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October 19, 2021

Mr. Jamie A. Lleras, Adjutant
Department of South Carolina
Disabled American Veterans
511 Violet Street
West Columbia, SC 29169

EIN: 57-0600471

Dear Adjutant Lleras:

The Constitution and Bylaws for the Department of South Carolina is hereby approved as of this date.

A copy of this document is being returned to the Department and a copy is being retained in our permanent files here at National Headquarters for future reference.

Sincerely,

Michael E. Dobmeier
National Judge Advocate

MED:kgb
Enclosure

**DISABLED AMERICAN VETERANS
DEPARTMENT OF SOUTH CAROLINA
CONSTITUTION
AND
BYLAWS**



(Revised 2021)

**BUILDING BETTER LIVES
FOR
AMERICA'S DISABLED VETERANS**

**CONSTITUTION OF THE
DISABLED AMERICAN VETERANS
DEPARTMENT OF SOUTH CAROLINA, INCORPORATED**

PREAMBLE

For God and Nation, and for our commonwealth, we former members of the armed forces of the United States having aided in maintaining the honor, integrity, and supremacy of our country, holding in remembrance in sacrifices in common made and drawn together by strong bonds of respect and mutual suffering, solemnly and firmly associate ourselves together in creating the Disabled American Veterans, the principles and purposes of which shall be supreme allegiance to the United States of America, fidelity to its Constitution and laws; to hold aloft the torch of true patriotism to strive for a better understanding between nations that peace and goodwill may prevail; to cherish and preserve the memories to our military association, and to aid and assist worthy wartime disabled veterans, their widows, their orphans and their dependents.

ARTICLE 1 – NAME

The name of this organization shall be, “Disabled American Veterans, Department of South Carolina, Inc.”

ARTICLE II – PURPOSE

To uphold and maintain the Constitution and the laws of the United States; to realize the true American ideals and aims for which those eligible for membership fought; to advance the interests and work for the betterment of all wounded, gassed, injured and disabled veterans; to cooperate with the United States Department of Veterans Affairs and all other public and private agencies devoted to the cause of improving and advancing the condition, health and interest of all wounded, gassed, injured and disabled veterans to stimulate a feeling of mutual devotion, helpfulness and comradeship among all wounded, gassed, injured and disabled veterans: to serve our comrades, our communities and our country, and to encourage in all people that spirit of understanding which will guard against future wars.

ARTICLE III – MEMBERSHIP

Section 1. The Disabled American Veterans, Department of South Carolina, Inc. shall consist of all chapters of the Disabled American Veterans in good standing, which shall have been duly organized and chartered as such within the state of South Carolina and which have been constituted and chartered in accordance with the provisions of the National Constitution of the Disabled American Veterans

Section 2. Any man or woman, who was wounded, gassed, injured or disabled in line of duty during time of war, while in the service of either the military or naval forces of the United States of America, and who has not been dishonorably discharged or separated from such service, or who may still be in active service in the armed forces of the United States of America is eligible for membership in the Disabled American Veterans. Others, who are disabled while serving with any of the armed forces of any nations associated with the United States of America as allies during any of its war periods, who are American citizens and who are honorably discharged, are also eligible. The Disabled American Veterans shall not have honorary members.

Section 3. No member shall be expelled or limited as to the privileges of membership except for nonpayment of dues, indebtedness to the chapter, Department or national organization, or as provided in Article XVI of the National Bylaws.

Section 4. No qualified applicant will be refused membership for any reason that is not consistent with the national constitution now existing or hereafter amended.

Section 5. Transfer of membership from one chapter to another shall be in accordance with the National Bylaws. A transfer request duly signed by the member approved will be submitted to the Membership Department of the National Headquarters. Transfer shall be upon the approval of the chapter and the transfer shall not affect the voting strength of either chapter until the first day of the next fiscal year.

Section 6. No member shall hold membership simultaneously in more than one Chapter within the Department territory, unless such other chapter is either Blind Veterans National Chapter or any Chapter composed exclusively of blind veterans, paraplegic veterans or amputation veterans.

ARTICLE IV – POWERS

To have perpetual succession, with power to sue and be sued in courts of law and equity, to receive, hold, own, use and dispose of such property, both real and personal as shall be necessary for its corporate purposes; to adopt a corporate seal and alter the same at pleasure; to adopt a constitution, bylaws, and regulations to carry on its purposes, consistent with the laws of the United States, the Department of South Carolina, or the National Constitution and Bylaws; to use, in carrying out the purposes of the corporation, such emblems and badges authorized; to establish and maintain offices for the conduct of its business; to establish chapters or auxiliaries with the approval of the National organization; to publish a newspaper or other publication devoted to the purposes of the organization, and generally to do any and all such things or acts as may be necessary and proper in carrying into effect the purposes of the corporation. To accomplish these purposes, these powers shall be invested in the administrative, legislative and executive functions of the corporation.

ARTICLE V – ADMINISTRATION

Section 1. The administrative powers of this organization shall be vested in the Department Executive Committee, to be comprised of the Department Commander, Past Department Commanders, the elected Department Officers and one representative from each of the chapters with the Department as they are now, or may hereafter be, composed and included in this organization.

Section 2. The Department Executive Committee shall be empowered to act upon any and all matters necessary for the continuity of the organization, provided, however, that such actions are not inconsistent with the mandates of the Department Convention, nor contrary to this Constitution and Bylaws.

Section 3. Any correspondence on Department letterhead stationery by anyone other than the Department Commander must be approved by the Department Commander prior to mailing.

Section 4. No person elected as Department Commander may be reelected to succeed himself /herself.

Section 5. The principal place of business and office of the Department Adjutant shall be the Department Headquarters, 511 Violet Street, West Columbia, SC 29169 and mail to be sent to P. O. Box 5317 West Columbia, SC 29171-5317.

ARTICLE VI – LEGISLATION

Section 1. The supreme legislative powers of this organization shall be vested in the Department Convention which shall meet once each year to consider all matters under its jurisdiction.

Section 2. The Department Convention will be comprised of all elected Department Officers, all Past Department Commanders, and the duly authorized delegates of the chapters within the Department, which are now, or may hereafter be, included in this organization.

Section 3. Between Department Conventions, the Department Executive Committee (DEC) shall be empowered to act for the Department Convention, provided; however, that no action may be taken that is inconsistent with the mandates of the Department Convention.

Section 4. Mandates made by the Department Convention shall be binding for one year only, unless such mandates are incorporated into the Constitution and Bylaws of this organization by due process.

