Charles E. Murray Post 186
Constitution
and Bylaws

As Amended at Post General Membership Meetings

through November 2025

Prepared by

CHARLES E. MURRAY POST 186

CONSTITUTION & BY-LAWS COMMITTEE

Brooksville, Florida

CONSTITUTION
OF
THE CHARLES E. MURRAY POST #186, INC,
THE AMERICAN LEGION DEPARTMENT OF FLORIDA

As Amended at Post General Membership Meetings through November 2025.

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 in all wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and 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 consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

ARTICLE I
NAME

Section 1 – Name of Organization

The name of this organization shall be Charles E. Murray American Legion Post 186, The American Legion, Department of Florida.

ARTICLE II
NATURE AND PURPOSE

Section 1 – Purpose

The objects and purposes of Post 186 shall be to promote the principles and policies set forth in the foregoing Preamble, and in the National and Department Constitutions of The American Legion.

Section 2 – Nature

(a) Post 186 is a civilian organization; membership therein does not affect or increase liability for military or police service.

(b) Military rank does not exist in The American Legion, and no member shall be addressed by their military title in any meeting of Post 186.

(c) While requiring all members to perform their full duty as citizens according to their own conscience and understanding, Post 186 shall remain strictly nonpolitical and shall not be used to promote partisan principles or support the candidacy of any person seeking public office or advancement.

ARTICLE III
MEMBERSHIP

Section 1 – Eligibility

Eligibility for membership shall be as prescribed by the National Constitution of The American Legion. Membership is limited to those who served in the Armed Forces of the United States during the periods of eligibility as established by the United States Congress and who were separated under honorable conditions. No person who was separated under dishonorable conditions shall be eligible for membership.

Section 2 – Application for Membership

(a) Applications for membership shall be made in writing on forms prescribed by The American Legion and accompanied by a DD-214 or other acceptable proof of honorable service.

(b) Applicants transferring from another post shall present a completed Member Data Form (or equivalent) and verification of membership in good standing from the transferring post, which shall be contacted by the Membership Committee for confirmation.

(c) No applicant shall be considered a member until their application has been approved in accordance with these Bylaws and all required dues are paid.

Section 3 – Review and Vote

a) The Membership Committee shall prepare and submit a roster of applicants, including new members, transfers, and reinstatements, from the preceding month or applicable period. This roster shall be the basis for the membership vote.

(b) The roster shall be reviewed by the membership present. Acceptance of applicants may be acted on as a group by motion and second in accordance with parliamentary procedure.

(c) Any member who has concerns regarding one or more applicants on the roster may raise those concerns prior to the vote. Such applicants shall be separated and considered individually.

(d) Voting on applicants shall be conducted by **secret ballot**, requiring a two-thirds (2/3) vote of those present and voting for acceptance. By motion and second, and with no objection, the Post may waive the requirement for individual secret ballots and accept the roster of applicants by group vote, except that any applicant identified for further consideration shall be voted on separately by secret ballot.

(e) If rejected, an applicant may reapply after a minimum of one regular meeting has passed.

Section 4 – Discipline and Expulsion

(a) Any disciplinary action affecting a member's rights in The American Legion shall be conducted in accordance with the Department of Florida's *Rules Governing Trials* and *Rules Governing Appeals*, which provide for written notice of charges, the right to be heard, due process protections, and appeal procedures.

(b) Expulsions shall be reported to the Department Headquarters in accordance with Department procedures.

(c) Disciplinary action involving the Post or its facilities shall also be subject to the Post House Rules.

Section 5 – Reinstatement

(a) A member whose membership has been revoked for non-payment of dues may be reinstated by a two-thirds (2/3) vote of the members present at a regular meeting and payment of all past and current dues as required by National and Department policy.

(b) Reinstatement after the close of the membership year shall be subject to the eligibility rules and dues requirements in effect at that time.

Section 6 – Transfers and Restrictions

(a) No person who has been expelled by a post shall be admitted to membership in another post without the written consent of the expelling post, except as provided in the National Constitution. If consent is refused, the applicant may appeal to the Department Executive Committee.

(b) A member may not hold active membership in more than one post at the same time, except as permitted under National and Department provisions for Department Headquarters or National Headquarters posts.

Section 7 – Classes of Membership

There shall be no form or class of membership except active membership, as defined by the National Constitution. Dues shall be paid annually, except for members who have been granted paid-up-for-life (PUFL) status in accordance with National policies.

Section 8 – False Information or Disqualifying Conduct

Any applicant or member found to have submitted false or misleading information on membership documents, or who has been convicted of a felony or any offense involving dishonorable conduct incompatible with the values and purposes of The American Legion, shall be ineligible for membership or, if already a member, shall be subject to expulsion in accordance with Section 4.

