

**The Bylaws Review Committee was tasked by the Department Commander to review our Department of Texas Bylaws and omit language conflicting with the National Bylaws/Manual of Procedure, reduce complicated verbiage to plain language and modernize our Department Bylaws for the future.**

**The following report serves as notice for the changes the Committee will present to the Convention. Each amendment is numbered and highlighted with the changes recommended and underscored in Green.**

**The Members of the Review Committee are as follows.**

Steve Evans ~ Department Judge Advocate (Chair)  
Dave Walden ~ Department Commander  
Reggie Williams ~ Department Jr. Vice Commander  
Ben Lowrance ~ Department Adjutant/Quartermaster  
Chris King ~ State Inspector  
James Briggs ~ National Deputy Chief of Staff  
Stephen Starbuck ~ District 20 Commander

## Preamble

~~Reverently invoking the blessings of the Almighty God and the sanction of the entity of the Veterans of Foreign Wars of the United States, and seeking the concourse of all citizens who consecrate their persons and consciences to the precepts of the Veterans of Foreign Wars of the United States, a two thirds (2/3) majority of the members of the Department Convention duly assembled hereby declare and adopt the following as its Bylaws:~~

The Department of Texas, Veterans of Foreign Wars of the United States, operating under the authority of the Congressional Charter, National Bylaws, Manual of Procedure, and Ritual of the Veterans of Foreign Wars of the United States, hereby adopts the following Bylaws for the governance and operation of the Department.

Amendment No. 1-→

## Article I

### NAME

~~The Congressional Charter, Bylaws and Ritual of the Veterans of Foreign Wars of the United States are hereby adopted and made a part hereof for their respective intents, purposes and enforcement with such additions as are herein contained.~~

~~The Department of Texas, Veterans of Foreign Wars of the United States operates as a chartered part of the Veterans of Foreign Wars of the United States under the terms of the charter issued by the Congress of the United States. It is the liaison between Posts established by the Veterans of Foreign Wars of the United States in order to carry out the terms of the charter. It establishes Districts to assist in carrying out the terms of the charter.~~

~~There is only one (1) class of membership in the VFW or lawfully created Auxiliary thereof. Qualifications for membership are determined by the Congressional Charter and enlarged from time to time by the Department of Defense.~~

~~The Department of Texas Veterans of Foreign Wars of the United States shall not be responsible for the negligent or wrongful acts or omissions nor the contractual obligations or debts of any District or Post nor for the negligent or wrongful acts or omissions or contractual obligations nor debts of any activity, clubroom, game room, holding company or unit sponsored, conducted or operated by, for or in behalf of any District or Post in the State of Texas. The Department of Texas Veterans of Foreign Wars of the United States does not control, in any way, the employment practices of VFW Districts or Posts in Texas.~~

~~The Department of Texas Veterans of Foreign Wars of the United States~~

~~does not own any interest in any clubroom, canteen or facility of any District or Post in the State of Texas nor any clubrooms, canteens and facilities operated for or in behalf of any District or Post in the State of Texas.~~

~~The Department of Texas Veterans of Foreign Wars of the United States does not lend money or extend credit to any chartered District or Post in the State of Texas. It is in no manner responsible for the debts, or any other liability incurred by any chartered unit or any clubroom, canteen, facility or other unit/activity authorized by any chartered unit in the State of Texas. As unincorporated associations or corporations, they are responsible for their own debts and liabilities. The Department of Texas Veterans of Foreign Wars is not responsible for any debts or other contractual obligations for any chartered unit that voluntarily surrenders its charter or has its charter revoked by the Veterans of Foreign Wars of the United States.~~

~~To the extent that the Department of Texas Veterans of Foreign Wars of the United States is threatened with or sustains damages arising from a debt or liability incurred by a chartered unit, the Department of Texas Veterans of Foreign Wars of the United States may seek to recover such damages and any costs and expenses incurred from such chartered unit or persons responsible for such debt or liability.~~

~~The Department of Texas Veterans of Foreign Wars of the United States does insist that all operations of chartered units and their subordinate activities be available only to members and their authorized guests and that it be operated in accordance with the laws of the United States, laws of the State of Texas, local laws and mandates of the National Veterans of Foreign Wars of the United States and their current Bylaws. If the Department of Texas Veterans of Foreign Wars of the United States determines that violations of any of the above terms are being committed, it may institute disciplinary actions as provided for in the Bylaws and Manual of Procedure of the Veterans of Foreign Wars of the United States or take appropriate action in any court having jurisdiction thereof for the purpose of protecting the Veterans of Foreign Wars and membership thereof.~~

The name of this organization shall be the "Department of Texas, Veterans of Foreign Wars of the United States", also DBA "Texas VFW" or "Department of Texas VFW".

**Amendment No. 2-→**

## Article II

### ~~NAME~~ PURPOSE

The name of this organization shall be the "Department of Texas, Veterans of Foreign Wars of the United States", also DBA "Texas VFW" or "Department of Texas VFW".

The Department serves as the governing body for the coordination and support of Districts and Posts within the State of Texas. The Department shall not be responsible for the debts, obligations, or liabilities of any District, Post, or any activity or entity operated by or on behalf of such units. This Department shall consist of all Posts and Districts of the Veterans of Foreign Wars of the United States located within the territorial limits of the State of Texas and such other Posts as may be attached in accordance with Section 501 of the National Bylaws.

Amendment No. 3-→

## Article III

### DEPARTMENT HEADQUARTERS

~~The principal office and place of business of this organization shall be maintained at 8503 North IH 35, in the city of Austin, Travis County, Texas, or at such other locations within the State of Texas as a majority of the members duly assembled at any Department Convention or Department Council of Administration meeting may designate in accordance herewith. The principal office and place of business of this organization shall hereafter be known and designated as Department Headquarters.~~

The headquarters and place of business of the Department shall be determined by the Department Convention or the Department Council of Administration and shall be located within fifty (50) miles of the Texas State Capitol.

Amendment No. 4-→

## Article IV

### DEPARTMENT COMPOSITION

~~This Department shall consist of all Posts and Districts of the Veterans of Foreign Wars of the United States located within the territorial limits of the State of Texas and such other Posts as may be attached in accordance with Section 501 of the National Bylaws. (Combined with Article II)~~

Article V

~~GOVERNING BODY. All business of the Department of Texas shall be determined, controlled, transacted, and pursued in accordance with the terms and provisions hereof by the Department Convention; such determinations, controls, transactions, and pursuits made or activated at any Department Convention shall remain in full force and effect until~~

~~amended, changed, or deleted by a subsequent Department Convention acting in accordance with the terms and provisions hereof.~~

## Article V DEPARTMENT CONVENTION

The Department Convention is the highest governing body of the Department while in session. Actions taken by the Department Convention remain in effect until amended, changed, or repealed by a subsequent Department Convention acting in accordance with these Bylaws.