Section 5. Each year the Department Convention shall elect: A Department Commander, Senior Vice Commander, Junior Vice Commanders, Treasurer, Judge

Advocate, and Chaplain. A District Committeemen shall be elected by each of the eight districts, each District being formed by counties as follows:

First District: Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton and Jasper which includes chapters 12, 17, 55, 77 and 78.

Second District: Allendale, Bamberg, Barnwell, Calhoun, Lexington, Orangeburg and Richland which includes chapters 4, 13, 20 and 28.

Third District: Abbeville, Anderson, Greenwood, Laurens and McCormick which includes chapters 40, 42 and 52.

Fourth District: Greenville, Oconee, Pickens and Spartanburg which includes chapters 1, 3, 39 and 41.

Fifth District: Cherokee, Chester, Chesterfield, Fairfield, Kershaw, Lancaster, Union and York which includes chapters 14, 19, 46, 50 and 54.

Sixth District: Clarendon Darlington, Dillion, Florence, Lee, Marlboro and Sumter which includes chapters 5, 11, 47, 67, 71 and 72.

Seventh District: Georgetown, Horry, Marion and Williamsburg which includes chapters 21, 30 and 57.

Eighth District: Aiken, Edgefield, Lexington, Newberry and Saluda which includes chapters 37, 43, 44 and 51. The election of the District Committeemen shall be ratified, or endorsed, by the Department Convention each May.

ARTICLE VII – EXECUTIVE

The executive powers of this organization shall be vested in the Department Commander.

ARTICLE VIII – AUXILIARIES

This organization recognizes the DAV Auxiliary as auxiliary unit of the Disabled American Veterans, subject to its supervision and recommendations.

ARTICLE IX – AMENDMENTS

Section 1. This Constitution may be amended by any Convention by a three/fourth vote of those present at the Department Convention and shall have the effect of ratification and shall constitute just cause for adoption of proposed amendments of the Constitution. All amendments to the Department Constitution and Bylaws and all

resolutions shall be submitted in writing (doubled spaced) to all Chapter Commanders and Department Officers no later than 60 days prior to the Department Convention.

ARTICLE X – AUTHORITY

The Department of South Carolina has been organized under the authority and with the approval of the Disabled American Veterans, a national, organization incorporated and chartered by the Congress of the United States, on June 17, 1932, as amended July 15, 1942.

ARTICLE XI – POLICY

No member of this Department shall acquire any rights to property, real or personal, belonging to this Department or any subordinate unit of this Department.

BYLAWS OF THE DISABLED AMERICAN VETERANS DEPARTMENT OF SOUTH CAROLINA, INCORPORATED

ARTICLE 1 – ORGANIZATION

Section 1.1. GOVERNING BODIES

The governing bodies of this organization shall be the Department Convention, the Department Executive Committee (DEC), and the Chapters within the Department of South Carolina.

Section 1.2. RECORDS AND INSPECTION

Each body shall keep records of its proceedings which shall be opened for inspection/review by persons appointed by the Department Commander or Chapter Commander as appropriate.

ARTICLE II – POLICY

Section 2.1. NONPARTISANSHIP

The organization shall be nonpolitical or non-sectarian and the name of this organization or name of any unit thereof shall not be used in representing the desires or wishes of its membership in any political, sectarian or labor dispute, except as hereinafter provided. The foregoing shall not prevent this organization or any unit

thereof from participating in political issues which have a direct bearing upon the welfare of the America's disabled veterans.

Section 2.2. LEGISLATIVE ACTIVITIES

Para. 1: No member shall appear before *any* legislative body and speak in the name of this organization, chapter or subordinate unit, as sponsoring or opposing any legislation contrary to any resolution then in effect with regard to such legislation, which has been regularly adopted by the Department, or by a chapter, of which they are a member.

Para. 2: No legislation shall be sponsored or endorsed by any member of the Department, chapter or other subordinate unit, on behalf of or in the name of the Disabled American Veterans unless it has been approved by the Department Convention or by the Department Executive Committee.

ARTICLE III – DEPARTMENT CONVENTION

Section 3.1. SUPREME POWER

The supreme power of this organization is vested in the Department Convention.

Section 3.2. DURATION OF MANDATES

Mandates made by the Department Convention shall be binding for one year only unless such mandates are incorporated into the Constitution or Bylaws as changes to those documents.

Section 3.3. DEPARTMENT CONVENTION

Para. 1: A Department Convention shall be held during the month of May.

- a. The Department Convention shall be four (4) days in length beginning on Friday and ending Sunday. However, on Thursday of the Department Convention workshops training will be conducted.
- b. The Department and National Service Office shall be responsible for setting up the workshops and seminars. Attendance will be requested but not required. To be covered by the insurance policy of \$500,000 liability by procured National Headquarters, Disabled American Veterans, it is mandatory that all Chapter Service Officers attend.

Para. 2: The Department Convention Committee shall be composed of a Committee Chairperson, immediate and two Past Department Commanders, Senior Vice Commander, 1st Vice Commander and 2nd Vice Commander. The committee chairperson shall be appointed by the Department Commander.

Para. 3: The site of the Department Convention shall be determined by the Department Executive Committee upon recommendation of the Department Convention Committee.

Para. 4: In the event the convention cannot be held at the place recommended by the committee, the Department Executive Committee, for just cause, may select a substitute site for the next convention.

Section 3.4. COMPOSITION

The Department Convention shall be composed of the elected Department Officers, Past Department Commanders, and the delegates and alternates representing the chapters in good standing.

Section 3.5. REGISTRATION FEE

Para. 1: The registration fee for the Department Convention shall be determined by the convention committee.

Para. 2: The registration fee shall be paid before a delegate, member, or guest to the convention shall be entitled to be seated or vote until they have registered, and such fee has been paid. Once the Credentials Committee has been dismissed, no other persons may register or be seated as a delegate, alternate delegate, or guest.

Para. 3: Official guests are exempt from registration fees.

Section 3.6. DELEGATES – NUMBER

Para. 1: Except as hereinafter specified, each chapter shall be entitled to two delegates for its charter.

Para. 2: Each chapter in good standing shall be entitled to one delegate for each ten (10) members or major fraction thereof.

Para. 3: Elected Department Officers and Past Department Commanders shall be considered delegates-at-large and, shall not count against chapter delegations.

Para. 4: Membership of newly chartered chapters shall be determined for the foregoing purpose, as of the first day of the month preceding the Department Convention.

Para. 5: In the event a chapter is not represented by its full quota of delegates its votes shall be prorated among the delegates of the chapter in attendance.

Para. 6: No person shall be a delegate unless he is a member in good standing and is properly registered at the Department Convention.

Para. 7: The term "active chapter in good standing" whenever used in this Constitution and Bylaws, shall be held to include only those chapters who have complied with the provisions of the National Constitution and Bylaws and shall submit to the Department

Adjutant the required forms for the current year prior to the Department Convention Finances and Officers Reports.

