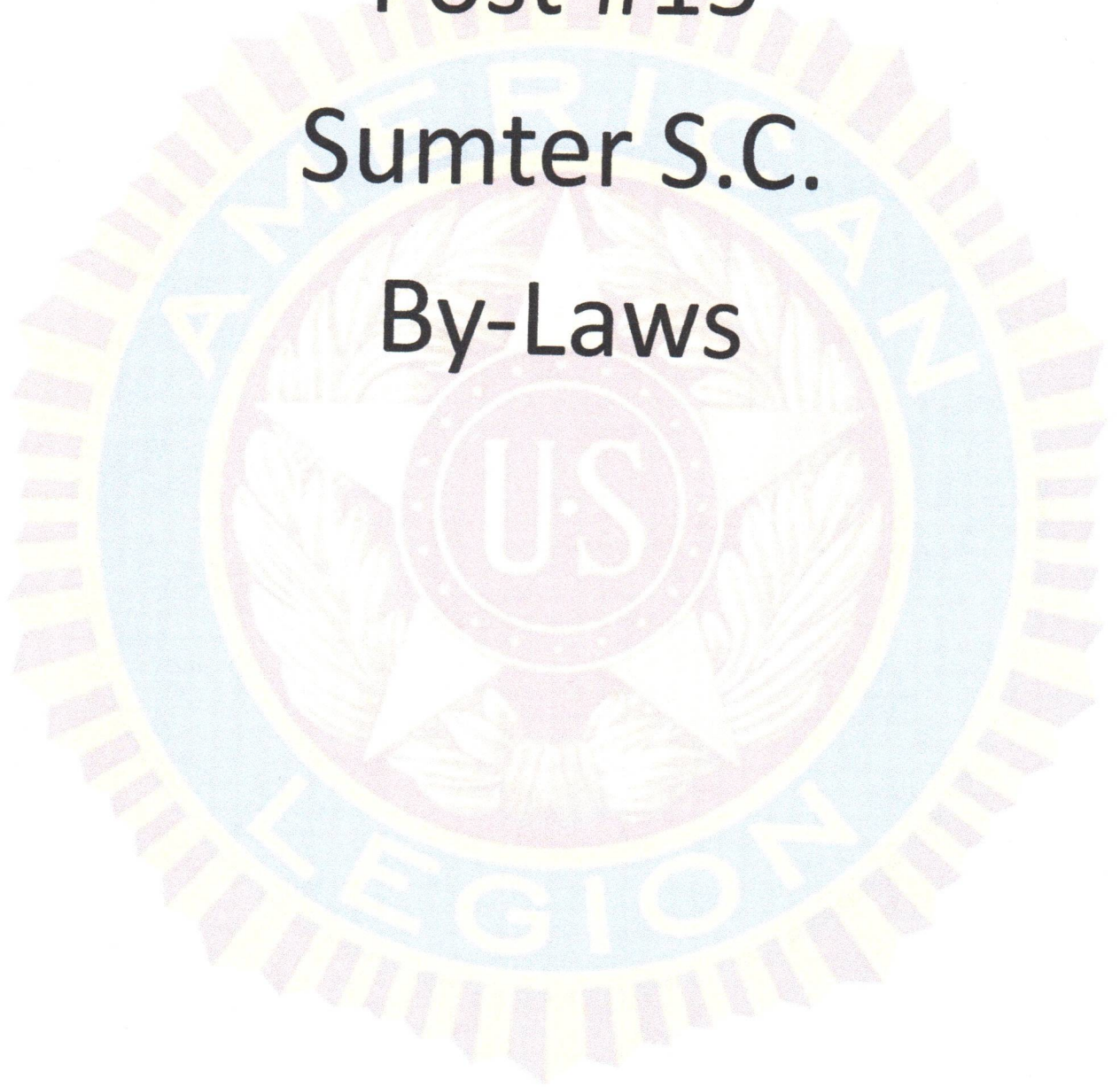


American Legion

Post #15

Sumter S.C.

By-Laws



Revised February 3rd, 2025

Article I

Section 1.1 The Post existing under these By-Laws is to be known as Sumter Post #15, The American Legion Department of South Carolina.

Section 1.2. The objectives of Sumter Post #15 are set forth in the Constitution.

Article II

Section 2.1 Annual dues shall be determined and assessed by the Executive Committee, and approved by the Sumter Post #15 at large.

Section 2.2. All members are required to present a copy of their DD-214 or other acceptable documentation prescribed by the Nation Adjutant handbook for verification of membership eligibility.

