

**Detachment of Kansas
Sons of the American Legion**

BYLAWS

Article I

Section 1. The Detachment Executive Committee shall exercise the power given to it by the Constitution of the Detachment of Kansas.

Section 2. The Detachment Executive Committee shall have general supervision and control over all property belonging to the Detachment.

Section 3. The Detachment Executive Committee shall have power between conventions to initiate matters of policy and establish rules and regulations for the conduct of the Detachment; Provided, That such policies, rules, and regulations must be ratified by the succeeding Detachment Convention to remain in force. A quorum for a Detachment Executive Committee meeting shall exist when 40% of the committee members are present.

Section 4. Any member of the Detachment Executive Committee, except ex-officio members, may be removed by the said Executive Committee from office, for just cause, by the three-fourths vote of all members of said committee, the member sought to be removed not voting however; should there be charges preferred involving same offense against more than one member in the same removal proceeding, then all members, including those against whom charges are preferred, shall vote: Provided, thirty days' notice in writing shall be given the member or members sought to be removed before such vote for removal be taken.

Section 5. Absence without justifiable cause from two consecutive, regularly called meetings of the Detachment Executive Committee shall be deemed sufficient cause for the removal from office of such member of the Detachment Executive Committee.

Section 6. It shall be the duty of the Detachment Executive Committee to fill any vacancy occurring in its membership, and the members elected to fill such

vacancy shall hold office until the next ensuing Detachment Convention, when a successor shall be elected by the Detachment Convention.

Article II

Section 1. The personnel of the Detachment organization shall be as follows: Commander, Vice Commander, Adjutant, Assistant Adjutant, Finance Officer, Judge Advocate, Historian, two Master-at-Arms, Chaplain, and the Executive Committee as provided by Article VI of the Detachment Constitution.

Article III

Section 1. Detachment officers of the Sons of The American Legion, Kansas Detachment, shall be elected annually by the Squadron delegates at the annual Detachment Convention, [Delegates votes shall be cast as provided in Article V Section 4 of the Kansas Constitution], with the exception of the Detachment Assistant Adjutant, Detachment Historian, Detachment Chaplain, and the Detachment Judge Advocate, whose election or appointment is provided for in Article IV of the By-laws.

Section 2. They shall pass upon the duties of their respective offices immediately upon election and shall hold office until their successors are duly installed.

Article IV

Section 1. The Detachment Assistant Adjutant, Detachment Historian, Detachment Chaplain, and the Detachment Judge Advocate shall be appointed by the Detachment Commander, subject to the approval of the Detachment Executive Committee, and said officers shall hold office for a period of one year each, and shall serve during the term of said Detachment Commander, or at his pleasure. Provided, that said officers may be removed by said Detachment Executive Committee upon thirty (30) days' notice.

Article V

Section 1. It shall be the duty of the Detachment Commander to preside at all meetings of the Detachment in Convention assembled and the Detachment Executive Committee, to enforce a strict observance of the Constitution and Bylaws, and perform such other duties as custom and parliamentary usage require,

and to appoint all members of committees not otherwise provided for.

Section 2. The Detachment Vice-Commander shall, when called upon, assist the Commander and in his absence perform his duties, and shall succeed to his office in the event of his death, resignation or removal.

Section 3. It shall be the duty of the Detachment Adjutant to record the proceedings of the Detachment in Convention assembled and of the Detachment Executive Committee. Also to keep in books provided for that purpose:

The Constitution and Bylaws, rules and regulations of the Detachment.

Copies of all official letters.

(1). The Constitution and Bylaws, rules and regulations of the Detachment.

(2). Copies of all official letters.

(3). Books in which shall be recorded the names of all persons who have been declared ineligible for membership in the Detachment, and also of those members who have been expelled from the Detachment, together with the reason thereof, when said information is provided by Department Headquarters.

(4). A transcript of the minutes of each meeting of the Detachment Executive Committee of the Kansas Detachment of The American Legion shall be transmitted to each member of the Detachment Executive Committee, Advisors, Liaison, Department Adjutant, and the Department Finance Officer, within thirty days after the adjournment of each meeting.

(5). It shall be his duty to keep these books and records in readiness for inspection by the Detachment Executive Committee, to file the archives with Department Headquarters, and to give due notice of all meetings, to conduct the correspondence of the Detachment. The Department Adjutant shall have the care and custody, with the assistance of the Detachment Master-at-Arms, of the various insignia of the Detachment.

