



**CONSTITUTION  
OF**

*Unit Name Unit Number*

*City, State*

*District Number*

**American Legion Auxiliary  
Department of Ohio, Inc.**

*Date*

**PREAMBLE**

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

**ARTICLE I**

**NAME**

Section 1. The name of this organization shall be *(Unit Name and Unit No.)* American Legion Auxiliary, Department of Ohio, Inc.

**ARTICLE II**

**NATURE**

Section 1. The American Legion Auxiliary is a civilian patriotic service organization that supports the mission of The American Legion.

Section 2. The American Legion Auxiliary shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

### **ARTICLE III**

#### **ELIGIBILITY**

Section 1. Eligibility for membership in the American Legion Auxiliary is determined by The American Legion. The eligibility requirements from The American Legion governing documents shall be provided as a footnote to this Constitution for information purposes and shall be updated as appropriate. <sup>1</sup>

Section 2. There shall be two classes of membership, Senior and Junior.

- (a) Senior membership shall be composed of members eighteen (18) and older; provided, however, a member eligible under Section 1 of this article and who is under the age of eighteen (18) years and married shall be classified as a Senior member.
- (b) Junior membership shall be composed of members under the age of eighteen (18) years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen (18) years, Junior members shall automatically be admitted into Senior membership with full privileges.
- (c) Dues of both classes shall be paid annually or for life.

### **ARTICLE IV**

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<sup>1</sup> Membership in The American Legion Auxiliary shall be limited to the:

- 1) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion; and
- 2) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who served in either of the following periods; April 6, 1917 to November 11, 1918 and any time after December 7, 1941 who, being a citizen of the United States at the time of their entry therein served on active duty in the Armed Forces of any of the governments associated with the United States during either eligibility periods and died in the line of duty or after honorable discharge;
- 3) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who were in the Armed Forces of the United States during either of the following periods: April 6, 1917, to November 11, 1918; and any time after December 7, 1941 who served on active duty in the Armed Forces of the United States during either eligibility periods and died in the line of duty or after honorable discharge; and
- 4) to those women who of their own right are eligible for membership in The American Legion.

## UNIT OFFICERS

Section 1. The Unit shall elect, at a meeting in May, a President, First Vice-President, Second Vice-President, Secretary, and Treasurer for a term of one year. These officers may be installed immediately following elections or at a meeting held as soon as possible in accordance with provisions for "Installation of Officers" in the current ALA Unit Handbook.

Section 2. To participate in the election or appointment of Unit officers, a member shall have paid their dues for the current fiscal year within which the election is held, be in good standing, and not be in violation of current governing documents or under suspension.

Section 3. The Unit may elect or appoint a Sergeant-at-Arms, Historian, and Chaplain.

Section 4. The Executive power shall be vested in an Executive Committee comprised of the President, First Vice-President, Second Vice-President, Secretary, Treasurer, and at least three (3) additional members in good standing elected by the Unit. The term of office for members of the Executive Committee will be one year.

Section 5. An audit report shall be approved at a regular meeting before installing new officers. The audit shall be completed between the May meeting and the end of the month.

Section 6. Each officer, committee chairperson, and committee member of a Unit shall be a member of the Unit they serve.

Section 7. The office of Secretary may be combined with that of Treasurer and called "Secretary-Treasurer."

## ARTICLE V

### UNIT EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall be comprised of the President, First Vice-President, Second Vice-President, Secretary, Treasurer, and at least three (3) other members in good standing to serve on this Committee. This Committee shall meet as needed prior to regularly scheduled meetings. This Committee shall act in emergencies between meetings of the Unit and may offer recommendations to be acted upon at the Unit meetings. **This Committee shall act during emergencies such as state and community shutdowns, pandemics, etc. until mandated to reopen for business.** All proceedings of said Committee shall be presented to the Unit at the next regular meeting for approval.

Section 2. A vacancy existing in the Executive Committee from any cause other than the expiration of a term shall be filled by a majority vote of the entire Committee. A person so elected shall hold office for the unexpired term of the member they succeed.

