



**Sheriff's Law Enforcement Association of  
McLennan County**

**Proposed  
Bylaws  
Revisions**

**Executive Board of Directors  
December 2011  
Mike Garrett, President**

## Table of Contents

**Article I. Name of Association**

**Article II. Affiliations**

**Article III. Objectives**

**Article IV. Membership and Dues**

- Section 1. Qualifications
- Section 2. Members in Good Standing
- Section 3. Associate and Honorary Membership
- Section 4. Membership Representation
- Section 5. Application
- Section 6. Dues
- Section 7. Payment of Dues
- Section 8. Financial Accounting

**Article V. Officers, Directors, Nominations, Elections, and Duties**

- Section 1. Structure of the Executive Board
- Section 2. Disclosure
- Section 3. Elections
- Section 4. Dates
- Section 5. Eligibility for Office
- Section 6. Term Limits
- Section 7. Attendance at Meetings
- Section 8. Presidential Duties
- Section 9. Vice-Presidential Duties
- Section 10. Secretary Duties
- Section 11. Treasure Duties
- Section 12. Sergeant at Arms
- Section 12. Immediate Past-President
- Section 13. Bond
- Section 14. Vacancy
- Section 15. Transfers

**Article IV. Meetings**

- Section 1. Time and Place
- Section 2. Special Meetings
- Section 3. Quorum
- Section 4. Rules of Order

**Article VII. Standing Committees**

- Section 1. Ethics Committee
- Section 2. Political Action Committee (PAC)
- Section 3. Legislative Committee
- Section 4. Grievance and Bylaws Committee
- Section 5. Insurance Committee
- Section 6. Benevolent Committee
- Section 7. Other Committees

**Article VIII. Recall of Officers**

- Section 1. Recall by Membership
- Section 2. Recall for Ethics Violation
- Section 3. Offices Under Indictment

**Article IX. Power of Membership**

- Section 1. Inherent Powers

**Article X. Constitutional Amendments**

- Section 1. Amendments

**Article XI. Miscellaneous provisions**

- Section 1. Authorization Necessary to Represent the Association
- Section 2. Life of Petitions
  
- Section 3. Exceptions to this Document
- Section 4. Social Media

**Article XII. Force and Effect of the Constitution/Amendments**

- Section 1. Force of Constitution
- Section 2. Force of Amendments

**Glossary of Terms**

*This Constitution was revised on 12/09/08 by a majority vote of the Constitutional Committee.*

*Committee members were:*

**Corporal Andy Huntington**  
**Deputy Michael Graham**  
**Corporal Billy Hughes**  
**Deputy Bob Summers**

Constitution and Bylaws of the Sheriff's Law Enforcement Association of McLennan County; a sovereign non-profit labor and charitable organization originally chartered in 2008.

**Article I  
Name of Association**

The name of the organization shall be the Sheriff's Law Enforcement Association of McLennan County (SLEAMC), herein after referred to as the association.

**Article II  
Affiliations**

The association may affiliate or disaffiliate itself with any other association, union, or organization as approved by a majority vote of the membership voting during a special election.

**Article III  
Objectives**

The association's objectives will be to provide a superior service to our members in the area of professional standards and education. The association will be an active advocate for all members in the way of employee wages, benefits, working conditions, and the overall morale within the Sheriff's Office and the association regardless of the assignment or status of the member.

**Article IV  
Membership and Dues**

**Section 1. Qualifications.**

- A. All persons who are employed by the McLennan County Sheriff's Office or have a TCLEOSE license carried by the Sheriff of McLennan County, regardless of rank or assignment, are eligible for membership in the association, subject to the requirements of this document.

**Section 2. Members in Good Standing.**

Members in good standing are defined those members who are paying dues in accordance with Section 5 of this article. Members in good standing shall have equal rights and privileges to participate in the election of officers, attend membership meetings, and participate in the deliberation and voting upon the business of such meetings. They can express any views, arguments, or opinions on any business properly

brought before such meeting subject to the rules herein contained and as set forth in this document.

- A. Any member in good standing who shall become subject to involuntary military activation or who shall become totally incapacitated due to accident or illness may, at the discretion of the Board of Directors, be granted a gratuitous membership continuing during the military activation or incapacitation;
- B. Any member in good standing who is honorably retired shall be entitled to membership status. The member will be required to pay membership dues during the period of retirement. Honorable retirement shall entitle the member to all privileges of any member in good standing.