Section 9 – Visiting Members

Members in good standing of another American Legion post may attend meetings of Post 186 as guests. Such guests may speak with the consent of the presiding officer but shall have no vote on post business.

ARTICLE IV
OFFICERS

Section 1 – Executive Committee Composition

(a) The administrative affairs of Post 186 shall be under the supervision of the Executive Committee (E-Board), except as otherwise provided in these Bylaws.

(b) The Executive Committee shall consist of:

1. **Elected Officers:** Post Commander, First Vice Commander, Second Vice Commander, Finance Officer, Public Relations/Historian, Sergeant-at-Arms, Chaplain (non-voting member), and seven (7) elected Executive Committee Members.
2. **Appointed Officers:** Adjutant, Judge Advocate, Service Officer, appointed by the Post Commander, serving as non-voting members of the Executive Committee.
3. **Immediate Past Commander:** Automatic voting member unless serving in another office, in which case the position remains vacant for that year.
4. **Composition Limit.** The total number of Executive Committee members is fixed at eighteen (18). This number may only be changed by amendment to these Bylaws.

Section 2 – Election, Certification, and Installation

(a) All officers of Post 186 shall be elected/appointed annually.

(b) Certification of elected officers shall be made by the Post Adjutant to the Department Adjutant not more than ninety (90) days and not less than ten (10) days prior to the Annual Department Convention.

(c) Officers shall be installed in accordance with Article X, Section 12 of the Department Constitution, at a date and time convenient to the Post and District.

(d) Outgoing officers and committee members shall hold office until their successors are duly installed or otherwise provided, but not beyond the close of the Department Convention.

Section 3 – Eligibility to Hold Office

(a) Every member of Post 186 in good standing shall be eligible to hold office, provided the candidate is certified as a member in good standing by two (2) members of the Election Committee.

(b) The Election Committee shall verify each candidate's DD-214 or other acceptable proof of eligible service prior to the election.

(c) A member may be a candidate for only one (1) office in any election cycle.

(d) To be eligible for Post Commander, the candidate must have served at least one (1) year as an elected officer or Executive Committee member of Post 186. This requirement may be waived by a two-thirds (2/3) vote of the membership present at a regular membership meeting held within ninety (90) days prior to the Post election, upon recommendation of the Election Committee Chair.

Section 4 – Vacancies

(a) If an elected office or Executive Committee position becomes vacant, the Post Commander shall appoint a member in good standing to serve for the remainder of the term.

(b) Such appointment shall require a two-thirds (2/3) vote of the Executive Committee and a majority vote of the membership at a regular Post meeting.

(c) If the position of Commander becomes vacant, the Executive Committee shall convene a special meeting to recommend a qualified member to complete the term. The recommendation shall be presented to the General Membership at the next regular meeting for approval or disapproval by majority vote. This process constitutes an approval of the recommendation only and shall not be treated as an election or nomination. The Executive Committee retains responsibility for identifying and recommending a qualified member, consistent with Department procedures.

Section 5 – Resignation from Office

(a) An elected or appointed officer, or member of the Executive Committee, wishing to resign from their position should do so in person at an Executive Committee meeting, with the resignation entered into the minutes. If attendance is not possible, a signed and dated resignation letter submitted to the Post Commander or Adjutant shall suffice.

(b) Any elected or appointed officer, or member of the Executive Committee, who voluntarily resigns from their position without completing their term shall be ineligible to serve in any elected or appointed Post position for a period of two (2) years from the date of resignation.

(c) The Executive Committee may, by a two-thirds (2/3) vote, waive this restriction in exceptional circumstances where the resignation was due to hardship or other compelling reasons.

Section 6 – Attendance Requirements

All elected officers are expected to attend all Executive Committee and General Membership meetings. Absence from a combination of four (4) such meetings in a term may be cause for removal from office, pending review at a Special Executive Committee meeting. Removal shall be conducted in accordance with Section 8 of this Article and the Department Constitution, Bylaws, and Rules Governing Trials and Appeals.

Section 7 – Term of Office

All officers shall serve for one (1) year or until their successors are duly installed, unless removed from office in accordance with Section 8 of this Article.

Section 8 – Discipline and Removal from Office

(a) A Post officer, including members of the Executive Committee, may be reprimanded, suspended, or removed from office for cause in accordance with the Department's Rules Governing Trials and the Rules Governing Appeals.

(b) All proceedings shall guarantee due process, including written charges, reasonable notice, the right to be heard, and the right to appeal in accordance with Department and National procedures.

(c) Removal from office affects only the individual's Post position. A member's standing in The American Legion remains unchanged unless separately adjudicated under applicable Department or National rules.