(6). The duties of the Detachment Assistant Adjutant, shall be to assist The Detachment Adjutant in all of the aforementioned duties.

Section 4. It shall be the duty of the Detachment Finance Officer to work with the Department Finance Officer. The Department Finance Officer shall pay all orders as approved in the annual Detachment Budget, and all orders that are approved by the Detachment and Department Executive Committee. The Detachment Finance Officer, working with the Department Finance Officer shall make reports upon request to the Detachment Executive Committee of all receipts and expenditures. The Detachment Commander and Detachment Finance Officer shall be ex-officio members of the Detachment Finance Committee and the Detachment Adjutant shall be the ex-officio secretary of the Finance Committee. The Detachment Finance Committee shall be charged with the preparation of the

yearly budget and the expenditure and general handling of all Detachment funds as well as such other duties as shall be prescribed and approved by the Detachment Executive Committee.

Section 5. It shall be the duty of the Detachment Historian to prepare for posterity the records of the Detachment and of the members thereof, and to create a historic record during his term, of the Detachment activities to be submitted and judged, at The Sons Of The American Legion National Convention, and upon completion of the judging to present the history record to the member that served as Detachment Commander during the Historian's term.

Section 6. It shall be the duty of the two Detachment Master-at-Arms to preserve order at the meetings of the Detachment as prescribed by the Detachment Commander. The Detachment Master-at-Arms shall have the care and custody of the Detachment Colors, and banners, during said meetings.

Section 7. It shall be the duty of the Detachment Chaplain to offer prayer at the opening of each day's business and perform such other duties as the Detachment Commander may direct.

Section 8. The Detachment Judge Advocate shall be the legal adviser of the Detachment Officers and the Executive Committee, and shall perform such duties as the function of his office may require.

Section 9.

(A). The Detachment Commander shall recommend to the Detachment Executive Committee, for their approval, the appointment of members to all Detachment Standing Committees as follows: Commencing with the incoming administration of each committee for one year, except to fill vacancies as they occur.

(B). There shall be the following Detachment Standing Committees: Americanism, Children & Youth, Community Service, Finance, Golf, Legislative, Membership, Public Relations, VA&R, and Child Welfare Foundation.

1. The Detachment Executive Committee is empowered to assign duties and responsibilities to all Detachment Standing Committees.

(C). The Detachment Executive Committee and/or the Detachment Commander is empowered to name special committees to

perform specific duties, however, such special committees shall be disbanded when their duties are fulfilled, and shall automatically be terminated at the succeeding Detachment Convention.

Article VI

Section 1. All Detachment Officers elected shall orally, if present, and if absent, in writing, declare upon their honor that they will maintain the Constitution of the Detachment, conform to its Bylaws and rules, and use their best endeavor to promote its objectives and advance its interests.

Article VII

Section 1. Any officer who shall neglect or improperly perform the duties incumbent upon him shall be expelled by a vote of three-fourths of the members of the Detachment Executive Committee present, after proper notice and hearing.

Article VIII

SQUADRON INFORMATION

Section 1. A Squadron may be formed and the charter shall be issued by the American Legion National Commander and the American Legion National Adjutant upon receipt of the application properly executed by not less than ten persons eligible for membership in The Sons of The American Legion, and no Squadron shall be recognized by the members of The Sons of The American Legion unless acting under a legal and un-forfeited charter. The charter may be revoked at the decision of the Detachment Executive Committee if no membership is transmitted by January 1 of the current membership year; Provided that due notification of such action has been sent to said Squadron.

Section 2. Each Squadron in the Kansas Detachment shall be numbered and named corresponding to the Post the Squadron is Chartered through, upon the approval of the charter application.

Section 3. Each Squadron in the Kansas Detachment shall be responsible for the eligibility of its members and shall accept membership only after a thorough investigation of the applicant's eligibility. Each Squadron in the Kansas Detachment is the judge of its own membership.

Section 4. Members may be suspended or expelled from membership in The Sons of The American Legion upon proper showing of cause by a three-fourths vote of the membership of the Squadron present and voting. Charges shall be based on disloyalty, neglect of duty, dishonesty, or conduct unbecoming a member of The Sons of The American Legion. All charges must be made under oath, in writing, by the accusers, and no members in good standing shall be suspended or expelled until given a fair trial in such a manner as may be prescribed by the Constitution and Bylaws of the local Squadron. Any Member who has been suspended or expelled pursuant to this section and the procedure provided by the local Squadron, shall have the right to appeal such suspension or expulsion to the Detachment Executive Committee. The decision of the Detachment Executive Committee shall be final.