**Section 3. Associate and Honorary Membership.**

- A. Any person may be granted an Associate or Honorary membership within the association;
- B. An Associate or Honorary member will be granted with the approval of the Board of Directors;
- C. No member under this section may vote in any election or ballot, hold any association office, be appointed to any association committee, or attend any association meeting of the Board of Directors;
- D. Members under this section may attend meetings open to the general membership of the association and may serve on appointed committees of the association;
- E. Associate and Honorary Members will not be represented by any individual or group at any association Board of Directors meeting, or be represented by any member of the association for any reason without the express consent of the President;

**Section 4. Membership Representation.**

- A. The Board of Directors, at its discretion, may utilize the services of another union, association, or organization to work in conjunction with the association but all fees shall be strictly handled by the association.

**Section 5. Application for Membership.**

- A. Application for membership shall be made on a standard application form. The application may include a valid authorization for payroll deduction of dues.

**Section 6. Dues.**

- A. The Board of Directors may determine the dues payable to the association by active members. The dues set by the Board shall be subject to modification by the membership at a regular meeting once a year or by special meeting. The dues shall be reviewed at the January meeting of each year by the membership;
- B. If the membership at a meeting wishes to increase or decrease the monthly dues then a special election must be held. The dues amount can only be changed by a majority vote of the membership.

**Section 7. Payment of Dues.**

- A. Membership dues shall be paid in semi-annual or annual installments in advance. Payments may be made via electronic transfer, payroll deduction, cash, check, or money order to the SLEAMC Treasurer no later than the 15<sup>th</sup> day of each month marking a calendar quarter. Any member who fails to pay dues before the end of the month due shall have voting privileges suspended and shall be considered delinquent. If a member fails to pay dues for 60 days they shall have their membership terminated. Provided however, that any person who is paying dues through a system of regular payroll deduction shall, for so long as such person continues to pay through such deduction method, be considered in good standing. In the event of mitigating circumstances prohibiting a member from participating in the payroll deduction of dues, the board may allow an alternative method of payment.
- B. Any member who joins after January 1, 2012 shall pay their dues via payroll deduct and have their dues withdrawn from their county paycheck or shall pay their dues in annual installments. If a member does not receive a paycheck from McLennan County then may pay their dues through electronic transfer, cash, check, or money order in semi-annual or annual installments.
- C. Members who retired from McLennan County under honorable circumstances shall, starting June 2012, not be required to pay dues to the association. The member is considered a full member of the association but in appreciate for their service the association will not require them to pay dues in accordance with this document.

**Section 8. Financial Accounting.**

- A. The services of a Certified Public Accountant (hereinafter referred to as a CPA) may be utilized once a year for an audit by the association to maintain financial records for all expenditures and deposits concerning all financial transactions for each account opened in the name of the association. The CPA will be hired by the

Treasurer with the advice and consent of the Board of Directors. All members of the association shall have the right to an accounting report of all association funds. Such report shall include, but not be limited to, a monthly report to the membership by the Treasurer. Any member that requests a further accounting shall provide a letter to the Treasurer, specific in nature, and such accounting shall be made available to that member within a reasonable amount of time. In the event that member(s) request any type of audit, it shall be paid for in advance and will be done at the expense of the member(s) requesting the audit.

**Article V.**  
**Officers, Directors, Nominations, Elections and Duties.**

**Section 1. Structure of the Executive Board.**

- A. The Executive Board of Directors shall be made up of the following:
  - 1. President
  - 2. Eight (8) Directors
  - 3. Secretary
  - 4. Treasurer
  - 5. Sergeant at Arms
  - 6. Immediate Past-President
  
- B. Four (4) of the directors will be from the law enforcement division of the Sheriff's Office and four (4) will be from the detention division of the Sheriff's Office;
  
- C. The 1<sup>st</sup> Vice President will be from opposite division of the President. The 2<sup>nd</sup> Vice President will be from the same division as the President. The directors from each side will elect a Vice President from amongst themselves each year in December;
  
- D. The Sergeant at Arms, Secretary, Treasurer, and Immediate Past-President shall be non-voting board members;
  
- E. The Board of Directors shall have the power to administer the day-to-day affairs of the association between the general meetings of the membership. In addition to the powers enumerated by this Constitution, the Board of Directors shall have the power to authorize:
  - 1. The expenditure of funds or use the property of the association for the effectuation of any of the objectives of the association;
  - 2. The borrowing of money and the pledging of property or securities of the association as security therefore;