Amendment No. 5 →

### COMPOSITION.

~~The Commander in Chief and past Commanders in Chief who are members in good standing in a Post within the Department.~~

~~The National Council Member, the Department Commander, all past Department Commanders who are members in good standing in a Post within the Department, all elected officers of the Department, Chief of Staff, Inspector, and the Adjutant.~~

~~All District Commanders throughout the Department. In the absence of the District Commander, the District Senior Vice Commander or, in their absence, the District Junior Vice Commander, may be registered and function as a member of the Convention.~~

~~All Post Commanders throughout the Department. In the absence of the Post Commander, the Post Senior Vice Commander or, in their absence, the Post Junior Vice Commander, may be registered and function as a member of the Convention.~~

~~Delegates duly elected by the Post.~~

Amendment No. 6 →

The Department Convention shall consist of those members as prescribed in Section 504 of the National Bylaws.

QUORUM. Twenty-five (25) Posts in good standing in accordance with the terms and provisions hereof having at least one (1) delegate each at the annual meeting of a Department Convention shall constitute a quorum for the transaction of Convention business.

VOTING. ~~Department Officers shall be elected by roll call vote. The delegate or delegates of a Post present at the Convention with credentials registered shall be entitled to vote the full delegate strength to which the Post is entitled. Should there be a division among the delegates representing the Post, each delegate present and voting shall be entitled to vote their pro rata share of the total delegate strength to which the Post is entitled. Delegates must be on the floor during each roll call for their votes~~

~~to count. Voting procedure by Post roll call will be determined at the beginning of each Department Convention.~~

VOTING. Department Officers shall be elected by roll call vote. Each Post represented at the Department Convention by duly credentialed delegate(s) shall be entitled to cast the full delegate strength to which the Post is entitled. In the event of a division among the delegates of a Post, each delegate present and voting shall be entitled to cast their pro rata share of the total delegate strength to which the Post is entitled, based upon the number of delegates present and voting. Only duly credentialed delegates, present on the convention floor during rollcall, shall be entitled to vote. The procedures governing roll call voting by Post shall be established and adopted by the Department Convention at its opening session.

Amendment No. 7→

~~The stated meeting of the State Convention shall be held once each year, which shall begin no earlier than ninety (90) days prior to the convening of the National Convention and shall be concluded no less than thirty (30) days prior to the conclusion of the National Convention.~~

~~The annual State Convention will be held at such time and place as shall have been determined previously by the Council of Administration, which shall have full power to act in selecting a Convention city and venue. Annual State Convention sites may be designated by the Council of Administration five (5) years in advance of the next annual Convention date.~~

Amendment No. 8→

The Department Convention shall be held in accordance with section 503 of the National Bylaws.

## Article VI DEPARTMENT COUNCIL OF ADMINISTRATION

~~COMPOSITION. The Department Council of Administration shall consist of the Department Commander, Department Senior Vice Commander, Department Junior Vice Commander, Department Adjutant, Department Quartermaster, Department Judge Advocate, Department Chief of Staff, Department Inspector, Department Surgeon, Department Chaplain, all District Commanders of the Department, and the retiring Department Commander until such time as a succeeding Department Commander retires. In the event the Retiring Commander is unwilling or unable to serve on the Department Council of Administration, their place shall be filled by the last Retired Past Department Commander who is ready, willing, and able to serve.~~

Composition and Duties: The Department Council of Administration shall

Amendment No. 9→

consist of those members as prescribed in Section 522 of the National Bylaws of the Veterans of Foreign Wars of the United States. The Judge Advocate, Department Chief-of-Staff, Department Inspector, Department Surgeon are additional voting members.

~~DUTIES. The Department Council of Administration shall, when the Department Convention is not in session, determine, control, transact and pursue all Department business in accordance with the terms and provisions hereof and the dictates established by the Department Convention and perform such other duties as required by the National Bylaws of the Veterans of Foreign Wars of the United States, and such determinations, controls, transactions and pursuits shall remain in full force and effect until amended, changed or deleted by the Department Council of Administration or Department Convention in accordance with the terms and provisions hereof.~~

**Amendment No. 10 →**

REGULAR SESSIONS MEETINGS. The Department Council of Administration shall meet in at least four (4) regular meetings each fiscal year. The first regular session of each year shall be held within forty-five (45) days of the close of the Department Convention for the purpose of approving an annual budget. The Department will continue to operate under the prior year's budget. A regular meeting shall be held at a place, date and time to be determined by the Department Commander. A regular meeting shall be held during Mid-Winter Convention. The last regular meeting shall be held at the place of and immediately preceding the next ensuing Department Convention.

**Amendment No. 11 →**

SPECIAL SESSIONS MEETINGS. Special sessions meetings of the Council of Administration may be called ~~or had~~ in accordance with Section 522 (g) of the ~~terms and provisions of the~~ National Bylaws of the Veterans of Foreign Wars of the United States.

~~MEETINGS HELD ELECTRONICALLY. Except as otherwise provided in these bylaws, regular and special meetings of the Department Council of Administration, may be held entirely or partially by use of videoconferencing or electronic transmissions that identify those participating, those seeking recognition to speak, and showing the results of votes, so long as all participants can communicate adequately with each other during the meeting. A person participating in a meeting by such means is deemed to be present at the meeting and counted for purposes of establishing a quorum and voting in order to transact the business of the organization.~~

~~These electronic meetings shall be subject to all rules adopted by the Department Council of Administration, or by National and State VFW Bylaws, to govern them, which may include any reasonable limitations on, and requirements for, members' participation. Any such rules adopted by the Board shall supersede any conflicting rules in the parliamentary~~

authority, but may not otherwise conflict with or alter any rule or decision of the National or State Bylaws.

**Amendment No. 12→**

ELECTRONIC MEETINGS. Meetings of the Department Council of Administration and Department Convention are authorized to utilize technology.

~~EXPENSES. Each member of the Department of Texas Council of Administration shall receive per diem at such rate as may have been budgeted by the State Quartermaster and approved by the Council of Administration for their attendance at any regular or special meeting of the Council of Administration and in addition thereto, shall receive travel expense at such rate as may have been budgeted per mile or otherwise by the Council of Administration to and from their home for attending such council meeting.~~

~~The Department Quartermaster, with the approval of the Budget & Finance Committee, will present to the Council of Administration at their first meeting for their approval a written policy concerning per diem and travel expenses for the incoming year, such written guidelines forwarded to the incoming members of the Council of Administration at least ten (10) days prior to the first scheduled meeting. This policy statement will set a rate for mileage, spell out the conditions under which expenses are paid, and the limitations of such payment and provide a means of advance authorization. Deviation from this established policy must be approved in advance by the Department Commander.~~

~~The foregoing per diem rate and travel expense allowance provided for members of the Council of Administration shall also apply to payment made to Department Officers or other members of the Department of Texas when traveling on official Department business, provided, however, the Council of Administration may authorize payments of per diem or travel allowance for the Department Commander at such rate as the Department budget may justify, provided, however, that any such payments shall never in their aggregate exceed the amount annually budgeted, therefore.~~

(f) TRAVEL AND EXPENSE REIMBURSEMENT. Members of the Council of Administration, or any member acting on official, authorized business of the Department otherwise entitled to reimbursement, may receive per diem and travel reimbursement for attendance at regular or special Council meetings, and for other official Department business, at the rates and under the procedures provided in the approved budget or a written travel policy adopted by the Council of Administration. No reimbursement shall be paid unless the claimant answers the roll-call at the meeting when attendance is required and submits the claim in the manner and within the time prescribed by that policy.