Article III – Management

Section 3.1 The Post Officers shall perform the duties of their respective offices upon their installation and Appointees and Committees shall assume their duties upon appointment.

Section 3.2. The government and management of Sumter Post #15 is entrusted to an Executive Committee of twenty-one (21) members to be known as the Post Executive Committee

Post Commander:	Vote/Voice
First Vice Commander:	Vote/Voice
Second Vices (5):	Vote/Voice
Adjutant:	Vote/Voice
Judge Advocate:	Vote/Voice
Immediate Past Commander:	Vote/Voice
Finance Officer:	Vote/Voice
Service Officer:	Vote/Voice
Historian:	Vote/Voice
Chaplain:	Vote/Voice
Fair Chairperson:	Vote/Voice
Baseball Chairperson:	Vote/Voice

Legion Riders Director	Vote/Voice
Americanism	Vote/Voice
Sgt-at-Arms	No Vote/Voice
3 Appointees:	No Vote/Voice

Section 3.3. All vacancies existing in the Executive Committee, or in any office of the Post from any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the committee, and a person so appointed shall hold office for the remainder of the unexpired term of the member of the committee or officer who succeeded, appointed vacancies will be filled by the Post Commander.

Section 3.4. Any Officer or member of the Executive Committee who misses three (3) or more required Executive Committee meetings or events in a Legion Year will be considered for replacement by the Executive Committee. Exceptions will be made for medical reasons.

Section 3.5. Custodians of all funds maintained by any committee within Sumter Post #15, to wit: Fair, Baseball, Legion Riders, General Fund; must obtain the signature of the Post Commander or the First Vice Commander on any checks drawn that exceed two thousand and five hundred (\$2500.00) dollars.

Section 3.6. All line item, budget exceptions less than five thousand (\$5000.00) will be reported on a quarterly basis to the Executive Committee as information. Any expenditures in excess of five thousand (\$5000.00) dollars must be approved by the Executive Committee prior to execution of the expense.

Article IV – Post Executive Committee

Section 4.1. The Post Executive Committee shall meet for organization and such other business as may come before it at the call of the Post Commander within fifteen (15) days after the installation of the new officers. Thereafter the Post Executive shall meet at the call of the Post Commander at least every calendar quarter and as often as said Post Commander may deem necessary. The Post Commander shall call a meeting of the Post Executive Committee upon the joint written request of three (3) or more members of said Post Executive Committee. One half plus one (50%+1) of the voting members of said Post Executive Committee shall constitute a quorum thereof.

Section 4.2. At the first meeting of the Post Executive Committee following the annual installation of new officers, a proposed budget for the General Fund will be submitted for approval by the Post Executive Committee with a view of insuring adequate financial support of the Post.

Section 4.3. The Post Executive Committee shall hire and terminate such employees as may be necessary; shall authorize and approve all expenditures; shall require adequate bonds from all persons having custody of Post funds; shall hear the reports of Post Committee chairs; and generally, shall have charge of and be responsible for the management of the affairs of Sumter Post #15.

Article V – Duties of Officers

Section 5.1. *Duties of the Commander.* It shall be the duty of the Post Commander to preside at all meetings of the Post and of the Post Executive Committee, to have general supervision over the business and affairs of the Post, and such officer shall be the Chief Executive officer of the Post. The Commander shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of Sumter Post #15 for the year and recommendations for the ensuing year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the Department Adjutant. The Commander shall be the official spokesperson on all occasions for Sumter Post #15. The Commander will attend all meetings called by the District Commander if able to do so. The Post Commander shall be an *ex officio* member of all committees. The Commander shall with the Post Adjutant and the Finance Officer prepare a budget for the Post General Fund for presentation to the Post Executive Committee at its first meeting following the June regular meeting of the Post Membership. The Commander shall perform such other duties as directed by the Post.

Section 5.2. *Duties of the Vice-Commanders.* The 1st Vice-Commander shall assume and discharge the duties of the office of Commander in the absence or disability of, or when called upon by the Post Commander. The 1st Vice-Commander shall be the chairperson of the Membership Committee. The 2nd Vice-Commanders shall serve without seniority, serve on the Membership Committee, and serve on such other committees as directed by the Post Commander. The Vice-Commanders shall perform such other duties as directed by the Post Commander or Executive Committee.

