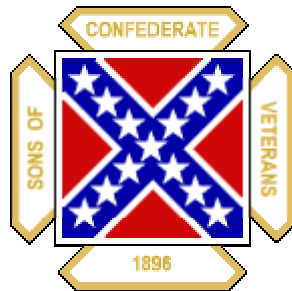


**Constitution  
Of the  
Texas Division  
Sons of Confederate Veterans**



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# **Texas Division, Sons of Confederate Veterans Constitution**

## **Preamble**

In the name of a reunited country, the Texas Division of the Sons of Confederate Veterans declares the following purposes:

An unquestioned allegiance to the Constitution of the United States of America, largely written and expounded by Southern men, the very Magna Charta of our liberties; a strict construction of all sections conferring power upon the Federal Government, and the implied and understood reservations to the States arising therefrom; and a general attitude of opposition to further amendment thereof and the rights and personal liberties transmitted to us thereunder;

To associate in one united, compact body all men of Confederate ancestry, and to cultivate, perpetuate and sanctify the ties of fraternity and friendship entailed thereby; To aid and encourage the recording and teaching with impartiality of all Southern history and achievement from Jamestown to this present era, seeing to it especially that the events of the War for Southern Independence are authentically and clearly written, and that all documents, relics, and mementos produced and handed down by the active participants therein are properly treasured and preserved for posterity;

To Comfort, succor, and assist needy Sons of Confederate Veterans, their wives, widows and orphans;

To urge, aid and assist in the erection of suitable and enduring monuments and memorials to all Southern valor, military and civil, wherever found, particularly stressing that of our heroic Confederate ancestors, who by their sacrifice perpetuated unto us and our descendants that glorious heritage of valor, chivalry and honor which we now hold and venerate; and to instill into our descendants a devotion to and reverence for the principles represented by the Confederate States of America, to the honor, glory and memory of our fathers who fought in that cause.

Therefore, we, the representatives of the Camps of the Texas Division, in Convention, do adopt, ordain and establish this Division Constitution on June 9<sup>th</sup>, 2007.

## 1. Title

- 1.1 The name of this organization shall be the Texas Division, Sons of Confederate Veterans, Incorporated, hereafter called the Texas Division. The Headquarters of the Texas Division shall be located in the Confederate Research Center, Harold B. Simpson History Complex, Hill College, Hillsboro, Texas.
- 1.2 As a subsidiary of the Sons of Confederate Veterans, Incorporated, the Texas Division constitution may only be superseded by the Constitution of the Sons of Confederate Veterans and its ~~Bylaws~~ Standing Orders as adopted on July 1<sup>st</sup>, 1896 and amended in General Convention on August 4<sup>th</sup>, 2006 and any future amendments thereto.

## 2. Nature & Purpose

- 2.1 The Texas Division shall be a non-profit, eleemosynary, historical, fraternal, educational charitable, benevolent, patriotic, non-political and non-sectarian organization. The Texas Division neither embraces nor espouses acts or ideologies of racial and religious bigotry, and further, condemns the misuse of its sacred symbols and flags in the conduct of same.
- 2.2 It is the desire and intention of the Texas Division to function at all times as an organization which is qualified to receive donations which are deductible by the donor for income tax purposes under Section 501(c)3 of the Internal Revenue Code of 1954 or the corresponding provisions of any future United States Internal Revenue law.
- 2.3 The Texas Division, Incorporated operates as a subsidiary of the Sons of Confederate Veterans, Incorporated, a Texas non-profit corporation.
- 2.4 The several constituted bodies of the Division shall be as follows:
  - 2.4.1 Organizations known as Camps; each Camp to have a name, and be assigned a number by International Headquarters upon admittance to the Confederation, and;
  - 2.4.2 The several constituted bodies of the Division shall be as follows:  
Organizations known as Camps; each Camp to have a name, and be assigned a number by International Headquarters upon admittance to the Confederation.

## 3. Membership

- 3.1 Eligibility. Per the General Constitution.
  - 3.1.1 Each Camp shall be the judge of its own members, subject to the restrictions of this constitution, the National constitution and the ~~bylaws~~ Standing Orders of the Texas Division and National organizations.
  - 3.1.2 Membership in the Texas Division also requires membership in the General Organization by affiliation with a Camp in the Texas Division.

- 3.1.3 Membership in the Texas Division is attained by membership in good standing in an active Camp within the Division. A compatriot may be a regular member of only one camp.
- 3.1.4 Compatriots may be associate members of other camps in the Texas Division by paying dues to each Camp into which he is accepted. However, he may not hold office nor be counted as a regular member in such a Camp, and he must maintain active membership and pay full Camp, Division and National dues to one and only one Camp, which shall be the only Camp, which shall count him as a member and in which he may hold office and represent at convention, Division or National.
- 3.1.5 No one shall be admitted to membership in any Camp until satisfactory proof of the foregoing qualifications is submitted in duplicate on official applications. Membership qualification is subject to review by the Division Genealogist and the Division Executive Council. The Camp shall preserve the original, and the duplicate shall be forwarded to International Headquarters for record and preservation. The Division Adjutant must also be notified of the new member's name and address.
- 3.2 Termination. A member shall be removed from the roster of members in good standing in the Texas Division for non-payment of required dues, fees and special assessments by the closing date as specified in the General Constitution. A member shall also be terminated upon the determination of the Division Genealogist or the Division Executive Council that the member had joined under false application information or an unqualified ancestor.
  - 3.2.1 Resignation. As per the General Constitution.
  - 3.2.2 Expulsion. As per the General Constitution.
  - 3.2.3 Non-Payment.
    - 3.2.3.1 Any member whose per capita tax for any fiscal year is not transmitted to the Division Adjutant by the deadline date of that fiscal year shall be automatically suspended.
    - 3.2.3.2 Suspended members and former members may be reinstated to full membership upon payment to the Division Adjutant of a reinstatement fee of \$1.00 and payment of the full per capita tax for the fiscal year during which the member is reinstated. Thereafter, a reinstated member shall be liable for the per capita tax for succeeding fiscal years at the same time as other renewing members. "Transmitted to" shall mean delivery by hand, postmarked by the United States Postal Service or received by a private courier. Envelopes containing per capita tax payments postmarked or stamped received after the deadline date shall be retained by the Division Adjutant as proof of membership suspension.
- 3.3 Life Membership.
  - 3.3.1 Life membership in the Texas Division requires the one-time payment by the member in an amount equal to twenty-one (21) times the Texas Division annual per capita tax as stated in Article XI – Finances. The member will be furnished with a Texas Division Life Member badge. The