3. The making of guarantees;
  4. The making of contracts;
  5. The buying, selling, exchanging, renting, leasing, or otherwise acquiring or disposing of real or personal property, however, a majority vote of the membership, voting during a special election, is required to pre-approve the acquiring or disposing of real property in excess of \$300;
  6. The Board of Directors shall have the authority of conduct Ballot, fax/e-mail, internet and Proxy voting when necessary;
  7. The Board of Directors shall require monthly reports from all appointed committees.
- D. The association Board of Directors will be voted into office in accordance with Article V, Section 3 of this Constitution. In addition to the powers enumerated by this Constitution, the Board of Directors shall be responsible for, but not limited to, the following:
1. Will hold, as a minimum, one meeting monthly which will be open to the general membership. The President will preside at these meetings;
  2. May receive and handle, or forward complaints, suggestions, grievances, requests for benevolent donations, and other matters to an appropriate committee and ensure that the said committee responds in a timely fashion;
  3. Conduct all operations of the association deemed by the membership to be day-to-day affairs;
  4. Answer directly to the membership concerning all complaints, suggestions, grievances, request for benevolent donations, and any other matters detailing what correspondence has been received and the course of action the Board has taken.
  5. Any other duty that may be assigned by a majority vote of the general membership.

**Section 2. Disclosure.**

- A. All members of the Board of Directors shall disclose any personal interests in any entity or individual doing business with the association. This includes, but not limited to, vendors, trusts, service providers, members, and employees. Guidelines

for disclosure and the determination of personal interests shall be set forth by a majority vote of the Board of Directors and/or favorably reviewed by an appointed Ethics Committee.

- B. An Ethics Committee may be appointed by the association and will be done as follows:

The President will appoint one member and each Vice President will appoint one member. The Ethics Committee will appoint one person to be committee chairperson. The Ethics Committee shall be responsible for reviewing all required disclosure documentation. The committee shall report to the Board of Directors any potential conflict of interest or circumstances that may have a negative impact on the association's operation or credibility. The committee shall review any complaints submitted in reference to disclosure violations and report the findings to the Board of Directors. The committee shall review any association member's conflict of interest or circumstances that may have a negative impact on the association's operation or credibility.

- C. Any other circumstances which may be deemed as potential ethical violations, not in reference to disclosure, shall also be made to and reviewed by the committee. The nature of the potential violation and the outcome of the committee review shall be reported to the Board of Directors. Subsequently, a potential violation is to be reported to the general membership at the next general assembly meeting.

### **Section 3. Elections.**

- A. Elections for members of the Board of Directors shall be held every two (2) years. The Board of Directors will be elected by a majority of the membership voting. The Board of Directors will be elected as follows: the four law enforcement members will be voted in by a majority of the law enforcement members voting and the four detention members will be voted in by a majority of the detention members voting.

### **Section 4. Dates.**

- A. Nominations will be held at the August general assembly meeting. Voting will be held at the general assembly meeting in November. The election will be done by secret ballot. Any member in good standing of the association shall be eligible to vote provided the member has been in good standing for a minimum of ninety (90) days prior to the date of election. All board positions will be determined by a majority of the members voting, in accordance with Section 3 above. The results will be announced at the November general assembly meeting.. Those winning office on the Board of Directors will take office January 1. There will be an exception to this section for the 90 days rule during the initial election to be held during the month of December 2008

- B. The Board of Directors may elect to conduct voting by mail. If the Board of Directors chooses to conduct voting by mail all ballots will be mailed out with sufficient time given to the members so that the ballot can be returned for tabulation at the November meeting. Voting may also be conducted electronically.
- C. The votes will be tabulated at the November meeting by the three members. One member will be selected by the President, one member will be selected by the 2<sup>nd</sup> Vice President, and one member will be selected by the Treasurer. The vote tabulation will be overseen by the Sergeant at Arms and Secretary. The Sergeant at Arms, Secretary, and all three selected members shall certify the results and present them to the President.

**Section 5. Eligibility for Office.**

- A. Any candidate for President, Vice President, Secretary, Treasurer or Board of Directors must be a member in good standing with the association at least ninety (90) days prior to the nominations. Elected positions can be held by members up to the rank of sergeant. However, no lieutenant or higher rank shall hold an elected position or appointed position on the Board of Directors within this association. Any member may serve on a committee unless otherwise prohibited by this document.