Section 5.3. *Duties of the Adjutant.* The Adjutant shall have charge of and keep a full and accurate record of all proceedings of all meetings, keep such records as The Department and National Organizations may require, render reports of membership annually or when called upon at a meeting, and under the direction of the Post Commander handle all correspondence of the Post. He shall keep the accounts, receive all funds, and sign all vouchers for and from the Post General Fund. The Adjutant will maintain the Post General Fund checking account and record all financial transactions using a computerized accounting method. At the direction of the Post Executive Committee, the Adjutant shall render a true accounting of the financial condition of the Post General Fund; discharge all duties incident or appertaining to his trust. Immediately at the close of the Post Fiscal Year, the Adjutant shall submit the books and records of the Post General Fund to a Certified Public Accountant, approved by the Post Executive

Committee, for an annual audit to be rendered to the Post Executive Committee when complete. With the Post Historian, the Adjutant shall carefully prepare all the permanent records of Sumter Post #15 and shall be the Official Custodian of all such records.

Section 5.4. *Duties of the Finance Officer.* The Finance Officer of the Post shall be the Fiscal Coordinator for the Sumter Post #15. At the direction of the Post Executive Committee, the Finance Officer shall render a true accounting of the financial condition of all accounts over which the Finance Officer has jurisdiction and discharge all duties incident or appertaining to the Finance Officer's trust. At the close of the fiscal year, the Post Finance Officer directs that all custodians of funds of the Post and its Committees submit their books and records to the Post Finance Officer or a Certified Public Accountant, approved by the Post Executive Committee, for an annual audit. Such audits shall be rendered to the Finance Officer and the Post Executive Committee when complete.

Section 5.5. *Duties of the Post Historian.* The Post Historian shall be charged with the individual records and incidents of Sumter Post #15 and Post members, and shall perform such other duties as may properly pertain to the office of Sumter #15 Post Historian as may be determined by the Post or the Post Executive Committee. He shall assist the Adjutant in the preparation and storage of all permanent records of Sumter Post #15.

Section 5.6. *Duties of Post Chaplain.* The Post Chaplain shall be charged with the spiritual welfare of Sumter Post #15 comrades and will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by the National or Department of South Carolina Headquarters from time to time.

Section 5.7. *Duties of the Post Judge Advocate.* The Post Judge Advocate is the interpreter of the Constitution and By-Laws of the Sumter Post #15, Department of South Carolina and National American Legion, and at any time may be called upon by the Post Commander, Executive Committee, other Officers and Members to rule on the legality of their actions and decisions in so far as they affect the good of The American Legion. The Sumter Post #15 Judge Advocate must have a working knowledge with Sumter Post #15 Constitution and By-Laws and a general knowledge of the Department of South Carolina and National Constitution and By-Laws and Roberts Rules of Order. The Judge Advocate shall be responsible for insuring that the Constitution and By-Laws of Sumter Post #15 are in compliance with the National Department of the American Legion and the Department of South Carolina Constitution and By-laws. The Judge Advocate shall be a member of the Constitution and By-Laws Committee.

Section 5.8. *Duties of the Sergeants-at-Arms.* The Sergeants-at-Arms shall preserve order at all Sumter Post #15 meetings, functions and events. He is the custodian of the Post Colors. He shall perform such other duties as may be from time to time assigned by the Post Commander or Post Executive Committee. The Sergeants-at-Arms will work and coordinate with the Post Home Committee to prepare the home for all membership meetings or special events. The

Sergeant-at-Arms, will follow protocol for greeting and seating all invited guest, and will also ensure that all present, are members or prospective members of the American Legion or guests and their families involved in the Monthly Program. In addition, the Sergeants-at-Arms shall ensure that new members are welcomed to the post.

Section 5.9. Duties of the Post Service Officer. The Post Service Officer shall work with the Local Rehabilitation Program of the American Legion. The first duty of Sumter Post #15 is the care of our disabled comrades and the widows and orphans of deceased veterans. To that end, the Post Service Officer shall fully cooperate with the Post and Department Commanders, with the State Service Officer, and the US Veterans Administration. He will prosecute all just claims of Veterans before administration, and he shall not hesitate to call upon any member of Sumter Post #15 or any other post of the American Legion, to assist him in his efforts thereabout, in cooperation with the Department Service Officer.

Article VI – Delegates

Section 6.1. The Post Commander shall be the Head of the Sumter Post #15 delegation to the annual Department convention held that year. Said Post Commander shall designate other members of Sumter Post #15 to serve on the delegation, including the Post Adjutant.