member shall be exempt from payment of the Texas Division per capita tax and dues to the Texas Division after payment is made. The member, in order to remain a member in good standing with the General Organization, must still pay annual per capita tax to the General Organization until such time as he meets Life Membership requirements for that organization.

3.3.2 A Life Member of the Texas Division shall maintain this status as long as he remains a regular member in good standing with one camp of the Texas Division. If a Life Member becomes disqualified for membership in a SCV Camp of the Texas Division, his Texas Division Life Membership shall be suspended. Should the Life Member be reinstated as a regular member of an SCV Camp of the Texas Division, his Life Membership shall be fully reinstated with no reinstatement fee.

3.4 Headquarters Camp Membership. Individuals qualifying as members but residing inconveniently distant from an active Camp or otherwise hindered from participating with a local Camp may join the Texas Division Headquarters Camp and hereby receive the Division Newsletter, Adjutant Reports and other pertinent information.

3.4.1 All applications for membership in the Headquarters Camp shall be reviewed and approved by the Texas Division Commander.

3.4.2 Whenever possible, the individual should be encouraged to participate in the fraternity available by being a member of an active camp of the Texas Division.

3.4.3 Headquarters Camp members shall be subject to the payment of the annual per capita tax dues paid to the Texas Division and General Organization.

3.5 Compatriot. Every Compatriot in the Texas Division in good standing will be privileged to attend meetings of any Organization within the Texas Division and to receive the fraternal consideration it is designed to foster.

3.6 Cadets.

3.6.1 No Camp of the Texas Division is required to participate in this program offered by the General Organization. Participation is entirely a Camp elective and the Camp holds full responsibility for all aspects of the program.

3.6.2 Eligibility: per the General Constitution.

3.6.3 Cadets do not count towards determining Camp delegates to the annual Texas Division Convention. Cadets, holding no voting Rights, are not counted in any vote undertaken at the Texas Division Convention.

3.6.4 Dues: Texas Division Cadet dues shall be a one-time-only per capita tax equal to one-half of the annual dues of a full member. Thereafter, the Cadet remains as a Cadet member until such time when he becomes a full member at age 12. He will then be removed from the Cadet roll and added to the General Membership Roll with full member privileges and responsibilities.

## 4. Camps

- 4.1 Formation. The number of persons defined by the General Constitution and Bylaws of the Sons of Confederate Veterans that are in possession of the prescribed eligibility qualifications may make application for permission to form a camp within the Texas Division.
- 4.2 Executive Committee. Some camps of the Texas Division operate between meetings under the charge of the Executive Committee. The Camp Commander is charged with chairing the Executive Committee. Camps are free to define the members of the Executive Committee. The purpose of the Camp Executive Committee is to conduct Camp business subject to the approval of the Camp membership.
- 4.3 Camp Officers. Each Camp shall elect the following officers; a Commander, a Lieutenant Commander, an Adjutant, a Chaplain and, if desired by the Camp, a Treasurer, provided that, if the Camp prefers, the Adjutant and Chaplain may be appointed by the Commander. Additional officers may be appointed or elected as desired.
- 4.4 Vacancies. Unless otherwise specified by the Camp constitution, any officer vacancy shall be filled by the Camp Commander with the advice and consent of the Brigade Commander. Should the office of Camp Commander be vacated, the vacancy shall be ~~appointed~~ filled with an interim Commander appointed by the Brigade Commander and approved by the Division Commander, who shall serve until such time as the Camp can meet to elect a new Commander. The Camp Officer vacancy must be filled by the second regularly scheduled Camp meeting or within two months, whichever comes first. If the camp fails to fill such vacancies on the prescribed schedule, interim appointments will continue until the next annual election.
- 4.5 Camp Officer Duties.
  - 4.5.1 Camp Officers shall be elected to serve for a period of one or two years depending on the wishes of the Camp, taking office in the month of January, and they shall continue to serve until their successors are elected and qualified. Camp Officers are expected to uphold the requirements of the Texas Division and General Constitutions.
  - 4.5.2 Camp Commanders shall command Camps. They shall supervise the work of their Camps and see to the enforcement of all orders from Division Headquarters, and make regular written reports to International and Division Headquarters stating the condition of their Camps and the work, which they have done. Additionally, Camp Commanders will familiarize themselves with the contents of the Texas and General constitutions.
  - 4.5.3 Lieutenant Commander assists the Camp Commander, and whenever the Camp Commander is absent shall serve in his stead. In the Texas Division, Lieutenant Commanders are typically charged with meeting programs and heritage defense issues.

