

American Legion Auxiliary Department of Texas

Constitution and Bylaws amendments passed at the 2025 National Convention

Under Constitution, Article III, Eligibility

***REMOVE the word “Eligibility” and replace it with the word “ Membership”**

Under Constitution, Article III, Membership

***ADD Sections 3-6**

Section 3. A member whose dues are paid up- to-date and who is not subject to suspension or expulsion shall be considered in good standing and the member shall be entitled to full membership rights, privileges, and benefits in the Unit

Section 4. Each unit of the ALA, except department headquarters units has the authority to decide its membership and shall be responsible for verifying eligibility of perspective members, transfer or new.

Section 5. No person who is a member of an organization which has for its aim the overthrow of the United States Government or who subscribes to the principles of any group opposed to our form of government shall be eligible to become or remain a member of the American Legion Auxiliary.

Section 6. Membership can only be offered upon an affirmative vote of the unit members.

Under Bylaws Article I. – Organization, Unit

***ADD Section 1**

***REMOVE Section 5**

***Leave everything else in place and adjust section numbers accordingly**

Section 1. Units of the American Legion Auxiliary are separate entities that operate independently as affiliates of the American Legion Auxiliary National Organization. Units shall be governed by their own Unit Constitution and/or Bylaws which shall not conflict with the National Constitution & Bylaws, National Standing Rules, National Rules and policies, Department Constitution And Bylaws, or Department rules and policies.

Section 5. *Each Unit of the American Legion Auxiliary shall be responsible for verifying eligibility and deciding its membership, subject to the restrictions of the national governing documents. No person who is a member of an organization which has for its aim the overthrow of the United States Government or who subscribes to the principles of any*

group opposed to our form of government shall be eligible to become or remain a member of the American Legion Auxiliary.

Under Bylaws Article VIII. – Unit Suspension, Cancellation, and Revocation of Charters

***REMOVE the words "cancel, or revoke" in Section 1 *REMOVE old Section 2, ADD new Section 2**

***REMOVE old Section 3, ADD new Section 3**

***REMOVE Section 4**

***ADD Section 6**

***Leave everything else in place and adjust section numbers accordingly**

Section 1. The Department Executive Committee may suspend, **cancel, or revoke** Unit charters for good cause.

Section 2 (old). *Any Unit that a) fails to meet the obligations imposed it by the governing documents, policies, or requirements of the National Organization or Department, or b) ceases to function as an American Legion Auxiliary Unit from one Department Convention to the next, shall surrender its charter at the direction of the Department President. When a Unit so directed to surrender its charter fails to do so, the Department Executive Committee may take immediate steps to revoke the charter.*

Section 2 (new). The department executive Committee may submit their request to the NEC to cancel the charter of a unit as a result of disciplinary action.

Section 3 (old). *An American Legion Auxiliary Unit whose charter has been suspended, cancelled, or revoked by the Department may appeal the decision of the Department Executive Committee to the National Executive Committee, as provided in the National Constitution, Bylaws and Standing Rules.*

Section 3 (new). A unit requesting to surrender its Charter requires notification to all members, a Unit vote and approval of its Department Executive Committee. Cancellation of a unit Charter will become final upon National Executive Committee approval.

Section 4. *Upon suspension of an American Legion Auxiliary charter, the Department Executive Committee is authorized, empowered, and directed, by and through its duly authorized agents, to take possession, custody and control of all records, assets, property, and belongings of the Unit and to provide for the governance and administration of the Unit during said suspension.*

Under Bylaws, ADD Article XII- Discipline Sections 1-3

Article XII-Discipline

Section 1. Unit Member Discipline;

a) Each unit, except for department headquarter units, has the responsibility for the discipline of its members for any good and sufficient cause. All discipline must be imposed in accordance with the principle of fundamental fairness, which includes notice and an opportunity to be heard. Units shall adopt procedures for member discipline. Disciplinary actions may include any of the following:

- Warning: A formal written statement. Delivered to the member. Outlining the misconduct and expectations for future behavior.
- Probation: Membership is retained under specific terms and conditions for improvement for a specified period no longer than a year.
- Suspension: Temporary loss of any or all membership rights and privileges for a specified period no longer than a year
- Expulsion: loss of membership for severe or repeated violations.

b) A member disciplined by the member's unit may appeal the unit's disciplinary action in writing to the Department Executive Committee. The Department Executive Committee shall adopt procedures to handle such appeals.

Section 2. Department Headquarter Unit Member Discipline

a) The department executive committee has the responsibility for the discipline of its headquarter unit members for any good and sufficient cause. All discipline must be imposed in accordance with the principle of fundamental fairness, which includes notice and an opportunity to be heard. Department Executive Committees shall adopt procedures for member discipline. Disciplinary actions may include any of the following:

- Warning: A formal written statement. Delivered to the member, outlining the misconduct and expectations for future behavior.
- Probation: Membership is retained under specific terms and conditions for improvement for no more than one year.
- Suspension: Temporary loss of any or all membership rights and privileges for a specified period no longer than a year.
- Expulsion: loss of membership for severe or repeated violations.

b) A member disciplined under this section may appeal the disciplinary action to the Department Convention Delegates. The Department Convention Delegates shall adopt procedures to handle such appeals.

Section 3. Unit discipline

- a) Units attached to departments may be disciplined by their Department Executive Committee for any good and sufficient cause.
- b) Foreign Units not attached to a department may be disciplined by the National Executive Committee for any good and sufficient cause.

Disciplinary actions by the National Executive Committee are final

c) All such disciplinary actions must be imposed in accordance with the principle of fundamental fairness, which includes notice and the opportunity to be heard. The department executive committee shall permanently keep a record of all disciplinary actions including communications, or meetings concerning the disciplined unit

Disciplinary actions may include any of the following:

- Warning: A formal written statement. Delivered to the member, outlining the misconduct and expectations for future behavior.
- Probation: Unit charter is retained under specific terms and conditions for improvement for a specified period no longer than a year.
- Suspension: Temporary loss of any or all unit rights and privileges for a specified period no longer than a year.
- Cancellation of charter: The Department Executive Committee may submit a request to the NEC to cancel the charter of a unit for severe or repeated violations.

d) A unit who has been disciplined by its department executive committee may appeal the disciplinary action to the national executive committee by following the procedures in the Standing rules.

e) The national executive committee shall have the authority to overturn, modify, or uphold the disciplinary action of the department. The national secretary shall inform both the unit and the department executive committee of the decision of the national executive committee, whose decision shall be final.