Section 3.7. ELECTIONS OF DELEGATES

All chapter delegates shall be elected by their respective chapters at least fifteen (15) days prior to the Department Convention and shall be certified by the Chapter Commander or Adjutant in writing and be presented at the registration desk at the time of registration.

Section 3.8. VOTING AT THE CONVENTIONS

Para. 1: No officer, Past Department Commander, or Delegate shall be entitled to be seated or vote on any action before the convention unless they are a member in good standing and are duly registered at this convention.

Para. 2: Each elected Department Officer, each Past Department Commander and each chapter delegate shall be entitled to cast one vote on each action before the convention.

Para. 3: The Department Commander shall vote only to break a tie vote on any action brought before the convention.

Para. 4: The Department Adjutant will render a statement of indebtedness, to any chapter owing Department funds, thirty (30) days prior to the convention. Payment of these amounts shall free the chapter for the purpose of seating and voting of the delegation.

Para. 5: No person shall cast a vote at the Department Convention in more than one representative capacity.

Para. 6: Each Chapter Executive Committee shall announce the vote of the delegation. When the poll of any delegation is demanded by a delegate there of entitled to vote, the Chapter Executive Committeeman shall poll the vote to such delegation without debate or discussion.

Para. 7: In the absence of any delegate, his or her vote shall be cast by his or her alternate.

Section 3.9. UNIT RULE AND PROXY PROHIBITED

There shall be no form of unit rule, voting proxy or voting by absentee ballot.

Section 3:10. RULES OF CONVENTION

Rule 1: Roberts Rules of Order, latest standard updated revision, will govern the Department Convention, except as hereinafter provided and specifically stated.

Rule 2: For the purpose of recognition, a delegate to the convention must (1) stand, (2) address the chair as "Commander", (3) state their name and chapter or title, and (4) shall proceed only after recognition by the chair.

Rule 3: Debate shall be limited to three (3) minutes on any one subject by each speaker except by $\frac{3}{4}$ (three-fourths) consent of the convention.

Rule 4: No more than two (2) delegates from any one chapter will be permitted to speak on anyone subject except by a $\frac{3}{4}$ (three-fourths) favorable vote of the convention.

Rule 5: Recognition shall be granted only once to any one speaker on any one subject. However, a rebuttal of not more than two (2) minutes may be permitted. Additional recognition may be granted by $\frac{3}{4}$ (three-fourths) affirmative vote of the convention. The privilege of a point of information shall be granted by the chair.

Rule 6: Recognition will be given for a point of order, and a decision rendered immediately, if necessary, the Judge Advocate will be consulted for an opinion. The decision of the chair will be final, except upon appeal to the convention as a whole.

Rule 7: No person who has spoken for (or against) any motion, resolution, or report on the convention floor shall be permitted to make a motion to table same. A motion to table is not debatable and shall require a two-thirds affirmative vote. A tabled motion may be taken from the table, for reconsideration, by a majority vote.

Rule 8: Committee Chairmen are charged with the responsibility for the appropriate action of their committees and presenting the committee report to the convention.

Rule 9:

- a. No resolution may be discussed by the convention until that resolution has been reported by a convention committee.
- b. Resolutions referred to, but not reported favorable by such committees may be called up for consideration by proponents at the time a motion to discharge such committees is in order, but not before such a motion to discharge said committee is considered.
- c. Resolutions approved by the convention shall be incorporated into the convention mandates. Resolutions pertaining to changes in the Constitution or Bylaws shall be certified by the Department Commander, Adjutant and the Judge Advocate and be forwarded to the National Headquarters for the required approval by the National Judge Advocate.

Rule 10: Convention Committees may originate resolutions on subjects under committee jurisdiction.

Rule 11: Nomination Department Officers shall be made by the Nominating Committee and from the floor.

Rule 12: The Department Officers shall serve as officers of the convention. The Department Adjutant shall serve as the secretary of the convention.

Rule 13: The Department Secretary or a Public Stenographer hired by the Department shall take the minutes of the Department Convention. The minutes of the Convention shall be prepared and presented to all Chapters, Officers, and members of the Executive Committee by the Department Adjutant at the second DEC meeting.

Rule 14: Department Sergeant-at-Arms shall be the Sergeant-at-Arms at the convention.

Rule 15: The Department Commander shall be the presiding officer of the convention.

Section 3.11. CONVENTION COMMITTEES

Para. 1. The Convention Committees shall be: Rules, Credentials, Resolutions, Convention, Constitution and Bylaws, Nominating, and any other committees deemed necessary by the Department Commander.

- a. Rules: The Department Executive Committee shall be the Committee on Rules.
- b. Credentials: The Credential Committee shall be comprised of three (3) members, the Senior Vice Commander and two delegates appointed by the Senior Vice Commander. The Credential Committee shall in accordance with the provisions of these Bylaws and the Convention Rules determine the eligibility of all persons seated and voting in the Department Convention and shall notify the Convention and delegates as to the number of votes to which each delegate is entitled.
- c. Resolutions: The Resolutions Committee shall be comprised of nine (9) members, the Benefits Protection Leader and one member from each district. The Resolutions Committee shall consider all matters which are not covered by the resolutions referable to committees of the Department Convention. (It shall also consider all matters in which public and private agencies charged with the improvement of disabled veterans and their dependent concerns.)
- d. Constitution and Bylaws: Constitution and Bylaws Committee shall be comprised of six (6) members, appointed by the Department Commander. The committee shall give consideration to those resolutions, submitted from the chapters, which pertain to proposed amendment changes. It shall draft proposed amendment changes, study and consider on a continuing basis means of improving the State Constitution and Bylaws. All proposed amendment changes shall be submitted to the Department JAG no less than ninety (90) days before the convention.
- e. Nominating: The Nominating Committee shall be comprised of Past Department Commanders and a seated Chapter Delegate. The Chairperson of the Nominating Committee shall be chosen by the Past Department Commanders at the Convention.

Each candidate for office shall have five (5) minutes to address the committee. No member offering for office shall be allowed to remain in the committee room, during the voting for the office, in which they are offering.

Para. 2. Accredited delegates, alternates, or Department Officers may appear before any convention committee to speak on any issue under consideration, provided they contact the chairman or secretary of the committee and make an appointment of such appearance. All Department Officers and members of permanent committees are subject to call during committee sessions.

Para. 3. Convention committee reports must be submitted by resolution and may not be briefed together to cover the entire report.

Para. 4. All committee reports shall be submitted to the convention prior to the election of officers.

