



THE AMERICAN LEGION
Department of Texas
Jeremy E. Ray Post 324
Jersey Village, Texas

POST CONSTITUTION

PREAMBLE

For God and Country, we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations in the Great Wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

ARTICLE I -- NAME

Section 1. The name of this organization shall be the Jeremy E. Ray Post 324, The American Legion, Department of Texas.

ARTICLE II – PURPOSE

Section 1. The objects and purposes of this Post shall be to promote the principles and policies as set forth in the foregoing Preamble, and the National and Department Constitutions of The American Legion.

ARTICLE III -- NATURE

Section 1. This Post is a civilian organization and membership therein does not affect or increase liability for military or police service.

Section 2. The American Legion, Department of Texas, Jeremy E. Ray Post 324 shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

Section 3. Rank does not exist in The American Legion; no member shall be addressed by his/her military or naval title in any meeting of this post.



THE AMERICAN LEGION
Department of Texas
Jeremy E. Ray Post 324
Jersey Village, Texas

ARTICLE IV – ELIGIBILITY AND MEMBERSHIP

Section 1. Eligibility for membership in this post shall be as prescribed by the National Constitution and By-Laws of the American Legion, The Department of Texas, and as further stated in this Constitution and By-Laws.

Section 2. There shall be no form or class of membership except active membership. Membership shall be only through a post, and dues shall be paid annually or for life.

Section 3. Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the Post Executive Committee.

Section 4. All applications for membership and transfers into this Post shall be acted upon at the next post general meeting following the making of such application or transfer, and shall, at such meeting, be accepted, rejected or referred for further investigation and consideration. If a majority of the members present at the post general meeting cast their vote against the acceptance of such application, then such application shall be recorded as rejected.

Section 5. No person may be a member at any one time of more than one post in The American Legion.

Section 6. No person who has been expelled by a post shall be admitted to membership in another post without the consent of the expelling post, except that where such consent has been denied by such post, he may then appeal to the Executive Committee of the department of the expelling post for permission to be admitted to membership in another post, and shall be ineligible for membership until such permission is granted.

Section 7. Each Post shall be the judge of its own membership, subject only to the restrictions of the National and Department Constitution and By-Laws.

Section 8. Transfers. Any member in good standing, to include members of Headquarters Post 345, moving or transferring to a post near their home shall be transferred using The American Legion Member Data Form, completed by the new post, without additional payment of dues. The new post shall be the judge of its own membership in accordance with Article III, Section 5, Department of Texas Constitution and By-Laws. Dues already paid shall remain with the original post and the transfer shall be complete upon issue of a new membership card.

Section 9. A member of this post may be expelled for cause by a two-thirds (2/3) vote of the Executive Committee after charges are preferred under oath in writing, and a fair trial had upon the same, under the rules and regulations of the Department of Texas and the Uniform Code of Procedure and Supplement 1.



THE AMERICAN LEGION
Department of Texas
Jeremy E. Ray Post 324
Jersey Village, Texas

ARTICLE IV – Continued

Section 10. If a member is expelled in a disciplinary proceeding, his/her membership is suspended until his/her final appeal is heard and a decision is rendered, and if he/she is expelled by the decision, he/she shall not be eligible for membership in this post for one year from the date of expulsion, and then only in the event his/her application for reinstatement is approved in the manner in which memberships are approved in this post.

Section 11. If a Post determines one of its members is not eligible for membership, the post shall notify the Department Adjutant at once in writing so that his name can be forwarded to the National Headquarters for removal from the membership rolls. It shall be presumed that a member who will not furnish proof of eligibility within 30 days of a written request, certified mail, return receipt requested is not eligible for membership in The American Legion.

ARTICLE V -- OFFICERS

Section 1. The administrative affairs of this post of The American Legion shall, except as may be otherwise provided by the By-Laws, be under the supervision of a Post Executive Committee which shall consist of at least (2) members in addition to the officers of the post. The term of office of members of the Post Executive Committee shall be for one (1) year. This post, by its By-Laws, may provide for such other standing committees as the business of the organization may require.

Section 2. The officers of this post shall be a Commander, a First Vice Commander (Membership), a Second Vice Commander (Programs), an Adjutant, a Finance Officer, a Judge Advocate, a Historian, a Chaplain, a Sergeant at Arms, a Service Officer, and such other officers as may be deemed necessary by this organization, who shall be nominated from the floor at the meeting preceding the annual election.

