

TEXAS MARSHAL ASSOCIATION

BY-LAWS

&

CONSTITUTION



AMENDED MAY 11, 2009

**BY-LAWS
OF THE
TEXAS MARSHAL ASSOCIATION**

ARTICLE I

SECTION 1 – NAME OF ASSOCIATION

The organization existing under these by-laws shall be known as the Texas Marshal Association.

SECTION 2 – OBJECTIVES

The objectives of the Association are as set forth in the Constitution.

SECTION 3 – PLACE OF BUSINESS

The principal place of business of the Association shall be anywhere in the state of Texas as may be expedient for the business of the association.

ARTICLE II

SECTION 1 – MANAGEMENT

A Regular Business Meeting shall be held annually. The Board of Directors shall determine the date and location of the next annual business meeting. The President shall call all meetings of the Board of Directors. The Board of Directors shall meet within one day of the regular annual business meeting of the Association.

ARTICLE III

SECTION 1 – CONDUCT OF MEETINGS

“Roberts Rules of Order” shall govern the conduct of all meetings except as otherwise provided in these By-Laws or the Constitution.

SECTION 2 – ORDER OF BUSINESS

As a rule, meetings shall be conducted in the following order:

1. Call to Order
2. Reading of the Minutes
3. Officers Reports
4. Unfinished Business
5. New Business
6. Good of the Association
7. Election of Officers

ARTICLE IV

SECTION 1 – AMENDMENTS

These By-Laws may be amended by a favorable majority vote of the membership in attendance at the annual business meeting or by a favorable majority vote of the membership in "good standing" by mail in ballot at any other time deemed necessary by the Board of Directors for the good of the association.

SECTION 2 – EFFECT OF AMENDMENTS

Unless otherwise specified, amendments to these By-Laws shall be in full force and effect immediately upon adoption.

APPROVED AS AMENDED THROUGH May 11, 2009

Tommy White, President

John Morris, Vice-President

CONSTITUTION
OF THE
TEXAS MARSHAL ASSOCIATION

ARTICLE I

SECTION 1 – NAME OF ASSOCIATION

The organization existing under this Constitution shall be known as the Texas Marshal Association and such association exists under and by virtue of State Charter Number 01436027 and Federal Tax ID Number 75-2734525.

SECTION 2 – DURATION OF ASSOCIATION

The duration of the Association shall be for the period of the existing charter – namely Fifty years, beginning March 5, 1997.

SECTION 3 – OBJECTIVES

The Association shall be a voluntary organization, composed of marshals, warrant officers, police officers, deputies, constables and bailiffs.

Associate membership in the Association shall be limited to Judges and other court support personnel. Associate members are not eligible to vote or hold any elected or appointed office other than on a committee in the Association. The Association has adopted the following objectives:

- A. To promote a social fellowship among its members;
- B. To instill in the members the spirit of cooperation and of the high regard of our calling;
- C. To assert a wholesome influence on the education of the citizens of our state; especially with the purpose of inculcating respect for law and order;
- D. To cooperate with courts, judges and branches of government, both state and national;
- E. To incorporate among the members a close personal acquaintance;
- F. To receive, gather and disseminate such information as might be helpful to members in the performance of duties;
- G. To promote complete cooperation and unified action with the various law enforcement organizations of the state; and
- H. To defray such legal and other expenses as may be incurred in perpetuating the interests of the Association.

SECTION 4 – POWERS OF THE ASSOCIATION

The powers of the Association shall be vested in the membership but may be executed by the Board of Directors as defined in Article II of this Constitution.

ARTICLE II

SECTION 1 – OFFICER DEFINED

The officers of the association shall be a President, a Vice-President, a Secretary, a Treasurer, Assistant Treasurer and a Sergeant of Arms. Each shall be elected and serve a term as prescribed in Article II, Section 3.

SECTION 2 – POWERS OF OFFICERS

The officers shall be the governing body of the Association and shall have custody, control and management of all funds, property and effects of the Association at the direction of the President. It is provided, however, that expenditures of more than \$750.00 must be presented to the Board of Directors for approval. In addition, the President shall appoint a Chaplain and Regional Directors to any vacant office. The officers and regional directors shall constitute the Board of Directors. The President may create committees and appoint any number of members in good standing to those committees for the good of the association; the Vice-President will be the chairperson for each committee. The President shall have the power to remove any regional director or committee member he deems necessary for the good of the association.

SECTION 3 – TERMS OF OFFICE

The officers of the association shall be elected according to the following procedure during the regular annual business meeting and shall serve in their elected capacities until their successors have been duly nominated and elected.

Officers shall be elected in the following manner:

During the regular annual business meeting of odd numbered years the office of President and Treasurer shall be filled. Their term shall be for two (2) years.