ARTICLE V
FINANCE

Section 1 – Revenue Sources

The revenue of Post 186 shall be derived from membership initiation fees, annual membership dues, and such other sources as may be approved by a majority vote of the membership present at a Post 186 meeting.

Section 2 – Membership Dues

The membership of Post 186 shall fix the amount of annual membership dues, provided they meet or exceed the minimum dues established by the Department of Florida and The American Legion National Headquarters.

Section 3 – Remittance of Per Capita Dues

Post 186 shall remit to Department Headquarters the per capita dues for both National and Department, for every member of Post 186, promptly after collection and in accordance with Department procedures. This includes dues for Paid-Up-For-Life (PUFL) members as required.

Section 4 – Custody and Disbursement of Funds

All funds of Post 186 shall be maintained in authorized Post accounts and disbursed only in accordance with membership-approved budgets, votes, or established Post financial policies.

ARTICLE VI
AMERICAN LEGION AUXILIARY UNIT AND SONS OF THE AMERICAN LEGION SQUADRON

Section 1 – Recognition

Post 186 recognizes an Auxiliary organization to be known as **Auxiliary Unit 186 of The Charles E. Murray Post 186, The American Legion**.

Post 186 also recognizes a Sons of The American Legion (SAL) organization to be known as **Squadron 186 of The Charles E. Murray Post 186, The American Legion**.

At present, Post 186 does not maintain an American Legion Riders Chapter. Should such a chapter be formed in the future, it will be recognized as **American Legion Riders Chapter 186 of The Charles E. Murray Post 186, The American Legion**. It shall operate in accordance with the American Legion Riders program policies and applicable National and Department guidelines.

Section 2 – Membership Eligibility

(a) Membership in Auxiliary Unit 186 shall be as prescribed by the National Constitution & Bylaws of the American Legion Auxiliary.

(b) Membership in Squadron 186 shall be as prescribed by the National Constitution & Bylaws of the Sons of The American Legion.

(c) Membership in American Legion Riders Chapter 186 shall be as prescribed by the National and Department Riders program rules.

ARTICLE VII
AMENDMENTS AND EFFECTIVE DATE

Section 1 – Proposal of Amendments

Amendments to this Constitution may be proposed by any member in good standing at a regular meeting of the Post, provided that written notice of the proposed amendment is submitted to the Adjutant at least thirty (30) days prior to the meeting at which it is to be considered.

Section 2 – Adoption of Amendments

This Constitution may be amended at any regular meeting of Post 186 by a two-thirds (2/3) vote of the members present, provided that the proposed amendment shall have been submitted in writing and read at the preceding regular meeting, and provided further that due notice shall have been given to all members at least ten (10) days in advance of the meeting at which the vote is to be taken.

Section 3 – Department Approval

All amendments shall be submitted to The American Legion, Department of Florida, for approval. No amendment shall take effect until approved by the Department.

Section 4 – Conformity with National and Department Constitutions

This Constitution is adopted subject to the provisions of the National Constitution of The American Legion and the Department Constitution of The American Legion, Department of Florida. Any amendment to the National Constitution or the Department Constitution that conflicts with any provision hereof shall automatically repeal or modify the provision of this Constitution to the extent of such conflict.

Section 5 – Effective Date

This Constitution, and any amendments thereto, shall take effect immediately upon approval by The American Legion, Department of Florida. A copy of this Constitution, together with all approved amendments, shall be maintained as part of the official records of the Post by the Adjutant.

BY-LAWS
OF
THE CHARLES E. MURRAY POST #186, INC,
THE AMERICAN LEGION DEPARTMENT OF FLORIDA

As Amended at Post General Membership Meetings through November 2025.

ARTICLE I
MANAGEMENT

Section 1. Authority

The legislative and administrative powers of this Post shall be vested in the General Membership assembled at a regular or special meeting, provided a quorum is present.

Section 2. Executive Committee

The composition, authority, and voting rights of the Executive Committee are as provided in **Article IV of the Constitution**. In addition, standing committee chairs and Post managers (such as the House Committee Chair, Canteen Manager, or Office Manager) may serve as **non-voting advisory members** of the Executive Committee when confirmed by the General Membership.

Section 3. Subordination

These Bylaws are adopted pursuant to and consistent with the provisions of the Constitution of Charles E. Murray American Legion Post 186. Any provision of these Bylaws found to conflict with the Post Constitution, the Department Constitution and Bylaws, or the National Constitution and Bylaws of The American Legion shall be null and void to the extent of such conflict.

Section 4. Interpretation

The Post Judge Advocate shall be the final authority within the Post on interpretation of these Bylaws at the Post level, subject to appeal to the Department Judge Advocate through proper channels as provided in the Department Constitution and Bylaws.