Section 3. A nominating committee shall be appointed by the Post Executive Committee, who shall report their nominations to the regular monthly meeting next preceding the annual election of officers. Nominations may also be made from the floor at such meeting, and again at the meeting for the annual election. Nominations will take place during the routinely scheduled February meeting with voting occurring during the March meeting. Newly elected officers will be installed during the regularly scheduled April meeting.



THE AMERICAN LEGION
Department of Texas
Jeremy E. Ray Post 324
Jersey Village, Texas

ARTICLE V -- Continued

Section 4. All officers and executive committeemen shall be elected annually, by majority vote on written ballots, at a Post meeting held not less than fifteen (15) days prior to the Department Convention, and shall be installed not later than the first regular post meeting in October following their election. Only those members holding current calendar year membership cards shall have the privilege of vote in the election. They shall hold office until their successors are duly installed. Any post officer or Post Executive Committeeman may be removed for cause by the Post Executive Committee, a two-thirds (2/3) vote of said committee being necessary to affect such removal. The membership shall be entitled to be present at the Post Executive Committee meeting without voice or vote. The decision of the Post Executive Committee shall be subject to the approval or reversal by the post membership at the next regular post meeting where a quorum is present.

Section 5. The duties of officers and executive committeeman shall be those usually appertaining to such officers or committeemen and as further provided in the By-Laws.

Section 6. Officers and executive committeemen are expected to attend the regular meetings of the post and Post Executive Committee. Failure of any officer or executive committeeman to attend three (3) successive meetings, without reasonable cause having been furnished the Post Adjutant or Post Commander, shall be cause for forfeiture of said office. The Post Executive Committee shall decide when an officer's failure to attend three (3) successive regular business meetings, without reasonable cause having been furnished the Post Adjutant or Post Commander, shall be cause for forfeiture of said office. The Post Executive Committee shall decide, when an officer by his/her failure to attend three (3) successive business meetings has forfeited his/her right to continue in office, when or whether to declare such office vacant, and when to order an election to fill the vacancy.

Section 7. In case of vacancy in any office for any cause, the said vacancy shall be filled at any regular meeting provided at least fourteen (14) days notice of such election has been given to the members.

ARTICLE VI -- FINANCE

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

Section 2. The amount of membership or initiation fees and the annual dues shall be fixed and determined by this post.



THE AMERICAN LEGION
Department of Texas
Jeremy E. Ray Post 324
Jersey Village, Texas

ARTICLE VI -- Continued

Section 3. The post shall pay to Department Headquarters the Department and National annual membership dues not more than thirty (30) days from receipt thereof for each paid member of the post.

ARTICLE VII -- CHARTER MEMBERS

Section 1. Members who joined this post prior to the issuance of the Post 324 Permanent Charter shall be known as charter members.

ARTICLE VIII -- AMENDMENTS

Section 1. This Constitution is adopted subject to the provisions of the National and Department Constitution of The American Legion. Any amendment to said National Constitution or Department Constitution which is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.

Section 2. This Constitution may be amended at any regular post meeting by a vote of two-thirds (2/3) of the members in good standing of this post attending such regular meeting; provided that the proposed amendment shall have been submitted in writing to the Post Executive Committee in session and approved by it; or if rejected, in whole or in part, it may be taken to a regular post meeting on a minority report; and provided that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said post; and provided further, that written notice shall have been given to all members at least fourteen (14) days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the constitution is to be voted upon.

Section 3. Anything not covered by this constitution shall be governed by the Constitution of the Department of Texas.



THE AMERICAN LEGION
Department of Texas
Jeremy E. Ray Post 324
Jersey Village, Texas

ARTICLE IX -- REAL PROPERTY

Section 1. Real property owned by the post may be sold, leased or otherwise disposed of, where control of said property is involved, in accordance with Department Constitution and By-Laws, at any regular meeting by a vote of two-thirds (2/3) of the post members attending a regular meeting, provided that the proposal shall have been submitted in writing, after approval by a majority of the Post Executive Committee, if there be a Post Executive Committee, and further after approval by a majority of the Board of Trustees, if there be a Board of Trustees, and read at the preceding regular meeting of the post, and provided further notice shall have been given all members by mail at least fourteen (14) days in advance of the date when such proposal is to be voted upon.

Section 2. Upon purchasing real estate, the post will notify the Department of Texas.



THE AMERICAN LEGION
Department of Texas
Jeremy E. Ray Post 324
Jersey Village, Texas

POST BY-LAWS

ARTICLE I -- NAME

Section 1. The post existing under these By-Laws is to be known as Jeremy E. Ray Post 324, The American Legion, Department of Texas.