- 4.5.4 Camp Adjutant and/or Treasurer is the chief administrative and financial officer of the camp. As such, he is charged with custodial care of the personnel and financial records of his Camp. He is responsible for maintaining all monies and disbursement of Camp funds. He shall render to the Camp Commander or Executive Committee, whenever they may require it, an account of all transactions and the financial condition of the Camp. He shall maintain the minutes and all official records of the camp. He shall render an annual Camp strength and financial report to the Texas Division Adjutant.
- 4.5.5 Camp Chaplain is responsible for the spiritual health of his Camp. He will perform such services as may be necessary in connection with the office. He shall render an immediate report to the Texas Division Chaplain regarding the death of any Compatriot of his Camp.
- 4.5.6 Camp officers shall have their duties further defined by the Constitution of the Camps that create them, provided the duties so defined are not in conflict with the provisions of this Constitution.

#### 4.6 Administration.

- 4.6.1 All Camps shall have the full enjoyment of the Right to govern themselves, provided that they shall be subject to this constitution, the General constitution and amendments and Standing Orders thereof.
- 4.6.2 Camps of the Texas Division, by accepting a charter from the General Organization acknowledge irrevocable jurisdiction and declare themselves to be in all things subject to the Constitution of the General Organization and the Texas Division.
- 4.6.3 By accepting a charter from the General Organization, Camps of the Texas Division forfeit the Right to withdraw from the Texas Division in order to operate independently while representing itself as a Camp of the Sons of Confederate Veterans.
- 4.6.4 No Camp shall take part or vote in the Division Convention unless said Camp is in good standing with the General Organization and the Texas Division and has paid the recording fees and per capita tax on all its members as prescribed by this constitution and constitution of the General Organization.
- 4.6.5 Camps in arrears for four months in payment of per capita taxes, dues and fees levied upon them shall be classed as delinquent, and six months' arrearage shall automatically impose suspension from all privileges of the Division and Confederation.

## 5. Brigades

- 5.1 The Texas Division shall be comprised of as many Brigades as deemed advisable by the Division Convention, the Division Executive Council, or the Division Commander, provided that the number of brigades shall not exceed half the number of Congressional Districts in Texas.
- 5.2 Each Camp within the confines of its Brigade shall include the Brigade Commander in all communications with the Division Commander or Division Executive Council as a courtesy to the Brigade Commander and maintaining the chain-of-command structure of the Texas Division.
- 5.3 Brigade Officers. A Brigade Commander, Brigade Lieutenant Commander, and Brigade Second Lieutenant Commander shall be elected by the members of each Brigade in Brigade Meetings during the Division Convention. Each of these three elected Brigade officers shall be from different camps in their respective Brigades unless waived in writing by the other Camps in that Brigade. Brigade Officers shall be elected for a term of two years. Brigade Officers may succeed themselves. All officers shall be members of the Staff of the Division Commander. The Brigade Commander may appoint such other officers as he deems necessary to assist him in his duties of supporting the Camps of his Brigade.
- 5.4 Vacancies. Brigade Commander vacancies shall be filled by the Texas Division Commander if there are no Brigade Junior Officers available or willing to accept appointment to the senior office. In the event of a vacancy in a brigade staff position, the next senior Brigade Officer shall advance to the vacant office. In the event that there are no junior officers available or willing to accept the senior office, the Brigade Commander shall appoint a compatriot in good standing of the same brigade to the vacant junior officer position. Appointed interim Brigade Officers shall serve until the next Texas Division Reunion where new officers may be properly elected by the Camps of the Brigade.
- 5.5 Brigade Officer Duties.
  - 5.5.1 Brigade Officers shall be elected to serve for a period of two years taking office during the bi-annual Texas Division Elections Convention following administering of the oath of office. Brigade Officers are expected to uphold the requirements of the Texas Division and General Constitution and any Standing Orders associated with each.
  - 5.5.2 Brigade Commanders shall command Brigades. They shall supervise the work of the Camps within their brigade area of responsibility and oversee the enforcement of all orders from Division Headquarters. Brigade Commanders shall assist the Texas Division Commander and his staff in the performance of their duties within his Brigade area. Brigade Commanders are expected to provide quarterly reports to the Texas Division Executive Council and to render an annual report before the delegates of the Texas Division Convention. The Brigade Commander shall see to the enforcement of all orders from the Division Commander, Division Executive Council, or Division Convention. The Brigade Commander shall act as a representative of the Division Commander on

all matters referred to him, and shall, on request by the Division Commander, perform such other duties as are usually incident to the office. They shall be members of the Division Executive Council. To assist him in his work, each Brigade Commander may appoint a Brigade Adjutant and as many Brigade Aides-de-Camp and other officers as he deems necessary

- 5.5.3 Lieutenant Commander assists the Brigade Commander, and whenever the Brigade Commander is absent shall serve in his stead. The Brigade Lieutenant Commander is specifically charged with investigating and handling heritage defense issues.
- 5.5.4 2<sup>nd</sup> Lieutenant Commander is directly responsible for recruiting and retention efforts in his Brigade. As such, he works as liason between the Texas Division 2<sup>nd</sup> Lieutenant Commander and the Camp Recruiting Officers in the Brigade.
- 5.5.5 Brigade Chaplain is responsible for the spiritual health of the Camps of his Brigade. He performs such services as may be necessary in connection with the office.