Section 3.12. AMENDMENTS TO RULES

The foregoing Rules of the Department Convention may be amended or suspended by a majority vote of the Department Convention. This provision will take precedence over any other section of these Bylaws to the contrary.

Section 3.13. FORMS OF CREDENTIALS

The form of convention credentials shall be as designated by the Convention Committee and approved by the Executive Committee.

ARTICLE IV – THE DEPARTMENT EXECUTIVE COMMITTEE

Section 4.1. MEMBERS

Para. 1. The Department Executive Committee (DEC) shall be composed of the elected Department Officers, Past Department Commanders, and one Delegate from each of the active chapters.

Para. 2. Appointed Department Officers will be ex-officio members of the Executive Committee.

Section 4.2. DEPARTMENT EXECUTIVE MEETINGS

The Department Executive Committee shall meet no less-than four (4) times each year first shall be conducted during the Convention and after the swearing in of the newly elected officers. Appointed officers will be administered the oath by the newly elected Department Commander at this meeting. Subsequent DEC meetings shall be scheduled by the Department Commander.

Section 4.3. SPECIAL MEETINGS

Para. 1. During the Department Convention, whenever the Commander deems it necessary, a special meeting of the DEC may be called.

Para. 2. At other times, the Commander may call a special meeting of the Department Executive Committee and must do so upon the written demand of forty percent (40%) of the committee members. Any member of the Department may attend the meetings of the DEC, without voice or vote. When considering matters pertaining to personal problems, the committee may declare itself in Executive Session.

Para. 3. The regular business of the organization requiring the consideration of the Department Executive Committee between scheduled meetings shall be transacted through the office of the Department Commander.

Section 4.4. POWERS

In addition to the other powers given by this Constitution and Bylaws, all legislative, administrative, and executive matters not otherwise specifically covered by provisions of the Constitution and Bylaws and regulations of the organization or by an enactment of the Department Convention, shall be determined by the DEC.

ARTICLE V – STANDING COMMITTEES

Section 5.1. FINANCE COMMITTEE

Para. 1. The Finance Committee shall consist of five (5) voting members who shall be appointed by the Department Commander and approved by the Department Convention. No elected officer shall be a voting member of the Finance Committee, except the Department Treasurer.

Para. 2. Finance Committee vacancies between conventions shall be appointed by the Department Commander with the approval of the Executive Committee.

Section 5.2. BUILDING AND GROUNDS COMMITTEE

Para. 1. The Building and Grounds Committee shall consist of three (3) members who shall be appointed by the Department Commander and approved by the Department Convention.

Para. 2. Vacancies shall be filled by the Department Commander and approved by the Department Executive Committee.

Section 5.3. VA VOLUNTEER SERVICES (VAVS) COMMITTEE

Para. 1. The VAVS Committee shall consist of eight (8) members, one from each district in addition to the Department Hospital Service Coordinators and VAVS Representatives. Each district is responsible to elect a committee person. No elected officer shall be a member of the VAVS Committee, and it shall be chaired by the Department VAVS Chairman.

Para. 2. VAVS Committee vacancies between conventions shall be filled by the District Committeemen.

Para. 3. The VAVS Committee is a committee designed to promote the welfare of existing programs and to create new programs at the VA Medical Facilities.

Section 5.4. LEGISLATIVE COMMITTEE

Para. 1. The Legislative Committee shall consist of eight (8) voting members, one from each district. Each district is responsible to elect a committee person. No elected officer shall be a voting member of the Legislative Committee. The Legislative Committee shall be chaired by the Benefit Protection Team Leader.

Para. 2. The Legislative Committee is a committee designed to promote legislation and legislative issues that will enhance and improve the welfare of the veteran.

Para. 3. Legislative Committee vacancies between conventions shall be filled by the District Committeemen.

Section 5.5. MEMBERSHIP COMMITTEE

Para. 1. The Membership Committee shall consist of eight (8) voting members, one from each district. Each district is responsible to elect a committee person. No elected officer shall be a voting member of the Membership Committee. Membership Committee shall be chaired by the Department Senior Vice Commander.

Para. 2. Membership Committee vacancies between conventions shall be filled by the District Committeemen.

Para. 3. The Membership Committee is a committee designed to promote membership and membership issues that will enhance and improve the welfare of the veteran.

Section 5.6. PUBLIC RELATIONS COMMITTEE

Para. 1. The Public Relations Committee shall consist of eight (8) voting members, one from each district. Each district is responsible to elect a committee person. No elected officer shall be a voting member of the Public Relations Committee. The Public Relations Committee shall be chaired by the Department Second Junior Vice Commander.

Para. 2. Public Relations Committee vacancies between conventions shall be filled by appointment by the District Committeemen.

Para. 3. The Public Relations Committee is a committee designed to promote public relations and community issues that will enhance and improve the welfare of the veteran.

Section 5.7. FUNDRAISING COMMITTEE

Para. 1. The Fundraising Committee shall consist of eight (8) voting members, one from each district. Each district is responsible to elect a committee person. No elected officer shall be a voting member of the Fundraising Committee. The Fundraising Committee shall be chaired by the Department First Junior Vice Commander.

Para. 2. Fundraising Committee vacancies between conventions shall be filled by appointment by the District Committeemen.

Para. 3. The Fundraising Committee is a committee assigned to promote fundraising and fundraising issues that will enhance and improve the welfare of the veteran.

Section 5.8. AUDIT COMMITTEE

Para. 1. The Audit Committee shall consist of five (5) members who shall be appointed by the Department Commander and approved by the Department Convention.

Para. 2. Audit Committee vacancies between conventions shall be appointed by the Department Commander with approval of the Executive Committee.

Para. 3. The Audit Committee shall conduct an audit of the financial records of the Department. The Audit Committee may audit the financial records of the Department at other times as deemed necessary or appropriate.

Para. 4. The Audit Committee shall conduct an audit of the financial records of the HSC and VAVS programs at least once a year and may audit the financial records of the HSC and VAVS at other times as deemed necessary.

Para. 5. In compliance with the National Bylaws, where there is a question of Chapter financial records, the Department Commander may send the Audit Committee to audit the Chapter's financial records. All expenses of the Audit Committee members will be at the Chapter's expense. The expense shall include current Department mileage payment, lodging and meals.

Para. 6. If the annual income, excluding membership per capita, exceeds \$300,000.00 from all sources, the Department financial records must be reviewed by a Certified Public Accountant.

Para. 7. The books, records and accounts of the Treasurer shall be audited by an Audit Committee, excluding the Department Commander, Department Senior Vice Commander and other Vice Commanders, as well as the Department Treasurer, Department Adjutant and any member of the Department Finance Committee. A qualified Accountant in accordance with the DAV National Bylaws at the close of business on June 30 of each year may audit the books. The results of this audit together with the financial statement shall be submitted to the National Adjutant no later than ninety (90) days after the closing of the fiscal year. This report be read at the next Department Convention.

