

**CONSTITUTION AND BYLAWS OF
THE SONS OF THE AMERICAN LEGION
DETACHMENT OF CALIFORNIA**

SONS OF THE AMERICAN LEGION CONSTITUTION

PREAMBLE

Proud possessors of a priceless heritage, we male descendants of veterans of all wars, associate ourselves together as "Sons of The American Legion" 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 true spirit of Americanism; to preserve the memories of our former members and the associations of our members and our forefathers in all Wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and 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 friendship by our devotion to mutual helpfulness; to adopt in letter and spirit all of the great principles for which The American Legion stands; and to assist in carrying on for God and Country.

ARTICLE I –NAME

Section 1. The name of the organization shall be Sons of The American Legion - Detachment of California, hereinafter referred to as "Detachment".

Section 2. Permanent headquarters of the Detachment shall be in such city as designated by the Annual Detachment Convention or the Detachment Executive Committee.

ARTICLE II - ELIGIBILITY AND MEMBERSHIP

Section 1. The eligibility for membership in Sons of The American Legion shall be those conditions set forth in Article IV, Section 1, of the National Constitution of Sons of The American Legion as amended.

Section 2. There shall be no form or class of membership except an active membership.

Section 3. No person may be a member at any time of more than one Squadron.

Section 4. No person who has been expelled by a Squadron, shall be admitted to membership in another Squadron, without the consent of the expelling Squadron, except that where such consent has been asked for and denied by such Squadron, the denied person may then appeal to the Detachment Executive Committee for permission to be admitted to membership in another Squadron, and shall be ineligible for membership until such permission is granted.

Section 5. No transfer can be made unless the transferring applicant has previously paid their dues for current year at present squadron.

Section 6. No Fee shall be charged to applicant for the transfer. No dues shall be transferred with the applicant. Squadrons accepting the applicant may issue a new membership card for the current paid year from the squadron.

Section 7. No member of Sons of The American Legion in good standing shall be excluded or denied membership because of race, creed, or color in any group affiliated with Sons of The American Legion that uses the prestige, name, or emblem of Sons of The American Legion.

ARTICLE III - NATURE

Section 1. Sons of The American Legion is a civilian organization; membership therein does not affect nor increase liability for military or police service

Section 2. The Sons of The American Legion, Detachment of California shall be nonpolitical and shall not be used for dissemination of partisan principles or for the promotion of the candidacy of any person or group seeking American Legion office, public office, or preferment.

Section 3. The Sons of The American Legion, Detachment of California shall be nonsectarian.

Section 4. Each member shall perform his duty as a citizen according to his own conscience and understanding, according to the law.

ARTICLE IV - DEPARTMENT ORGANIZATION

Section 1. The Advisory body of the Detachment shall be the members of the Department Sons of The American Legion Commission.

Section 2. The Department organization of the Sons of The American Legion shall be designated by the Department of California and the Department Sons of The American Legion Commission.

ARTICLE V - DETACHMENT ORGANIZATION

Section 1. The Sons of The American Legion in the Department shall be organized as a Detachment, as a subordinate body to the national organization of the Sons of The American Legion, and only in accordance with the existing regulations within the Department of California of The American Legion.

Section 2. The Sons of The American Legion, Detachment of California shall be organized under the jurisdiction and sponsorship of the local Post, District, Area or Detachment of The American Legion as follows: "The Sons of The American Legion, a unit of the Department of California, Detachment of California."

Section 3. The Department of the American Legion shall have jurisdiction over units of the Sons of The American Legion, organized within the Department of California.

Section 4. All units of the Sons of The American Legion in the Detachment of California shall be governed by such rules and regulations as may be prescribed by the National Executive Committee of the Sons of the American Legion as approved by such further rules and regulations as may be prescribed by the Executive Committee of the American Legion, Department of California, not inconsistent with those prescribed by the National Organization.

Section 5. The Sons of The American Legion, Detachment of California, shall coincide with the Areas and Districts of The American Legion, Department of California and may be adjusted from time to time to coincide with the Districts of the Department of California, American Legion.

ARTICLE VI – DISTRICTS

Section 1. The District shall bear the name of the sponsoring District of the American Legion and shall conform with the regulations of the District of The American Legion having jurisdiction, along with any subsequent regulations or governing documents.

Section 2. To form a new District, or to re-activate a District which is deemed inactive, a majority of squadrons, with a minimum of three (3), in each District must be in attendance and vote to organize a District at an organizational meeting which shall be called by the District Commander of the sponsoring American Legion District. The sponsoring District must send a letter to the Adjutant of the Department of California certifying the organizational meeting and furthermore certifying that the District has voted to support the action of sponsoring Sons of The American Legion District.

Section 3. In any District where at least three (3) Squadrons are in good standing for which there are no officers elected for the District as herein above comprised, the Detachment Commander shall call an election to be presided over by such person as they may designate, at which election each Squadron in such District shall cast the same number of votes as it held at the previous Detachment Convention.

Section 4. The District officers shall be: Commander, First (or SR) Vice Commander, Second (or JR) Vice Commander, Adjutant, Finance Officer, Judge Advocate, Chaplain, Sergeant-at-Arms, and three Executive Committee members. Each District may have a Third Vice-Commander. The Commander, Vice Commanders and three Executive Committee members shall be elected. The Finance Officer may be elected or appointed, The District Commander shall appoint the following: Adjutant, Judge Advocate, Chaplain, Sergeant-at-Arms, and other officers as the District Constitution and/or Bylaws may provide. All elected officers shall serve as Executive Committee members.

Section 5. The District Commander is the official representative of the Detachment Commander, Detachment Vice Commanders and Area Vice Commander to the Squadrons in the District and is the executive officer of the District. It is the duty of the District Commander to cooperate with the officers of the Squadrons in the District.

Section 6. District Commanders shall ensure that all the Squadrons in their District are compliant with the requirements stated in Article VII.

Section 7. District Vice Commanders shall, in order of their rank, perform the duties of and have the powers of the District Commander when the latter officer is unable to act, or in the event of the removal, resignation, or death of the District Commander. It shall be the duty of each District Vice Commander to at all times cooperate with the District Commander and assist them in the performance of their duties.