Article VII – Appointments

Section 7.1. The Post Commander, immediately upon taking office each year, shall appoint the following standing committees and positions: Americanism, Baseball, Scout Liaison, Constitution and By-Laws, Fair, Finance, Post Home, Membership, Memorials and Funerals, Programs, Public Safety, Publicity, Service and Judge Advocate. Except as specifically provided otherwise, such standing committees shall consist of such members, and the chair thereof, as shall be designated by the Post Commander.

Article VIII – Committee Duties

Section 8.1. All committees are required to hold regular meetings at least once each quarter. Minutes will be recorded and copies forwarded to the Post Adjutant for archiving. A quorum for all committees will be one half plus one member (1/2+1) of the members assigned to the committee. Each committee will maintain a current contact roster of all committee members and provide updated copies to the Post Adjutant. Each committee will coordinate with the Finance Officer to ensure adequate funding for the programs that it administers. All committees will notify the Post Commander of all scheduled committee meetings.

Section 8.2. Americanism Committee. The Americanism Committee shall be charged with the inspiration of Patriotism and Good Citizenship by arrangements for proper observance of patriotic occasions; encouragement of patriotic and civic phases of instruction in schools; Americanization of aliens; combating anti-American propaganda by education of the general public in American ideals through public forums, etc., and activities for community and civic betterment. It shall administer Boy's State, Law Cadet and Oratorical contest programs.

Section 8.3. Baseball Committee. The Baseball Committee shall be charged with the administration of Sumter Post #15 baseball program (P-15's). at a minimum, the committee will consist of a Chairperson, Sr. team representative, Jr. team representative, Secretary and Treasurer. The Baseball Chairperson will submit an annual budget recommendation to the Executive Committee at its January meeting of each year. Items that exceed the proposed budget by five thousand (\$5000.00) dollars must come before the Post Executive Committee for approval. The Treasurer will maintain the baseball checking account and record all financial transactions using a computerized accounting method. Baseball financials will be included in the annual audit of post funds.

Section 8.4. Scout Liaison. The Scout Liaison shall be charged with coordination of support to the Scouting Programs sponsored by Sumter Post #15 (Cub Scouts BSA, Scouts BSA and Girl Scouts). The Scout Liaison is responsible to ensure that the Scout Hut is maintained in a high state of repair, reporting all concerns and discrepancies to the Post Adjutant. The Scout Liaison is the go-between, The Post Commander, Executive Committee and membership and the Scouting programs.

Section 8.5. Constitution and By-Laws Committee. The Constitution and By-Laws Committee shall be charged with recommending amendments to Sumter Post #15 Constitution and By-Laws under the direction the Post Commander and the Post Executive Committee. The Executive Committee shall refer any proposed amendment to the Constitution and the By-Laws from a member or a committee to the Constitution and By-Laws Committee for study and review. The Constitution and By-Laws Committee shall report its recommendation back to the Executive Committee at its next scheduled meeting.

Section 8.6. Fair Committee. The Fair Committee shall be charged with coordinating with the Sumter County Fair Association by American Legion Post #15 Inc. for the annual operation of a regional fair. The Fair Committee shall provide operational support and recommendations to the Fair Corporation. The Chairperson, Vice-Chairperson and Treasurer of the Fair Committee will serve on the Board of Directors of the Fair Corporation. In addition, a Past Post Commander appointed by the Current Post Commander will serve on the Board of Directors of the Fair Corporation. The membership will ratify by vote all positions. The Post Commander, with the recommendations from the Fair Committee, shall appoint the Chairperson, Vice-Chairperson and Treasurer of said committee to serve for two (2) year terms. The Chairperson and Treasurer will be appointed on even years, the Vice-Chairperson and appointee will be appointed in odd

years. As the membership of Sumter Post #15 is the membership of the Fair Corporation, at a minimum, the Chairperson, acting as the President of the Fair Corporation will brief the membership of Sumter Post #15 annually of the status of the Fair Corporation. The Fair will be included in the annual audit report of Sumter Post #15.

Section 8.7. Finance Committee. The Finance Committee shall be charged with the administration of the financial policy, preparation of budget recommendations and supervision of receiving, disbursing and accounting of all Sumter Post #15 funds.

Section 8.8. Membership. The Membership Committee shall have charge of all matters pertaining to the membership of Sumter Post #15, including recruiting, retaining, reinstating and determining eligibility of members. In addition, it shall ensure that new members are welcomed to Sumter Post #15. The 1st Vice-Commander is the Chairperson of the Membership Committee.