**Amendment No. 13→**

~~EXPENSE ACCOUNTS. No expense of any Council member or any Past Department Commander who may be entitled thereto under the terms of the preceding paragraph shall be paid unless such Council member or Past Department Commander answers roll call at the Council meeting. All Council members, Past Department Commanders, Department Officers, and/or other members of the Department who may be entitled to claim payments under any provisions of the preceding paragraph must submit a completed and signed claim for reimbursement to the Department Adjutant within fifteen (15) days of the adjournment of the Council meeting. Standard forms provided by Department Headquarters must be used.~~

~~QUORUM. The majority of the members of the Council of Administration at any regular or special session of the Council of Administration shall constitute a quorum for transaction of Council business. [\(Note: now defined in Composition and Duties\)](#)~~

~~VOTING.~~

~~Each member of the Department Council of Administration present at the meeting shall be entitled to one vote. On matters requiring action by the Department Council of Administration between stated meetings, the State Commander may direct the Department Adjutant to conduct mail, email or fax ballots; the results of such ballots shall be reported for the record at the next stated meeting. [\(Note: now defined in Composition and Duties\)](#)~~

~~Any valid action taken by the Department Council of Administration in the performance of its duties shall be effective upon passage and shall remain in effect until such time as it may be terminated or superseded by the Department Convention acting within the limits of its own authority. [\(Note: now defined in Composition and Duties\)](#)~~

## Article VII DEPARTMENT OFFICERS

~~OFFICERS. This Department shall have such officers as are designated by Section 516 of the National Bylaws of the Veterans of Foreign Wars of the United States, together with such additional officers, tenure, duties and responsibilities as herein contained. The State Judge Advocate and the State Surgeon are elected officers of the Department. (fix COS, OOD)~~

### ARTICLE VII – DEPARTMENT OFFICERS

OFFICERS. The Department Officers are designated by Section 516 of the National Bylaws of the Veterans of Foreign Wars of the United States. The State Judge Advocate and the State Surgeon shall be elected officers of the Department. The Department Commander shall appoint a Chief of

Amendment No. 14→

Staff and an Officer of the Day.

ELECTION. All elected Department officers shall be elected in accordance with the National Bylaws and the provisions of the Department Bylaws herein contained.

APPOINTMENTS. When each Department Commander leaves their office, appointed Department offices shall become vacant of personnel. The Department Commander will fill vacancies as necessary by appointment.

REPLACEMENT. Vacancies and expirations in offices shall be filled in accordance with the National Bylaws of the Veterans of Foreign Wars of the United States and the provisions herein contained. Officers' incapable of acting may be replaced in accordance with the provisions of the Congressional Charter and Bylaws of the Veterans of Foreign Wars of the United States and the provisions herein contained.

~~ADDITIONAL DUTIES: In addition to the duties imposed upon the Department Commander, Department Adjutant, and Department Quartermaster as set forth in the Congressional Charter and Bylaws of the Veterans of Foreign Wars of the United States, the Department Adjutant and Department Quartermaster with the joinder of the Department Commander shall make, enter into and execute any and all contracts, instruments and releases of every nature and kind pertaining to the business of this organization which is necessary to carry forth the purposes of the majority vote of the Department Convention or Department Council of Administration in accordance with the terms and provisions hereof. Additionally, the Department Quartermaster is authorized to pay all housekeeping bills (electricity, water, gas, cleaning, and outdoor maintenance) as related to the maintenance and operation of the Department Headquarters building and to enter into contracts for such services.~~

In addition to the duties prescribed by the Congressional Charter and Bylaws of the Veterans of Foreign Wars of the United States, the Department Adjutant and Department Quartermaster, with the concurrence of the Department Commander, are authorized to execute contracts, instruments, and releases necessary to carry out actions approved by the Department Convention or Department Council of Administration. The Department Quartermaster is authorized to pay routine operating expenses of Department Headquarters and to enter into contracts for such services.

**Amendment No. 15→**

SPECIAL DUTIES. The Department Adjutant will supervise the employees of the Department Headquarters. In the case of a Split position in the offices of the Adjutant and Quartermaster, the Department

Quartermaster will operate separately of the Department Adjutant and will supervise the Department assistant Quartermaster (if appropriate). The Department Adjutant, with the approval of the three (3) Chair Officers, unless otherwise limited or restricted by the Council of Administration, shall employ and terminate Department Headquarters office personnel as and when he/she deems necessary for the furtherance of Department business and affairs.

Furthermore, the Department Adjutant shall submit to the Department Quartermaster, in writing, a detailed report of budgetary items for the ensuing year. The detailed report shall include any planned changes that affect the development of the Department budget. The report shall include at a minimum any Employee Benefit changes, administrative cost, subscription costs, software upgrade/changes costs, and future development changes. The Department Quartermaster will utilize the report for the development and considerations for the budget prior to submission to the Council of Administration.

Additionally, the Department Quartermaster will enforce a strict nepotism policy that prevents direct reporting or supervisory relationship between relatives.

**DEPARTMENT QUARTERMASTER.** The Department Quartermaster shall prepare a budget for each ensuing year to be sent to all incoming Council of Administration members no later than ten (10) days prior to the first Council of Administration meeting for the new year for review by the Council of Administration. The Department will operate using the prior year's budget until the next Council meeting in July or if there is no meeting in July, until a majority vote of the Council of Administration by electronic vote no later than the end of July of each year.

**ADDITIONAL APPOINTMENTS.** The Department Commander may, immediately after having been installed, may appoint a total of six members as either a Deputy State Inspector or a Deputy Chief of Staff to perform those duties as determined by the Department Commander. The Department shall reimburse each Department Deputy State Inspector and/or Deputy State Chief of Staff for expenses incurred in performance of official duties as designated by the Department Commander on the same basis as other Department Officers are reimbursed for expenses when performing official Department duties, subject to the limitations of the approved budget.

**PROOF OF ELIGIBILITY.** Department Officers, elected and appointed, shall submit proof of eligibility for the files of the Department Adjutant prior to their installation following their election or appointment. Such proof of eligibility shall be open to the Department Commander, Department Adjutant, and Department Quartermaster. Department Officers, elected and appointed, shall not be installed or assume the duties of their office until such proof of eligibility is in the files of the Department Adjutant.