## **6. Division Officers**

- 6.1 At each bi-annual election Division convention, the Division Convention shall elect a Division Commander and three (3) Lieutenant Commanders. Division Officers shall be elected for a term of two years. Officers may succeed themselves, but the Division Commander shall not be elected to more than one two-year term. In addition, the Division Commander shall appoint the following officers to be members of his staff; a Division Chief of Staff, a Division Adjutant, a Division Chaplain, a Division Color Sergeant, a Division Judge Advocate and such additional assistants and Aides-de-Camp as he may deem necessary.
- 6.2 All officers shall serve until new officers are elected or appointed and installed via administering the oath of office. Officers, Brigade and Division, shall be elected and installed during the Division Convention.
- 6.3 Each Division Commander who serves a full two-year term shall have the title of Past Commander, Texas Division. He shall take rank in parades and in all other respects next to the Division Commander. Those Division Commanders who shall not have served a full two-year term may have these privileges conferred on them by motion, receiving four-fifths (4/5) of the votes cast at any Division Convention.

- 6.4 Division Officer Duties.

6.4.1 Division Commander.

- 6.5.1.1 The Division Commander shall be the executive head of the Texas Division, Sons of Confederate Veterans.
- 6.5.1.2 The Division Commander has full responsibility and power to enforce the provisions of the Division Constitution,, the will of the Division Convention, and the decisions and orders of the Division Executive Council, and to this effect he may issue all necessary orders.
- 6.5.1.3 The Division Commander shall be an ex-officio member of all Division committees.
- 6.5.1.4 The Division Commander shall apply himself in organizing the Texas Division into Brigades and Camps. He shall be careful to ensure compliance with all the requirements of the General and Division constitutions in the formation of Brigades and Camps. He shall be intermediary in their relation with International and Department Headquarters.
- 6.5.1.5 The Division Commander shall see to the execution of all constitutional orders received from Department and International Headquarters. He shall assist the Department Commander by counsel or otherwise. He shall promptly transmit to General and Department headquarters copies of all general and special orders, and all circulars, circular letters, and other literature which he may issue.
- 6.5.1.6 The Division Commander shall be the chairman of the Division convention and the Division Executive Council (DEC) and shall decide all questions of law, order, or usage.
- 6.5.1.7 In cases not provided for by this constitution, he shall be empowered to act for the good of the Division as circumstances, in his judgment, require. These actions are subject in all such decisions and acts to review by the Division Convention.
- 6.5.1.8 The Texas Division Commander has the authority to immediately suspend an officer from his office for conduct detrimental to the Confederation upon proper proof; said action to be reported to the next regular meeting of the Division Executive Council in executive session for approval and thence to the next Division Convention for final dispensation. Any officer so suspended shall have the right to appear before the Division Executive Council.
- 6.5.1.9 Vacancies occurring among officers, except those of Lieutenant Division Commanders, shall be filled by him until the next Division convention.
- 6.5.1.10 During the interim between Division conventions, he shall have full charge of the conduct of the affairs of the Texas Division, limited as stated previously, amendable in all cases by the next Division Convention.

- 6.5.1.11 The Division Commander shall direct and assign the responsibilities of all elected and appointed Division officers, appoint all necessary committees, and perform such other duties as are usually incident to the office.
- 6.4.2 Division Lieutenant Commanders. The Lieutenant Division Commanders shall assist the Division Commander in the performance of his duties as directed by the Division Commander and, whenever the Commander is absent, serve in his stead in sequence of succession (first, second and third) and with consent of the CinC of the SCV. The Lieutenant Commander shall be charged with handling Heritage Defense issues within the Texas Division; the 2<sup>nd</sup> Lieutenant Commander is responsible for all recruiting and retention matters; the 3<sup>rd</sup> Lieutenant Commander is the Communications Officer of the Division, which include maintaining email lists, updating the division web page and supervising production of the Division Newsletter. The Lieutenant Commanders shall be members of the Division Executive Council. The Lieutenant Division Commanders, in succession as previously described, shall perform the duties of the Division Commander in his absence, and in case of a vacancy in the office due to his death, resignation, or other cause, shall become Division Commander for the unexpired term.
- 6.4.3 The Division Chief of Staff shall be charged with the administration of the policies of the Division Convention, the Division Executive Council and the Division Commander. He shall coordinate the Division Staff in its duties. He shall keep the proceedings of the Division Convention, special Division meetings, and the Division Executive Council. He shall issue the general orders of the Division Commander, under his signature. He shall issue and maintain meeting notices and agendas of the Convention and of the Division Executive Council. He shall maintain records of such Division awards as directed by the Division Commander.
- 6.4.4 The Division Adjutant is the principal financial and administrative officer of the Texas Division, and shall ensure that the financial records are kept in good order, in such manner and according to such procedures approved by the Division Executive Council, and shall properly administer and record all receipts and disbursements. He shall prepare budgets for the expenditure of Division funds on a yearly basis. He shall make reports of the condition of the treasury when called for by the Division Commander. He shall maintain a roster of all life members of the Texas Division. He shall review requests for funds and shall report his finding and recommendations to the Division Commander and Executive Council for action. He shall maintain the Division Adjutant's Manual and shall guide the Brigade and Camp Adjutants in their duties. He shall maintain the official updated version of the Division Constitution and shall cause this to be published yearly in the Division Newsletter and on the Division Website. The Division Adjutant shall receive the annual Camp Reports and compile a Division report detailing the personnel, by camp, of the

- Texas Division. He shall be in charge of determining a quorum at all official Texas Division meetings and conventions.
- 6.4.5 The Division Chaplain shall perform such services as may be necessary in connection with the office; tend to the spiritual ministrations of the Texas Division. The Chaplain shall open and close all Division meetings with prayer, and he shall perform divine and religious activities as prescribed by the Division Commander. He shall send proper condolences to the families of deceased Compatriots as he is notified by the respective Camps. He shall plan for and lead the Memorial Service at the Texas Division Convention. He shall perform such other duties as may, from time to time, be prescribed by the Division Commander or the Division Executive Council.
- 6.4.6 The Division Staff Judge Advocate shall advise the Division Commander and the Division Executive Council on all legal matters and construction and interpretation of the Division and General Constitutions. In the absence of a Division Parliamentarian, the Judge Advocate shall act as Division Parliamentarian at all Division or Executive Council meetings.
- 6.4.7 The Color Sargeant shall be responsible for maintaining the Texas Division colors and present them at all meetings. The Color Sargeant shall also be responsible for liaison with reenactment groups

