. Consent shall require two-thirds (2/3) vote of the members present and voting at a regular or special meeting, provided that Post members are given written notice that a vote will take place, such notice to be given the entire membership in writing at least ten (10) days prior to the regular or special meeting called for the aforementioned purpose.*

*Each chapter shall be assigned a number by the VFW Riders.*

*Each chapter shall be subject to the jurisdiction of the Post with which it is affiliated. It shall also be subject to the jurisdiction of the Department Convention, Council of Administration and Commander of its respective Department of the Veterans of Foreign Wars of the United States with respect to matters within their authority.*

*Each chapter shall function in accordance with the National Bylaws, Ritual and lawful orders issued by National and Department officers of the VFW Riders, provided they do not conflict with the Congressional Charter, Bylaws and Manual of Procedure of the Veterans of Foreign Wars of the United States, the Bylaws of the Department in which it is situated or the Post with which it is affiliated or lawful orders issued by the Commander-in-Chief, the National or Department Council of Administration or Department Commander.*

- (2) **Department Chapters.** Department Chapters may be formed by a vote of the Department Convention. Each Department Unit of the VFW Riders shall be governed by and under the jurisdiction of the Convention, Council of Administration, and Commander of its respective Department of the Veterans of Foreign Wars of the United States, who shall decide questions of law and usage for the Department Unit subject to an appeal to the Commander-in-Chief or National Council of Administration; but the Department Chapter shall function in accordance with the National Bylaws and Ritual of the VFW Riders and lawful orders issued by National and Department officers thereof, provided they do not conflict with the Congressional Charter, Bylaws and Manual of Procedure of the Veterans of Foreign Wars of the United States and Bylaws of the Department with which the Department Chapter is affiliated or the lawful orders issued by the Commander-in-Chief and/or National or Department Council of Administration and the Department Commander.
- (b) **Suspension and Discontinuance.**
- (1) The Commander-in-Chief or National Council of Administration of the Veterans of Foreign Wars of the United States may suspend the National Charter of the VFW Riders for a period not to exceed sixty (60) days, for conduct of the organization, its Convention, National Officers or National Council of Administration which may be detrimental to the best interest of the Veterans of Foreign Wars of the United States. Upon recommendation of the Commander-in-Chief, the National Council of Administration may, by two-thirds (2/3) vote, cancel and revoke the charter of the VFW Riders, provided written notice of such recommendation is given to the National Commander at least ten (10) days prior to any National Council action and the National Commander of the VFW Riders or their designee has been afforded an opportunity to appear before the National Council and be heard concerning such recommendation.
- (2) The Commander-in-Chief may direct the suspension, for a period not to exceed sixty (60) days, or the cancellation of the charter of any subordinate chapter of the VFW Riders, upon recommendation of the Commander of the Department wherein such chapter is located, when it is shown the conduct of officers or members thereof may be detrimental to the best interest of the Veterans of Foreign Wars of the United States.
- (3) **Disbanding of Chapter by a Post.** A Post may, by vote of eighty percent of its members present and voting at a meeting following a written notice mailed or delivered to each member of the Post in good standing at least ten (10) days before said meeting, vote to request cancellation of the charter of its chapter. The notice must state the contemplated action and the reason therefor. If the Post votes to request cancellation of the charter of its chapter, it shall certify the action in writing and forward same to the Department Commander who shall forward it to the Commander-in-Chief with their recommendations. If the Commander-in-Chief believes that it is in the best interest of the Veterans of Foreign Wars of the United States to do so, the Commander-in-Chief shall direct the National Commander of the VFW Riders to cancel the charter of the chapter.
- (4) **Change of Post Affiliation.** For a chapter to change affiliation, it must first receive consent from two-thirds (2/3) vote of the members of the Post to which it is now affiliated present and voting at a regular or special meeting providing the Post members are given written notice that a vote will take place, such notice to be given the entire membership in writing at least ten (10) days prior to the regular or special meeting called for the aforementioned purpose.

The new Post to which the chapter will be affiliated must provide consent by two-thirds (2/3) vote of the members present and voting at a regular or special meeting, providing the Post members are given written notice that a vote will

take place, such notice to be given the entire membership in writing at least ten (10) days prior to the regular or special meeting called for the aforementioned purpose.

The change of affiliation then must be approved by the Department Commander, as well as the National Commander of the VFW Riders.

Once approval has been given, all records and properties of the chapter will then be transferred with the chapter to the new Post of affiliation.