Section 8. In addition to the Annual Meeting, the District shall hold such regular or special meetings as may be deemed necessary. No special meeting shall be held unless notice be transmitted to each Squadron and its delegates at least ten (10) days prior to the time of the holding of the meeting, giving the time and place of the meeting and the matter to be considered. Only the business for which the special meeting was called may be discussed at the meeting.

Section 9. Districts shall adopt Bylaws for the government of the business of the District, but no such Bylaws shall be inconsistent with the National Constitution and Bylaws of The American Legion or the Constitution and/or Bylaws of the Detachment.

Section 10. District Bylaws may provide in the event any District officer is absent for two (2) consecutive meetings of the District without being excused by the District Commander, the office which such District officer occupies may be declared vacant by a majority vote at a regular District meeting of the delegates present and voting after written notice to all the Squadrons that such vote will be taken.

Section 11. District Bylaws shall provide for the filling of any vacancy in an elected office.

Section 12. Each District shall, within one hundred twenty (120) days following the National Convention, certify to the Detachment that their Bylaws, have been amended to conform to all revisions required by the National Constitution and/or Bylaws of Sons of The American Legion or the Constitution and Bylaws of Sons of The American Legion - Detachment of California. Mandated Bylaw changes do not need to be approved by Detachment.

ARTICLE VII – SQUADRONS

Section 1. The local unit shall be referred to as the “Squadron”. A Squadron must be sponsored by a local Post of The American Legion. The Post Commander shall appoint a “Liaison” to generally supervise and coordinate the forming of a Squadron throughout the chartering process. This liaison will then serve as the first Post Advisor to the newly chartered Squadron.

Section 2. The minimum membership for forming a squadron of the Sons of The American Legion shall be ten (10) new members.

Section 3. Squadrons shall adopt the name and number of their sponsoring Post.

Section 4. There shall be only one squadron of the Sons of The American Legion for each post of The American Legion.

Section 5. The officers of the local Squadron shall include the following: Commander, at least one Vice Commander, Adjutant, Finance Officer and 3 Executive Committee members. The Squadron should also have a second Vice Commander (then a SR and JR Vice Commander), Chaplain, Historian, and Sergeant-at-Arms and assistants as necessary to perform duties.

Section 6. The Squadron Commander and Vice-Commanders shall be elected officers and may not hold any other offices in the Squadron. The other officers may be elected by the membership or appointed by the Squadron Commander and ratified in accordance with the Squadron Bylaws. Any other officer may hold two (2) or more appointed offices.

Section 7. All officers and members of the Executive Committee of each squadron shall be elected annually for the term of one year by the members of the squadron subject to final approval by the advisory committee of the local post of which the squadron is affiliated.

Section 8. Each Squadron shall adopt bylaws and submit the same to the Detachment, within ninety (90) days of receiving a charter. No such bylaws shall be inconsistent with the National Constitution and Bylaws of Sons of The American Legion or the Bylaws of the Detachment.

Section 9. Each Squadron shall meet at least once each month during no less than ten (10) months of each year, and a quorum shall be fixed at not less than four (4) members of which one member shall be the Commander or Vice Commander.

Section 10. No special meeting may be held by a Squadron unless notice is sent to each member at least ten (10) days prior to the time of holding the meeting, giving the time and place of the meeting and the matter to be considered.

Section 11. The Squadron may provide in its Bylaws a process to declare an office abandoned in the event a Squadron officer is absent for three (3) consecutive meetings of the Squadron or of the Executive Committee, without being excused by the Squadron Commander or Executive Committee.

Section 12. The Squadron Finance Officer and any officers and/or positions charged by the Squadron Bylaws with the responsibility of handling Squadron funds should be bonded under a Surety bond.

Section 13. Squadron elections shall be held annually, at a regular meeting. Elective and appointed officers shall serve for one year and should be installed by a current or past Post or Squadron Commander in accordance with the National Manual of Ceremonies, prior to July 1st and following the annual Squadron elections. Installation may also be held coincidentally with the Post, in which case the qualifying installing officer for the Post could also install Squadron officers.

Section 14. Nomination for Squadron elected offices shall be made at two (2) regular meetings in separate months, notice of which shall be given at the previous regular meeting. The Squadron may require written notice of the nominations meeting be sent to each member at least ten (10) days prior to an election.

Section 15. All elections for opposed positions shall be by secret ballot and a majority of all votes cast shall be required for the election of officers. Secret ballots shall be retained for thirty (30) days by the Squadron Adjutant.

Section 16. Each Squadron in its Bylaws shall provide for the filling of any vacancy in any elected office.

Section 17. Each Squadron shall pay annually to the Detachment such per capita tax levied by Detachment Convention, plus the per capita tax levied by the National Organization. Squadrons will pay such per capita tax in full within thirty (30) days of receipt of payment of annual dues received from a Squadron member.

Section 18. Each Squadron shall maintain financial records using standard accounting practices; such records to be examined by a reputable bookkeeper, certified public accountant, or a Committee of three (3) competent persons, none of whom shall be the Commander, Adjutant, Finance Officer or other person charged with the responsibility of handling Squadron funds.

Section 19. The Detachment Constitution and Bylaws Commission shall make available approved Sample Bylaws for Squadrons and Districts to be adopted or modified and adopted by Squadrons and Districts. No modifications or subsequent amendments shall be inconsistent with the National Constitution and Bylaws of The Sons of the American Legion or the Constitution and Bylaws of the Detachment.

Section 20. Proposed Bylaws or Amendments thereto must be submitted in writing at a regular meeting of the Squadron or District and read thereat. At the next regular meeting the proposed Amendment must be read again

and may be adopted by a two-thirds (2/3) affirmative vote. The Squadron may also require no amendment be adopted unless notice be transmitted directly to each member stating the time and place of the meeting. Time for the giving of such notice shall be determined by the Squadron, but in no event shall such time be less than ten (10) days.

Section 21. All Squadron and District Bylaws and any Amendments to the same hereafter adopted shall be submitted to Detachment and forwarded to the Constitution and Bylaws Commission for review and approval. No original Bylaws or Amendment thereto may be in final force and effect until approved by the Detachment Constitution and Bylaws Commission but may be temporarily enforced pending action thereon if amendments are consistent with the National Constitution and Bylaws of Sons of The American Legion or the Constitution and Bylaws of Sons of The American Legion, Detachment of California.