**Section 6. Term Limits.**

- A. No person shall serve as a director on the board or as President for more than four (4) consecutive years (two (2) terms);
- B. No person shall serve as the Treasurer, Secretary, or Sergeant at Arms for more than six (6) consecutive years;
- C. The Immediate Past-President shall serve for a term not to exceed two (2) years;
- D. In the event that a person has served for the maximum number of consecutive years and there is no candidate for that office the Board of Directors may approve the current office holder to continue to serve in their current capacity until the next election cycle or a candidate can be found;
- E. A member may serve on the Board of Directors more than once and may hold an office previously held as long as there has been a break in service for at least two years if they are seeking a previously held office or position.

**Section 7. Attendance at Meetings.**

- A. Members of the Executive Board of Directors are expected to fulfill their obligation to the membership and attend meetings of the general membership, meetings of the Executive Board of Directors, and meetings of any committee on which they sit;
- B. If a member of the Executive Board of Directors will be absent at a meeting they shall contact the President or one of the Vice-Presidents in advance to let them know of their absence;
- C. If a board member fails to attend three (3) consecutive monthly meetings of the general membership then that board member may be subject to recall from office;
- D. If a board member cannot attend the meetings due to their work schedule on duty for the Sheriff's Office then they may not be subject to recall for non-attendance;
- E. A member of the Executive Board of Directors who fails to attend a majority of the meetings required of them may be subject to recall from office even if they have not missed three (3) consecutive meetings;
- F. Other absences, besides those related to being on duty during meeting times, may be excused. If a board member wishes to have an absence excused then they shall provide the President with a written explanation of the absence. The President shall present the statement to the Board of Directors and upon majority vote the Board of Directors may excuse that absence.

**Section 7. Presidential Duties.**

- A. The President shall be the principal executive officer of the association. The President shall have the following powers:
  - 1. Preside at meetings of the general assembly and the Board of Directors;
  - 2. Convene meetings of the general membership at least once a month and at any time requested to do so by a majority of the members of the Board of Directors;
  - 3. May call and attend meetings of the Board of Directors, general membership, or standing committees whenever it may be necessary;
  - 4. Employ and discharge such administrative, technical, and other employees as may be required pursuant to any existing contracts between the association and its employees or service providers;
  - 5. Appoint all committees and their members, not otherwise provided in this Constitution;

6. May spend up to \$300 from the association funds in accordance with carrying out daily duties of the association without the consent of the Board of Directors. The Board of Directors shall approve or disapprove all expenditures in excess of \$300.
7. Have such further powers in addition to those herein enumerated, as are usual to the office of President. The President may delegate any of these powers and duties under this Constitution subject to approval by the Board of Directors or the general membership;

**Section 8. Vice Presidential Duties:**

A. First Vice President

1. In the absence of the President, the First Vice President shall perform the duties of the President and when so acting shall have all powers and be subject to all restrictions upon the President. The First Vice President shall assist the President and shall be responsible to the general membership. The First Vice President may perform such other duties from time to time may be assigned by the Board of Directors. However, the primary responsibility of the First Vice President shall be to assist with labor concerns of the association;

B. Second Vice President.

1. In the absence of the President and the First Vice President, the Second Vice President shall perform the duties of the President and when so acting shall have all powers and be subject to all restrictions upon the President. The Second Vice President shall assist the President and First Vice President as necessary. The Second Vice President shall be responsible to the general membership. The Second Vice President may perform such other duties from time to time as assigned by the Board of Directors. However, the primary responsibility of the Second Vice President will be assist the President with the supervision and control of business affairs and matters of commerce between the association and third parties.

**Section 9. Secretary Duties.**

The Secretary shall have the following duties and responsibilities:

1. To keep and maintain accurate records of all proceedings at meetings of the general membership and the Board of Directors. The Secretary shall maintain all records, books, and papers relating to the affairs of the association. The Secretary shall keep a copy of the monthly financial report submitted by the Treasurer at the general assembly meetings;

2. Keep an up to date membership roster;
3. Conduct all association correspondence;
4. Provide a copy of the minutes of all general assembly meetings to the members of the Board of Directors;
5. Post upcoming events as allowed in display cases and/or electronically;
6. Ensure that the general membership is kept informed of association functions and events;
7. Exercise such further powers, in addition to those enumerated, as are usual to the office of Secretary and delegate any of the powers and duties under this Constitution, subject to approval by the Board of Directors or the general membership.