ARTICLE VI – CHARTERS

Section 6.1. POWER TO APPROVE

The Department shall have the authority to approve all Charters granted to chapters within the state. Such approvals shall be certified by the signature of the Department Commander on all applications to the National Headquarters for Charters.

Section 6.2. CHARTERS

Para. 1. Formation of Chapters within the state shall be in accordance with Article 6 of the National Bylaws and Article VIII of these Bylaws.

Para. 2. Charters of Disabled American Veterans Chapters, Auxiliaries, and other subordinate units may be suspended or revoked in accordance with Article 6 Section 6.4 of the National Bylaws.

Para. 3. Each Chapter must keep a complete financial record of all monies received, expended and remitted, in accordance with the instructions contained in Section 9.3 of the National Bylaws. Included in these requirements are having an annual audit and forwarding said reports to the Department within ninety (90) days after close of the accounting year, which shall be the membership year commencing July 1 and ending the following June 30. It is required that all chapter financial records and statements be made available to the chapter treasurer and that he, or his designated representative, render complete financial reports, including all receipts, all expenditures and all funds on hand at each meeting.

Para. 4. If in the opinion of the Department, a financial audit of the Chapters is necessary, and the Department Commander so authorizes it, such audit will be conducted at the Chapter's expense.

ARTICLE VII – DEPARTMENT OFFICERS

Section 7.1. ELECTIVE DEPARTMENT OFFICERS

Para. 1. The Department Convention will elect a Department Commander, a Senior Vice Commander, a First Junior Commander, a Second Junior Vice Commander, a Judge Advocate, a Chaplain and a Treasurer.

Para. 2. The tenure of elected Department Officers shall be from time of installation immediately prior to adjournment of the convention at which they were elected until their successors have been elected and installed.

Para. 3. The retiring Department Officers shall turn over to the succeeding officers all monies, records, and property of the organization entrusted to them without delay. An accounting will be made, and the succeeding officers will certify as to the receipt of such monies, records and property entrusted to them. The title of all monies, records, and property shall remain with the organization and no disposition of said monies, records, or property shall be made without the consent of the Executive Committee, except as herein provided.

Section 7.2. APPOINTED DEPARTMENT OFFICERS

The Department Commander shall appoint a Department Adjutant, a Chief of Staff, an Inspector General, a Benefit Protection Team Leader, a Sergeant-at-Arm, an Officer of the Day, and may appoint such other officers as may be provided in the Bylaws and such other officer as he may deem necessary to carry out the functions of the Department. The tenure of office of the appointed officers shall be at the pleasure of the appointing power provided that no term of office shall exceed that of the appointing power, except to the other applicable sections of these Bylaws.

Section 7.3. THE DEPARTMENT COMMANDER

The Department Commander shall be the Chief Executive Officer. The Department Commander shall be the presiding officer at the Department Convention and Executive Committee meetings, and perform such duties as provided in these Bylaws. The Department Commander shall, with the approval of the Convention or the Executive Committee, make such appointments as are provided in these Bylaws, or as he/she, in their judgement, shall deem necessary to carry out the business of the organization or for the good of the order.

Section 7.4. THE DEPARTMENT SENIOR VICE COMMANDER

Para. 1. The office of the Senior Vice Commander shall correspond to that of the First Vice President of a corporation.

Para. 2. In the absence of the Department Commander, for any reason, the Senior Vice Commander shall assume and perform the duties of the Department Commander.

Para. 3. The Senior Vice Commander performs such duties as may be reasonable assigned by the Department Commander. The Senior Vice Commander shall chair the Membership and Awards committees.

Para. 4. The Senior Vice Commander will promote the welfare of the Department and Chapters and will assist in resolving any controversies that may arise within the eight districts.

Para. 5. In the event of the demise, inability to serve, resignation or removal for cause, of the Commander, the Senior Vice Commander shall assume the duties of the Commander.

Section 7.5. THE DEPARTMENT FIRST JUNIOR VICE COMMANDER

Para. 1. The office of the First Junior Vice Commander shall correspond to that of the Vice President of a corporation.

Para. 2. In the absence of the Department Senior Vice Commander, for any reason, the First Junior Vice Commander shall assume and perform the duties of the Department Senior Vice Commander.

Para. 3. The First Junior Vice Commander performs such duties as may be reasonable assigned by the Department Commander. The First Junior Vice Commander will chair the Fundraising Committee.

Para. 4. The First Junior Vice Commander will promote the welfare of the Department and Chapters and will assist in resolving any controversies that may arise within the eight districts.

Para. 5. In the event of the demise, inability to serve, resignation or removal for cause of the Senior Vice Commander, the First Junior Vice Commander shall assume the duties of the Senior Vice Commander.

Section 7.6. THE DEPARTMENT SECOND JUNIOR VICE COMMANDER

Para. 1. The office of the Second Junior Vice Commander shall correspond to that of the Vice President of a corporation.

Para. 2. In the absence of the Department First Junior Vice Commander, for any reason, the Second Junior Vice Commander shall assume and perform the duties of the Department First Junior Vice Commander.

Para. 3. The Second Junior Vice Commander performs such duties as may be reasonably assigned by the Department Commander. The Second Junior Vice Commander will chair the Public Relations Committee.

Para. 4. The Second Junior Vice Commander will promote the welfare of the Department and Chapters and will assist in resolving any controversies that may arise within the eight districts.

Para. 5. In the event of the demise, inability to serve, resignation or removal for cause of the First Junior Vice Commander, the Second Junior Vice Commander shall assume the duties of the First Junior Vice Commander.

Section 7.7. THE DISTRICT COMMITTEEMEN

Para. 1. The District Committeemen shall be elected by a caucus of each chapter commander or their representative to a one (1) year term with the option of a second (2nd) year at the pleasure of his/her district, one (1) vote per chapter.

Para. 2. The District Committeemen shall be a member of the Membership and Awards Committees and shall be directly involved with membership recruitment within their District.

Para. 3. The District Committeemen will conduct a minimum of four (4) meetings within their District each year.

Para. 4. The District Committeemen will meet with the Department Commander and Line Officers at a regular scheduled meeting once each quarter or as requested by the Department.

Para. 5. The District Committeemen shall promote the welfare of the Chapters within their District and the Department.

Para. 6. District Committeemen should appoint an aide to the District Committeemen for that District upon the approval of the Department Commander.