Section 22. Each Squadron within ninety (90) days following the National Convention shall amend their Bylaws to conform to all revisions required by the National Constitution and Bylaws of The American Legion or the Constitution and/or Bylaws of Sons of The American Legion - Detachment of California. Mandated bylaw changes do not need to be approved by Detachment.

Section 23. All Squadrons shall submit a Squadron Data Report by April 15th of each year. All Squadrons shall submit a Consolidated Squadron Report, Certification of Squadron Officers, Certification of Detachment Convention Delegates and Delegate fees to Detachment by June 1st of each year. Any Squadron failing to submit these reports or pay their balances shall be placed on probation until submission has been verified by the Detachment Adjutant, are not in good standing, and will not be accreditable (seated) at the Detachment Convention.

ARTICLE VIII – DETACHMENT EXECUTIVE COMMITTEE

Section 1. (a) The elected officers of this organization shall be the Commander, a Sr. Vice Commander, a Jr. Vice Commander, National Executive Committeeman, Alternate National Executive Committeeman, Area Vice Commanders, Sergeant-at-Arms and Chaplain. The Area Vice Commanders are to represent the Areas of the Detachment, as set forth in Article V, section 5, no two being members of the same Area. National Executive Committeeman and Alternate National Executive Committeeman whose terms shall be two (2) years and may be elected to consecutive terms. Elected District Commanders where certification of District Officers has been submitted.

(The term of service for elected officers shall be no more than one consecutive year except for the Area Vice Commanders that may serve a maximum of two consecutive years and the District Commanders for which there is a maximum of two consecutive years unless the position is unopposed, or the District Bylaws specify a maximum of consecutive years which may be served).

(b). The appointed officers shall be the Adjutant, Finance Officer, Judge Advocate, and Historian. They shall be appointed each year by the Commander with the approval of the Detachment Executive Committee to serve until their successors are selected or until removed by the Detachment Executive Committee upon recommendation of the Commander.

(c.) Past Detachment Commanders

ARTICLE IX - ADMINISTRATION

Section 1. The legislative body of the organization shall be a Detachment Convention.

Section 2. The annual convention limited to three (3) consecutive days of which one (1) day shall be a Sunday, shall be composed of delegates and alternates for each Squadron, each Squadron being entitled to two (2) delegates and two (2) alternates, and one (1) additional delegate and one (1) additional alternate for each ten (10) members, or major fraction thereof, active forty-five (45) days prior to the opening date of the Detachment Convention. The vote of each Squadron registering at the convention shall be equal to the total number of delegates to which the Squadron is entitled.

Section 3. Each Squadron in the Detachment shall, by June 1st, elect delegates, and alternates to such convention, and shall certify such election to the Detachment by June 1st. Said certification shall be sent to Detachment Headquarters and be authenticated by the Squadron Commander or Squadron Adjutant. No delegate or alternate from any Squadron shall be accredited in the Detachment Convention unless all obligations to the Detachment existing thirty (30) days prior to the Detachment Convention shall have been satisfied.

Section 4. Convention Delegate fees shall be established by the Detachment Executive Committee for each delegate to which the Squadron is entitled. The Adjutant shall bill each Squadron at the time the Squadron is notified of the number of delegates to which it is entitled. Said sum shall be paid by the deadline set by the Adjutant's office, before the opening date of the convention, and no delegate shall be accredited if said sum has not been paid.

Section 5. All past Detachment Commanders, members of the Detachment Executive Committee and all incumbent elected Detachment officers who attend and register as such, shall be delegates to the Detachment Convention with voice and vote. Convention registration fees for such delegates shall be waived.

Section 6. All chairpersons of the Detachment Standing Commissions, if not elected as delegates, shall be delegates of the Detachment Convention, but with no right to vote.

Section 7. A quorum at a Detachment Convention shall consist of two-thirds (2/3) of the Squadrons partially or fully represented.

Section 8. Standing Committees of each convention shall be the following: Constitution and By-Laws; Credentials; Finance; Internal Affairs; Committee to Instruct; Convention Rules and Committees as the Convention or the Detachment Commander shall deem fit.

Section 9. The Credentials Committee shall be appointed by the Detachment Commander in such number as he may deem advisable, from among such delegates as will be present in the city of the convention prior to its convening.

Section 10. Convention standing Committees shall organize and function within 48 hours prior to the opening of the Convention.

Section 11. (a.) Any resolutions shall be submitted to the Detachment Adjutant at least 15 days prior to the opening of the convention.

(b.) Resolutions shall be retained by the Detachment Adjutant until called for and received by the chairperson of the respectively assigned standing Commission or Committee and made available to all Squadrons for review at least 10 days prior to the opening of convention.

Section 12. At the Detachment Convention, all resolutions shall be reviewed by the Adjutant and assigned to the appropriate Convention Standing Committee within 48 hours prior to the opening of Convention. The Standing Committee shall review the resolution and make a recommendation for passage on the convention floor. The resolution shall be returned to the Detachment Adjutant for presentation on the Convention Floor. Resolutions shall be made available to the delegates before being considered on the Convention Floor.

Section 13. (a.) At each Detachment Convention a budget shall be prepared by the Convention Finance Committee, said budget after setting forth the allocation for specified items including Detachment Adjutant's office and the expenses for the Detachment Commander, shall also carry an item for contingencies not otherwise provided for, such budget to be presented to the convention for its consideration. The convention shall have the right to modify the budget as so prepared and thereafter adopt said budget as prepared or as so modified.

(b.) After the adoption of the said budget no funds of the Detachment in excess of the budget shall be expended without the approval of a two-thirds (2/3) vote of the Detachment Executive Committee and majority approval of the Detachment Finance Commission, or a three-fourths (3/4) vote of the Detachment Executive Committee without the majority approval of the Detachment Finance Commission. Such action of the Detachment Executive Committee shall be final.

Section 14. There may be a Detachment Advisory Council composed of the Detachment Commander, the Detachment Junior Past Commander, the Detachment Vice Commanders, National Executive Committee Member, Past Detachment Commanders, or other members to be assembled at the discretion of the Detachment Commander. The Detachment Adjutant shall be the Secretary of this Committee with voice, but no vote.