ARTICLE II
MEMBERSHIP PROCEDURES

Section 1. Applications

All applications for membership shall be submitted in writing on forms prescribed by National Headquarters, accompanied by proof of eligibility and the required dues. Applications shall be referred to the Membership Committee for investigation and recommendation before being acted upon by the General Membership.

Section 2. Election to Membership

Election to membership shall normally be by ballot of the General Membership at a regular meeting. By motion and second, and with no objection, the requirement for individual ballots may be waived, and applicants may be accepted as a group by vote of the General Membership. However, any applicant identified for separate consideration shall be voted on individually by secret ballot. Acceptance of membership shall require the vote threshold prescribed in the Bylaws.

Section 3. Dues

Annual membership dues, as fixed by the General Membership of this Post, shall be payable in advance of each membership year. The amount of dues shall not be less than the sum established by the National and Department Organizations, plus any Post dues as approved by the General Membership.

Section 4. Transfers

A member in good standing in another Post of The American Legion may transfer membership to this Post upon presentation of a current membership card, evidence of eligibility, and payment of any Post 186 dues required. Transfers shall be subject to the same investigation and vote as new applications.

Section 5. Reinstatement

Any member whose dues have lapsed may be reinstated in accordance with National and Department policies, upon payment of current dues. Reinstatement shall not require a new application if eligibility has already been established.

Section 6. Discipline

Discipline, suspension, or expulsion of members shall be conducted in accordance with the Department's Rules Governing Trials and the Rules Governing Appeals. The Post shall follow all due process requirements established by the Department and National Organization, including written charges, reasonable notice, the right to be heard, and the right to appeal.

ARTICLE III
MEETINGS

Section 1. Regular Meetings

The General Membership of this Post shall meet on the **first Thursday of each month at 6:00 PM** at the Post Home, unless otherwise ordered by the General Membership. Notice of any change in date, time, or place shall be provided to the membership not less than seven (7) days in advance by posting on the Post bulletin board and official website or by electronic distribution.

Section 2. Special Meetings

Special meetings of the General Membership may be called by the Commander, the Executive Committee, or upon written request of not less than ten (10) members in good standing. **Notice of at least forty-eight (48) hours shall be provided by posting on the Post bulletin board and by electronic distribution through established Post communication channels (such as email, text message, or website announcement).** The notice shall state the purpose of the meeting, and no business shall be transacted other than that for which the meeting was called.

Section 3. Executive Committee Meetings

The Post Executive Committee shall meet on the **fourth Thursday of each month at 4:00 PM** at the Post Home. Special meetings of the Executive Committee may be called by the Commander or upon request of not less than five (5) Committee members.

Section 4. Quorum

A quorum for meetings of the General Membership shall consist of not less than **ten (10) members in good standing, including at least two (2) elected officers**. A quorum for meetings of the Executive Committee shall consist of **eight (8) voting members of the Committee**.

Section 5. Order of Business and Parliamentary Procedure

(a) The order of business at General Membership and Executive Committee meetings shall follow the procedures established in the **Department of Florida's official meeting agenda template** and *The American Legion Officer's Guide*.

(b) Where a matter is not explicitly covered therein, **Robert's Rules of Order, Newly Revised** shall apply in a supplemental capacity, provided it does not conflict with the Post Constitution and Bylaws, or Department and National policies.

ARTICLE IV
OFFICERS AND ELECTIONS

Section 1. Officers

The officers of this Post shall consist of a Commander, Adjutant, First Vice Commander, Second Vice Commander, Finance Officer, Judge Advocate, Chaplain, Sergeant-at-Arms, Public Relations/Historian, Service Officer, and such additional officers as may be deemed necessary by the General Membership. All officers shall be members in good standing of this Post.

Section 2. Executive Committee

The composition, authority, and voting rights of the Executive Committee are as provided in **Article IV of the Constitution**. In addition, standing committee chairs and Post managers (such as the House Committee Chair, Canteen Manager, or Office Manager) may serve as **non-voting advisory members** of the Executive Committee when confirmed by the General Membership.

Section 3. Eligibility for Office

(a) All officers of this Post shall be members in good standing of The American Legion and of this Post.

(b) Nominees for the office of Commander must have served at least one (1) year as an elected or appointed member of the Executive Committee of this Post. This requirement may be waived by a two-thirds (2/3) vote of the General Membership present at a regular meeting.

Section 4. Term of Office

All officers shall be elected for a term of one (1) year. Officers shall assume office upon installation, in accordance with Article X, Section 12 of the Department Constitution.