Section 5. The officers of each Squadron shall be: a Squadron Commander; one or more Squadron Vice-Commanders, a Squadron Adjutant, and such other officers as the Squadron shall determine. The Squadron Commander and Vice-Commander or Vice-Commanders, shall be elected and shall hold office for a period of one year, or until their successors have been elected and qualified. Other Squadron Officers may be elected or appointed as each Squadron may determine. Annual Squadron elections shall be held during a regular meeting not more than sixty days or less than fifteen days prior to the Detachment Convention, and said Squadron Officers shall be installed prior to the Detachment Convention. All vacancies in Squadron officers shall be filled for the un-expired term.

Section 6. The duties of the Squadron officers shall be similar to the duties of the corresponding Detachment Officers insofar as is practicable. Squadron delegates to the annual Detachment Convention shall be paid up members of their Squadrons, and duly registered at the Detachment Convention as delegates.

Section 7. Any officer of any Squadron may be removed from office for just cause by three-fourths vote of the membership of the Squadron present and voting. Provided, written charges against any such officer are first made under oath in writing by five members and filed with the Adjutant or Commander, and thirty days' notice thereof in writing is first given to said officer before such a vote for removal of office shall be taken; and provided further that fifteen days' notice of such hearing be given to each member in good standing of the Squadron. The accused shall be given the right to appear at said hearing in person and by counsel and present his defense to said accusation.

Section 8. Each Squadron may prescribe its local dues in addition to the

current National and Detachment dues.

Section 9. The time and place for the Squadron meetings shall be determined by each Squadron.

Section 10. Each Squadron shall adopt a Constitution and Bylaws which are not inconsistent with the National, Detachment, or their sponsoring Post's Constitution and Bylaws and are on file at Department of Kansas American Legion Headquarters.

Article IX District Organization

Section 1. The Detachment Executive Committee has the approval of the Department Executive Committee to organize Districts to act as an intermediate body between the Squadron and Detachment and for the purpose of promoting the programs of The American Legion and The Sons of The American Legion.

Section 2. The Detachment Executive Committee shall define the powers of the District Organizations but in no event shall such powers invade the prerogatives now vested in the Squadron, Detachment, or National organization.

Section 3. Such District bodies now existing within the Detachment and heretofore authorized or recognized by the Detachment are hereby officially recognized to the extent of the powers herein granted.

Section 4. It shall be the duty of the District Commander to preside at District meetings and District Conventions held in his District and to visit Squadron meetings during his term of office, so far as practicable, and shall perform such other duties as the Detachment Commander or the Detachment Executive Committee may assign to him.

Section 5. The District Vice-Commander of the respective Districts shall, in absence or the incapacity of the District Commander, perform the duties of that office; and in the event of a vacancy in the office of the District Commander shall automatically succeed to the office of District Commander for the remainder of such un-expired term.

Section 6. In the event of a vacancy in the office of District Vice-Commander by reason of death, resignation, removal or by reason of the succession to the office of District Commander, the Detachment Commander and

Detachment Adjutant shall fill such vacancy by appointment for the un-expired term.

Section 7. Each District shall adopt a Constitution and Bylaws which are not inconsistent with the National, Department and Detachment Constitution and Bylaws.

(A). Said District Constitution and Bylaws must be filed with the Department Adjutant and the Detachment Adjutant.

(B). Any District not filing a copy of their Constitution and Bylaws within one year following the adoption of their Constitution and Bylaws shall be considered to be governed by the "Suggested District Constitution and Bylaws" on file with the Department Adjutant and the Detachment Adjutant.

(C). Any amendments made by a District to their Constitution and Bylaws must be forwarded to the Department Adjutant and the Detachment Adjutant, within (30) thirty days following the effective date of such amendment.

(D). The resolution of any question, or other matter referred to the Detachment concerning a District Constitution and or Bylaws, will be determined by reference to the copy of said District Constitution and Bylaws together with any subsequent amendments on file with the Department Adjutant and the Detachment Adjutant.

Article X

Section 1. There shall be a District Executive Committee which shall be elected by the delegates to the District Convention. The personnel of the District Executive Committee shall consist of five members, two of whom shall be the District Commander and the District Vice-Commander, and the remaining three members to be selected at large from the district. The District Executive Committee shall constitute and act as a District Steering Committee and shall serve on all committees of the District.