**Section 10. Treasurer Duties.**

The Treasurer shall have the following duties:

1. Keep accurate accounts of all financial transactions of the association in conjunction with a CPA. Receive all funds due and deposit them in association accounts and deposit or invest them in securities authorized by the Board of Directors or the general membership. The Treasurer shall make all deposits of monies collected within ten (10) days of receiving the funds;.
2. Pays all bills due to Association vendors by due date or within fifteen days, and provide a monthly Treasurers report to the Board of Directors and general membership at the monthly general assembly meeting;
3. Act as liaison between the association and the CPA;
4. Make appropriate regulations relating to the reimbursement of expenses or other obligations incurred by the officers or representatives of the association in the performance of their duties, subject to the approval of the Board of Directors or the general membership;
5. Respond to requests for accounting reports and audits in accordance with Article IV, Section 7 of this Constitution;
6. Exercise such further powers, in addition to those enumerated, as are usual to the office of Treasurer and delegate any of the powers and duties under this

Constitution, subject to the approval by the Board of Directors or the general membership.

**Section 11. Sergeant at Arms Duties.**

- A. The Sergeant at Arms shall maintain order in the meeting at all times and shall perform any other duties the presiding officer might ask. He shall check the membership status at the door of all members present for the purpose of eliminating any person in bad standing and shall serve as the parliamentary judge.

**Section 12. Immediate Past-President Duties.**

- A. The Immediate Past-President shall serve as an advisor Board of Directors. The Immediate Past-President is a non-voting board member but shall have the authority to make and second motions to the Board of Directors.

**Section 13. Bond.**

- A. All Board of Directors members may be required to give bond in such amount and executed by such surety company as determined by the Board of Directors. The premium of the bond shall be paid by the association.

**Section 14. Vacancy.**

- A. If a vacancy occurs in the office of Secretary, Treasurer, Sergeant at Arms, or a Board of Directors seat then the seat shall be filled by appointment of a duly qualified member who is in good standing with the association. The appointment shall be made by the Board of Directors and the newly appointed person will finish any part of the unexpired term of the office they are appointed to;
- B. If a vacancy occurs in the office of the First or Second Vice President then the remaining directors for that division (law enforcement or detention) shall elect a new Vice President from amongst the current division directors. After a new Vice President is seated then the Board of Directors shall appoint and seat a new director or the vacancy;
- C. If a vacancy occurs in the office of President then the First Vice President shall ascend to the office of President. The Second Vice President shall ascend to the office of First Vice President. The President will then appoint a new Second Vice President. The remaining vacant seat shall be filled as set forth in Section A of this article;
- D. In the event that the offices of Vice Presidents, Secretary, and Treasurer are vacant at the same time then the President shall appoint duly qualified members of the

association who are in good standing to fill those offices. The appointment will be for the length of the unexpired term;

- E. In the event that the First Vice President refuses to accept the office of President or becomes incapacitated then the Board of Directors shall appoint a Temporary President until the office can be filled by an election held in accordance with document;
- F. Any vacancy in the offices of Vice President, Secretary, Treasurer, Sergeant at Arms, or a Board of Directors seat shall be filled with a member in good standing who is assigned to the same division (law enforcement or detention) as the person who vacated the office;
- G. If a vacancy occurs on a committee that has been appointed by the President then the President will appoint a member in good standing to fill the vacant seat. The appointed person will fill the unexpired term left vacant on the committee.

**Section 15. Transfers.**

- A. In the event that a member of the Board of Directors voluntarily transfers from one division to the other (law enforcement to detention or detention to law enforcement) and there is ninety (90) days or less remaining in the term of office then that member shall be allowed to finish out the term. In the event that there are more than ninety (90) days remaining in the term of office, a vote will be held of the general membership to determine if the membership wishes to keep the director in office. If the vote is favorable then the director will be allowed to finish out their term in office. If the vote is for the director to vacate the seat then their position will be vacated and filled in accordance with Article V, Section 12 of this document.

**Article VI  
Meetings**

**Section 1. Time and Place.**

- A. General assembly meetings of the association shall be held at least once per month at a time and place to be fixed by the Board of Directors.