- a. The Aide shall be appointed at the Convention each year.
- b. The Aide shall serve a term of one (1) year.
- c. The Aide shall be available to conduct business for the District in the absence of the District Committeemen.

Section 7.8. THE DEPARTMENT ADJUTANT

Para. 1. In addition, to the other duties set forth in Bylaws, the Adjutant will act as Executive Director of the Organization and shall be Secretary to the Executive Committee, Headquarters, and the Finance Committee, but without a vote.

Para. 2. The Department Adjutant shall keep a record of all chapters, including the members thereof, fifteen (15) days prior to the convening of the Department

Convention, the Department Adjutant shall mail to each Chapter Commander and Adjutant a list of all active chapters within the Department and the voting strength of each chapter. This list of votes shall include two (2) votes for the Chapter Charter and one (1) vote for each ten (10) members or a major fraction thereof, as determined by the last membership listing received from National Headquarters. The voting strength of each chapter will be read to the Department Convention prior to the first voting.

Para. 3. The Department Adjutant shall have charge of the Department Seal and will serve as the official custodian of the records of the Department.

Para. 4. Upon taking office, the Department Adjutant shall receive all property and records of the Department delivered to them by their predecessor and shall deliver an inventory of such property to the Department Commander within fifteen (15) days after taking office.

Para. 5. The Department Adjutant shall receive all communications and conduct all correspondence necessary to the performance of his/her duties and shall keep copies of the same as a part of the permanent records of the Department.

Para. 6. The Department Adjutant shall render a statement to any chapter within the department not less than thirty (30) days prior to each Department Convention, listing any indebtedness. On payment of such amounts, he/she shall furnish that chapter with a statement that it is free of indebtedness for the purpose of determining whether that chapter's delegates shall be entitled to a seat and a vote at the Department convention.

Para. 7. The Department Adjutant shall keep such hours as may be necessary for the performance of his/her duties and will be provided with sufficient funds to carry out those duties. All expenditures shall be recorded on voucher to the Treasurer.

Para. 8. The office of the Department Adjutant shall be the Department Headquarters for the performance of his/her duties as Department Adjutant.

Para. 9. The Department Adjutant shall with the prior approval of the Executive Committee open his/her books, records, and files to the inspection by any member in good standing of the Department.

Para. 10. The Department Adjutant shall perform such other duties as may be reasonable assigned to him/her by the Department Commander, the Executive Committee or the Department Convention.

Section 7.9. THE DEPARTMENT SERVICE OFFICER

Para. 1. The Department Service Officer shall provide assistance to the Department, the Department Contact Officers, the Chapters, individual members and other veterans as necessary. The Department Service Officer will determine the priority of the workload.

Para. 2. All Department funds expended by the Department Service Officer in support of Chapter activities will be reimbursed by that chapter and failure to do so may cause suspension of support given that chapter by the Department.

Para. 3. The Department Service Officer will be provided sufficient budgetary funds and supplies to carry out the duties of the office. All expenditures will be charged to the appropriate budget line item and will be dispensed by voucher by the Department Treasurer.

Para. 4. The Department Service Officer shall carry out such, duties as may be reasonably assigned.

Para. 5. The Department Service Officer will provide administrative assistance as required.

Para. 6. The Department Service Officers place of duty/assignment will be directed by the Department Commander.

Section 7.10. THE DEPARTMENT TREASURER

Para. 1. The office of the Department Treasurer shall correspond to that of a Treasurer of a corporation. This office shall be in the Department Headquarters.

Para. 2. The Treasurer shall be responsible for all monies and accounts received by him/her and all disbursements made by him/her in the name of the Department.

He/she shall maintain a financial record and ensure that no expenditures are made in excess of the authorized budget as approved by the Executive Committee or the Department Convention.

Para. 3. All disbursements shall be made by approved voucher, and checks will be signed jointly by the Treasurer, the Department Commander, and/or the Department Adjutant. Vouchers will be numbered in numerical sequence and shall become part of the financial records of the Department. All supporting evidence, IE, sales slips, receipts, bills of laden, shipping documents, monthly statements, etc., will be attached to the voucher. All financial reports shall, regardless of generally accepted accounting procedures, specify and itemize the precise expenditure of all funds of the department during the reporting period.

Broad or general classifications will not be deemed acceptable.

Para. 4. The Treasurer shall maintain his/her accounts and records in condition for audit at all times.

Para. 5. The Treasurer shall submit a written report of the financial status of the Department at all Department Executive Committee meetings and the Department Convention.

Para. 6. Expenditures by the Treasurer shall not exceed the amounts provided in the annual budget, or as amended by the Department Executive Committee meeting and it shall be the duty of the Treasurer to ensure that no non-budget expenditures are made without the concurrence of the Finance Committee, and the written approval of the Department Executive Committee. For this purpose, inclusion of an approved motion in the minutes of the meetings of the Department Executive Committee shall be proof of written consent.

Para. 7. The books, records and accounts of the Treasurer shall be audited by an Audit Committee, excluding the Department Commander, Department Senior Vice Commander and other Vice Commanders as well as the Department Treasurer, Department Adjutant and any member of the Department Finance Committee. A qualified Accountant in accordance with the DAV National Bylaws at the close of business on June 30 of each year may audit the books. The results of this audit, together with the financial statement shall be submitted to the National Adjutant no later than ninety (90) days after closing of the fiscal year. This report will be read at the next Department Convention.

Para. 8. The Treasurer shall provide a form of this report of the receipts and expenditures to the State of South Carolina for the fiscal year of the Department which shall be from July 1 to June 30 of the following year. Such report shall be submitted in accordance with the tax laws of the State of South Carolina.

Para. 9. When required, the Treasurer shall submit a report of receipts and expenditures to the United States Internal Revenue Service and the State of South Carolina.

Para. 10. The Treasurer authorized to expend department funds for payment of taxes as required by law, or when required by National Headquarters. No further approval shall be necessary for this purpose. A report of such expenditures shall be made to the Finance Committee and the Department Executive Committee.

Para. 11. As a Nonprofit Organization, it is important to establish guidelines for travel reimbursements by the Treasurer.

- a. The Department shall be notified of any and all travel involving official business outside a Department/District Officers area of responsibility at least seventy-two (72) hours in advance for reimbursement purposes. The travel must be approved by the Department Commander.
- b. Reimbursement for travel must be submitted to the Treasurer by the tenth of each month.

- c. Department officers are not authorized travel reimbursement for travel within a twenty-five (25) mile radius of their residence.
- d. Department Officers that travel fifty (50) miles or more from their residences may be reimbursed for food. Billing evidence must accompany requests for reimbursements.
- e. Department Officers that travel more than one hundred (100) miles from their residence may be reimbursed for hotel/motel. Billing evidence must accompany request for reimbursements.
- f. Department Officers are encouraged to travel together by privately owned vehicle (POV); however, only one may be reimbursed.
- g. Department Officers are not authorized travel reimbursement to and from their own chapter activities.
- h. Reimbursement of Department funds are not intended for use of spouse, dependent or guest travel.