Section 15. The Detachment Commander, the Detachment Vice Commanders, Sergeant-at-Arms and the Detachment Chaplain shall be elected at the annual Detachment Convention and shall hold office until the close of the following Detachment Convention.

Section 16. The election of the Area Vice Commanders representing the Areas of the Detachment shall be by vote of the delegates of the Squadrons of each specific Area, provided further that the Area Vice Commander shall be a member of a Squadron of the specific Area they are elected to represent.

Section 17. The National Executive Committee Member and the Alternate National Executive Committee Member shall be elected at a regular Detachment Convention.

Section 18. All elections at Detachment Convention shall be by roll call of Certified Squadrons. Each Certified District Commander shall be considered a Delegate in their own right and shall be entitled to one vote.

Section 19. A vacancy in an elected office of the Detachment, whether such vacancy occurs through death, or inability to act as the Detachment officer, shall be filled by the Detachment Executive Committee. The Detachment Commander, or the Detachment Adjutant in the event of a vacancy in that office, shall summon

the Detachment Executive Committee to elect a successor to fill such vacancy for the balance of said term. In the event of a vacancy of an Area Vice Commander, a new Vice Commander shall be elected at the next meeting of the Area they represent.

Section 20. In case of death, resignation, removal, or inability to act of the National Executive Committee Member, the Alternate National Executive Committee Member shall automatically become the National Executive Committee Member to serve for the remainder of the unexpired term. The Detachment Executive Committee or the Annual Detachment Convention, at the first meeting after such vacancy occurs shall select a successor to the Alternate National Executive Committee Member, for the remainder of the unexpired term.

Section 21. In case of death, resignation, removal, or inability to serve as the Alternate National Executive Committee Member, the Detachment Executive Committee, or the Detachment Convention at the first meeting after such vacancy occurs, shall elect a successor to the Alternate National Executive Committee Member to serve for the remainder of the unexpired term. If both positions are vacated, a new National Executive Committee Member and Alternate National Executive Committee Member shall be elected at the next Detachment Executive Committee meeting.

ARTICLE X -FINANCES

Section 1. The revenue of the Sons of The American Legion, Detachment of California, shall be derived from the annual membership dues and from such other sources as may be approved by the National Executive Committee or the Department of California or the Sons of the American Legion Commission or the Detachment Executive Committee.

Section 2. Each Squadron shall pay annually (on or after July 1st each year) to the Detachment such per capita tax levied by Detachment Convention, plus the per capita tax levied by the National Organization. Squadrons will pay such per capita tax in full within thirty (30) days of receipt of payment of annual dues received from a Squadron member.

Section 3. The annual membership dues, in addition to the National and Detachment dues, shall be prescribed by each individual squadron.

Section 4. If not transmitted via MyLegion.org the annual Detachment and National dues shall be collected by each squadron and transmitted by mail to the Department.

Section 5. A "Call-In" check will be issued to elected and appointed Detachment Officers, (including/and up to the two (2) Assistant Sergeant-At-Arms and the two (2) Assistant Adjutants) reporting at and attending the entire meeting of a duly called Detachment Executive Committee meeting when listed in the official call. A two (2) tier Call-In system shall be used to compute payment amounts. Officers excluded are the Detachment Commander and the Detachment Adjutant. Committeemen, Commissioners, and other members in good standing may also be called at the discretion of the Detachment Commander.

Tier One (1) shall be defined as any person subject to a call-in traveling two hundred twenty-five (225) miles or more. He shall receive a check, in the amount to be fixed, and determined by the Finance Commission and approved by the Detachment Executive Committee.

Tier Two (2) shall be defined as any person subject to a call-in traveling under two hundred twenty-five (225) miles. He shall receive a check, in the amount to be fixed, and determined by the Finance Commission and approved by the Detachment Executive Committee that is no less than seventy-five percent (75%) of the value of Tier One (1).

Section 6. A line item will be designated in the budget to reimburse Delegates of National Conventions. The amount of said line item will be determined by the Detachment Finance Commission and approved in the general budget at the previous Detachment Convention. It will be divided equally amongst all Delegates who met the following requirements:

- A. Attend the National Convention as an official Delegate of the Detachment of California.
- B. Register prior to roll call of States at the Saturday session, be in attendance during the conducting of business for the entirety of the Convention. An exception may be made if absent due to attending a committee or commission meeting.
- C. The delegation chairman shall determine the eligibility of the reimbursement and disbursement at the close of the National Convention. This amount is not to exceed actual costs incurred by the Delegate.

Section 7. All requests for reimbursement shall be presented to the Detachment Finance Officer no later than thirty (30) days from the date that the expense was incurred. Expenses incurred less than thirty (30) days prior to the Pre-Convention DEC shall be presented to the Detachment Finance Officer no later than the day of the Pre-Convention DEC. Expenses incurred at or in connection with the Convention will be submitted to the Detachment Finance Officer no later than five (5) days after the Post Convention DEC. Requests for reimbursement that are untimely based upon the aforementioned requirements must be approved by the Detachment Finance Commission at their next regularly scheduled meeting.

Section 8. Any member requesting reimbursement from the Detachment may do so only for official Sons business and only if no other reimbursement is received.

ARTICLE XI - APPOINTMENT AND ELECTION OF DELEGATES TO THE NATIONAL CONVENTION

Section 1. The delegates and alternates to the National Convention shall consist of such number as is prescribed by the National organization of the Sons of the American Legion and shall be elected from the membership of the Detachment in the following manner:

Section 2. The Detachment Commander, the Detachment Junior Past Commander (The Delegation Chair), and the Detachment Adjutant (The Delegation Secretary) shall automatically serve as Delegates. The Remaining Delegates allocated to the Detachment shall be elected by Nomination at the Detachment Convention.

Section 3 Alternate delegates shall be designated to serve in the place of absent delegates by the chair of the delegation, in accordance with the rules of the National Convention.

Section 4. The reasonable and necessary expenses of the Detachment Commander, the Detachment Junior Past Commander, and the Detachment Adjutant to and from the National Convention shall be paid by the Detachment.