## 7. Division Executive Council

- 7.1 Structure. While the Camps are not in convention, the administrative power shall be vested in the Division Executive Council, comprised of the Division Commander, Division Lieutenant Commanders, Brigade Commanders, Lieutenant Brigade Commanders, Division Chief of Staff, Division Adjutant, Division Judge Advocate and all the immediate past three Division Commanders who are in good standing.
- 7.2 Meetings. The Executive Council shall meet at the place of the Division Convention. The Division Commander may call other meetings as he deems necessary or upon written request of the three (3) members of said Council. The Division Commanders shall be the Chairman of the Division Executive Council.
- 7.3 Quorum. One-fourth (1/4) of the total members shall constitute a quorum of the Executive Council.
- 7.4 Voting. No member of the Executive Council shall cast more than one vote on any motion before the Executive Council.
- 7.5 Past Texas Division Commanders. The Past Division Commanders are not obligated to attend meetings, and their offices may not be vacated for failure to attend. The Rights, privileges and honors of a Past Division Commander described herein may be rescinded or revoked by four-fifths (4/5) of the delegates at a Division Convention, present and voting.
- 7.6 Meetings – Regular. The Division Executive Council shall meet within twenty-four (24) hours after the final adjournment of the Division Convention.

Thereafter, the Division Commander shall call a regular meeting at least quarterly.

7.7 Meetings – Special.

- 7.7.1. Special meetings of the Division Executive Council may be called for a specific purpose and may only consider business specifically described in the meeting notice.
- 7.7.2. The Division Commander shall convene the Executive Council in a special meeting upon the petition of five (5) of the voting members of the Division Executive Council.
- 7.7.3. Such petition shall specify the reason(s) necessitating such a meeting, the specific purposes for which the meeting is called, and a suggested time and place of the meeting. After receiving a sufficient number of qualified petitions, the Division Commander must call a special meeting of the Division Executive Council at a reasonable time and place of his choosing to be held within fourteen (14) days.
- 7.7.4. If, after four (4) days from receiving the petitions, the Division Commander has refused to call a special meeting, the petitioners may order that the special meeting be held at the time and place specified in their petition.
- 7.8 The Division Executive Council may adopt such rules as they deem necessary to govern the conduct of their meetings so far as they are consistent with this Constitution and the Standing Orders.
- 7.9 All questions affecting the election, eligibility and conduct of Division Officers shall be referred to and determined by the Division Executive Council. All elections affecting the election, eligibility and conduct of the Division Officers, except as hereinafter provided, shall be referred to and determined by the General Executive Council, which shall be the final authority thereon.
- 7.10 Meetings may be held by teleconference or other electronic means so long as the opportunity to hear and participate is available to all eligible members of the Division Executive Council.

## **8. Division Convention**

- 8.1 The legislative body of the Texas Division, Sons of Confederate Veterans shall be a Convention of the Camps comprising the Division, to be held annually at a time to be fixed two (2) years in advance by the Division Convention, the Division Executive Council, or the Division Commander. The time shall be during the month of June.
- 8.2 Should the Texas Division fail to hold a bi-annual election convention or to elect a successor to the office of Division Commander in case the bi-annual election convention is held, a vacancy shall be deemed to exist in that office. The non-election year convention shall be reserved for official division business, information and training of elected officers.
- 8.3 The Division Commander, or in the event of his absence, death or resignation, the First Lieutenant Commander, at the request of a majority of the Camps, or

- of the Division Executive Council, shall convene the Division in Special meeting, if he deems the emergency sufficient.
- 8.4 Notice. Amendments to the Division Constitution and Bylaws must be sent to every camp of the Texas Division at least thirty (30) but not more than ninety (90) days in advance of the annual convention. Notification shall include the time and place of the meeting as well as the general nature of the business to be transacted. Such notices may be contained in copies of the Texas Division Newsletter.
- 8.5 Conduct of the Convention.
- 8.5.1 The Texas Division Convention shall be called to order by the Division Commander, the Convention Chairman for the host camp, or a member appointed for that purpose.
- 8.5.2 The Division Chaplain shall invoke God's blessing on the convention with a prayer, or in his absence, the ranking Chaplain.
- 8.5.3 Addresses of welcome shall be extended to Convention guests.
- 8.5.4 Control of the Division Convention will then be given to the Division Commander who will take charge of the Division Convention and instruct the Division Adjutant to call the roll of Camps of the Division, in numerical order. As the Camps are called, the chairman of each delegation will hand to the Division Adjutant the credentials of his delegation. The Division Commander shall then appoint a Committee on Credentials, to whom shall be referred all the credentials of the delegates. This Committee shall verify these by report of the Division Adjutant, arrange the roll of the Convention and assign each Camp its number of votes. This report shall be signed by the Committee and handed to the Division Commander.
- 8.5.5 After the approval of the Credentials Committee report, the meeting shall proceed to business on the bases fixed thereto.
- 8.5.6 The rules of procedure at any Division Convention shall be those set forth in Robert's Rules of Order Newly Revised, except where they may be altered by the Convention.
- 8.6 Quorum. A quorum shall exist at the Division Convention when one-fourth (1/4) of the Camps are represented.
- 8.7 Representation. Each Camp shall be entitled to send one (1) delegate for every ten (10) members or major fraction thereof provided that every Camp in good standing shall be entitled to at least two (2) delegates. Said delegates shall be credentialed by the Credentials Committee. Cadet members do not count towards Camp representation.
- 8.8 Delegates. Representation of the various Camps at the Division Convention shall be by delegates as follows:
- 8.8.1 All delegates shall have credentials signed by the Camp Commander and/or Camp Adjutant. The credentials shall include the name of the Chairman of the delegation and the names of the other delegates elected to represent the camp. If the Chairman of the delegation is not in attendance at the convention, those delegates in attendance are authorized to elect a Chairman from among themselves. All delegates