Para. 12. The Treasurer, subject to the approval of the Finance Committee, shall designate a bank within the greater Columbia area for the Department General Fund and shall designate a bank or other depository. Insured by the Federal Deposit Insurance Corporation, for the deposit of savings and other funds not a part of the general fund.

Section 7.11. THE JUDGE ADVOCATE

The Department Judge Advocate shall be the legal advisor and parliamentarian of the Department. He/she shall render an opinion on all appeals made to him/her. He/she shall prosecute, in the name of the Department, all charges against any accused on trial under the provisions of Article XVI of the National Bylaws and provisions of this Constitution and Bylaws.

Section 7.12. OTHER DEPARTMENT OFFICERS

Para. 1. The Chief-of-Staff and Inspector General shall perform such duties as may be reasonably directed by the Department Commander.

Para. 2. The duties of the Department Chaplain, the Sergeant-at-Arms, and the Officer-of-the-day shall be those prescribed in the National ritual and such other duties as may be reasonably assigned by the Department Commander or other presiding officer.

Section 7.13. VACANCIES IN ELECTED DEPARTMENT OFICERS

Para. 1. In the event of the death, resignation, dismissal, or suspension of any elected Department Officer, the Department Commander, with the approval of the Department

Executive Committee, may appoint a member in good standing to fill such vacancies for the remaining term of that office.

Para. 2. Should any elected officer be suspended; an appointment may be made to act in such office pending appeal during suspension.

Para. 3. Any elected Department Officer, who having received prior notice of such scheduled meetings, shall be unexcused absent from three or more consecutive, legally constituted meetings, or having failed to perform his duties in a proper manner may be relieved of his position or office by the Department Commander.

Para. 4. Above will apply to any elected Department Officer pending an appeal to the Executive Committee.

ARTICLE VIII – FINANCES AND CONTROL

Section 8.1. SOURCES OF FINANCES

Para. 1. The revenue of this Department shall be derived from any such source authorized by National Constitution and Bylaws. Such sources shall include: membership dues, donations, fundraising drives, or contracts approved by the Department Convention or the Department Executive Committee and National Headquarters.

Para. 2. The life membership dues shall be in, accordance with the National Bylaws. Dues may be paid directly to the National Headquarters.

Para. 3. All funds received shall be reported to the Treasurer for accounting and credited to the Department.

Section 8.2. BUDGET AND FINANCIAL CONTROL

Para. 1. The Department Finance Committee shall control all funds of the Department as provided by these Bylaws, subject to the approval of the Department Executive Committee or the, Department Convention.

Para. 2. The Finance Committee shall be composed of five (5) voting members. The Department Commander shall appoint four members of the committee, one of which will be the Chairman. The Department Treasurer shall be one of the five voting members. The Department Adjutant may be appointed as Secretary to the committee, ex-officio.

Para. 3. The Finance Committee shall determine the form of Department vouchers, accounting and bookkeeping provided; however, that these shall be within the standards of good bookkeeping practices and policies.

Para. 4. The Finance Committee shall determine an annual budget based on expected receipts and expenditures of the Department. Budgets and requests for funds from officers or committees shall be submitted to the Finance Committee not later than April 1, prior to the convening of the Department Convention for approval and incorporation into the Department budget. The proposed budget shall be submitted to the Department Convention for approval.

Para. 5. In the event the proposed budget is not approved by the Department Convention and is returned to the committee with the recommendations for revision, the Department Executive Committee shall have authority to act for the convention and approve the revised budget.

Para. 6. Until the proposed budget is approved, the Finance Committee may authorize the expenditure of the Department funds to permit the Department to fulfill its obligations and carry out normal activities. These actions and expenditures shall be reported to the Department Executive Committee.

Para. 7. The proposed budget shall provide funds for the obligations of the Department.

Para. 8. The Finance Committee shall concur with and secure the approval of the Executive Committee for all funds expended in excess of the proposed budget and will ensure that such non-budgeted items do not exceed the ability of the Department to meet such expenditures.

Section 8.3. FUNDRAISING PROJECTS

Para. 1. The Department Commander may approve and disapprove the holding of any fundraising project within the Department subject to an appeal to the Executive Committee. Any and all fundraisers must have the National Executive Committee final approval as required by Article 15, Section 15.2, Para. 2 of the National Bylaws. Forget-Me-Not drives are not subject to the approval of the Department Commander. All Forget-Me-Nots shall be purchased from the National Headquarters by chapters.

Para. 2. No person, chapter, or committee shall solicit or sponsor the solicitation of any advertising for any program, bulletin, periodical or publication without prior approval of the Executive Committee, except the Convention Committee for the next convention magazine which is published annually, and an official publication of the Department Executive Committee.

Para. 3. The publication of programs for the Department Conventions shall be governed by the Convention Committee subject to the approval of the DEC.

Para. 4. Policy for Chapter Fundraising

a. All fundraising will be conducted in accordance with the National Constitution and Bylaws.

- b. Each chapter is encouraged to conduct at least one fundraising project per year.
- c. All fundraising activities, with exception of the Forget-Me-Not Drive must have written approval of the Department Commander at least thirty (30) days in advance of the commencement of the fundraising activity. All requests for approval by the Department Commander must be received at Department Headquarters, (including notification of intention to hold the Forget-Me-Not Drive), early enough to be reviewed and approved. The fundraising project must be assigned a control number by the Department.
- d. Each chapter conducting a fundraising activity must submit the results to the Department no later than (30) days after completing the activity or awarding the prize.
- e. All Chapters must be in compliance with all existing laws of the State of South Carolina.

Section 8.4. BOND FOR OFFICERS

Para. 1. It is the responsibility of the Department and Chapters to protect DAV assets from theft or conversion. This responsibility includes, without limitation implementation of sound financial management practices and insurance to cover theft losses. In the absence of such insurance, the National Organization shall provide a mechanism by which the Department or Chapter may be reimbursed for the theft or conversion by Department or Chapter assets by an elected or appointed Department or Chapter Officer. Any such reimbursement shall be governed by the provisions of the DAV National Bylaws Article 14, Section 14.9.

ARTICLE IX – CHAPTERS

Section 9.1. RECOGNITION OF OFFICERS

All Chapter Officers must hold office at least six (6) months of his or her elected year, in order to receive official recognition after his/her term of office. The exception to this would be if the officer became ill or promoted to higher position in the DAV.