Article XI Order of Business

Section 1:

- (1). Opening of Detachment Convention in due form.
- (2). Rules report.
- (3). Reading of minutes.

- (4). Recognition of Distinguished Guests.
- (5). National Executive Committeeman Report.
- (6). Committee reports.
- (7). District reports.
- (8). Squadron reports.
- (9). Credentials report.
- (10). Unfinished business.
- (11). New business.
- (12). Commander's report.
- (13). Election and installation of Detachment officers.
- (14). For the good of The Sons of The American Legion.
- (15). Adjournment.
- (16). This order of business may be suspended at any time for a definite purpose by a two-thirds vote, to be taken without debate.

Article XII Transfers

Section 1. Transfer of members in good standing from one Squadron to another Squadron in The Sons of The American Legion, Kansas Detachment, may be made at any time. Provided, such transfer be made in accordance with the National Constitution and Bylaws, and rulings of the National Executive Committee.

Article XIII

Section 1. The Detachment Commander of the Kansas Detachment, The Sons of The American Legion, shall be a delegate at large to the Detachment Convention occurring during his term of office.

Section 2. The retiring Detachment Commander, the newly elected Detachment Commander, Detachment Adjutant, National Executive Committeeman, and Alternate National Executive Committeeman, shall be automatically elected at each Detachment Convention as Delegates at Large to the next succeeding National Convention of the Sons of The American Legion, except where the record of any of the above-mentioned officials does not justify such representation, and in the event of the inability to attend such National Convention. Also the above mentioned upon attending said National Convention will receive the standard delegate fee other delegates in attendance receive.

Section 3. Representation of the Kansas Detachment to the National Convention shall consist of Delegates-at-Large, and the number of delegates allowed as determined by the National Sons of The American Legion Constitution. Each delegate shall be entitled to one alternate.

Section 4. The retiring Detachment Commander shall be the Chairman of the Detachment delegation to the next National Convention, and the Detachment Adjutant shall be the secretary of said delegation: Provided the retiring Detachment Commander if not in attendance at the National Convention, the incoming Detachment Commander shall serve as chairman: Provided further, That if neither the retiring nor the incoming Detachment Commander is in attendance, then the retiring Detachment Vice-Commander shall act as chairman of the delegation. If none of the aforesaid Detachment officers are present at the National Convention, then the delegates shall be authorized to elect a Chairman of the delegation.

Section 5. All Elected Delegates and Alternates upon attending said National Convention will receive the standard delegate fee authorized by the S.A.L. Budget and the Department of Kansas American Legion.

Article XIV

~~Section 1. The National Executive Committeeman and the Alternate National Executive Committeeman will be required to meet the following stipulations to obtain their respective budgeted funds. The Detachment expects that these elected members will attend the following National meetings: (Fall N.E.C., Spring N.E.C, and National Convention). Upon attending the Fall N.E.C. they will be entitled to one third of their budget, upon attending the Spring N.E.C. they are entitled to another one third of their budget, and attending The National Convention they are entitled to another one third of their budget. Failure to meet the meeting requirements will result in forfeiture of part or all of their budgeted funds. The budget year for the National Executive Committeeman and the Alternate National Executive Committeeman shall begin with the Fall N.E.C meeting.~~

Section 2. The funds in the budget set up for the Detachment's appointed officer's (Historian, Chaplin, Assistant Adjutant, Judge Advocate) expenses shall be paid out on the, submission and approval of invoices, by the Detachment Finance Committee, and approved by the Detachment Commander. All expenses submitted must have occurred in the performance and requirements of their stated duties, during their appointed terms.

Article XV

Section 1. The Bylaws of the Kansas Detachment, The Sons of The American Legion, may be amended by a two-thirds vote of the delegates present, providing same constitutes a quorum in any annual Detachment Convention.

(Note-The following provisions are adapted from the Department of Kansas Bylaws):

Art III, Sec.2 Any Squadron failing to meet the obligations imposed upon it by the Constitution and Bylaws, or ceasing to function for six months as a Sons of The American Legion Squadron or voluntarily ceasing to function as a Squadron, or part of a Post merging with another Post, or refusing to pay the Detachment, and National per capita dues, or under such other conditions as might make such action necessary, shall upon order of the Detachment Executive Committee, surrender its charter for cancellation. Upon failure to surrender such charter, immediate steps may be taken for its revocation, suspension, or cancellation.