Section 5. Vacancies

(a) Vacancies in elected offices or elected committee positions shall be addressed in accordance with Article IV, Section 4 of the Post Constitution.

(b) If the position of Commander becomes vacant, the Executive Committee shall convene a special meeting within fourteen (14) days of the vacancy and prior to the next General Membership meeting. The purpose of this meeting shall be to recommend a qualified member in good standing to complete the unexpired term.

(c) The recommendation of the Executive Committee shall be presented to the General Membership at its next regular meeting, or at a special meeting if required, for approval by a majority vote of members present and voting.

(d) If the General Membership does not approve the recommended candidate, the Executive Committee shall reconvene as soon as possible to select an alternate recommendation. A subsequent General Membership meeting shall then be called, if necessary, to ensure the Commander position is filled without undue delay.

Section 6. Tie Votes

(a) In the event of a tie vote in a Post officer election, the membership shall immediately conduct a second ballot between the tied candidates.

(b) If the second ballot also results in a tie, additional ballots shall be taken as needed until the tie is broken.

(c) If after three consecutive ballots the tie remains unbroken, the election shall be decided by drawing lots (e.g., coin toss or drawing names) conducted by the Adjutant in the presence of the membership, with the result final and binding.

ARTICLE V
DUTIES OF OFFICERS

Section 1 – Commander

The Commander shall preside at all meetings of the Post and have general supervision over all business affairs. The Commander is the chief executive officer of the Post and is responsible for ensuring enforcement of the Constitution and Bylaws. The Commander serves as liaison to the Auxiliary, Sons of The American Legion, and Legion Riders, and shall make an annual report of the Post's business to be filed with the Adjutant's records. The Commander shall ensure an annual audit of Post finances, internal or external as approved by the Executive Committee and membership as required by Article VIII, Section 6 of these Bylaws. The Commander is ex officio of all committees. The Commander may designate an officer or committee chair to execute contracts, provided such designation is in writing, filed with the Adjutant, and recorded in the minutes of the next meeting. A copy of the written designation shall be attached to the related contract.

Section 2 – Vice Commanders

The First Vice Commander shall preside in the absence of the Commander and serve as Chair of the Membership Committee. The Second Vice Commander shall be responsible for patriotic observances and social activities of the Post. Vice Commanders shall assist the Commander in all duties as directed.

Section 3 – Judge Advocate

The Judge Advocate shall advise the Officers and Executive Committee on legal matters, interpret the Constitution and Bylaws, and investigate and advise infractions within the Post. The Judge Advocate shall not hold any other elected office on the Executive Committee unless the position is otherwise vacant.

Section 4 – Adjutant

The Adjutant shall serve as the administrative officer, maintaining a full and accurate record of all proceedings of meetings, correspondence, membership records, and reports as required by Department and National Headquarters. The Adjutant shall act as recorder for the Executive Committee and maintain attendance records of paid-up members at meetings. The Adjutant shall not hold any other office on the Executive Committee unless the position is otherwise vacant.

Section 5 – Finance Officer

The Finance Officer shall receive all income, deposit funds in an approved bank, and pay all authorized bills. The Finance Officer shall provide monthly financial reports, including Profit & Loss Statement, Balance Sheet, and General Ledger for Post and Canteen, available for review at membership meetings but not removed from the Post. The Finance Officer shall ensure bonding of all officers and employees with access to funds, in an amount set by the Executive Committee. Authorized check signers shall be the Commander, First Vice Commander, and Finance Officer. The Commander may appoint one additional board member to assist the Finance Officer.

Any total expenditure in excess of **$500 per month** for the purchase of fixed assets shall be referred to the Executive Committee and membership for approval prior to purchase, with no exceptions. The monies may not be rolled or carried over from month to month. This limit does not apply to normal expenditures for utilities, occupancy, repairs, purchase of inventory, taxes, Department membership dues, and insurance. In extreme emergencies (declared only by the Commander or Acting Commander), the Executive Committee shall be authorized to expend such funds as necessary to maintain Post operations.

Credit cards shall be secured jointly by the Commander and Finance Officer and issued only for authorized purchases, to be returned upon completion.

Section 6 – Historian/Public Relations Officer

The Historian/PR Officer shall maintain the historical record of the Post and handle public relations as directed. All press releases must be approved by the Commander.

Section 7 – Chaplain

The Chaplain shall provide nonsectarian services at dedications, funerals, and public functions in accordance with ceremonial rites prescribed by National and Department. The Chaplain, or designee, shall visit ill members and report circumstances to the Post.

Section 8 – Sergeant-at-Arms

The Sergeant-at-Arms shall prepare the meeting hall, guard the door at all meetings, and admit only those entitled. The Sergeant-at-Arms shall ensure the canteen is closed to members during membership and Executive Committee meetings and shall preserve order as required.