## ~~Article VIII~~ ~~VOTING~~

~~Any constituent member of a committee, subordinate unit of the Department, Department Council of Administration or Department Convention present at any session thereof shall have the right and privilege to vote in accordance with the purposes of such session and the National Bylaws of the Veterans of Foreign Wars of the United States. No proxy vote shall be recognized or authorized at any session of the Department Convention, Department Council of Administration or of any subordinate unit of the Department of Texas, whether incorporated or unincorporated, or at sessions of subordinate committees of the foregoing. Proxy voting shall not be permitted.~~

**Amendment No. 16→  
Strike**

## ~~Article IX~~ ~~MAJORITY VOTE~~

~~A majority vote, as used herein, shall mean the vote of a majority of the constituent members present and voting at any regular or special session of any committee, subordinate unit of the Department, the Council of Administration, or a Department Convention. A majority vote shall be required to substantiate any action taken by any committee, subordinate unit of the Department, Council of Administration or Department Convention unless otherwise provided for herein.~~

**Amendment No. 17→  
Strike**

## ~~Article X~~ ~~CHECKS, ELECTRONIC PAYMENTS, TRANSFER, AND CREDIT CARDS~~

~~All funds of this organization shall be deposited in the name of the Department and disbursements drawn including electronic payments or transfers against such funds shall be approved and/or signed by the Department Quartermaster. All checks shall be numbered in sequence. The Department Quartermaster shall have the authority to obtain a Department Credit Card(s) for use in purchasing goods or services for the Department.~~

## Article XI NOTICES

Any notices required to be given by these Bylaws may be given by mailing the same through the authorized medium (which may include mail or email) herein set forth to the person or body entitled thereto at his/her or its address shown on the organization's books, and such notice shall be deemed to have been given at the time of mailing.

Amendment No. 18→

Any notice required by these Bylaws may be sent by an authorized medium, including mail or email, to the person or body entitled to receive it at the address shown on the Department's records. Notice is deemed given when sent.

## Article XII ~~RESOLUTIONS AND CERTIFICATES~~ SEAL, RESOLUTIONS, AND CERTIFIED ACTIONS

All resolutions certifying the action of any member or body of this organization or the official capacity of any member of body hereof shall be signed by the Department Commander and Department Adjutant and have placed thereon the official seal of this organization.

All resolutions and certified actions of the Department shall be executed by the Department Commander and Department Adjutant and, when required, shall bear the official seal of the Department.

Amendment No. 19→

The Department shall maintain an official seal bearing the name "Veterans of Foreign Wars of the United States, Department of Texas." The Department Adjutant shall be responsible for the custody and use of the seal.

## Article XIII COMMITTEES

**DEPARTMENT PUBLICATION.** The Department shall have periodic publications. All Department orders, bulletins, and other notices of every nature shall be posted on the Department website. The Department Adjutant will serve as the Editor and will designate one or more an Associate Editor(s) for all publications. The Editor and Associate Editor(s) shall present to the first Council of Administration meeting held

~~immediately following the installation of the officers for their approval or disapproval all business matters concerning the operation and publication for that administrative VFW Year. These items shall include, but not be restricted to, the number and type of issues to be published, the cost of advertising to be charged, cost to be incurred for the various platforms (Platform / Software Subscriptions), and the total budgeted amount for year. Any publication in the form of a magazine shall be known at Texas VFW News when printed or Texas VFW E-News when digital platforms are used.~~

~~**CREDENTIALS COMMITTEE.** This Committee shall be appointed by the Department Commander and consist of not less than two members who must be entitled to vote as a member at the Department Convention for which appointed to act; provided, however, that members of this Committee shall not be from the same District in the Department. This Committee shall examine and report to the Department Convention upon the credentials of members present and entitled to participate in the Department Convention.~~

~~**LEGISLATIVE COMMITTEE.** This Committee shall consist of not more than four (4) members in good standing to serve as part of the Departments National Legislative Committee and shall be appointed by the Department Commander for a term not to exceed three (3) years. Committee members appointed to this committee cannot be removed by a subsequent Department Commander during their appointed term except for good and sufficient reason. Should a vacancy occur the Department Commander shall appoint a member to fill the vacancy not to exceed the original term of the vacant member's appointment.~~

~~**BYLAWS & RESOLUTIONS COMMITTEE.** The resolutions committee shall consist of no less than five (5) members appointed by the Department Commander. The Department Commander will appoint the chair of the committee. The Department Judge Advocate, by virtue of their position shall be an Ex Officio member of the committee.~~

~~**STATE AWARDS COMMITTEE.** This Committee shall consist of the State Commander, State Senior Vice Commander, State Junior Vice Commander, State Adjutant, and State e Quartermaster. In the event of a combined Adjutant/Quartermaster, the State Chief of Staff will fill the vacancy. This Committee prior to the State Convention shall select members in good standing who have been nominated for the following State Level Awards:~~

- ~~➤—Immediate Past District Commander~~
- ~~➤—Chaplain Award~~
- ~~➤—Quartermaster Award~~
- ~~➤—Service Officer Award~~
- ~~➤—Auxiliary Member Award~~
- ~~➤—POW/MIA Award~~

~~In addition, the following state level awards are authorized;~~

- ~~J.T. Rutherford Award—Recipients selected by past Rutherford Recipients.~~
- ~~Past State Commanders Award—Selected by the Past State Commanders Club~~
- ~~Danny Henry Award—Determined by contest points for the top Post Commander~~
- ~~Mack Johnson Award—Awarded to any District Commander that has all VFW Posts in their respective District at 100% as of June 30<sup>th</sup> of each year.~~

Each of these awards will be presented at the Annual State Convention awards banquet along with any other award(s) the State Commander authorizes.

### **DEPARTMENT BUDGET AND FINANCE COMMITTEE**

This Committee shall consist of six members in good standing with this organization. This Committee shall be an advisory Committee to the Commander, Quartermaster and the Council of Administration in matters pertaining to the Department budget and finances. The Committee shall meet with the Quartermaster during the preparation of the annual budget for advice and counsel. The Committee shall meet prior to each Council meeting to review the receipts and expenditures of the Department budget and be available for advice to the Council of Administration at the Council meetings. The Chair of the committee shall prepare a written report of the January and June meeting for the Department Commander with copies to the other chair officers and Department Quartermaster and Adjutant. The Department Commander, Department Senior Vice Commander and Department Junior Vice Commander shall be Ex-Officio members of this Committee.

**COMPOSITION.** The Budget and Finance Committee will be comprised of the following members for a total of nine (9):

- ~~State Commander~~
- ~~State Senior Vice Commander~~
- ~~State Junior Vice Commander~~
- ~~A member appointed by the State Commander to serve a period of three (3) years (total 3)~~

The Immediate Past State Commander to serve a period of three (3) years (total 3)

The Department Commander shall designate the Chair of the Committee. Should a member be unable to act, that office shall be declared vacant by the Department Commander and a new member shall be appointed to fill that vacancy in that class by the Department Commander.