During the regular annual business meeting of even numbered years the office of Vice-President, Secretary, Assistant Treasurer and Sergeant of Arms shall be filled. Their term shall be for two (2) years.

The positions of Treasurer and Assistant Treasurer shall be filled by active members within the same region if at all possible due to the necessity of obtaining access to the P.O. Box. of the association.

If at any time an elected position becomes vacant, the Board of Directors may call a special meeting for the purpose of appointing a member in good standing to fill the remaining un-expired term of the position.

During the regular annual business meeting the floor shall be opened for nominations for expiring elected positions. Each nomination shall require a second.

The vote may either be by written secret ballot or voice vote as desired by the membership in attendance.

The nominee receiving the most votes of the membership for the vacant office shall be declared the winner.

This process shall continue until all vacant offices are filled.

The newly elected officers shall assume their duties at the conclusion of the annual business meeting and training conference.

SECTION 4 – QUALIFICATIONS OF OFFICERS

No member may be nominated for office that is not in good standing in the Association. No officers may continue in office or perform duties or exercise the powers of any office that is not in good standing in the Association. The term “**in good standing**” in this section is deemed to mean that all current dues and assessments have been paid, possess a valid Texas Peace Officer License, the member has been duly recognized is not under any criminal indictments.

SECTION 5 – COMPENSATION OF OFFICERS

All officers, directors, and members of committees or subcommittees shall serve without pay.

SECTION 6 – DUTIES OF THE PRESIDENT

The President shall call and preside at all board meetings and appoint region directors and committees members as needed for the good of the association. He shall have, subject to approval of the Board of Directors, the responsibility to manage and direct all affairs of the Association. He shall perform such other duties as may be consistent with the office.

SECTION 7 – DUTIES OF THE VICE-PRESIDENT

In the President's absence, inability or refusal to act, the Vice-President shall assume the duties of the office of President. The Vice-President shall be the chairperson for all committees.

SECTION 8 – DUTIES OF THE SECRETARY

The Secretary shall record and maintain a written record of all proceedings of the Board of Directors and of all the general and special meetings of the Association. The secretary shall keep a record of all membership of the Association in good standing and every other record made under or required by this Constitution or the By-Laws. The secretary shall serve, issue and publish all notices required to be given or as directed by the President. The secretary shall prepare all ballots at the direction of the Board of Directors. The secretary shall read the minutes of all meetings since the last regular annual business meeting during the current regular annual business meeting unless otherwise directed by the President.

SECTION 9 – DUTIES OF THE TREASURER

The Treasurer shall receive all funds and manage all accounts of the Association. The Treasurer shall pay all legitimate bills and disburse funds as directed by the Board of Directors of the general membership. The treasurer shall present an annual written report of the state of the treasury showing all deposits, disbursements and new membership information at each regular annual business meeting. An updated monthly report shall be forwarded no later than the 10th day of each month to the officers of the association. The post office box for the association shall be checked weekly and all funds received for the association shall be deposited within one week of receipt.

An annual audit of the treasury shall be conducted no later than January 31st of each year. The audit will be performed by a committee consisting of the Treasurer, Assistant Treasurer and one member of the Board of Directors appointed by the President at the annual business meeting. A finalized copy of the audit shall be forwarded to the Board of Directors by February 28th of each year.

SECTION 10 – DUTIES OF THE ASSISTANT TREASURER

The Assistant Treasurer shall assist with the duties required of the position of Treasurer. A separate set of accounting books shall be maintained by the Assistant Treasurer.

SECTION 11 - DUTIES OF THE SERGEANT-AT-ARMS

The Sergeant-At-Arms shall be responsible for maintaining order for meetings and functions of the association and to insure that the meeting minutes are recorded in the absence of the Secretary.

SECTION 12 – DUTIES AND POWERS OF BOARD OF DIRECTORS

It shall be the duty of the Board of Directors to supervise the conduct, management, and all affairs of the Association. The Board of Directors shall oversee and supervise all funds and property of the Association, cause to be kept a complete record of all meetings and acts, supervise all officers and members of the Association, and to pass upon all matters of importance pertaining to the Association.

SECTION 13 - DUTIES OF REGIONAL DIRECTORS

It shall be the duty of each Regional Director to actively seek new members within their region and act as the contact person for each member or prospective member within their region and forward any necessary affairs to the Officers of the Association.

SECTION 14 - DUTIES OF COMMITTEES

Training Committee: Is responsible for organizing, scheduling, preparing training manuals, testing, issuing training certificates, and to ensure all courses are T.C.L.E.O.S.E. approved and reported. A finalized draft of the curriculum shall be submitted to the President and Vice-President for review no later than two weeks prior to the conference date.