**Section 2. Special Meetings.**

- A. Special meetings may be called by a majority vote of the Board of Directors, or by a petition filed with the Board of Directors and signed by at least twenty percent (20%) of the general membership. The petition must state the purpose of the special meeting. Special meetings may also be called by the President.

### **Section 3. Quorum.**

- A. In order for the Board of Directors to take action or vote on an item or issue at a meeting there must be a quorum present at the meeting. A quorum shall consist of a presiding officer and two (2) directors from each division. If the First Vice President is the presiding officer at the meeting they are subject to the same restrictions of the President;
- B. The presiding officer at a meeting does not have the power to vote on an item or issue unless there is a tied vote from the Board of Directors. The presiding officer may make or second motions for action;
- C. In the event that the First Vice President is the presiding officer at a meeting then their attendance does not count towards the number of directors needed to have a quorum present.

### **Section 4. Rules of Order.**

- A. Robert's Rules of Order, Revised, shall be the guide in all cases to which they are applicable and in which they are not inconsistent with this Constitution or any other special rules of the association.

## **Article VII Appointed Committees**

The following committees will be considered to be appointed committees of the association. All committees and their members, unless otherwise specified by this Constitution, shall be appointed as set out in this document and the appointment should be approved by the Board of Directors. Further, the President, or another Board of Directors member designated by the President, may sit on a committee.

All committees will have committee chairpersons appointed by the committee, unless otherwise specified by this Constitution. The chairperson shall be required to give a report to the Board of Directors at each of their monthly meetings.

Each committee will be seated for a term of two (2) years. The committees will be appointed in June.

It is the responsibility of each committee chairperson to provide the association Secretary with information relating to the action and proceedings of the committee. The Secretary shall keep this report but is not responsible for generating the report.

In the event that a committee chairperson or committee member fails to perform their necessary duties they may be removed from the committee by a majority vote of the Board of Directors. The vacancy will be filled in accordance with Article V, Section 12 of this document.

**Section 1. Ethics Committee.**

- A. The Ethics Committee will consist of three people. The committee will be appointed by the following:
  - 1. One member appointed by the President, one member appointed by each Vice President, and a chairman appointed from the committee.
- B. The Ethics Committee will be responsible for, but not limited to, the following:
  - 1. Will meet as often as required to carry out their assignment duty;
  - 2. Answers directly to the Board of Directors;
  - 3. To carry out the duties set out by Article V, Section 2 of this document;
  - 4. The setting of any and all salaries or stipends for the Board of Directors, and committee members;
  - 5. Any other duty that may be assigned by a majority vote of the Board of Directors, or the general membership;
  - 6. The Ethics Committee will be appointed in even numbered years (i.e. 2012).

**Section 2. Political Action Committee.**

- A. The Political Action Committee (PAC) and its funds will be a totally separate entity from the association.
- B. The PAC will be comprised of three members who are appointed as follows:
  - 1. The President will select a treasurer;
  - 2. The Vice Presidents will select one member and;
  - 3. The Board of Directors will select the PAC Chairman.
- C. The PAC shall be governed and administered in accordance with the laws of the State of Texas. The PAC Treasurer will make required reports to the Texas Ethics Commission in accordance with the rules set forth by the Commission;

- D. The PAC will conduct interviews and forums with all candidates for office that will have an impact on the association and its members. The PAC will report directly to the Board of Directors and will have the Board of Directors' approval concerning any potential endorsements to a political candidate and prior to any expenditure to a political candidate. The PAC may elect to have the general membership vote and decide which candidate to endorse;
- E. The PAC will be appointed in odd numbered years (i.e. 2011).

**Section 3. Legislative Committee.**

- A. Legislative committee shall consist of three members and will be appointed as follows:
  - 1. One member will be appointed by the President;
  - 2. One member will be appointed by each Vice President.
- B. The function of this committee will be the study of all legislation, both current and upcoming, that has or will have an impact on the Texas detention centers, law enforcement, sheriff's offices, collective bargaining, civil service or like matters;
- C. The Legislative Committee will answer/report directly to the Board of Directors;
- D. The Legislative Committee will be appointed in odd numbered years.

**Section 4. Grievance & Bylaws Committee.**

- A. The purpose for this committee is to provide a just and equitable method for resolving disagreements between parties regarding the interpretation of rules and provisions of the Constitution and bylaws of the association;
- B. The committee shall consist of five (5) members and appointed as follows:
  - 1. One member appointed by the President;
  - 2. One member appointed by each Vice President;
  - 3. One member appointed by the Secretary;
  - 4. One Member appointed by the Board of Directors.