Section 3. The President may call a meeting of the Executive Committee as needed or on the written request of at least three (3) members. Uniform notice of special meetings shall be given to all members of the Executive Committee.

Section 4. A majority of the members of the Executive Committee shall constitute its quorum.

Section 5. Unexcused absence from three (3) regular Unit meetings or Executive Committee meetings shall be sufficient cause for the removal of an Executive Committee member from office.

## **ARTICLE VI**

### **AMENDMENTS**

Section 1. This Constitution may be amended by a two-thirds vote of the members in good standing present at a regular Unit meeting, provided the entire membership has been notified of the proposed amendments by the medium of the press, Unit notice, newsletter, or email and read at the previous meeting.

Section 2. This Constitution shall be automatically amended to conform to the National and Ohio Department Constitution and Bylaws, Standing Rules, and Policy Statement of the American Legion Auxiliary.

Section 3. The Constitution and Bylaws committee has the authority to make technical changes for readability.

# BYLAWS

of

*Unit Name, Unit Number*  
*City, State*  
*District No.*  
**American Legion Auxiliary**  
**Department of Ohio, Inc.**

## ARTICLE I

### MEETINGS

Section 1. The regular meetings of this Unit shall be held at (*location, street, city, state*) (*month, day, and time*) with exceptions as stated in Standing Rules.

Section 2. The Annual Meeting of the Unit shall be in May for the purpose of electing officers and delegates to the convention.

Section 3. Special meetings of this Unit may be called by the President, by majority of the Executive Committee, or upon written request of at least three Unit members in good standing.

Section 4. (*Quorum number*) members, one of whom can preside, shall constitute a quorum at any Unit meeting.

Section 5. In the event of some great emergency such as war, epidemic, or disaster, the Executive Committee shall have the authority to determine whether or not a meeting shall be held, a two-thirds vote shall decide, and the vote may be taken by mail or email. In the event a meeting is not held, the Executive Committee shall have the authority to plan the procedure for conducting meetings and any elections during the emergency timespan as designated by the city, county, state, or nation.

## ARTICLE II

### EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall be comprised of the President, First Vice-President, Second Vice-President, Secretary, Treasurer, and at least three (3) other members, in good standing, to serve on this Committee. This Committee shall meet as needed prior to regularly scheduled meetings. This Committee shall act in emergencies between meetings of the Unit and may offer recommendations to be acted upon at the Unit meetings. **This Committee shall act during emergencies such as state and community shutdowns, pandemics, etc. until mandated to reopen for business.** All proceedings of said Committee shall be presented to the Unit at the next regular meeting for approval.

Section 2. A vacancy existing in the Executive Committee from any cause other than the expiration of a term shall be filled by a majority vote of the entire Committee. A person so elected shall hold office for the unexpired term of the member they succeed.

Section 3. The President may call a meeting of the Executive Committee as needed or on the written request of at least three (3) members. Uniform notice of special meetings shall be given to all members of the Executive Committee.

Section 4. A majority of the members of the Executive Committee shall constitute its quorum.

Section 5. Unexcused absence from three (3) regular Unit meetings or Executive Committee meetings shall be sufficient cause for the removal of an Executive Committee member from office.

### **ARTICLE III**

#### **DUTIES OF OFFICERS**

Section 1. Unit President: It shall be the duty of the Unit President to preside at all Unit regular and special meetings and meetings of the Unit Executive Committee; appoint members of core, standing, and other special committees except the Nominating Committee; appoint all officers not otherwise provided for with the approval of the Executive Committee; serve as an ex-officio member of all committees except the nominating Committee; enforce strict observance of the Constitution and Bylaws; bring to the Unit's attention all pertinent communications; and perform such other duties as custom, and parliamentary usage require.

If the Unit President becomes incapacitated or is otherwise unable to discharge her duties, the Executive Committee may declare the position vacant. In the event this should occur directive is found in the standing rules.