Section 2. The objects of this post are as set forth in the Constitution.

ARTICLE II -- MANAGEMENT

Section 1. The government and management of the post is entrusted to a Post Executive Committee which shall consist of two (2) members in addition to the officers of this post. They shall be elected annually as provided in Article V, Section 4, of this Constitution, and all shall take office immediately upon installation.

Section 2. The Post Executive Committee shall meet for organization and such other business as may come before it at the call of the Post Commander within ten (10) days after the installation of the new officers. Thereafter the Post Executive Committee shall meet at the call of the Post Commander at least once a month and as often as said Post Commander may deem necessary. The Post Commander shall call a meeting of the Post Executive Committee upon the joint written request of three (3) or more members of said Post Executive Committee. A majority of the members of the Committee shall constitute a quorum thereof.

Section 3. The Post Executive committee shall hire such employees as may be necessary; shall authorize and approve all expenditures; shall require adequate bonds from all persons having the custody of post funds; shall cause all funds to be placed in the hands of the Post Finance Officer for deposit and accounting purposes; shall hear the reports of Post Committee Chairmen, and generally, shall have charge of and be responsible for the management of the affairs of this post. At the end of each fiscal year, an audit committee shall be appointed with the Post Judge Advocate as Chairman to conduct a complete audit of post records before turning them over to the new Post Finance Officer. Except for hiring and firing of employees, all actions of the Post Executive Committee shall be submitted for approval to the membership at the next regular membership meeting.



THE AMERICAN LEGION
Department of Texas
Jeremy E. Ray Post 324
Jersey Village, Texas

ARTICLE III -- DUTIES OF OFFICERS

Section 1. Duties of Post Commander -- It shall be the duty of the Post Commander to preside at all meetings of the post and to have general supervision over the business and affairs of the post, and such officer shall be the Chief Executive Officer of the post. The Post Commander shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the post for the year, and recommendations for the ensuing year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the Department Adjutant. The Post Commander shall see that this Constitution and By-Laws is observed. The Post Commander shall perform such other duties as are directed by the post.

Section 2. Duties of Post First Vice Commander (Membership) -- The Post First Vice Commander shall assume and discharge the duties of the office of Post Commander in the absence or disability of, or when called upon by the Post Commander and shall be fully involved in, and responsible for, all aspects of Post Membership.

Section 2a. Duties of the Post Second Vice Commander (Programs) – The Post Second Vice Commander shall assume and discharge the duties of the Post Commander in the absence or disability of, or when called upon by the Post Commander or the Post First Vice Commander, and shall be fully involved in, and responsible for, all aspects of Post Programs or Operations.

Section 3. Duties of the Post Adjutant -- The Post Adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the Department and National Organizations may require, issue membership cards, handle certificates of transfer, render reports of membership annually or when called upon at a meeting, and under direction of the Post Commander, handle all correspondence of the post. The Post Adjutant shall comply with Article V, Section 5, Department Constitution.

Section 4. Duties of the Post Finance Officer -- The Post Finance Officer shall have charge of all finances and see that they are safely deposited in some local bank or banks and shall report once a month to the Post Executive Committee and the Post, in writing, the condition of the finances of the post, with such recommendations as the Post Finance Officer may deem expedient or necessary for raising funds with which to carry on the activities of the post. The Post Finance Officer shall sign all checks disbursing the moneys of the post, such checks to be countersigned by the Post Commander, as authorized by the Post Executive Committee. The post shall furnish such surety bond in such sum as shall be fixed by the Post Executive Committee.



THE AMERICAN LEGION
Department of Texas
Jeremy E. Ray Post 324
Jersey Village, Texas

ARTICLE III -- Continued

Section 5. Duties of Post Judge Advocate -- The Post Judge Advocate shall supply professional advice in the conduct of the post business, or to retain proper counsel. The Post Judge Advocate shall be the Chairman of any committee concerning the amendment of the Post Constitution or By-Laws. The Post Judge Advocate shall be in charge of the annual audit of the post financial accounts as set out in Section 3, Article II of these By-Laws. The Post Judge Advocate shall be responsible for the orderly conduct of disciplinary procedures.

Section 6. Duties of the Post Historian -- The Post Historian shall be charged with the individual records and incidents of the post and post members, and shall perform such other duties as may properly pertain to the office as may be determined by the post or Post Executive Committee.