- C. The committee will meet at least once a year to review the bylaws and propose any changes that may need to be made. This committee may meet as often as necessary to fulfill any of their duties;
- E. The committee will answer to the Board of Directors;
- D. The committee will be appointed in even numbered years.

**Section 5. Insurance Committee.**

- A. The purpose of this committee is to provide a just and equitable method for investigating insurance companies and policies for the purpose of recommending the most favorable to the Board of Directors for association endorsement;
- B. The committee will consist of three members to be appointed as follows:
  - 1. One member appointed by each Vice President
  - 2. One member appointed by the Treasurer
- C. The committee will meet at least once a year to review any and all insurance policies held by the association;
- D. The committee will return its findings to the Board of Directors and be responsible to the Board of Directors;
- E. The committee will be appointed in odd numbered years.

**Section 6. Benevolent Committee.**

- A. The purpose of this committee is to maintain a relationship with all shift/unit commanders to determine when a member has suffered a death in the family, a major illness or a major illness of a family member, or other undue hardship results in a severe financial loss that is out of the member's control. The committee will convene as necessary and determine to what extent, if any, the association can offer financial assistance which will be approved by the Board of Directors;
- B. The committee chairperson or a designee of the chairperson will be responsible for ordering flowers in the event of a death or illness as set forth by association guidelines. The guidelines are subject to change and are at the sole discretion of the Board of Directors;
- C. The committee will be appointed in even numbered years.

## **Section 7. Other Committees**

- A. The Board of Directors may appoint other committees as it sees fit to conduct association business. Other committees may be appointed for such business as special projects, fundraisers, or any other association business. The method in which the committees are appointed shall be at the discretion of the Board of Directors in conjunction with the President;
- B. If a committee is appointed for a special purpose or project the committee shall remain seated until its stated purpose is complete;
- C. Members of the Board of Directors may sit on a committee formed for a special purpose or project as long as it is voted on unanimously by the Board of Directors;
- D. Members who are appointed to a special committee shall be appointed by the Board of Directors and the President of the association.

## **Article VIII Recall of Officers**

### **Section 1. Recall by Membership.**

- A. On a petition of a majority of the membership, members of the Board of Directors may be subject to a recall vote. Any member subject to a recall vote shall be removed by a majority of the membership voting by secret ballot. The recall vote shall take place within sixty (60) days from the date the petition is presented to the Board of Directors. The Board of Directors, after receiving a ratified petition from the membership for a recall vote, shall cause the member subject to recall, to temporarily step down from their position until the recall vote is held.

### **Section 2. Recall for Ethical Violation.**

- A. In the event that a complaint concerning an ethical violation has been received and reviewed by the Ethics Committee and that review reveals proof of a violation, the committee shall submit their findings to the Board of Directors. The Board of Directors will determine if the violation warrants a recall vote. In making this determination, the Board of Directors will look at all of the evidence to determine if the violation did or could have had a severe negative impact on the association or any of its members. If it is determined that the violation is severe, then the Board of Directors shall move for a recall vote immediately of that officer. The recall will be set forth in this Article under Section 1 above except that a petition shall not be required.

### **Section 3. Officers Under Indictment.**

- A. Any member of the Board of Directors who is indicted by a Grand Jury for a criminal offense or who is arrested by a law enforcement agency or an “on-site” criminal offense shall be suspended from office until the case is adjudicated by a court of law. If the officer is acquitted he/she will immediately be reinstated to his/her office.

**Article IX  
Powers of the Membership**

**Section 1. Inherent Powers.**

- A. The general membership, through a majority of the entire membership voting by secret ballot, shall have the power to rescind any actions of the Board of Directors that authorize:
  - 1. The expenditure of funds or use of the property of the association of the effectuation of any of the objectives of the association;
  - 2. The borrowing of money and the pledging of property or securities of the association as security;
  - 3. The making of guarantees;
  - 4. The making of contracts;
  - 5. The buying, selling, exchanging, renting, leasing, or otherwise acquiring or disposing of real or personal property.