Section 2. The First and Second Vice President: In the order named, the first or second vice president shall be the presiding officer at a meeting in the absence of the President and assume such other duties as assigned by the President. In the absence of the President, first vice, and second vice, a chairman pro tempore shall be elected by the Executive Committee. See Standing Rules for the directive of additional duties.

Section 3. Unit Secretary: It shall be the duty of the Secretary to keep a record of proceedings and transactions of all Unit and Executive Committee meetings; shall act as custodian of all books, papers, applications, and records; shall keep a roster of names and addresses of all the members. The Secretary shall send out such notices as are directed by the President; process correspondence of the Unit; keep on file copies of all correspondence sent and received; and perform other such duties as shall be required by the President. In the absence of the President, First and Second Vice President, the Secretary shall call the meeting to order and preside until the Unit members select a temporary chairperson.

Section 4. Unit Treasurer: It shall be the duty of the Treasurer to serve as custodian of all funds received by the Unit and to account for them. The Treasurer shall maintain two separate funds:

a General and a Poppy (restricted) Fund. All Poppy donations shall be placed in the Poppy Fund and be used to assist the veteran, active-duty military, and their children. An accounting shall be kept of all receipts and all expenditures, making monthly reports to the Unit and turn in to the audit committee for annual review. Sign all checks in disbursing funds of the Unit (all checks will have two signatures). In the absence of the Treasurer or in addition to the Treasurer, the unit secretary and the past unit president shall be authorized to sign checks (see stand rules). At the end of her term, the Treasurer shall deliver promptly to the successor all money, voucher, books, and papers belonging to the Unit.

Section 5. Chaplain: It shall be the duty of the Unit Chaplain to offer prayer and to perform such divine and nonsectarian services as may be necessary, adhering to such ceremonial rituals as may be recommended by the Unit President, and shall perform other duties as assigned.

Section 6. Historian: It shall be the duty of the Unit Historian to complete a historical record of the current administrative year and shall compile pertinent records of all Unit and American Legion Auxiliary activities having historical value.

Section 7. Sergeant-at-Arms: It shall be the duty of the Unit Sergeant-at-Arms to preserve order at Unit meetings and perform such duties as custodian of Unit colors, property, and other duties as assigned by the President.

## **ARTICLE IV**

### **FINANCE**

Section 1. A vote of the membership upon recommendation of the Unit Executive Board shall determine the Annual dues for Senior and Junior membership. These dues include the Department and National per capita, the Department assessments for Veterans Affairs and Rehabilitation, and Children and Youth and are listed in the Unit Standing Rules. The annual Department and National per capita and assessments shall be submitted to the Department.

Section 2. Dues shall be payable annually for the succeeding calendar year or for life. A member failing to pay such annual dues by January thirty-first (31) shall be considered delinquent and suspended from all membership privileges. Payment of back dues, after suspension, shall reinstate such member to active membership. Any member delinquent as of December thirty-first (31) of the year of delinquency shall automatically be dropped from the rolls and may be reinstated only by paying all back dues or by re-establishing eligibility and applying as a new member.

Section 3. The Unit shall transmit annually (on or before December 31) to Department Headquarters money for coverage of the mandatory National Schedule Blanket Position Bond for the loss of money, securities, and other property up to the contracted limit, which the Unit sustains through any fraudulent or dishonest act by handling funds.

Section 4. The President shall appoint an Auditing committee of three (3) members in good standing who shall audit the books of the Secretary and Treasurer. This report shall be presented for approval at a meeting before installing new officers. The final audit shall be between the May meeting and the end of the month.

Section 5. The Unit is required to electronically submit Form 990N, also known as the e-Postcard, to the IRS by the 15<sup>th</sup> day of the 5<sup>th</sup> month after the close of your tax year. In addition, IRS form 8822-B must be filed if there is a change of address or a responsible party on the 990N e-post card.

## **ARTICLE V**

### **ELECTIONS**

Section 1. Elections shall be by ballot at the annual meeting in May. A plurality vote shall elect. However, when only one candidate exists, the ballot may be dispensed with, and the nominee elected by voice.