must be in good standing in the Camp they represent. For the purposes of representation and voting at the Division convention, a member or delegate is not in 'good standing' if his annual per capita dues and, if applicable, recording fee or reinstatement fee was not transmitted to General Headquarters by the deadline established according to the provisions of this Constitution/Standing Orders and the Constitution/Standing Orders of the General Organization..

8.8.2 Delegate Voting. At the Division Convention, in election of officers and on final passage of Constitutional amendments, each Camp shall be entitled to cast the number of votes equal to the number of delegates to which it is entitled. Camps must ensure that the required number of delegates to which they are entitled are present at the reunion in order to vote all the votes to which the camp is entitled. (Eg., a camp with 59 members is entitled to six votes at the reunion; the camp must send six delegates in order to cast all six of its votes).

8.8.3 A Camp not in 'good standing' as defined herein shall not be allowed representation at the Division Convention.

## 8.9 Voting.

8.9.1 Officer Elections. When there is but one candidate for an office, by general consent, a formal ballot may be dispensed with, and the candidate be elected by acclamation.

8.9.2 In the same time, place and manner as the election of Texas Division officers, the Camps comprising each Brigade shall elect from among themselves those Brigade officers authorized by this Constitution.

8.9.3 Only delegates who are present may vote. On any item presented for a vote, each delegate may cast only one vote.

8.9.4 Only delegates may vote.

8.9.5 Division Headquarters Camp may not vote.

8.9.6 Proxy voting is prohibited. Proxy voting is defined as the practice of casting ballots for a Delegation for which no registered Delegate is actually present. Proxy voting shall not be allowed in any Special or Division Convention.

8.9.7 Enumeration. On enumerating active members of Camps for representation, none shall be counted who are thus enumerated in another Camp of the Division. Membership, as described under Associate membership, in more than one Camp is not forbidden, but no Compatriot shall be borne on the rolls of more than one Camp for the purposes of enumeration and representation. A Compatriot may only be counted for enumeration in the Camp in which he claims active membership. Cadet members do not count towards enumeration.

8.9.8 The rules of procedure at any Division Reunion shall be those set forth in Robert's Rules of Order Newly Revised, except where they may be altered by Convention or by published Reunion Bylaws, as adopted by a 4/5 vote of the Division Executive Council, prior to the start of the Reunion.

## 9. Committees

- 9.1 Organization. In the furtherance of its work, the Texas Division shall organize its members into committees of two kinds; standing and ad hoc. Committees shall keep a record of their meetings; make reports annually, or more often as required by the Division Commander; may subdivide themselves for purposes of facilitating their labors; and shall turn over their records to the Division Adjutant at the expiration of their term of office. The Division Commander shall be an ex-officio member of all committees, except that he shall not be obligated to attend meetings and he shall be counted towards the computation of a quorum only when present.
- 9.2 Meetings. All committees shall meet at the call of the Chairman.
- 9.3 Quorum. A quorum shall exist when one-fourth (1/4) of the members are present or participating in the meeting.
- 9.4 Ad Hoc Committees. Ad hoc committees may be appointed by the Division Commander as he deems necessary, or by the Division Convention; provided that their purpose and the duration of their commission is specified.
- 9.5 Appointment of Standing Committees. All Standing Committees shall be appointed by the Division Commander and the Chairmen thereof named by him; their terms of office shall be coterminous with his, unless otherwise specified.
- 9.6 Standing Committees. The Division Convention may create such standing committees as it deems appropriate.

## 10. Finances

- 10.1 The fiscal year of the Texas Division shall be the same as the General Organization.
- 10.2 The revenue of the Division shall be derived from annual membership dues, from interest on life membership fees, and from such other sources as may be approved by the Executive Council.
- 10.3 Dues/per Capita Tax:
  - 10.3.1 The deadline date for paying per capita tax will be the same as that specified in the National Organization Constitution.
  - 10.3.2 Annual per capita tax of five dollars (\$5) shall be paid by each Camp to the Division Adjutant for every active member, with the exception of Real Sons and life members of the Texas Division. In order for a member to be considered in good standing in the Texas Division, that member must be current in his payment of per capita tax to a Camp within the Texas Division, the Texas Division itself and the General Organization.
  - 10.3.3 Any member whose per capita tax is not transmitted to the Division Adjutant by the deadline date of that fiscal year shall be automatically suspended.
  - 10.3.4 A suspended member may be reinstated to full membership upon payment to the Division Adjutant of a \$1.00 late fee and full per capita tax for the fiscal year during which the member was suspended. "Transmitted to"

shall mean delivery by hand, postmarked by the United States Postal Service or received by a private courier. Envelopes containing per capita tax payments postmarked or stamped received after February 1st shall be retained by the Division Adjutant as proof of membership suspension. NOTE: The General organization has its own additional reinstatement fee. Please refer to the General Constitution of the Sons of Confederate Veterans for details..