Art. IV, Sec. 4--A member whose dues for the current year have not been paid by February first shall be classed as delinquent. If his dues are paid on or before April first he shall be automatically reinstated. If he is still delinquent after April first, he shall be suspended from all privileges. If he is still under such suspension on December thirty-first of such year, his membership in the Sons of The American Legion shall be forfeited. A member so suspended or whose membership has been so forfeited may be reinstated to active membership in good standing by the vote of the Squadron and payment of current dues for the year in which reinstatement occurs: Provided, however, That the Squadron, Detachment, and the National organization may waive the provisions hereof, upon payment of dues for the year in which reinstatement occurs, with reference to former members who have been prevented from the payment of dues by reason of active military service.

Art. X, Sec. 4--Annual dues shall be payable July 1, or when the Squadron receives the membership cards for the succeeding calendar year. ~~All previous years membership cards must be accounted for and returned to Kansas Department Headquarters before they will be provided the current membership cards. All membership cards unaccounted for must be compensated to The~~

~~Kansas Department Headquarters at the current transmittal rate. Failure to return said cards by November 30th may lead to the termination of the Squadron Charter.~~

ARTICLE XVI DISTRICT REQUIREMENTS

Section 1. All Districts must hold a District Convention and invite the Detachment Commander to attend using the "Detachment Officers Visitation Requested Form."

Section 2. That each District have at least one District Officer attend the Mid-Winter Forum and the Detachment Convention to report on their District status.

Section 3. Each District must have a current officer's list on file with Department Headquarters, and the Detachment Adjutant, no later than Detachment Convention.

Section 4. Each District must complete and submit to the Department Finance Officer, and the Detachment Finance Officer, a "District Budget Form" by July 1, each membership year.

Section 5. Failure to comply with the requirements in Article XVI, Sections 1-4 may result in the Department Finance Officer, withholding "District per capita" checks for the current membership year, until the requirements are met.

ARTICLE XVII

Section 1. All actions taken by the Detachment Executive Committee shall be approved by the Department Executive Committee before they become official and duly authorized.

These Bylaws were approved by The Department of Kansas American Legion D.E.C. on August 13, 2005.

AMENDMENTS:

An amendment to add (Article XIII, Section 5) was approved by The Department of Kansas American Legion D.E.C. on February 4, 2006.

Article XIII

Section 5. All Elected Delegates and Alternates upon attending said National Convention will receive the standard delegate fee authorized by the S.A.L. Budget and the Department of Kansas American Legion.

An amendment to remove from Art. XV, Sub. Art. X, Sec. 4, was unanimously approved by the Delegates of The Detachment of Kansas Convention (Resolution KSSAL-1-2016) on 21 May 2016 in Hutchinson, Kansas. The resolution was in turn approved by the Department of Kansas D.E.C. on 03 June 2016.

“All previous years membership cards must be accounted for and returned to Kansas Department Headquarters before they will be provided the current membership cards. All membership cards unaccounted for must be compensated to The Kansas Department Headquarters at the current transmittal rate. Failure to return said cards by November 30th may lead to the termination of the Squadron Charter.”

(Was removed from Art. XV, Sub. Art X, Sec. 4).

An amendment to delete Art. XIV, Sec. 1 was unanimously approved by the delegates of The Detachment of Kansas Detachment Convention (Resolution KSSAL-1-2018) on 19 May 2018 in Hutchinson, Kansas. The resolution, KSSAL-1-2018, was in turn approved by the Department of Kansas D.E.C. on 01 June 2018.

Art. XIV, Section 1. The National Executive Committeeman and the Alternate National Executive Committeeman will be required to meet the following stipulations to obtain their respective budgeted funds. The Detachment expects that these elected members will attend the following National meetings: (Fall N.E.C., Spring N.E.C, and National Convention). Upon attending the Fall N.E.C. they will be entitled to one-third of their budget, upon attending the Spring N.E.C. they are entitled to another one-third of their budget, and attending The National Convention they are entitled to another one-third of their budget. Failure to meet the meeting requirements will result in forfeiture of part or all of their budgeted funds. The budget year for the National Executive Committeeman and the Alternate National Executive Committeeman shall begin with the Fall N.E.C meeting. (Was deleted from Art. XIV).