Section 9 – Service Officer

The Service Officer, appointed by the Commander, shall assist Veterans and families with claims and benefits, serve as liaison with the Department and the U.S. Department of Veterans Affairs, and safeguard the welfare of all concerned.

Section 10 – Vacancies

Any officer who resigns shall be considered to have been immediately terminated. The Commander shall recommend a replacement to the Executive Committee, subject to membership approval.

Section 11 – Compensation

No officer of the Executive Committee shall be a paid employee of the Post.

Section 12 – Dues Requirement

All newly elected officers must be current in dues prior to installation.

ARTICLE VI
COMMITTEES

Section 1 – Standing Committees

The following Standing Committees shall be maintained by this Post. Each committee shall operate under these Bylaws and any Standard Operating Procedures (SOPs) approved by the Executive Committee and the General Membership and shall report regularly at Post meetings.

(a) **Constitution & Bylaws Committee (C&B)**

Composition. Not fewer than five (5) members in good standing; the **Adjutant** and **Judge Advocate** serve as standing members.

Duties.

1. Review the Constitution & Bylaws at least once every three (3) years and whenever directed by the Executive Committee or General Membership.
2. Vet all proposed amendments for clarity, internal consistency, and **conformity with Department and National** constitutions and bylaws; coordinate the review step with the Judge Advocate as needed.
3. Maintain the **master copy** of the governing documents with the Adjutant and ensure approved changes are recorded and submitted per Department procedures.
4. **House Rules oversight (failsafe):** If the House Committee fails to produce, maintain, or properly update compliant House Rules, the C&B Committee shall prepare House Rules for membership consideration and approval (see Section 1(d) below for House Committee authority).

(b) **Elections & Nominations Committee (E&N)**

Composition. Three (3) to five (5) members in good standing; **no current officer or candidate** for any elected office may serve. Members are appointed/confirmed as provided in Article IV (Nominations & Elections).

Duties.

1. Administer the full nomination and election process described in Article IV, including eligibility verification and management of candidate Nomination Statements.
2. Coordinate candidate presentations consistent with Article IV.
3. Issue, collect, and **count ballots under the direct supervision of the E&N Chair**, certify results, and report the certification to the Commander and Judge Advocate prior to announcement to the membership (per Article IV).

(c) **Finance Committee**

Composition. Chaired by the Finance Officer; additional members appointed by the Commander and approved per Post practice.

Duties.

1. Prepare the annual budget; monitor revenues/expenses; recommend financial policy.
2. Coordinate **audits/financial reviews** as required by the Post and Department guidance; ensure proper motions to "file for audit" accompany reports requiring audit on meeting agendas.
3. Oversee bonding recommendations for officers/employees with access to funds, in collaboration with the Finance Officer.
4. Provide a finance report at each General Membership meeting (and Executive Committee as required).

(d) **House Committee**

Composition. The Post shall maintain a House Committee to manage the Post Home and property. (Exact size/terms may be set by SOP or membership action; any method must preserve clear accountability and regular reporting.) Historical practice included elected members from the general membership and regular submission of **minutes to the Adjutant** for the record.

Authority & Duties.

1. Care, conduct, and operation of the Post Home, property, and grounds; oversight of bar/canteen and related facilities (subject to law and Post policies).
2. Draft, maintain, and enforce **House Rules** governing day to day use and conduct at the Post Home; **House Rules must be approved by the General Membership**, comply with all applicable laws, and may not conflict with these Bylaws or Department/National policy.
3. Keep minutes, maintain records, and **report monthly** to the Executive Committee and General Membership; provide minutes to the Adjutant within the time window set by Post practice/SOP.
4. Submit recommendations (repairs, purchases, contracts) through the Executive Committee to the General Membership as required by Post policy.

Oversight & Failsafe. Actions of the House Committee are subject to review by the Executive Committee and the General Membership. If the House Committee fails to

execute its duties, the Constitution & Bylaws Committee may prepare draft House Rules **only for membership consideration and approval**, ensuring the Post always maintains compliant House Rules. This authority is limited to drafting and does not override the General Membership's ultimate control.

(e) **Membership Committee**

Composition. Chaired by the **First Vice Commander**; additional members as needed.

Duties.