- 10.4 An amount of one dollar (\$1) of the per capita tax shall be dedicated toward the expenses of the annual Division Convention. An amount of one dollar (\$1) of interest paid on the Life Membership Fund for each Life Member of the Texas Division shall also be dedicated toward the expenses of the annual Division Convention. No registration fee shall be required for attendance at any Division Convention.
- 10.5 Annual per capita tax shall be transmitted to the Division Adjutant with a listing of names, address changes if necessary and membership numbers of renewing members or a copy of the application of a new member (or complete information therefrom) for whom the per capita tax is paid at the time of transmittal of the tax. Real Sons and life members of the Texas Division shall be listed and identified. Renewing, reinstating and new members whose per capita tax is transmitted to the Division Adjutant after May 21st shall not be enumerated for Camp representation at the Division Convention of the same year. "Transmitted to" shall mean delivery by hand, postmarked by the United States Postal Service or received by a private courier. Envelopes containing per capita tax payments postmarked or stamped received after May 21st shall be retained by the Division Adjutant as proof of non-enumeration at the Division Convention.
- 10.6 Camps will not be allowed representation at the Division Convention for members whose per capita tax has not been paid to the Division Adjutant in full as required.
- 10.7 Real Sons of Confederate Veterans shall be exempt from paying General, Division, or Camp dues.
- 10.8 Prompt Payment.
  - 10.8.1 Within 10 days after receipt by the Division Adjutant, Division Life Membership fees shall be deposited in a financial institution and shall be held in a permanent interest bearing account separate from all other Division funds. Under no circumstances shall the principal in this account be removed. Interest paid on the principal shall be removed and deposited in the Division's general fund.
  - 10.8.2 Within the same ten day period, the Division Adjutant shall supply the compatriot with a Life Membership badge as prescribed in Article XII of this Constitution, register the compatriot as a life member, and notify the following as to the life member status of the compatriot: (a) The applicant; (b) The adjutant of the Camp which carries the life member on its roster; (c) Principal offices of the Texas Division, as defined in as defined in paragraph 1.2 of this Constitution. A file shall be maintained at the principal offices of the Division which contains notifications to

compatriots identifying them as Division life members and otherwise identifies Division Life members. In addition, the Division Adjutant shall maintain a roster of all life members in the Division and the Adjutant of each Camp in the Texas Division shall maintain a roster of all Division life members belonging to that Camp.

- 10.8.3 The recording fee and per capita tax dues of new members shall be remitted to General Headquarters within ten (10) days after a member joins the Confederation.

## 12. Prohibitions

- 12.1 No discussion of political or religious subjects, nor political action endorsing aspirants for political office, shall be permitted in any organization of the Texas Division Sons of Confederate Veterans.
- 12.2 No debts shall be contracted for the Texas Division, except with the approval of the Division Executive Council or the Division Commander, during the interim between meetings of said Council.
- 12.3 The use of the seal, badges, or name of Texas Division or the Confederation for unauthorized purposes and the giving of its badge to persons unauthorized to wear them are emphatically prohibited.
- 12.4 No one can be elected or appointed an officer of the Texas Division unless he is a member in good standing of one of its Camps.
- 12.5 Only the Texas Division Commander is authorized to file lawsuits on behalf of the Texas Division. No other compatriot or office retains this authority. The Division Commander shall consult and receive the consent of the Division Executive Council prior to initiating legal action on behalf of the Texas Division. This is an affirmative requirement that must be accomplished even if an emergency meeting of the Division Executive Council must be called in order to receive said consent.
- 12.6 If at any time, this Constitution or provisions thereof are found to be in conflict with the Constitution of the General Organization, the Constitution of the General Organization takes precedence regarding that conflict.

## 13. Discipline and Administration

- 13.1 Any member of the Texas Division may be censured, suspended or expelled from membership. Charges shall be based upon disloyalty, neglect of duty, dishonesty, and conduct unbecoming a member of the Texas Division and the Sons of Confederate Veterans, or the commission of an act repugnant to this Constitution and Standing Orders. Charges may be proffered by their Camp, Brigade, Division, or by action of the Division Executive Council or the Division Convention.
- 13.2 Disciplinary Investigation Committee. Shall be an ad hoc committee, formed as specified in the Standing Orders of the Texas Division.
- 13.3 Standing. Charges proffered by a Camp must be against one of its own compatriots. The Division Executive Council or Division Convention may

proffer charges against any compatriot. Charges may not be proffered by any individual.

13.4 Procedure.

- 13.4.1. Charges shall be proffered in writing to the Division Commander who shall promptly form the ad hoc Disciplinary Committee and appoint the Division Inspector as Chairman.
- 13.4.2. The accused shall be presented a copy of the charges via certified United States mail and invited to respond within 15 calendar days from the date of delivery to the addressee or return to the addressor if delivery is refused by the accused. The Committee or sub-committee may conduct additional inquiries, as necessary.
- 13.4.3. The Disciplinary Committee shall conduct an initial investigation to determine if the charges should go forward.
- 13.4.4. If the charges appear founded, the Division Inspector shall report same to the Division Commander.
- 13.4.5. If necessary, the Division Commander may call a special meeting of the Division Executive Council or wait until the next regularly scheduled meeting of the Division Executive Council. In either case and prior to hearing the charges before the Division Executive Council, the Division Commander sends via United States certified mail a description of the charge(s) to the accused. This letter should include; any evidence and findings of the Disciplinary Committee and the date, time and location of the Division Executive Council meeting that will hear the charges.
- 13.4.6. At the Division Executive Council meeting, the charges against the accused are only upheld with a four-fifths (4/5) vote of those present assuming that a quorum of elected officers is available. In this case, only elected officers may be considered in the counting of the quorum. Appointed officers may not be considered as part of a quorum for any disciplinary meeting. Appointed officers may, however, count towards the four-fifth (4/5) vote on the charges.