Section 2. The membership shall elect the Nominating Committee, composed of three (3) members, at the regular meeting held in March. The Nominating Committee shall present a slate of officers for the ensuing year at the regular meeting held in April.

Section 3. The slate will be reread in May, along with accepting nominations from the floor.

Section 4. Delegates and Alternates to represent the Unit at District and Department Conventions shall be elected at the Unit meeting in May. The number of delegates and alternates shall be according to the Department membership roll.

## **ARTICLE VI**

### **INITIATION**

Section 1. New members should be initiated singly or in groups in accordance with the Initiation Ceremony in the current ALA Unit Handbook. However, the initiation ceremony is not mandatory.

## **ARTICLE VII**

### **COMMITTEES**

Section 1. Pursuant to the Article III Duties of Officers, the Unit President may appoint committees as the President deems advisable to further the organization's mission, subject to the Executive Committee's ratification. When a vacancy occurs on a committee, the President shall appoint a member to serve the remainder of the unexpired term, all subject to the Executive Committee's confirmation.

Section 2. The following shall be the core Standing Committees: Veterans Affairs & Rehabilitation, Children & Youth, Americanism, National Security, Membership, Constitution & Bylaws, and Finance – there shall be the following committees: Auxiliary Emergency Fund, Community Service, Education, American Legion Auxiliary Girls State, Junior Activities, Leadership, Legislative, Poppy, and Public Relations.

Section 3. Pursuant to Article III Duties of Officers, the Unit President shall be considered an ex-officio member of all committees.

Section 4. A nominating committee shall be elected to present a slate of officers to the Unit for the ensuing year.

Section 5. The President shall appoint an Auditing Committee of three (3) members in good standing who shall audit the books of the Secretary and Treasurer at the close of each term. This report shall be presented for approval at a regular meeting before installing new officers.

Section 6. Committees shall report as required.

## **ARTICLE VIII**

### **FISCAL YEAR**

Section 1. The fiscal year shall extend from \_\_\_\_\_ to \_\_\_\_\_.

## **ARTICLE IX**

### **DISCIPLINE**

Section 1. For willful violation of the National, State, or Unit Constitution & Bylaws for conduct improper and prejudicial to the welfare of the American Legion Auxiliary or The American Legion, any member may be expelled from membership, or any Unit officer removed from office by two-thirds of the vote at a Unit meeting duly called for that purpose, after the member shall have been given at least fifteen (15) days written notice by the Unit Executive Committee of the charges and a hearing thereon. Either party may have the right to appeal to the Department Executive Committee, and their action shall be final. The appellant shall bear the expense of the said appeal.

## **ARTICLE X**

### **PARLIAMENTARY PROCEDURES**

Section 1. The Unit shall be governed by the current edition of "Robert's Rules of Order Newly Revised" on all matters to which they are applicable and not covered by the National, the Department of Ohio, and this Unit's Constitutions and Bylaws, Standing Rules, and Policy Statement.

## **ARTICLE XI**

### **AMENDMENTS**

Section 1. The Bylaws may be amended by a two-thirds vote of the members, in good standing, present at a regular Unit meeting, provided the entire membership has been notified of the proposed amendments by the medium of the press, Unit notice, newsletter or email and also read at the previous meeting.

Section 2. The Bylaws shall be automatically amended to conform to the National and Department of Ohio Constitution and Bylaws, Standing Rules, and Policy Statement of the American Legion Auxiliary.

Section 3. The Constitution and Bylaws committee has the authority to make technical changes for readability.

Section 4. The Constitution and Bylaws shall be reviewed annually by a committee of three or more members appointed by the President. If changes are made, an update will be done in a timely manner.

- a. Any Unit Member may submit additions or changes to the Bylaws to the Committee for consideration.

Date Approved by Vote of Unit Membership: \_\_\_\_\_

Signatures Constitution, Bylaws Committee:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

All electronic signatures

Contact Name & Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone \_\_\_\_\_

Email: \_\_\_\_\_

Department acceptance signature:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

SAMPLE