1. Recruit, retain, and reinstate members; coordinate with the Adjutant and Finance Officer on records and dues.
2. Verify eligibility for all applicants and transfers, including confirming good standing with the prior Post, and ensure proper documentation (e.g., DD Form 214 or other acceptable proof) accompanies each application.
3. Prepare and submit a roster of applicants (new, transfer, or reinstatement) from the preceding month or applicable period to be presented at each General Membership meeting. Ensure the roster includes all required applicant information.
4. Provide the roster to the Adjutant for inclusion in the meeting agenda and records.
5. Present membership recommendations and reports at General Membership meetings in accordance with Article III, Section 3 of these Bylaws, including the process for roster approval, handling of concerns, and the use of secret ballot when appropriate.
6. Provide new members with a copy of the current Constitution, Bylaws, and House Rules, physical or electronic, at the meeting where they are voted in, and retain receipts or acknowledgments per Post practice.
7. Committee recommendations shall not substitute for a General Membership vote as required by Article II, Section 2 of these Bylaws.

Section 2 – Special Committees

The Commander, with approval of the Executive Committee **or** by majority vote of the General Membership, may establish Special Committees to address specific projects, programs, or events (e.g., Queen of Hearts, Bingo, Renovation, Scholarship, Public Relations).

Operating Rules. Each Special Committee's **scope, membership, quorum, and reporting cadence** shall be defined in a written **SOP** approved by the General Membership. Special Committees automatically dissolve upon completion of their assignment unless renewed by membership vote.

Section 3 – Operations & Reporting (All Committees)

(a) **Reports & Minutes.** Standing Committees shall report monthly (or at each General Membership meeting, as applicable). Minutes and reports shall be provided to the Adjutant for the official records and included under **Committee Reports** on regular agendas.

(b) **Quorum/Meetings.** Each committee shall meet as needed to fulfill its duties; quorum and procedures may be set by SOP or by committee standing rules consistent with these Bylaws.

(c) **Conflict of Interest.** No committee member shall participate in deliberation or voting on matters presenting a direct personal, financial, or candidacy conflict. Any conflict shall be disclosed to the committee chair and recorded in the minutes (e.g., **E&N** members may not be candidates).

(d) **Supremacy & Compliance.** Committee actions must conform to these Bylaws and the Post Constitution and remain subject to review by the Executive Committee and General Membership. Where Department/National provisions apply, they control.

Section 4 – Advisory Role on the Executive Committee

Standing committee chairs, as well as Post managers designated under Article IV, Section 2, may serve as advisory members of the Executive Committee. Such participation shall be non-voting and is intended to provide reports, subject-matter expertise, and recommendations to assist in the governance of the Post.

ARTICLE VII
DISCIPLINE

Section 1 – Authority

The Post reserves the power to discipline its own members in accordance with the National Constitution and Bylaws and the Department Constitution and Bylaws of The American Legion, Department of Florida, including the Department's Rules Governing Trials and Rules Governing Appeals, with full respect for due process. Where these procedures conflict with the Department's Rules Governing Trials or Rules Governing Appeals, the Department rules shall control.

Section 2 – Grounds for Discipline

Members may face discipline on grounds including disloyalty, neglect of duty, dishonesty, or conduct unbecoming a member of The American Legion.

Section 3 – Charges and Notice

Charges must be submitted in writing, under oath, to the Adjutant and must clearly state the grounds. A copy of the charges shall be provided to the accused, who shall receive at least ten (10) days' written notice of the time and place of the hearing.

Section 4 – Trial Committee

(a) Upon receipt of charges, the Commander shall appoint a Trial Committee of five (5) impartial members in good standing who are not involved in the incident. The committee shall investigate and conduct the hearing.

(b) The accused shall have the right to appear in person, to present evidence and witnesses, and to cross-examine opposing witnesses.

Section 5 – Decision

Following the hearing, the Trial Committee shall report its findings and recommendations to the General Membership at a regular or special meeting. A member may be suspended or expelled only by a two-thirds (2/3) vote of the General Membership present and voting at such meeting.

Section 6 – Appeal

A disciplined member may appeal the decision to the Department Executive Committee by filing a written notice of appeal with the Department Adjutant within thirty (30) days of the Post's decision. The Post's action remains in effect during the appeal unless reversed or modified by Department authority.

ARTICLE VIII
FINANCE

Section 1 – Fiscal Year
The fiscal year of this Post shall be from July 1 through June 30.

Section 2 – Finance Officer
(a) The Finance Officer shall be responsible for all funds of the Post, maintaining accurate financial records, depositing all receipts in the name of the Post, and disbursing funds as authorized.
(b) The Finance Officer shall render a detailed financial report to the Executive Committee each month and to the General Membership at regular meetings.
(c) All accounts shall be subject to audit at least annually and at such other times as directed by the Executive Committee.