13.5 Appeal. The accused may appeal the decision by submitting a request for an appellate hearing to the Commander-in-Chief of the Sons of Confederate Veterans within thirty (30) days of the date after which the Division Executive Council decides against the accused. Furthermore, the accused has the Right to take his case before the next Division Convention for a vote by the delegates in convention.

13.6 Discipline. Camps, being the judges of their own members, may impose discipline upon their own members in accordance with the provisions as set forth in the Division and National Constitutions.

## 14. Dissolution

14.1 Camp Dissolution. In the event that a camp of the Texas Division, for whatever reason, determines that it is necessary to dissolve, the camp officers will perform the following steps:

- 14.1.1.* The Camp Commander will notify the Brigade Commander, Division Commander and the Commander-in-Chief of the need for a meeting to dissolve the camp.
- 14.1.2.* The Camp Adjutant and/or the Camp Commander will contact every compatriot of the camp, via postal mail, informing them of the agenda, time and place of the dissolution meeting. The contact letter must contain a transfer form and a list of the nearest SCV camp(s) to the dissolving camp in case the compatriot wishes to transfer to another camp. Additionally, the letter will include specific and detailed transfer instructions that will include contact information for both the brigade and division adjutants who will assist the compatriot in transferring to a new camp.
- 14.1.3.* At the time and date of the dissolution meeting, the camp must achieve a quorum in order to continue with the dissolution process. Verification of the quorum must be submitted to the Texas Division Adjutant in writing by the Camp Commander. The letter should detail the names of all compatriots in the camp and the names of those making up the quorum. Failure to achieve a quorum requires the camp officers to contact the Brigade and Division Commander to request their attendance at the next Dissolution Meeting. The meeting date must be allow sufficient time for the Brigade and Division staffs to contact all the members of the camp to advise them of the next dissolution meeting date and to determine if they wish to transfer their regular membership to another SCV camp.
- 14.1.4.* If a quorum is achieved, the camp is free to vote the issue of dissolution.
- 14.1.5.* If the camp votes to dissolve, the camp adjutant will immediately prepare and forward a complete list of all camp members listed on the rolls of the camp indicating the compatriots that wish to remain in the SCV. The list will include the name, address, phone number and email (if available) for every member of the camp. The Camp Adjutant will forward to the Division Adjutant and the Adjutant-in-Chief a complete and detailed list of all assets belonging to camp. The list should include, at a minimum, the amount of funds in the bank account(s) of the camp after all legal debts of the camp are paid. No new debts following the vote to dissolve the camp may be made by the leadership or any member of the camp. These debts may include the cost of mailing the notification letters to the compatriots of the camp as required in paragraph b. of this Section. Other assets include all equipage bought under the tax-exempt benefit provided to the camp as part of its charter with the Sons of Confederate Veterans and, thereby, owned by the Sons of Confederate Veterans upon the dissolution of the Camp.
- 14.1.6.* If there remains seven (7) members of the camp that do not wish for the camp to be dissolved, even following a vote by the majority of the camp members to dissolve, the camp charter will remain in tact

to allow these seven compatriots the opportunity to keep the camp from dissolving. In this event, all of the official financial and historical records, of the camp must be given to one of the seven remaining compatriots for safe-keeping. Additionally, coordination must be made between the current Camp Adjutant and the Safe-Guarding Compatriot for access to all bank accounts currently controlled by the Camp Adjutant. This should be done within one (1) work week following the decision by the other compatriots of the camp to leave the SCV. The name and contact information for the 'Safe-Guarding' Compatriot will be submitted to the Division Adjutant by the current Camp Adjutant before leaving his post.

*14.1.7.* If there are not seven (7) compatriots willing to insure the survival of the camp, then the final step will be the return of the Camp Charter to IHQ by the current Camp Commander and the surrender of all official camp historical and financial records to the Executive Director of the Sons of Confederate Veterans from which all camps receive their authority to operate. This must be accomplished within one (1) work week following the vote to dissolve the camp.

14.2 Division Dissolution. In the event that the Charter of the Texas Division expires or the Division is otherwise dissolved, the Division Executive Council shall determine the assets and liquidate the liabilities of the Division. Upon such dissolution, determination, and liquidation, the Executive Council shall dispose of all remaining assets of the Texas Division in such a manner as to allow for the reorganization of the Division, or to the General Organization of the Sons of Confederate Veterans.

## **15. Indemnification**

Members of the Division Executive Council, being authorized agents of the Sons of Confederate Veterans shall be indemnified for costs, expenses, or liabilities necessarily incurred in connection with the defense of any action, suit, or proceeding in which they are made a part by reason of being or having been a members serving in an elected or appointed capacity. No member or employee shall be indemnified when adjudged in the action or suit to be liable for gross negligence or misconduct in the performance of duty.

## **16. Amendments.**

16.1 This constitution may be amended at any Division Convention by vote of two-thirds (2/3) of the authorized representation thereat.

16.2 The Standing Orders may be amended, altered, or repealed at any Division Convention by a majority vote of the delegates present and voting in convention assembled.

16.3 Amendments to either the Division constitution or Standing Orders may only be done provided that the proposed amendments are sent to each camp of the Texas Division in good standing at least thirty (30) days prior to the Division Convention and that the proposed amendment does not violate the General Constitution of the Sons of Confederate Veterans.

## **Certification**

This Constitution becomes effective upon ratification by the authorized delegates meeting in Convention in June 2007.

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Ronald R. Strybos  
Commander  
Texas Division

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Cody Marshall  
Adjutant  
Texas Division