Section 7. Duties of Post Chaplain -- The Post Chaplain shall be charged with the spiritual welfare of the post comrades and will offer divine but non-sectarian service in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by the National or Department Headquarters from time to time.

Section 8. Duties of Post Sergeant at Arms -- The Post Sergeant at Arms shall preserve order at all times and meetings, and shall perform such other duties as may be from time to time assigned to the Post Sergeant at Arms by the Post Commander or Post Executive Committee. The Post Sergeant at Arms shall have charge of the Post Colors, and shall not display or permit them to be displayed without specific authority of the Post Commander.

Section 9. Duties of Post Service Officer -- The Post Service Officer shall comply with the Service Officer's Manual and Post Officers Guide of The American Legion, and recommendations of National and Department Headquarters, and needs of this post.

ARTICLE IV -- DELEGATES

Section 1. Delegates and alternates to a Department, Division, or District Convention shall be elected by the post at a regular meeting of the post to be held not less than fourteen (14) days prior to the date of such convention. However, the Post, by two-thirds (2/3) vote of members' present may authorize the Post Commander to appoint said delegates. The Post Commander shall, immediately upon their election or appointment, designate the chairman. Alternates for delegates shall have all the privileges of registered delegates except that of voting. A registered delegate is one who has received his/her credentials after his/her registration fee has been paid.



THE AMERICAN LEGION
Department of Texas
Jeremy E. Ray Post 324
Jersey Village, Texas

ARTICLE IV -- Continued

Section 2. Each duly registered delegate shall be entitled to one vote. At the time the delegates are elected, the post will select either the Pro-Rata Rule or the Modified Unit Rule, as described below, as the method of voting for those delegates who do not attend the convention.

a. Modified Unit Rule Each duly registered delegate shall be entitled to one vote, unless there are less delegates than votes. Under those circumstances, each delegate will cast one vote, then any votes of absent delegates will be cast, in their entirety, in accordance with the majority of the delegates in attendance.

b. Pro Rata Rule Each duly registered delegate shall be entitled to one vote, unless there are less delegates than votes. Under those circumstances, each delegate present will be entitled to a portion of the total number of votes allocated to the Post that is directly proportionate to the percentage that the delegate represents of the total delegation present.

Section 3. The chairman of the delegation shall cast the entire delegate vote on any convention matter, after first polling the delegates present, so as to reflect the vote of each delegate present.

ARTICLE V -- DUES - FISCAL YEAR

Section 1. Annual dues shall be as prescribed by the post and shall be payable on or before October 20th of each year for the succeeding calendar year. A member whose dues for the current year have not been paid by January first shall be classed as delinquent. If his/her dues are paid on or before February first, he/she shall be automatically reinstated. If he/she is still delinquent after February first, he/she shall be suspended from all privileges. If he/she is still under such suspension on June thirtieth of such year, his/her membership in The American Legion shall be forfeited. A member so suspended or whose membership has been so forfeited may be reinstated to active membership in good standing by vote of the Post and payment of current dues for the years in which the reinstatement occurs.

Section 2. The newly elected Post Officers shall be installed at a regular or special meeting, as may be designated by the Post Executive Committee, as soon as practicable after the annual election, not later than the first regular Post meeting in April following their election, and according to Article V, Section 4 of this Constitution.

Section 3. The Chairman of the membership committee may recommend to the Post Executive Committee the names of members whose dues shall be paid for by the Post with reasons for such recommendation. The Post Executive Committee shall have the power to approve or reject such recommendations except new members and transfers.



THE AMERICAN LEGION
Department of Texas
Jeremy E. Ray Post 324
Jersey Village, Texas

ARTICLE VI -- POST COMMITTEES APPOINTMENTS

Section 1. The Post Commander, immediately upon taking office each year, shall appoint such standing committees as the Post Commander deems necessary for the efficient operation of the post, such as those listed in the Post Officers Guide; the Post Commander shall also appoint such other committees as the Post Commander finds to be necessary from time to time. All of such committees shall consist of such members and the chairman thereof as shall be designated by the Post Commander and confirmed by the Post Executive Committee.

Section 2. The duties and functions of the respective post committees shall be in accordance with the current Post Officers Guide of The American Legion and with the recommendations of National and Department Headquarters.

ARTICLE VII -- RESOLUTIONS

Section 1. All resolutions of State or National scope presented to this post by a member or reported to this post by a committee shall merely embody the opinion of this post on the subject and copy of same shall be forwarded to the Department Headquarters for its approval before any publicity is given or action other than mere passage by the post is taken.