Section 3 – Authority for Expenditures
(a) The Commander and Finance Officer may jointly authorize emergency expenditures not to exceed **$500**, provided such expenditures are reported and ratified at the next General Membership meeting.
(b) All expenditures in excess of **$500** must be approved in advance by the Executive Committee and confirmed by the General Membership.
(c) No officer, committee, or member shall commit Post funds or enter into contracts on behalf of the Post without prior approval as outlined in this Section.
(d) Standing and Special Committees are subject to the same spending limits and approval process as outlined herein.

Section 4 – Obligations and Indebtedness
No member, officer, or committee shall obligate the Post or incur debt in its name without prior approval from the Executive Committee and General Membership. Any such unauthorized action shall be solely the responsibility of the individual(s) involved.

Section 5 – Bonding
The Finance Officer and any other officer or member handling Post funds shall be bonded in accordance with Department and National requirements.

Section 6 – Audit
An **Audit Committee**, appointed annually by the Commander and confirmed by the General Membership, shall review all financial records and accounts of the Post at the close of each fiscal year. The Audit Committee shall report its findings in writing to the Executive Committee and General Membership and recommend corrective actions if necessary.

ARTICLE IX
DELEGATES AND ALTERNATES

Section 1 – Entitlement and Apportionment

The Post shall be entitled each year to two (2) delegates and two (2) alternates to the Department Convention, plus one (1) additional delegate and alternate for each additional one hundred (100) members, or fraction thereof, beyond the first one hundred (100), provided that the per capita membership fee has been paid at least fifteen (15) days prior to the Convention. Alternates shall be recognized in the numerical order certified.

Section 2 – Election and Certification

Delegates and alternates shall be elected by the Post at a regular meeting held not more than one hundred twenty (120) days and not less than ten (10) days before the annual Department Convention. The Post Adjutant shall certify the delegates and alternates on the official Department credential form and submit them as required by Department procedures. The Commander may fill any delegate vacancies by appointment prior to the Convention.

Section 3 – Voting at Convention

Each delegate shall be entitled to one vote. If a delegate is absent and not represented by an alternate, the remaining delegates present shall cast the Post's vote by majority decision. Alternates shall have all the privileges of delegates except voting, and may cast a vote only when replacing a delegate, recognized in the numerical order certified.

Section 4 – Good Standing and Compliance

All delegates and alternates must be members in good standing and shall comply with Department registration and credentialing procedures. Failure to comply may result in replacement in accordance with Sections 2 and 3 of this Article.

Section 5 – Reimbursement

Reimbursement for lodging or other expenses, if any, shall be determined by vote of the General Membership prior to the Convention and administered per Post policy.

ARTICLE X
AMENDMENTS

Section 1 – Proposal of Amendments
Amendments to these Bylaws may be proposed by any member in good standing at a regular meeting of the Post, provided that written notice of the proposed amendment is submitted to the Adjutant at least thirty (30) days prior to the meeting at which it is to be considered. The Adjutant shall ensure notice of the proposed amendment is provided to the membership in accordance with Post communication practices.

Section 2 – Adoption of Amendments
These Bylaws may be amended by a two-thirds (2/3) vote of the members present at a regular meeting, provided written notice has been given in accordance with Section 1 of this Article, and provided further that such amendments are approved by the Department of Florida, The American Legion. No amendment shall take effect until such Department approval is granted.

CERTIFICATION OF REVIEW AND SUBMISSION

We, the undersigned members of the **Constitution & Bylaws Committee** of Charles E. Murray American Legion Post 186, do hereby certify that this document has been reviewed, approved by the Committee, and is hereby submitted to the General Membership for adoption on the 4th day of December, 2025.

Jeff Rogers, Chairman
Post Adjutant

Keith Hines
Judge Advocate

Tom Moriarty
1st Vice Commander

Don St. Pierre
Past Post Commander

Gary Giambrone
Chaplain

CERTIFICATION OF ADOPTION AND APPROVAL

These Constitution and Bylaws of **Charles E. Murray American Legion Post 186, Department of Florida**, were adopted by vote of the General Membership at a duly called meeting of the Post on the date written below.

They were thereafter submitted to and approved by the Department of Florida, The American Legion, and are effective as of the date of Department approval.

Adopted by the General Membership of Post 186 on: December 4, 2025

Approved by the Department of Florida, The American Legion, on: _____

Signatures

Commander, Post 186

Adjutant, Post 186

Department Adjutant, Department of Florida

APPROVED

Pursuant to the applicable provisions of the Department Constitution, the attached Constitution and By-Laws of Charles E. Murray American Legion Post 186, The American Legion, Department of Florida have been reviewed and approved this 18th day of February, 2026.

//Signed – R. Curtis McNeil//
R. CURTIS McNEIL
Assistant Judge Advocate
The American Legion, Department of Florida

Approval Confirmed:

Jessica Moore

JESSICA MOORE
Department Commander

4.