Section 5. The registration fee of all delegates from this Detachment to the National Convention will be paid by the Detachment. The amount of such registration fee will be included in the budget approved by the Detachment Convention.

ARTICLE XII – CHILD PROTECTION POLICY

The Detachment will follow the latest version of the American Legion Department of California’s Child Protection Policy. This includes background investigation reports on all D.E.C. members. The Detachment will be responsible for the cost of said reports from the duly authorized vendor for same. Squadrons are on their own for the costs incurred at their level. Any Son who is in direct contact with persons under the age of 18 as a result of their involvement in the Sons, is subject to this policy. There will be no exceptions. Anyone running for any office from District up should be aware that their election will be contingent upon the favorable result of any such report.

ARTICLE XIII – DISCIPLINE OF MEMBERS

Section 1. Each Squadron of Sons of The American Legion shall be the judge of its own membership subject to the restrictions of the National Constitution and Bylaws.

Section 2. Members of Sons of The American Legion who are members of Squadrons of this Detachment shall be subject to disciplinary action as provided in the most recent edition of Department of California of The American Legion’s Administrative Hearing Manual.

ARTICLE XIV - ELECTRONIC MEETINGS AND CORRESPONDENCE

Section I. Electronic meetings are authorized for all official meetings of the Detachment, Areas, Districts and Squadrons including, but not limited to Commission/Committees, using one of the following formats:

- Full-featured Internet, or combination Internet/telephone, meeting services that integrate audio (and optionally video), text, and voting capabilities.

- Telephone meetings, with Internet services for conducting secret votes and sharing documents.

- A speakerphone in the meeting room to allow members who are not physically present to participate by telephone.

- Telephone meetings without Internet support (and without any central meeting room).

Section 2. Electronic correspondence is authorized for all notification of special meetings and official business. All other provisions herein regarding timing of notices, etc. still apply.

ARTICLE XV - PARLIAMENTARIAN AUTHORITY

The rules contained in the current edition of Robert's Rules of Order Newly Revised will govern Sons of The American Legion - Detachment of California in all cases to which they are applicable and in which they are not inconsistent with these this document, any special rules of order the Detachment may adopt, and Federal, State and Local regulations.

BYLAWS OF THE SONS OF THE AMERICAN LEGION

ARTICLE I - DUTIES OF OFFICERS

Section 1. **COMMANDER:** The Detachment Commander shall preside at all Executive Committee Meetings and shall preside at the Annual Detachment Convention. The Commander will be the Chief Executive Officer of the Detachment and shall bear ultimate responsibility. To this end, the Commander will make all appointments as permitted by the Detachment By-Laws and approved by the Convention and/or Executive Committee. The Commander shall represent the Detachment of California at various events such as: Installations, Initiation Ceremonies, Flag Disposal Ceremonies, Funeral Services, Charter Presentations and other Special Ceremonies and Presentations. The Vice Commanders or other Detachment Officers may fill in in his absence.

Section 2. **SENIOR VICE COMMANDER:** The Sr. Vice Commander will be available to represent the Commander in his absence. The Sr. Vice Commander will be responsible for Membership. The Membership Chairman shall report to the Sr. Vice Commander if they are not one and the same. The Sr. Vice Commander shall be responsible for communication between the Detachment and the National Membership Chairman. The Sr. Vice Commander shall keep the Commander advised on all matters regarding membership. The Sr. Vice Commander shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

Section 3. **JUNIOR VICE COMMANDER:** The Jr. Vice Commander will be responsible for Americanism Programs. The Americanism Chairman shall report to the Jr. Vice Commander if they are not one and the same. The Jr. Vice Commander shall be responsible for communication between the Detachment and the National Americanism Chairman.

The Jr. Vice Commander shall keep the Commander advised on all matters regarding Americanism. The Jr. Vice Commander shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

Section 4. **ADJUTANT:** The Detachment Adjutant shall be the Chief Administrative Officer of the Detachment. His duties will be performed in accordance with the Detachment Constitution and By-Laws, by maintaining the Detachment records, and publishing any necessary orders, announcements, and instructions. Any Assistant Adjutants shall report to the Detachment Adjutant. The Detachment Adjutant shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and Bylaws.

Section 5. **FINANCE OFFICER:** The Detachment Finance Officer shall be the Chief Finance Officer of the Detachment. The Detachment Finance Officer shall not serve as the Chairman or Vice Chairman of the Detachment Finance Commission, but shall be one of the Technical

Advisor of said Commission. The Detachment Finance Officer is required to make a full financial report annually at the Detachment Convention, interim reports at all Detachment Executive Committee meetings. His duties will be performed in accordance with the Detachment Constitution and Bylaws. The Detachment Finance Officer shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

Section 6. SERGEANT-AT-ARMS: The Detachment Sergeant-At-Arms will be responsible for preserving order at all meetings of the Detachment. He shall have custody of the Detachment Colors. He shall identify all persons at Detachment meetings and shall be responsible for the sign in roster and introducing dignitaries and guests at all meetings. The Assistant Sergeant-At-Arms will report to the Sergeant-At-Arms. He shall also be responsible for ensuring that the meeting room is set up properly prior to meetings. The Detachment Sergeant-At-Arms shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

Section 7. CHAPLAIN: The Detachment Chaplain shall perform such divine and nonsectarian service as outlined in the Detachment Constitution and By-Laws. The Detachment Chaplain shall be ready upon occasion to take part in dedication ceremonies and the funeral services of a comrade. The Detachment Chaplain shall organize the annual memorial service at convention and perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

Section 8. HISTORIAN: The Detachment Historian shall document all activities of the Detachment and also compile a history of the year. This history shall be submitted to National and available at the following year's Detachment Convention. The Detachment Historian shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

Section 9. JUDGE ADVOCATE: The Detachment Judge Advocate shall advise the Commander regarding Constitution and By-Laws and parliamentary procedure when requested. The Detachment Judge Advocate shall also be a Technical Advisor to the Constitution and By-Laws Commission. The Detachment Judge Advocate shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