**Article X  
Constitutional Amendments**

**Section 1. Amendments**

- A. This Constitution may be amended by a favorable vote of two-thirds (2/3) of the ballots cast by the general membership. Such vote shall be by secret ballot after such proposed amendment(s) have been submitted in writing and entered into the minutes of a general assembly meeting;
- B. The proposed changes and amendments shall be published to the membership;

- C. The vote to amend this document shall take place no sooner than thirty (30) days after the amendments have been proposed to the membership;

**Article XI**  
**Miscellaneous Provisions**

**Section 1. Authorization Necessary to Represent the Association.**

- A. Except to the extent specified by this Constitution, no officer of the association shall have the power to act as an agent for or otherwise bind the association in any way whatsoever. No member or group of members or person or group of persons shall have the power to act on behalf of or otherwise bind the association except to the extent specifically authorized in writing by the President of the Board of Directors of the association. Any legal representatives or business agents funded by or hired by the association may be terminated or replaced by a majority vote of the Board of Directors or a majority vote of the general membership.

**Section 2. Life of Petitions.**

- A. Any member or group of members may file a petition for various reasons in accordance with this Constitution. The procedure for filing a petition will be as follows: the member or members wishing to file the petition will file a notice of intent with the Secretary. After receipt of the notice to petition by the secretary, the member or members will have sixty (60) days from the date of filing to complete the petition. In the event that the petition is not completed within sixty days, the petition becomes null and void. All petitions will have a space for the member's names, employee numbers, date signed, and a signature block. In addition, the reason for the petition must be clearly stated on the petition so there can be no question in the minds of the members signing as to what the petition is for.

**Section 3. Exception to this Document.**

- A. In order to bring the association into compliance with this constitution, a special election shall be held no later than December 30<sup>th</sup>, 2008 using the guidelines herein stated.
- B. To bring the association in compliance with this document as revised in 2011, all committees shall be appointed in January of 2012 and then fulfilled in accordance with this document as soon as possible.

**Section 4. Social Media**

- A. The association may use social media to communicate with its members and the community. The use of social media shall be used to convey positive and

professional messages about the association. No member of the Board of Directors shall use social media to communicate in a negative aspect about the association. If a member of the Board of Directors makes negative remarks about the association then they shall be subject to review by the Ethics Committee and may be subject to removal from office. The association and the Board of Directors shall urge all members to refrain from making negative remarks or statements about the association on any social media website such as FaceBook, Twitter, and the like. If a member makes negative, distasteful, or otherwise offensive remarks on a social media website about the association they may be subject to having their membership revoked.

**Article XII**  
**Force and Effect of the Constitution / Amendments**

**Section 1. Force of Constitution.**

- A. This Constitution shall be in full force and effect immediately upon adoption by a majority vote of the general membership.

**Section 2. Force of Amendments.**

- A. Any amendments to this Constitution shall be in full force and effect immediately upon adoption by a majority vote of the general membership.

## Glossary of Terms

1. Affiliation – To bring the association into a close relationship with another organization. If dues money will be utilized to pay the other group for services, a membership vote is required.
2. Committee – A group of members, appointed or chosen to perform a function on behalf of the membership.
3. Detention Division– Those members who are employed with the McLennan County Sheriff's Office in the jail division or has their TCLEOSE license carried by the Sheriff of McLennan County solely as a Correctional Officer/Jailer.
4. Election Judge – An independent person not employed by the McLennan County Sheriff's Office who is certified by SLEAMC to perform services as an election judge.
5. Honorably Retired – Any person who retired from the McLennan County Sheriff's Office under honorable circumstances or separated from the Sheriff's Office with twenty (20) or more years of service to the office and is eligible to draw a pension from McLennan County.
6. Incapacitation – Occurs when a member is no longer able to function at full capacity, thus making him medically unable to return to duty at the Sheriff's Office, due to injury or illness.
7. Law Enforcement Division – Members who are employed with the McLennan County Sheriff's Office in the field services division or have their TCLEOSE license carried by the Sheriff of McLennan County as a Peace Officer and do not work in the jail division of the McLennan County Sheriff's Office.
8. Member in Good Standing – A member of the association who currently pays dues and has no delinquent dues owed to the association.
9. Personal Property – Any property of the association not considered real property.
10. Petition – A written request, signed by a designated number of the membership, requesting or demanding a specific action to be taken by the association. Petitions must state their purpose; have a name block, date of signature block, and a signature block.
11. Real property – Land together with all of the property on it that cannot be moved, together with any attached rights.
12. Special Election – An election called by the President or the Executive Board to grant the membership the option to vote on any issue.