Section 9.2. CHAPTER CHARTERS

No chapter shall operate within the Department until it shall have received a National charter. A petitioning group desiring a charter shall apply to the Department Adjutant in writing. The charter application properly filled out and approved, shall be signed by the Adjutant and forwarded to National Headquarters for approval and issuance of the charter. All chapters will be chartered in accordance with Article VI of the National Bylaws, and no chapter may be named for a living person.

Section 9.3. POWERS AND DUTIES

Para. 1. A chapter to remain active and in good standing shall have fulfilled the following responsibilities.

- a. Hold at least four scheduled meetings during the fiscal year with a quorum of officers present.
- b. Hold an annual election of officers at least thirty (30) days prior to the Department Convention and forward a list of such officers to the Department and National Headquarters within ten (10) days after the installation. There shall be at least a Chapter Commander, a Senior Vice Commander, a Junior Vice Commander, a Treasurer, and a Chaplain elected. A Chapter Adjutant may be elected or appointed, and the Chapter Adjutant/Treasurer *may* be one and the same, as per Chapter Constitution and Bylaws.

Para. 2. Each Chapter must adopt such Constitution and Bylaws for the conduct of its business as it may deem advisable, provided, however that such Constitution and Bylaws shall not be inconsistent with the National and Department Constitution and Bylaws and should be submitted through the Department to National Headquarters for approval. A copy of the Chapter Constitution and Bylaws or amendments thereto shall be furnished to the Department and National Judge Advocates for their approval or rejection of any changes of a Chapters Constitution and Bylaws or amendments thereto. Upon their approval of the Department Judge Advocate will forward three (3) copies of said Constitution and Bylaws or amendments to the National Judge Advocate for approval or rejection. Upon the approval of said Constitution and Bylaws the original will be returned to the Chapter for it files and a copy will be returned to the Department for its files. The third copy will be retained at National Headquarters. Any rejection of a Chapter's Constitution and Bylaws by the Department Judge Advocate along with National Judge Advocate may be brought to the Department Commander so that the matter can be brought before the Department Executive Committee and if need be referred to the National Executive Committee.

Para. 3. No chapter or group of chapters shall conduct any fundraising projects outside the immediate area wherein such chapter or chapters is/are located without the consent of the Department Executive Committee.

Para. 4. All chapters within the Department of South Carolina, whether incorporated or not, shall come under the jurisdiction of the Department of South Carolina, its Constitution and Bylaws. It is strongly recommended that all chapters be incorporated for the protection of all members.

Para. 5. As required by the United States Internal Revenue Services (IRS) regulations, chapter Bylaws must direct the disposition of any funds and materials belonging to the chapter in the event the Charter is surrendered or revoked permanently.

ARTICLE X – CORPORATE DESIGNATIONS

Section 10.1. This corporation is not organized for profit. It shall issue no stock. No part of its net earnings shall inure to the benefit of any individual. No member shall have any, pecuniary interest in any of the income, earnings, assets, or property of the corporation, nor shall any part thereof be withdrawn or distribute to any of its members.

Section 10.2. The officers of this corporation shall be the Department Officers as designated by the laws of the State of South Carolina.

Para. 1. The change in the names of the officers as required by elections within the corporation shall be submitted to the State of South Carolina as required.

Para. 2. In the event the Department of South Carolina should lose its statue and default its Charter, all properties and funds shall fall under the authority of the Disabled American Veterans National Constitution and Bylaws.

Section 10.3. The board of directors of this corporation shall be the Department Executive Committee, who shall act as such.

Section 10.4. The Constitution and Bylaws of this Department, and all amendments thereto shall be binding on all members and chapters of this Department. Each member and chapter thereof severally agree not to bring any action or proceeding in any court of law of equity until all remedies provided in the Department and National Constitutions and Bylaws have been exhausted.

AUXILIARY AND ASSOCIATED ORGANIZATIONS

Para. 1. The Department of South Carolina recognizes an Auxiliary of the Disabled American Veterans, as auxiliary unit of the Disabled American Veterans, Department of South Carolina, Incorporated, subject to its supervision and recommendations.

ARTICLE XI AMENDMENTS

These Bylaws may be amended at any Department Convention by a three-fourth (3/4) vote of the total accredited delegates assembled, provided that the proposed amendments shall have been read to the convention at least one calendar day before they are voted on. The approved amendments will then be submitted to the Department Judge Advocate and then to the National Judge Advocate for approval. Upon approval, the amendments shall be Incorporated into the Bylaws and shall become binding on all members of the Department.

ARTICLE XII – GENDER

The masculine as used throughout these Bylaws shall include the feminine.

ARTICLE XII – PEN AND INK CHANGES

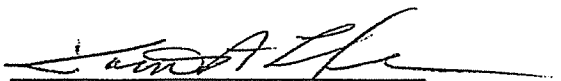
The Department Adjutant, at the direction of the Constitution and Bylaws Committee, will be authorized to issue pen and ink changes to the Constitution and Bylaws for the correction of spelling errors or to correct the omission of words that changes the intent of the basic document. All such changes will be read to be approved by the Department Executive Committee prior to the issue of change.

ARTICLE XIV – NATIONAL ORGANIZATION

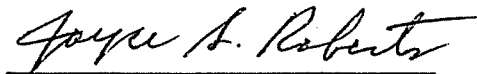
The Department recognizes the National Organization as Disabled American Veterans Incorporated by Act of Congress and affirms its allegiance and subordination to the National Organization, its Constitution, Bylaws and all rules, mandates and regulations promulgated pursuant thereto. Upon dissolution of the Department, the assets remaining, after payments of its debts shall be distributed as provided in Article 6, Section 6.4, Paragraphs 5 and 6 of the National Bylaws.

Section 2. To the extent to which any of the provisions of this Constitution and Bylaws are, or may at any time become, inconsistent or in conflict with the provisions of the Constitution and Bylaws and lawful mandates, decision and regulations of the National Organization, as now in force or as hereafter amended or adopted, this instrument shall be deemed amended as to conform thereto.

September 25, 2021



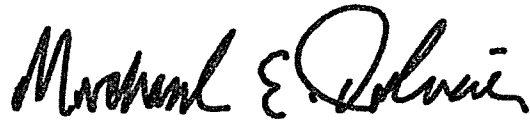
Jaime A. Lleras
Department Adjutant



Joyce S. Roberts.
Department Commander



William Robinson
Department Judge Advocate



Michael E. Dobmeier
National Judge Advocate

I CERTIFY that the within constitution and/or by-laws does not conflict with those of the National Organization, and to that extent, is approved.

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Date: 10-19-21
DAV National Judge Advocate