Section 10. VICE COMMANDERS: The Area Vice Commanders shall have the duty to be the Detachment representative within their geographic areas. They shall work with the other officers and Commission/Committee Chairmen on Programs and projects within these geographic areas. They shall assist with membership and the distribution of membership cards after the Convention. They shall assist the Americanism Chairman in deploying the Five Star Medal of Service Program. They shall assist the Commander in identifying those persons who could serve on Detachment Commissions/Committees. They shall make themselves available for providing resources and education to the Squadrons. The Area Vice Commanders shall be a part of any efforts to develop new Districts and Squadrons within their geographic areas with assistance from the Sr. Vice Commander. The Area Vice Commanders shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

Section 11. NATIONAL EXECUTIVE COMMITTEEMAN: It shall be the duty of the National Executive Committeeman to represent the Detachment of California at all National Executive Committee meetings. He shall maintain a high level of professionalism, remembering that he represents the entire Detachment of California. He shall vote in the best interest of the Detachment of California and will carry out the mandates of the Detachment of California without regard for personal feelings or the expediency of the moment. The

National Executive Committeeman shall advise the Detachment and especially the Detachment Commander and Department Sons of The American Legion Commission Chairman of all actions at the National Executive Committee meetings and National Conventions. He shall refer all recommendations for National appointments to the Internal Affairs Commission of the Detachment of California for a recommendation to the Detachment Executive Committee as to the worthiness of any given individual to perform the duties of any office for which this individual is being nominated.

Section 12. ALTERNATE NATIONAL EXECUTIVE COMMITTEEMAN: The Alternate National Executive Committeeman shall serve in the case that the National Executive Committeeman should be absent, dies in office, is unable to complete his term of office, or is removed from office. The Alternate National Executive Committeeman shall perform the same duties and requirements as the National Executive Committeeman when called upon to serve. Otherwise, he should advise the Detachment Commander of all programs and actions that are taking place at the National Executive Committee, and National Convention.

ARTICLE II - EXECUTIVE COMMITTEE

Section 1.

(a) Between conventions, the executive power shall be vested in a Detachment Executive Committee to be composed of the Detachment's elected officers: Commander, Detachment Vice Commanders, Detachment Sergeant-at-Arms, the National Executive Committee Member, the Alternate National Executive Committee Member, Area Vice Commanders, District Commanders, Past National and Detachment Commanders. The Detachment Adjutant shall be the secretary of this Committee with voice but no vote.

(b) The Detachment Adjutant, Finance Officer, Judge Advocate, and Historian, at the discretion of the Commander may have a clarifying voice on matters concerning their office or function, but no vote.

(c) The appointment of the Detachment Adjutant, Judge Advocate, Finance Officer and Historian by the Detachment Commander shall be approved by the delegates of the Annual Detachment Convention or by the Detachment Executive Committee between Detachment annual conventions.

Section 2. (a) The Executive Committee, a two-thirds vote of said committee being necessary to effect such removal, may remove any Officer or Committeeman for inefficiency. An officer who is absent from two (2) or more Executive Committee meetings may be removed upon due investigation of the Executive Committee.

Section 3. The Detachment Executive Committee of the Sons of The American Legion shall meet in conjunction with the Department Executive Committee. It shall also meet within 24 hours preceding the Detachment Convention, and within 24 hours following the Detachment Convention.

Section 4. The Commander may call any additional meetings of the Detachment Executive Committee as he sees fit for training, advisory, social or business sessions as he may deem necessary, which may be held by electronic means in accordance with Article 14, Section 1. of the Constitution. Since they are above and beyond the required meetings as set forth in the previous section, there will be no "call-in," reimbursement of expenses, or any "tiers" applicable to these additional committee meetings. However, the duties of officers and rules of both notice and attendance will apply equally to any of these meetings so called. Any session held by electronic means for the transaction of Detachment business which may require votes shall be called only on an as-needed basis and noticed, agendized, and conducted with the formality of any in-person D.E.C.

Section 5. The following Detachment Officers will receive an official call-in:

- Senior Vice Commander
- Junior Vice Commander
- Finance Officer
- Sergeant-At-Arms
- Chaplain
- Historian
- Judge Advocate
- Area Vice Commander's
- National Executive Committeeman
- Alt. N.E.C.
- All Past Detachment Commanders
- All duly elected and certified District Commanders

In addition to the above Officers, Chairman and/or any other members of the following Commissions / Committees may be officially called in to report. Convention City, Children and Youth, Americanism if different from the Jr. Vice Commander, Membership if different from the Sr. Vice Commander. Any other Commission / Committee deemed necessary may be called in by the Detachment Commander. Under no circumstances will any one individual receive more than one (1) call-in voucher, no matter how many titles are held.

The Detachment Commander and the Detachment Adjutant will receive a call-in, however, they are exempt from the voucher clause as they fall under a different budget line-item number. An Official call-in is defined as a paid Call-In in accordance with Article XI Section 5. of the Detachment Constitution.

Section 6. The Detachment Commander shall have the full authority to call in members of the Department Sons of The American Legion Commission as necessary and they shall be entitled to the same "call-in" allowance as Detachment Executive Committee Members provided that they are not receiving or are entitled to any other type of compensation from any other source within the Department of California.

Section 7. A Squadron may be placed on probationary status, for a period not to exceed one (1) year, prior to the Detachment Executive Committee recommending suspending, canceling, or revoking a Squadron charter to the Department. Probationary status is administrative in nature and allows for the continued operation of the Squadron, with full voting and operating rights, albeit under the scrutiny, supervision, control and authority of the Detachment Executive Committee.

Section 8. Any Squadron failing to meet the conditions, obligations, duties or liabilities imposed upon it by the National and/or Detachment Constitution and/or Bylaws or failing to pay its per capita or other monies due from the Squadron to the National, Detachment, or a District to which the Squadron belongs, or either of them or ceases to function for six (6) months continuously as a Squadron of The Sons of The American Legion, or voluntarily ceases to function as a Squadron shall upon order of the Detachment Executive Committee cure such default within the time fixed by the Detachment Executive Committee in its order and upon failure of the Squadron so to do, the Squadron shall be recommended for suspension or cancellation to the Department Executive Committee.