## **GENERAL COMMITTEE RULES:**

The Department Commander shall, unless otherwise provided herein, appoint such personnel to such committees as created by the Department Convention and the Department Council of Administration.

Special committees may be appointed by the Department Commander at any time deemed necessary. Such special committees may be appointed for any special purpose and for any length of time as desired by the Department Commander and upon such terms and conditions as necessary in the furtherance of the desire and will of the majority of the Department Convention or Department Council of Administration; provided, however, the duties of no special committee shall be the same or conflict with those of any committee designated or created by the Department Convention or Department Council of Administration.

Recommendations, requests or resolutions may be submitted in writing by any Department officer or Department committee to a Department Convention or Department Council of Administration, during the meeting of either, and such recommendations, requests or resolutions as submitted in writing shall be considered for acceptance, amendment or rejection without motions or seconds; provided, further, that any past Department Commander may initiate propositions, actions or requests to the Department Council of Administration by submitting the same in writing, and such propositions, actions or requests as submitted in writing by a past Department Commander shall be considered by the Council for acceptance, amendment, or rejection without motions or seconds.

Committee Chairmen appointed by and directed by the Department Commander to make reports at a Council meeting or at the Department Convention will be authorized expenses as approved by the Council of Administration for other officers.

Each committee, except committees appointed to function as Department Convention committees, shall appoint its Chair from a member thereof unless otherwise specifically provided herein. Each committee shall, with the approval of the Department Commander, make such expenditures of Department funds as necessary in performing the respective duties of each committee, making such expenditures subject to policies formulated and limitations made by the Department Convention or Council of Administration.

Unless otherwise provided for herein, when each Department

~~Commander leaves their office, their committee appointees shall automatically cease to act as such, and each committee shall become vacant of personnel. The successor in office to the Department Commander shall appoint such personnel for committees and name their appointees therefor as herein set forth. Each successor shall perform likewise as regards appointments in personnel to committees.~~

~~Should any committee desire more personnel than the minimum number herein specified, it shall recommend such desired excess personnel to the appointing authority who shall appoint the same in accordance with the provisions hereof.~~

~~The Department Commander may, dependent on the approved budget, establish such committees in addition to those established by these Bylaws as may be appropriate to properly conduct the affairs of the Department and disband other committees as may be appropriate. The Department Commander may appoint the committee chair and members and remove them at the Department Commander's pleasure.~~

~~**MEETINGS HELD ELECTRONICALLY.** Except as otherwise provided in these bylaws, regular and special meetings of committees, may be held entirely or partially by use of videoconferencing or electronic transmissions that identify those participating, those seeking recognition to speak, and showing the results of votes, so long as all participants can communicate adequately with each other during the meeting. A person participating in a meeting by such means is deemed to be present at the meeting and counted for purposes of establishing a quorum and voting in order to transact business of the organization.~~

~~These electronic meetings shall be subject to all rules adopted by the Department Council of Administration, or by National and State VFW Bylaws, to govern them, which may include any reasonable limitations on, and requirements for, members' participation. Any such rules adopted by the Board shall supersede any conflicting rules in the parliamentary authority, but may not otherwise conflict with or alter any rule or decision of the National or State Bylaws.~~

(a) DEPARTMENT PUBLICATION. The Department may publish periodic print or digital communications. Department orders, bulletins, and other official notices shall be posted on the official Department website. The Department Adjutant shall serve as Editor and may designate one or more Associate Editors. At the first Council of Administration meeting after installation of officers, the Editor shall present for approval the publication plan for that administrative year, including the number and type of issues, advertising rates, platform or subscription costs, and the total budget. A magazine-style print publication shall be known as Texas VFW News, and a digital publication shall be known as Texas VFW E-News.

**Amendment No. 21→**

**(b) CREDENTIALS COMMITTEE.** The Department Commander shall appoint a Credentials Committee of not fewer than two (2) members who are entitled to vote at the Department Convention for which they are appointed. No two members of the Committee shall be from the same District. The Committee shall examine and report on the credentials of Delegates and Alternates present and entitled to participate in the Department Convention.

**Amendment No. 22→**

**(c) BYLAWS AND RESOLUTIONS COMMITTEE.** The Bylaws and Resolutions Committee shall consist of the Department Judge Advocate ,who shall chair the committee, and not fewer than five (5) members appointed by the Department Commander.

**Amendment No. 23→**

**(d) STATE AWARDS COMMITTEE.** The State Awards Committee shall consist of the Department Commander, Department Senior Vice Commander, Department Junior Vice Commander, Department Adjutant, and Department Quartermaster. If the offices of Adjutant and Quartermaster are combined, the Department Chief of Staff shall fill the remaining seat. Before the annual Department Convention, the Committee shall select members in good standing who have been nominated for the following State-level awards:

1. Immediate Past District Commander Award.
2. Chaplain Award.
3. Quartermaster Award.
4. Benefit Officer Award.
5. Auxiliary Member Award.
6. POW/MIA Award.

The following State-level awards are also authorized:

1. J.T. Rutherford Award, with recipients selected by prior Rutherford recipients.
  2. Past State Commanders Award, selected by the Past State Commanders Club.
  3. Danny Henry Award, determined by contest points for the top Post Commander.
  4. Mack Johnson Award, awarded to any District Commander whose District has all VFW Posts at 100% membership as of June 30.
- These awards shall be presented at the annual Department Convention awards banquet, together with any other awards authorized by the Department Commander.

**Amendment No. 24→**

**(e) DEPARTMENT BUDGET AND FINANCE COMMITTEE.** The Department Budget and Finance Committee is an advisory committee to the Department Commander, Department Quartermaster, and Council of Administration on matters concerning the Department budget and finances.

1. PURPOSE AND DUTIES. The Committee shall meet with the

Department Quartermaster during preparation of the annual budget for advice and counsel. It shall meet before each Council meeting to review Department receipts and expenditures and shall be available to advise the Council at its meetings. The Chair shall submit written reports of the January and June meetings to the Department Commander, with copies to the other Chair Officers and the Department Adjutant and Department Quartermaster.

2. COMPOSITION. The Committee shall consist of nine (9) members: the Department Commander, the Department Senior Vice Commander, and the Department Junior Vice Commander serving as ex officio members ; three (3) members appointed by the Department Commander for staggered three-year terms; and the three (3) most recent Past Department Commanders willing and able to serve, each for up to three (3) years.

The Department Commander shall designate the Chair. A vacancy shall be filled by appointment for the unexpired term.

