



TO: All Post and District Commanders/Adjutants

6 March 2019

Subject: Constitution and/or Bylaws Submissions

AMENDMENTS/CHANGES TO POST OR DISTRICT BYLAWS

Once you have determined there needs to be a change made to your post or district bylaws, you will need to generate a document with the following sections included:

NAME AND ARTICLE: such as Article X, EXECUTIVE COMMITTEE

“NOW READS”: Write section as it reads in your current Bylaws.

“NOW READS”: Write how it will read if passed.

“CERTIFICATION”: Includes certification, dates of reading, and Commander’s and adjutants signatures.

*** (PLEASE SEE SAMPLE BELOW) ***

NEW COSTUTION AND/OR BYLAWS

If you are replacing your constitution and/or bylaws, you will find an updated sample copy of bylaws on the Department website (www.calegion.org). Once you go into the website, from the home page click on “RESOURCES” and then under By-laws and Constitution you will find sample copies for both posts and districts in both PDF and Word format. You can simply download the Word copy as a template. You can then enter the information pertaining to your post or district. The sample templates are meant only as a starting point. If you need to make some adjustments to meet the needs of your post or district., you may do so as long as they remain in compliance with Department and National Constitution and Bylaws. Please refrain from rearranging the order of the articles are in. This makes it easier for the Area Commissioner to review and maintains an element of consistency.

Common pitfalls:

- At the top of the Post bylaws, you must identify both your post physical address as well as the mailing address (not required for District).
- All references to Board of Directors or Executive Board need to read Executive Committee. This is the proper reference used in the Department bylaws.
- All issues in the C&B affecting the Post or District must be approved by the respective Post or District.

- Please pay particular attention to anything referring to any reports that must be submitted to Department. Department Bylaws will always take precedence on this issue.
- Please be careful to keep them in a language format that the post or district members can read and understand. In other words, refrain from over verbalizing them.

APPROVAL AND SUBMISSION PROCESS

Have the First Reading on the floor at a Regular Post/District Meeting under New Business. Next notify the Post/District General Membership of the second reading and approval vote. The best way is to put the next meeting date and time when you will have your second reading and vote in your post newsletter or by mass email. Make the second reading in the next Regular Meeting under Unfinished Business. Have the Second Reading and vote. The vote is normally a majority vote of those present and voting.

Once the change or new constitution or bylaws are approved by the membership, you will need submit a PDF copy of the signed copy to Department at bylaws@callegion.org for review. They will be forwarded to your Area C&B Commissioner. If approved, it will be submitted to Department for entry into the record. If not approved, it will be returned to the Post/District with a detailed explanation of what needs to be corrected before resubmission. **All amendments and new C&B must be in compliance with California and National Constitution and Bylaws** (their changes will usually be made at the Department or National Convention). If you have any questions or difficulties, please contact your Area Commissioner or me at motorbones53@gmail.com or (916) 204-8151.

Each Post or District are responsible to maintain their C&B in compliance with the state or national C&B. Post C&B must be submitted by the individual Post to Department and not through or by the District, though you are free to have them reviewed by them for accuracy and completeness.

Mark L. Rice
Commission Chairman
Constitution and Bylaws Commission, DOC

(SAMPLE FOR CHANGES/AMENDMENTS)

**American Legion Post 999
(Mailing Address)**

**AMENDMENT TO POST BYLAWS
ARTICLE X, SECTION 5**

PRESENTLY READS:

Section 5. The Executive Committee shall regularly meet at least once between meetings of the Post at a time and place designated by said Committee. A majority shall constitute a quorum. Said Committee may hold such special meetings as said Committee or the Commander may deem advisable, notice thereof being mailed to each member at least seventy-two (72) hours before the time and place of the meeting and the matter to be considered.

CHANGE TO:

Section 5. The Executive Committee shall regularly meet at least once between meetings of the Post at a time and place designated by said Committee. A majority shall constitute a quorum. Said Committee may hold such special meetings as said Committee or the Commander may deem advisable, notice thereof being mailed to each member at least seventy-two (72) hours before the time and place of the meeting and the matter to be considered. The Executive Committee can in special or an emergency situation at directions of the Post Commander can conduct Executive Committee meeting by electronic means (e-mail, conference call, etc).

CERTIFICATION

Above the signatures of the Commander and Adjutant, certify to the following:

“We hereby certify that the above By-Law Amendment was read at two meetings of the Post and adopted on _____, a quorum being present, and by a two-thirds (2/3) vote of those present and voting.”

First reading: _____ .

Second reading and adoption: _____ .

Signed by,

Commander

Adjutant