Section 9. Upon revocation, cancellation, or suspension of the charter of the Squadron by the Department, such Squadron will immediately cease operations and upon suspension, revocation or cancellation shall turn over its charter to the Detachment Commander and the Detachment is authorized through the sponsoring Post Commander, or such other person as may be designated by the Post Commander, to take possession, custody and control of all records, property and assets of such Squadron provided, however nothing herein contained is or shall be construed as obligating or requiring the Department or Detachment to take over, assume, or become liable for any financial responsibility or obligation as to such property.

Section 10. The Detachment shall make provision for the transfer of the members from any Squadron whose charter is canceled or revoked to other Squadrons of their choice, subject to the consent and approval of the Squadron to which said member or members may be transferred.

Section 11. At any Detachment Executive Committee Meeting, upon the affirmative vote of at least two-thirds (2/3) of those Members of the Committee present and voting, any members of Sons of The American Legion, in good standing, shall be given the privilege on the floor, so long as said member speaks on the subject before the Committee.

ARTICLE III - COMMISSIONS AND COMMITTEES

Section 1. Upon taking office, the Detachment Commander shall, with the approval of the Detachment Executive Committee, appoint members to the open vacancies on Commissions and appoint or reappoint Committee members.

All members of the Standing Detachment Commissions and Committees shall serve at the pleasure of the Detachment Commander. The Detachment Commander, with the approval of the Detachment Executive Committee, shall have the full authority to make any personnel changes for just cause on any Commission or Committee for the good of the Detachment of California.

Section 2. Commissions should be composed of members selected from each Area, if possible. Commissioners shall serve a term of three (3) years, or until a successor is appointed.

Section 3. The Detachment Commander and the Detachment Adjutant shall be ex-officio members of all Commissions and Committees with voice and vote, but not counted to determine a quorum.

Section 4. No person shall serve on the same Detachment Commission for all or any part of more than three (3) consecutive terms; provided that any full term, which is less than a three (3) year term because of convention action in creating; abolishing or reorganizing any Commission, shall be excluded from said three (3) consecutive terms. The Detachment Commander may remove any member of any Commission who fails to perform the required duties. The Detachment Commander may fill a vacancy caused by such action in the said manner as an original selection.

Section 5. The Standing Commissions of the Detachment of California shall be VA&R, Children and Youth, Americanism, Finance, Constitution and By Laws, and Internal Affairs. Standing Commissions shall be limited to a maximum of five (5) members including the Chairman, and shall serve for three (3) years, except that the Detachment Finance Commission shall have seven (7) members including the Chairman and shall serve for three (3) years.

Section 6. The Standing Committees of the Detachment of California shall be Membership, Convention City, Leadership & Training, Public Relations, and National Guest Relations. Standing Committees shall be limited

to a maximum of three (3) members including the Chairman and shall serve for one (1) year. The Membership Committee shall be exempt from the three (3) member rule.

Section 7. The Detachment Commander shall have the full authority to call in any Commission or Committee, including the Technical Advisors, to meet and report.

Section 8. Any member of the Sons of The American Legion in good standing may be appointed by the Detachment Commander to any Standing Commission or Committee.

Section 9. Any conflicts between the Detachment Constitution and Bylaws, and the “Detachment Financial Guidelines” (attached hereto as Appendix A) shall cause the “Detachment Financial Guidelines” to be automatically amended to conform to the Detachment Constitution and Bylaws.

Section 10. One (1) person each shall be appointed to serve a three-year term as the Detachment Legislative Advocate - North and as Detachment Legislative Advocate - South.

Section 11. The Commander shall have the full authority, not subject to approval of the Detachment Executive Committee, to appoint up to (2) two technical advisors to any Standing Commission or Committee. Said technical advisors will have full voice for recommendations, but no voting privileges on any actions taken by subject Standing Commissions or Committees.

Section 12. Each Standing Commission shall be appointed in odd numbers and have staggered terms.

Section 13. The appointments made for the initial year will have the length of service on the Commissions determined in the following manner.

A. The Commander shall nominate the members of each Commission.

B. Upon confirmation, the newly appointed member’s name shall be placed into a lottery for the initial length of service. The first two (2) names drawn shall serve an initial one (1) year term, the second two names shall serve an initial two (2) year term, and the final 2 names shall be drawn and announced, and they shall serve a 3 year term. The next year’s incoming Commander shall fill any vacancies for three years.

Section 14. There shall be no limit on the number of times a member of a Committee may be re-appointed on any given Committee.

Section 15 The Commander shall appoint a chairman of each Commission and Committee. The Chairman shall serve as administrative head of said Commission or Committee for a period of one year and said appointment shall have no effect on the term of service on such Commission or Committee.

Section 16. Upon the first meeting, each Commission and Committee shall elect a Vice-Chairman subsequently approved by the Detachment Commander.

Section 17. The Commander has the authority to create any special Committees he may deem necessary for the operation of the Detachment Business and shall determine the number of members. These Committees shall be known as “Special Committees.” Any Committee created from this section shall expire at the close of the Detachment Convention immediately following the appointment or upon command of the Commander.

Section 18. Detachment Commissions and Committees shall subscribe to the following duties:

- A. **AMERICANISM:** To administer the mandates and established goals of the National Americanism Commission within the Detachment of California. To coordinate any overlapping of Department programs dealing with Americanism; and to promote the program to the Squadrons in California.
- B. **CHILDREN AND YOUTH:** To administer the mandates and established goals of the National Children and Youth Commission within the Detachment of California. To coordinate any overlapping of Department programs dealing with Children and Youth; and to promote the program to the Squadrons in California.
- C. **CONSTITUTION AND BY-LAWS:** Recommend to the Detachment changes necessary or advisable to the Detachment documents for the improved operation of the Detachment and such other duties as are delegated to it in the Bylaws of the Detachment. The Commission shall review and approve District and Squadron Constitution and Bylaws. The Detachment Judge Advocate shall serve as a Technical Advisor to the Constitution and Bylaws Commission. All actions of the Commission pertaining to Detachment Documents shall be approved by the Detachment Internal Affairs Commission prior to approval of the Detachment of California.
- D. **CONVENTION CITY:** To investigate the facilities of cities designated by the Department to host a Department Convention; to recommend to the Detachment Convention any programs and entertainment to be held at Detachment Convention; and upon the convention being awarded to a city by the Department Convention, the Detachment Convention Committee may become the Detachment Commander's official representative, with the duties of coordination all phases of convention activities with the convention city or corporation. All actions of the Committee shall be approved by the Detachment Internal Affairs Commission prior to approval of the Detachment of California.
- E. **FINANCE:** To perform such duties as are outlined in the "Detachment Financial Guidelines", to generally care for the finances of the Detachment of California and report to the Detachment Executive Committee concerning the finances of the Detachment. The Finance Commission shall prepare a proposed budget for each and every year before each Detachment Convention for the approval by the Delegates, using financial data provided by the Department of California.
- F. **INTERNAL AFFAIRS:** To review internal policies and programs to insure that they are meeting the goals established by the Detachment Executive Committee, Detachment Commander, and the Department of California Sons of The American Legion Commission; to provide as a defense from persons of an undesirable character; to review and recommend to the Detachment Commander and Detachment Executive Committee resolutions, programs, Constitution and Bylaw changes and other policies, not in conflict the National Executive Committee of the Sons of The American Legion, that serve the goals of the Detachment and The American Legion Family.
- G. **LEADERSHIP & TRAINING:** To offer members a comprehensive leadership program that emphasizes ethical behavior, leadership skills, leadership education, and leadership development. The Leadership Committee shall develop all curriculums for all Detachment of California training programs. The Leadership Committee shall determine qualifications and shall make recommendations to the Detachment Internal Affairs Commission for all educational opportunities at the National Level. All actions of the Leadership and Training Committee shall be approved by the Detachment of California.
- H. **LEGISLATIVE ADVOCATE:** To consider legislative matters, make recommendations to the Detachment Convention and the Detachment Executive Committee, and generally supervise the legislative

program of the Detachment during the session of the State Legislature. All actions of the Detachment Legislative Advocate shall be consistent with the Department of California's legislative Program.

I. **MEMBERSHIP:** To promote membership in the Sons of The American Legion; to provide programs to encourage Sons of members of The American Legion to join the Sons of The American Legion program. To administer the mandates and established goals and goals of the National Membership Committee within the Detachment of California. To coordinate any overlapping of Department programs dealing with membership; and to promote the program to the Squadrons in California. The Membership Committee with the consent of the Detachment Commander shall establish the membership goals at the beginning of each membership year. Detachment Membership goals shall never be less than the National membership goal. The Detachment Membership Committee shall be composed of all Area Vice Commanders and all duly certified District Commanders. All actions of the Committee shall be approved by the Detachment Internal Affairs Commission prior to approval of the Detachment of California.

J. **NATIONAL GUEST RELATIONS:** To provide a welcome Committee to National guests; to escort National Guests to various functions and excursions; to adhere to the financial guidelines for visiting guests. The National Guest Relations Committee shall recommend and approve in advance all invitations of National Officers and National Candidates. All actions of the Committee shall be approved by the Detachment Internal Affairs Commission prior to approval of the Detachment of California.

K. **PUBLIC RELATIONS:** Through the use of newspapers, radio, social media and other means of dissemination of information, to spread the program of The American Legion and Son of The American Legion; to foster and maintain an adequate speaker's bureau. To be responsible for the publication and distribution of the Detachment Newsletter.

L. **VETERANS ASSISTANCE AND REHABILITATION:** To administer the mandates and established goals of the National VA&R Commission within the Detachment of California. To coordinate any overlapping of Department programs dealing with VA&R; and to promote the program to the Squadrons in California.

ARTICLE IV –MEMBERS IN ARREARS

Section 1. A member whose dues for the current year have not been paid by January first shall be classed as delinquent. If his dues are paid on or before February first, he shall be automatically reinstated. If he is still delinquent after February, he shall be suspended from all privileges. If he is still under such suspension on June thirtieth of such year, his membership in THE SONS OF 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 a vote of the Squadron and payment of current dues for the year in which the reinstatement occurs. Provided, however, that the Squadron, Detachment or the National Organization may waive the provisions hereof, upon payment of dues for the year in which the reinstatement occurs, with reference to former members who have been prevented from the payment of dues by reason of active military service.

ARTICLE V - RULES OF ORDER

Section 1. The rules contained in the current edition of Robert's Rules of Order Newly Revised will govern Sons of The American Legion - Detachment of California in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, any special rules of order the Detachment may adopt, and Federal, State and Local regulations.

ARTICLE VI - AMENDMENTS

Section 1. This Constitution and/or Bylaws may be amended by initiative proceedings or by submitting the proposed amendment to the Annual Detachment Convention and securing a two-thirds (2/3) majority vote of the Squadrons represented in the convention.

Section 2. Any provision of this document shall be automatically amended to conform to any Amendment adopted by Sons of The American Legion at its National Convention or to the National Constitution and/or Bylaws of Sons of The American Legion which said Amendment affects this Detachment in its internal organization. Where any or all levels of the Detachment of California Sons of the American Legion Bylaws may be silent, the bylaws of the Department of California, The American Legion will first apply, then National bylaws of The American Legion.

Section 3. Hereafter all proposed changes to this document, and its component parts, when printed by the Detachment shall be shown in a manner such as italics, strike-through, or underline type as to make obvious the proposed changes from the document adopted by previous Detachment Convention.

Section 4. Adoption of these Detachment Constitution and Bylaws supersedes all previous Editions and/or Amendments.

ATTESTATION/CERTIFICATION PAGE.

Detachment of California Constitution and Bylaws

Date of acceptance: June 29th, 2024, per 85th Annual Convention held in Visalia, California

ATTEST:

Sean Brandon

DETACHMENT COMMANDER

Alex Brandon

DETACHMENT ADJUTANT

Howard Darter

JUDGE ADVOCATE

Lee Lombard

DEPARTMENT S.A.L. COMMISSIONER

James Eubanks

CONSTITUTION AND BYLAWS CHAIRMAN

Paul Mesmer

NOTE:

Changes made by Constitution and Bylaws Committee and approved June 24th, 2023.

Chairman – PDC James Eubanks, Committee members – Bruce Allen, Bill Hernandez,

Assisted by TA Alex Brandon and PNC Faust, PDC Ned Fox, and Internal Affairs Commission

Chairman – PDC Paul Mesmer and TAL Commissioner Lee Lombard.

Thank you all for all your hard work.