(f) GENERAL COMMITTEE RULES. Unless these Bylaws provide otherwise, the Department Commander may establish, continue, combine, or discontinue committees, including special committees, within the approved budget and subject to any directive of the Department Convention or the Council of Administration, and shall appoint committee chairs and members. A special committee may be created for a specific purpose and term so long as its duties do not duplicate or conflict with those of a committee established by these Bylaws or by action of the Department Convention or Council of Administration. Committee appointees serve until the end of the appointing Department Commander's term unless these Bylaws provide a fixed term or different method of appointment. Written recommendations, requests, or resolutions may be submitted by any Department officer or Department committee to the Department Convention or Council of Administration and may be considered without motions or seconds. Any Past Department Commander may likewise submit written propositions, actions, or requests to the Council of Administration for consideration without motions or seconds. Committee chairs directed by the Department Commander to report at a Council meeting or at the Department Convention may receive expenses as approved for other officers. Unless otherwise provided, each committee shall select its own chair if one has not been designated. Committee expenditures require approval of the Department Commander and must comply with Department budget policy. A committee needing more than the minimum number of members specified in these Bylaws may request additional appointments from the appointing authority.

(g) ELECTRONIC MEETINGS OF COMMITTEES. Regular and special meetings of committees may be held electronically under the same standards and rules that govern electronic meetings of the Council of Administration under Article VI(e), unless these Bylaws provide otherwise.

## ~~Article XIV~~

Amendment No. 25→

Amendment No. 26→

Amendment No. 27→  
Strike

## SEAL

The official seal of this organization shall be in circular form and contain the words ~~VETERANS OF FOREIGN WARS OF THE UNITED STATES, DEPARTMENT OF TEXAS~~ and the Department Adjutant is directed to have a seal in the form indicated prepared, and to keep the same in their possession and to affix and impress the same upon any instrument requiring such seal. [\(Note: Combined with Article XII\)](#)

## Article XV DISTRICT

**FORMATION AND EXISTENCE.** ~~Districts in the Department shall be created, possess officers and perform duties and activities in accordance with the terms and provisions of the National Bylaws and Ritual of the Veterans of Foreign Wars of the United States and the provisions herein contained. (Copy of District boundaries is attached as Addendum A.)~~

**DISTRICT MEETINGS.** ~~Each District within the Department shall hold at least three (3) regular meetings each year, one (1) of which will be a school of instruction and one (1) of which will be the District Convention. Each District shall hold an annual convention for the purposes of electing District officers and for the transaction of business. Such convention to be held no less than ten (10) days nor more than seventy five (75) days prior to the convening of the Department Convention. Schools of Instruction will be conducted under the supervision of the District Commander and pertain to the Operational Procedures for Texas VFW Posts, as contained in the yearly Texas Standard Operation Procedures for Texas VFW Posts and to Article XVII, POSTS, paragraph (e). Special meetings will be called in accordance with the Bylaws of the Veterans of Foreign Wars.~~

**DUES.** ~~Delegates assembled at any District Convention may assess annual dues or Per Capita Tax upon Posts within the District in any amount not to exceed the maximum authorized by the National Bylaws provided, however, that no District levying such annual dues or Per Capita Tax shall impose any penalty upon member Posts for the nonpayment thereof unless such penalty be specifically authorized by the National Bylaws.~~

**REDISTRICTING.** ~~The Department of Texas Veterans of Foreign Wars convention delegates shall determine the number of Districts and the geographical boundaries established in the Department. No District shall be established with less than ten (10) Posts and 750 members.~~

~~A redistricting committee shall be appointed for the purpose of making recommendations to the Department Convention for re-establishing~~

~~boundaries of all Districts in Texas when:~~

~~The Department Commander feels it is necessary.  
When a District falls below ten (10) Posts and 750 members.  
When the Council of Administration, by at least two thirds (2/3) vote,  
recommend  
this be done.  
When the Convention delegates assembled at a Department Convention,  
by a majority vote, directs this be done.~~

~~The Redistricting Committee will be comprised of no less than five (5) members in good standing appointed by the State Commander. The State Commander will designate one member as the Chairperson for the Committee.~~

~~In no case will a District be sustained that falls below 750 members by June 30 of each year.~~

~~**District Audits.** In accordance with the National Manual of procedure, at each District Convention or District meeting, the District Trustees will properly audit the books and records of the District Quartermaster, District Adjutant, and any activity or unit sponsored, conducted or operated by, for or in behalf of the District and submit a detailed statement of such audit to the District.~~

~~The District Commander will ensure a Trustees Report of Audit copy is submitted to the Department Quartermaster no later than thirty (30) days after completion of the District Convention or District meeting. If the District School of Instruction includes a properly called District meeting, the requirement to conduct an audit applies. The report shall be in accordance with and upon such form as may be prescribed. The audit shall be signed by the District Commander and District Trustees, who shall, by signatures, certify to the accuracy of the information contained therein.~~

(a) **FORMATION AND EXISTENCE.** Districts in the Department shall be created and shall possess officers and perform duties and activities in accordance with the National Bylaws, Manual of Procedure, Ritual, and these Bylaws. Subject to those governing authorities, each District retains sovereignty over its internal District affairs, including its officers, committees, meetings, budget, and lawful District programs. Except as expressly authorized by National governing authority or by vote of the Department Convention, no District may be abolished, merged, redistricted, or have Posts reassigned from it without written notice to the affected District and an opportunity for the District to be heard. Department Headquarters shall maintain Addendum A showing Department District boundaries.

(b) **DISTRICT MEETINGS.** Each District shall hold at least three (3) meetings each fraternal year, consisting of one (1) School of Instruction,

Amendment No. 28→

Amendment No. 29→

one (1) Regular meeting, and one (1) District Convention. Each District shall hold an annual Convention to elect District officers and transact District business. The District Convention shall be held not fewer than ten (10) days and not more than seventy-five (75) days before the Department Convention. Schools of Instruction shall be conducted under the supervision of the District Commander and shall address the current Texas Standard Operating Procedure for Texas VFW Posts and the compliance requirements of Article XVII(e). Special meetings shall be called as provided by the National Bylaws.

**Amendment No. 30→**

(c) DUES. Delegates assembled at a District Convention may assess annual dues or per capita tax upon Posts within the District in an amount not exceeding the maximum authorized by the National Bylaws. No District imposing such dues or tax may impose a penalty for nonpayment unless that penalty is specifically authorized by the National Bylaws.

(d) REDISTRICTING. The Department Convention alone shall determine the number of Districts and their geographical boundaries. No new District shall be established with fewer than ten (10) Posts and 750 members.

The Department Commander shall appoint a Redistricting Committee of not fewer than five (5) members in good standing and shall designate the Chair when any of the following occurs:

1. The Department Commander determines that review is necessary.
2. A District falls below ten (10) Posts or 750 members.
3. The Council of Administration, by a two-thirds (2/3) vote, recommends review.
4. The Department Convention, by majority vote, recommends review.
5. An affected District petitions for review.

In no case will a District be sustained that falls below 750 members by June 30 of each year.

**Amendment No. 31→**

In the event a District falls below required operational thresholds following the adjournment of the Department Convention and prior to the next Department Convention, the Department Council of Administration shall have the authority to take interim action, including temporary realignment of Posts or District responsibilities, subject to final approval by the next Department Convention.