Conference Committee: Is responsible for locating conference sites and receiving bids for meeting rooms, breaks, hospitality room and submitting a copy of all bids received to the President and Vice-President for review.

Website Committee: Is responsible for researching and suggesting new enhancements to the website and for keeping the TMA website current by updating any changes in membership, officers, regional directors, committee members, news, seminars, and minutes of all meetings. Changes will be posted within two weeks of receiving the notice of a change from the President or Vice-President.

Promotional Committee: Is responsible for recommending and pricing new merchandise to be carried for sale by the TMA, selling and storing of all TMA merchandise, maintaining a current

inventory of all TMA merchandise, and keeping records of all sales and promotional giveaways. Copies of all quotes for new merchandise received will be submitted to the President and Vice President for review. All monies collected, along with receipts from sales, will be transferred to the Treasurer for deposit.

SECTION 15 – QUORUM TO CONDUCT BUSINESS

The total qualified members present at a meeting shall constitute a quorum for the purpose of conducting the business of the association, provided that:

- A. Notice of such meeting has been given; and
- B. At least one member of the Board of Directors shall be present to chair such meeting.
- C. A quorum to conduct business may be held by mail or email provided that at least two-thirds of the Board of Directors votes on the issue.
- D. All meetings must have the minutes recorded.

ARTICLE III

SECTION 1 –MEMBERSHIP

Active membership in the Association shall be limited to marshals, warrant officers, police officers, deputies, constables, marshals, and bailiffs who have been regularly appointed in their various ranks or positions and such honorary retired peace officers as may be authorized by a majority vote of the officers. Members in good standing at the time of their retirement under honorable circumstances shall be designated as lifetime members with all the privileges of active members, as long as they have been active members of the TMA for at least 5 years prior to retirement. Lifetime members may be issued special membership cards and their annual dues shall be suspended.

Associate membership in the Association shall be limited to Judges and Federal law enforcement officers serving in Texas and performing similar law enforcement and court duties and other court support personnel. Associate members are not eligible to vote or hold an elected or appointed office in the Association other than on committees.

SECTION 2 – TERMINATION OF MEMBERSHIP

Except as otherwise provided in this Constitution, membership shall terminate by abandonment, withdrawal, non-payment of dues, removal from position in law enforcement, surrender of membership certificate or death of a member.

Membership may be terminated or rejected by a unanimous vote of the Board of Directors if it is shown that a member has violated the objectives set out in Article I, Section 3 of this constitution and such violation has been brought to the Boards attention and substantiated.

SECTION 3 – EFFECT OF TERMINATION

Whenever any person has terminated membership in any manner, such person and all persons claiming under, by, or through such person, shall not be entitled to any refund for dues or fees paid unto or contributions or donations made to the Association, nor to any claim whatsoever upon any of the funds, benefits or property of the Association. A notice of such termination/ rejection will be sent to person terminated/rejected by letter or email to the address or email provided on membership application. Any person whose membership has been terminated or rejected may file an appeal in writing to the officers of the association within 14 days of the date of termination or rejection from the association to request a hearing.

SECTION 4 – DUES, FEES AND ASSESSMENTS

The Board of directors shall determine the amount of annual dues to be paid by individual members. Assessments, in addition to dues, may be levied by the Board of Directors should the condition of the treasury require such action.

SECTION 5 – CHECKS

All checks, drafts and notes of the Association shall be signed by the President, Vice-President or Treasurer. In the event of the inability of the President, Vice-President or Treasurer to sign, any officer designated by the Board of Directors may sign.

The Association shall also maintain a credit, debit or check card in the name of the Texas Marshal Association and the name of the current President, Vice-President and Treasurer. Upon a new President, Vice-President or Treasurer being elected, the Treasurer shall void the old credit, debit or check card and obtain a new one in the name of the newly elected President, Vice-President or Treasurer.

SECTION 6 – VOTING RIGHTS

An active member who is current on all dues, fees and assessments is considered in good standing and has voting rights.

SECTION 7 – REGIONAL DIVISIONS

The State of Texas shall be divided into five regions. The President shall appoint one Regional Director to represent each region.

ARTICLE IV

SECTION 1 – AMENDMENTS

This Constitution may be amended by a favorable vote of a two-thirds majority of the membership in attendance at an annual business meeting or by a favorable vote of a two-thirds majority of the membership by mail in ballot at anytime deemed necessary by the President.

SECTION 2 – EFFECT OF AMENDMENTS

Unless otherwise specified, amendments to the Constitution shall be in full force and effect immediately upon adoption.

APPROVED AS AMENDED THROUGH May 11, 2009

Tommy White, President

John Morris, Vice-President