- (5) While the charter of the National Organization of the VFW Riders , or a subordinate chapter thereof, is suspended said chapter shall not be permitted to function and the officers thereof shall be without authority; provided, however, it or its officers shall have the right to appeal to the Commander-in-Chief to lift the suspension; and in the case of suspension of the charter of the National Organization, an appeal may be made to the National Council of Administration of the Veterans of Foreign Wars of the United States.
- (c) **Suspension of Officers.** The officers (elected and appointed) of the VFW Riders or of subordinate chapters thereof may be suspended by action of the Commander-in-Chief of the Veterans of Foreign Wars of the United States, subject to review by the National Council of Administration. While so suspended, the offending officer or officers of the VFW Riders shall be without authority, and if it is found that the conduct of an officer or officers thereof is detrimental to the best interest of the Veterans of Foreign Wars of the United States, the National Council of Administration of the Veterans of Foreign Wars of the United States may order the removal of such officer or officers.
- (d) **Disposition of Property.** In the event of a surrender, cancellation or forfeiture of a charter of a subordinate chapter of the VFW Riders, all official records, money and other property shall be surrendered to such officer or officers as is provided in the National Bylaws and Ritual of the VFW Riders.
- (e) **Reports.**
  - (1) The National Commander of the VFW Riders shall, within thirty (30) days after induction into office, submit to the Commander-in-Chief an itemized report of the financial and membership status of the National Organization of the VFW Riders for their information and for submission by the Commander-in-Chief to the National Council of Administration.
  - (2) The Department Commander of the VFW Riders shall within thirty (30) days after induction into office, submit to the Department Commander of the Veterans of Foreign Wars of the United States an itemized report of the financial and membership status of the Department Chapter of the VFW Riders for their information and for submission by the Commander to the Department Council of Administration.
- (f) **Liaison.** The Commander-in-Chief of the Veterans of Foreign Wars of the United States may appoint a committee who shall meet with a committee appointed by the National Commander of the VFW Riders. This combined committee when appointed shall meet at intervals between National Conventions of the Veterans of Foreign Wars of the United States to consider all matters affecting the welfare of the Veterans of Foreign Wars of the United States insofar as the activities of the VFW Riders are concerned. The purpose of this committee shall be to coordinate the Veterans of Foreign Wars of the United States and the activities of the VFW Riders so that there shall be full compliance with the Congressional Charter, Bylaws and Manual of Procedure of the Veterans of Foreign Wars of the United States and best interest of both the Veterans of Foreign Wars of the United States and the VFW Riders are furthered.

### **Sec. 1302 - Eligibility.**

*An application for membership in the VFW Riders must be accompanied by a certificate verifying satisfaction of the requirements for membership specified in the VFW Riders Bylaws. The certificate shall bear the endorsement of the Post Commander attested by the Post Adjutant.*

### **Sec. 1303 - Bylaws, Ritual.** (See Section 1303 of the Bylaws)

### **Sec. 1304 - Incorporation.**

- (a) *The Articles of Incorporation of the National VFW Riders, should it incorporate, and any amendments thereto, must have the following provisions:*
  - (1) *The active and voting membership of this corporation shall, at all times, consist of and be confined to the active membership in good standing of the VFW Riders.*
  - (2) *This incorporated organization shall be and remain under the jurisdiction of the National Convention, Commander-in-Chief and National Council of Administration of the Veterans of Foreign Wars of the United States and subject to its charter, Bylaws and Manual of Procedure and the Bylaws and Ritual of the VFW Riders.*
  - (3) *In the event of a dissolution of this corporation, or the simultaneous dissolution of this corporation and the forfeiture of the charter issued to it by the Veterans of Foreign Wars of the United States, title to all of the assets shall pass to the Veterans of Foreign Wars of the United States to be disposed of according to its Bylaws. At no time shall the assets of the corporation be distributed among the individual members thereof.*
  - (4) *The Articles shall, in addition, contain a provision specifically excluding from the powers of the corporation the power to own or hold real property.*
- (b) *The Articles of Incorporation of any Department Chapter should it incorporate, and any amendments thereto, must include the following provisions:*
  - (1) *The active and voting membership of this corporation shall, at all times, consist of and be confined to the active membership in good standing of the (Department Chapter, VFW Riders, Department of Veterans of Foreign Wars of the United States) or (Chapter, VFW Riders, Post \_\_\_\_\_, Veterans of Foreign Wars of the United States).*
  - (2) *This incorporated organization shall be and at all times remain under the jurisdiction of the National Convention, National Commander and National Council of Administration of the VFW Riders, the Commander-in-Chief of the Veterans of Foreign Wars of the United States and the (Department of \_\_\_\_\_, Veterans of Foreign Wars of the United States) or (Post No. \_\_\_\_\_, Veterans of Foreign Wars of the United States) and subject to the Bylaws and Ritual of the VFW Riders and the Charter, Bylaws and Manual of Procedure of the Veterans of Foreign Wars of the United States.*
  - (3) *In the event of a dissolution of this corporation or the simultaneous dissolution this corporation and loss or forfeiture of its charter, title to all assets shall pass to the Department Chapter of the VFW Riders to be disposed of according to the Bylaws. At no time shall the assets of this corporation be distributed among the individual members thereof.*
  - (4) *The Articles shall, in addition, contain a provision specifically excluding from the powers of the corporation the power to own or hold real property.*

(End of Article XIII)