**DISTRICT AUDITS.** In accordance with the National Manual of Procedure, at each District Convention or any properly called District meeting, including a School of Instruction that includes a District meeting, the District Trustees shall audit the books and records of the District Quartermaster, District Adjutant, and any activity or unit sponsored, conducted, or operated by, for, or on behalf of the District. The audit report shall be submitted to the Department Quartermaster on the prescribed form within thirty (30) days after the meeting. The District Commander and District Trustees shall sign the report and certify its accuracy.

**Amendment No. 33→**

**DISTRICT INSPECTIONS:** No elected or appointed District officer

**Amendment No. 34→**

shall conduct an official inspection of any Post of which they are a member. In such cases, the District Commander shall assign a qualified and disinterested inspector from within the District to conduct the inspection.

## Article XVI COUNTY COUNCILS

There will be no County Councils chartered in the Department of Texas Veterans of Foreign Wars.

## Article XVII POSTS

(a) **FORMATION AND EXISTENCE.** Posts in the Department shall be created, exist, possess officers and perform duties and activities in accordance with the terms and provisions of the National Bylaws and Ritual of the Veterans of Foreign Wars of the United States and the provisions herein contained.

(b) **MEETINGS.** Each Post within the Department shall hold at least one stated meeting each month.

~~(c) **SPECIAL MEETINGS.** Special meetings of Posts may be called or held in accordance with the National Bylaws and Ritual of the Veterans of Foreign Wars of the United States and conditions herein contained.~~

~~(d) **BONDS.** Each accountable officer of a Post, including any person in charge of or responsible for the operation or maintenance of a club room or other recreational facilities of a Post, shall be bonded with an indemnity company as surety in a sum at least equal to the amount of funds and value of property which so far as can be anticipated he/she may be accountable for and have in their possession; such bond shall be made payable to such Post and the Department of Texas, as their respective interests appear. The bond premium shall be paid from the funds of the Post to which the officer is primarily accountable. The Post Commander shall approve the bond of the Post Quartermaster as to amount and surety, and the Post Commander shall be responsible for the proper and adequate bonding of such Quartermaster in accordance herewith. A majority of the Elected Post Officers shall approve the bond of any person or persons in charge of or responsible for the operation or maintenance of a club room or other recreational facilities of the Post as to amount and surety.~~ The Quartermaster and each accountable officer of the post shall be bonded in accordance with section 703 of the National Bylaws. Indemnity Bonds must be submitted to the Department Adjutant

no later than September 1<sup>st</sup> of each year.

**(e) MINIMUM REQUIREMENTS.** During the period July 1 through June 30 of each VFW fiscal year, each Post in the Department must:

~~(1) Submit to the Department Adjutant a quarterly audit of Post finances and assets no later than 30 days after the end of the reporting quarter.~~

**(1) Quarterly Audits** Each Post shall submit each quarterly Post Trustees' Report of Audit to the Department Adjutant no later than thirty (30) days after the end of the reporting quarter.

**Amendment No. 36→**

(2) Submit a Post election report by May 30<sup>th</sup> of each year.

(3) Conduct, document and submit to the Department Adjutant on the appropriate form the following:

A. ~~Twenty (20) Community Service Projects of which four (4) shall be submitted no later than the end of August of each year, four (4) no later than the end of October of each year, four (4) no later than the end of December of each year, four (4) no later than the end of February of each year and four no later than the end of April of each year for a total of twenty (20).~~

B. ~~Nine (9) Americanism Projects, three (3) of which will be submitted no later than the end of September of each year, three (3) of which will be submitted no later than the end of December of each year and three (3) of which will be submitted no later than the end of March of each year for a total of nine (9).~~

C. ~~Six (6) youth projects of which two (2) will be submitted no later than the~~

**COMMUNITY SERVICE:** New A. Each Post shall conduct or sponsor a minimum of one (1) Post-approved community service activity per month. A Post-sponsored community service activity is one that is approved by the Post and conducted in the name of the Post. Individual member volunteer activities shall not be counted unless formally adopted or recognized by the Post. Of the 12 annual submissions, Three (3) must be Americanism and three (3) must be Youth projects.

**Amendment No. 37→**

**DISTRICT PARTICIPATION:** The Post Commander or their designated representative will attend all properly called District training, conventions or meetings.

**Amendment No. 38→**

**(4) Military Assistance Program Reporting** Participate and submit a Military Assistance Program (MAP) activity report to the Department Adjutant as established in the Department Standard Operating Procedure for the current year by December 31<sup>st</sup> of each year.

**Amendment No. 39→**

(5) Provide a minimum financial donation of \$25.00 to the Department Quartermaster specifically marked for the “Texas House” at the VFW National Home ~~for children (deleted by National Convention)~~ by December 31<sup>st</sup> of each year.

Post relief funds may be utilized for the Military Assistance Program (MAP), the “Texas House” donations, and other educational and Department programs.

Amendment No. 40 →

(6) The Post Commander or their designated representative will attend all properly called District training, conventions or meetings.

~~(7) Submit to the Department Adjutant an Indemnity Bond on at least the Post Quartermaster in accordance with Subsection (d) of this Article by September 1<sup>st</sup> of each year.~~ (combined in (e))

**(8) IRS Filing** Submit to the Department Adjutant a copy of the Post Internal Revenue Service Form 990 Return of Organization Exempt from Income Tax as required by the Post Standard Operating Procedure for the current year.

**(9) Insurance Filing** Any Post owning and/or operating, directly or by reason of a holding company or other entity substantially controlled by the Post, or its members, a canteen, clubroom, or other facility available to members or guests must maintain general liability insurance, including, if necessary or appropriate, liquor liability insurance. Such insurance must be of a type and amount sufficient to protect the Post, and must name, as additional insureds, the Veterans of Foreign Wars of the United States, and the Department in which such Post is located. ~~Submit to the Department Adjutant a copy of this insurance by December 31st of each year.~~ Submit to the Department Adjutant proof of required insurance coverage within thirty (30) days of policy issuance or renewal. Posts shall maintain continuous coverage in accordance with National Bylaws and the Manual of Procedure. It is desirable that Posts not owning property have the same coverage in the event of injury at a Post sponsored activity as a subsequent lawsuit may subject all assets of the Post and each individual member to a court ordered judgment.

Amendment No. 41 →

~~(10) Submit to the Department Quartermaster payment for Post Delegate fees for Department Convention for the current fraternal year not later than fifteen (15) days from the convening of the Department Convention.~~

(11) **Commemorative Date Reporting** Submit to the Department Adjutant a report of Commemorative Date observations defined in

Section 223 National Bylaws and Manual of Procedures. This report shall be referred to as a VPR.