ARTICLE VIII -- MEETINGS

Section 1. The regular and special meetings of this post shall be held at the second Sunday of each month to convene at 16:00 hours or as otherwise designated by the Post Commander, at which place may be transacted such business as may properly be brought up for action, approve the minutes of the previous meeting and minutes of all Post Executive Committee meetings since the last regular meeting; such meetings may be converted into entertainment meetings, as may be deemed advisable by the officers of the post. Procedure at regular meetings shall comply with the current Manual of Ceremonies.

Section 2. The regular business meetings of the post shall be as determined by the post. Other business or social meetings may be held as directed by the Post Commander and the Post Executive Committee.

Section 3. The Post Commander or a majority of the Post Executive Committee shall have power to call a special meeting of the post at any time.



THE AMERICAN LEGION
Department of Texas
Jeremy E. Ray Post 324
Jersey Village, Texas

ARTICLE VIII -- Continued

Section 4. Upon the written request by signed petition of not less than five (5) of the members in good standing of this post delivered to the Post Commander, requesting a special meeting of the post, the Post Commander shall call the said special meeting within not less than seven (7) days, nor more than fourteen (14) days after receipt of the said petition. In the said petition, shall be stated the purpose for which the meeting is requested, and matters not pertaining to said purpose for the meeting shall not be considered at such meeting. In notices given to the membership of said meeting, the subject matter to be discussed shall be stated. The Post Commander or a majority of the Post Executive Committee shall have the power to call a special meeting of the post, and the notice of the call for this meeting sent to the membership shall contain the subject matter to be discussed at the said meeting, and the said meeting shall not discuss other matters not relating to said notice.

Section 5. At least five (5) members in good standing shall constitute a quorum at any regular or special meeting of the post.

ARTICLE IX -- NOTICES

Section 1. Every member shall furnish the Post Adjutant with his/her address for mailing purposes along with a current phone number and an active email address. Notices sent to the last known address shall constitute sufficient legal notice.

Section 2. The Post Adjutant shall cause written and/or electronic notice of the annual election to be given by mailing the notice at least fourteen (14) days prior thereto.

ARTICLE X -- RULES OF ORDER

Section 1. All proceedings of this post shall be conducted under and pursuant to Robert's Rules of Order, Newly Revised, except as herein otherwise provided.

ARTICLE XI -- LIMITATIONS OF LIABILITIES

Section 1. This post shall incur, or cause to be incurred, no liability, nor obligations whatsoever which shall subject to liability any other post, subdivision, group of men or women, members of The American Legion, or other individuals, corporation, or organization.



THE AMERICAN LEGION
Department of Texas
Jeremy E. Ray Post 324
Jersey Village, Texas

ARTICLE XII -- AMENDMENTS

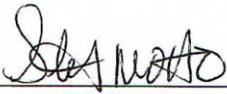
Section 1. These By-Laws may be amended at any regular post meeting by a vote of two-thirds (2/3) of the members of said Post attending such regular meeting; provided that the proposed amendment shall have been submitted in writing to the Post Executive Committee in session and approved by it; or if rejected in whole or in part, it may be taken to a regular post meeting on a minority report; and provided that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said post, and provided, further, that written notice shall have been given to all members at least fourteen (14) days in advance of the date when such amendment is to be voted upon, notifying all said members that at such meeting a proposal to amend the By-Laws is to be voted upon.



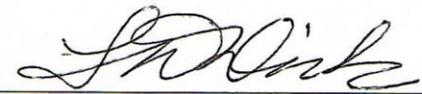
THE AMERICAN LEGION
Department of Texas
Jeremy E. Ray Post 324
Jersey Village, Texas

POST CERTIFICATION

We, the following officers of Jeremy E. Ray Post 324, The American Legion, The Department of Texas hereby certify that the foregoing Constitution and By-Laws, after due notice was given to all members, was adopted at a regular meeting of this Post held on the 12th day of February, 2017, A. D.



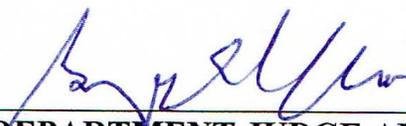
POST COMMANDER



ATTESTED: **POST ADJUTANT**

DEPARTMENT CERTIFICATION

Passed on by the Department Judge Advocate on the 20th day of March, 2017, A. D.,
and Approved by the Department Executive Committee on the 16th day of July, 2017, A. D.



DEPARTMENT JUDGE ADVOCATE