~~**Title to Property** Unincorporated Posts shall hold title to property in the names of the duly acting Trustees and their successor in office. Posts incorporated under the laws of the State of Texas shall hold title to property in the corporate name of the Post.~~

~~In accordance with Section 709 of the National Bylaws, no Post shall purchase, sell or otherwise transfer title or any interest in any real estate unless written notice of such proposal has first been given to each member of said unit ten (10) days prior to such regular or special meeting at which the proposal is to be considered, and then only by two thirds (2/3) vote of approval of those members present and voting at such regular or special meeting. In addition, at least thirty (30) days prior to such meeting, notice shall be provided to the Department Commander who shall review any sale, purchase, transfer or encumbrance to determine whether such transaction serves the purposes of the Veterans of Foreign Wars of the United States as prescribed in the Congressional Charter. Failure to comply with these provisions shall nullify said transaction.~~

**Title to Property** Unincorporated Posts shall hold title to property in the names of the duly elected Trustees and their successors in office.

Incorporated Posts shall hold title to property in the corporate name of the Post.

Any purchase, sale, transfer, or encumbrance of real property shall comply with National Bylaw Section 709 and any applicable Department review or filing requirements.

## **COMMITTEES**

Committees of the Post may be appointed or created in accordance with the duly approved Bylaws of such Post or, if no Post Bylaws exist, by the Post Commander. Should there be no Post Bylaws providing for committee appointments and the Post Commander fails to create or select a committee in accordance with the desires of the majority of members present and voting at any meeting, the Post, by vote, may create and fill a committee.

## ~~**DEPARTMENT CONVENTION DELEGATES:**~~

~~Each Post, in accordance with Section 222 of the National Bylaws, shall elect delegates for the next ensuing Department Convention.~~

~~Each Post shall pay a fee of three dollars (\$3.00) for each and every delegate to which such Post is entitled. Such delegate registration fee of~~

**Amendment No. 42→**

~~Posts shall be placed in the Department Convention Fund as received by the Department Quartermaster and used to help defray expenses incurred by the Department at said Convention in accordance with the National Bylaws.~~

~~Any Post failing to comply with Section 222 of the National Bylaws concerning delegate registration shall be considered delinquent and in arrears and shall not be entitled to delegate vote at the Department Convention so long as delinquent and in arrears.~~

Department Convention Delegates Each Post shall elect delegates and alternates for the Department Convention in accordance with National Bylaw Section 222. Delegate election reports shall be submitted to the Department Quartermaster no later than fifteen (15) days from the convening of the Department Convention.

Amendment No. 43 →

Each Post shall pay a delegate registration fee of three dollars (\$3.00) for each delegate to which the Post is entitled.

A Post that fails to pay required Department Convention delegate registration fees shall be considered delinquent and in arrears and shall not be entitled to delegate vote at the Department Convention until the delinquency is corrected.

## Article XVIII AMENDMENTS

These Bylaws may only be amended by the Department Convention and then only by a two-thirds vote of the members present and voting at any duly assembled meeting thereof; provided, that such amendments have been forwarded, through channels, in accordance herewith, and have been proposed by a Post, District or Council of Administration or have been recommended by a Department Officer or Department Committee and written notice thereof, together with copy of such proposed amendment has been posted on the official website for the Department of Texas VFW, under the title "Proposed Bylaw Changes" at least 30 days before assembling of the Department Convention; amendments adopted at any Department Convention in accordance herewith shall take effect simultaneously with the formal adjournment of the Department Convention at which adopted, subject only to the approval of the Commander-in-Chief. A copy of these Bylaws and amendments hereafter adopted will be posted to the official Department website under the admin section, no later than ninety (90) days after approval by the National Commander-in-Chief.

Amendment No. 44 →

The Texas VFW State Adjutant, with the majority approval of the Department Council of Administration, shall be authorized to correct article and section designations, punctuation, paragraph and subparagraph numbering and cross references and to make such other

technical can conforming changes as may be necessary to reflect the intent of the Texas VFW State Convention in Connection with these Bylaws.

## **Article XIX**

### **AUXILIARY TO THE DEPARTMENT**

The Auxiliary to this Department, as heretofore organized and now existing, is recognized in its entity by this organization, and its continued entity is hereby sanctioned as long as such Auxiliary pursues the purposes and objects of the Auxiliary in accordance with the National Bylaws, Ritual, Rules and Regulations of the Auxiliary and fully complies with the Congressional Charter, Bylaws and Manual of Procedure of the Veterans of Foreign Wars of the United States and the Bylaws of this Department and orders of the Department Council of Administration.

## **Article XX**

### **MILITARY ORDER OF THE COOTIE**

The Grand Pup Tent of the Military Order of the Cootie to this Department, as heretofore organized and now existing, is recognized in its entity by this organization, and its continued entity is hereby sanctioned so long as such Grand Pup Tent pursues the purposes and objects of the Military Order of the Cootie in accordance with the National Bylaws, Ritual, Rules and Regulations of the Military Order of the Cootie and fully complies with the Congressional Charter, Bylaws and Manual of Procedure of the Veterans of Foreign Wars of the United States and the Bylaws of this Department and orders of the Department Council of Administration and the Department Commander.

## **Article XXI**

### **TEXAS VFW MOTORCYCLE GROUP**

The Motorcycle Group to this Department, as heretofore organized and now existing, is recognized in its entity by this organization, and its continued entity is hereby sanctioned so long as such Motorcycle Group pursues the purposes and objects of the Texas VFW in accordance with the National Bylaws, Ritual, Rules and Regulations of the Motorcycle Group and fully complies with the Congressional Charter, Bylaws and Manual of Procedure of the Veterans of Foreign Wars of the United States and the Bylaws of this Department and orders of the Department Council of Administration and the Department Commander. It shall be the duty of the Department Council of Administration to adopt, amend

and promulgate a policy for the operation and control of motorcycle units and the group as a whole within the Department of Texas.

## **Article XXII**

### **TEXAS STATE HONOR GUARD**

Beginning with the 2022-2023 VFW administration year, the Department of Texas VFW State Commander will appoint one (1) member to the State Honor Guard for a five (5) year term, one (1) member for a four (4) year, one (1) member for a three (3) year term, one (1) member for a two (2) year term and one (1) for a one (1) term. Thereafter, in subsequent VFW administrative years, the Texas VFW State Commander will appoint one (1) member for a five (5) year term, replacing the then one (1) year member.

In the case that a member resigns or is removed from the State Honor Guard, the Texas VFW State Commander will be authorized to replace that member for the specific term of the vacant position.

## **Article XXIII**

### **RATIFICATION**

The foregoing Bylaws of the Veterans of Foreign Wars of the United States, Department of Texas, is a true and correct copy of such Bylaws as adopted by a majority of the members of the Department Encampment duly assembled on the 5th day of July 1950.

This further certifies that the amendments to the Bylaws of the Veterans of Foreign Wars of the United States, Department of Texas, have been passed by at least a two-thirds majority of delegates assembled at the annual Department Convention since that time and which have been duly reviewed by the responsible Commander-in-Chief of the Veterans of Foreign Wars of the United States.

Wherever these Bylaws or subsequent amendments may be found to be in conflict with the present or any future National Bylaws, the latter shall prevail and be binding upon this Department as though written herein.