Section 8.9. Memorials & Funerals Committee. The Memorials & Funerals Committee will work under the direction of the Post Chaplain. It shall be charged with representing Sumter Post #15 and The American Legion at all memorial services and funerals of Legionnaires.

Section 8.10. Post Home Committee. The Post Home Committee shall be charged with maintaining the Post Home. It will work with Post Adjutant to facilitate all routine housekeeping, maintenance and repairs. Under the direction of the Post Sergeant-at-Arms it will prepare the Home for all membership meetings or special events.

Section 8.11. Programs Committee. The Programs Committee shall be charged with developing the general programs for each regular meeting, securing guest speakers and insuring invitations to special guest. Along with the Post Sergeant-at-Arms, it will follow protocol for greeting and seating all invited guest.

Section 8.12. Public Safety Committee. The Public Safety Committee shall be charged with coordinating all activities requiring support of Public Safety Agencies. It will Administer the Public Safety Officer of the Year program.

Section 8.13. Publicity Committee. The Publicity Committee shall be charged with the promotion of public support of the American Legions programs by the establishment of proper contact with American Legion Magazine, Department of South Carolina and National Legion News services, by Local publicity and Social Media Services of Sumter Post #15 programs and activities.

Section 8.14. Service Committee. The Service Committee will work under the direction of the Post Service Officer. It shall supervise all matters pertaining to service to comrades in the prosecution of all just claims against the United States, South Carolina or Local government, employment, relief etc.

Article IX-Resolutions

Section 9.1. All resolutions of State or National scope presented to Sumter Post #15 by a member or reported to Sumter Post #15 by a committee shall merely embody the opinion of Sumter Post #15 on the subject and a copy of same shall be forwarded to the Department of South Carolina Headquarters for its approval before any publicity is given or action other than, mere passage by Sumter Post #15 is taken.

Article X-Meetings

Section 10.1. The regular meeting of Sumter Post #15 shall be held at the Sumter Post #15 Legion Home at 6:30 PM on the First (1st) Monday of each Month, except for September when the meeting will be held on the Second (2nd) Monday and any other Month that the First (1st) Monday should be a Federal Holiday. At such meetings, the business of the Post may be transacted as may properly be brought up for action. The primary purpose of the meetings shall be to provide all members the opportunity to become thoroughly familiar with the purposes and ideals of The American Legion.

Section 10.2. The monthly meetings of Sumter Post #15 are open to all Legionnaires and prospective Legionnaires and monthly Program Visitors and Guest.

Section 10.3. The Post Commander or a majority of the Executive Committee (voting members) shall have the power to call a special meeting of Sumter Post #15 at any time.

Section 10.4. Upon the written request of twenty-five (25) members of Sumter Post #15, the Post Commander/Post Executive Committee shall call a special meeting of Sumter Post #15.

Section 10.5. One-twentieth (1/20) of the membership of Sumter Post #15 shall constitute a quorum.

Section 10.6. *Alcohol.* No Alcoholic beverages of any type will be permitted to be served, provided or sold at any Sumter Post #15 or affiliated Post #15 organizations, meetings, events or functions, on Sumter Post #15 grounds.

Article XI-Notices

Section 11.1 Every member of Sumter Post #15 shall furnish the Post Adjutant with an address (or E-Mail address) for mailing and notifications. Telephone numbers are also requested.

Section 11.2. The Post Adjutant shall cause notice of the annual election to be given at least Thirty (30) days prior thereto.

Article XII-Rules of Order

Article 12.1. All proceedings of Sumter Post #15 shall be conducted under and pursuant to Robert's Rules of Order, except as herein otherwise provided.

Article XIII-Limitations of Liabilities

Section 13.1. Sumter Post #15 shall incur, or cause to be incurred, no liability nor obligation whatever which shall subject to liability any other Post, subdivision, members of The American Legion, or other individuals, corporations, or organizations.

Article XIV-Amendments

Article 14.1. These By-Laws may be amended at any regular Sumter Post #15 meeting by a vote of two-thirds (2/3) of the members of Sumter Post #15 attending such regular meeting; provided that the proposed amendment shall have been submitted in writing and read at the preceding regular meeting of Sumter Post #15; and, provided that notice has been given thirty (30) days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the By-Laws is to be voted on.

The forgoing By-Laws were duly adopted by the members of Sumter Post #15, The American Legion , Department of South Carolina at its regular meeting this 3rd day of February, 2025.

Commander Name

Signature

First Vice Name

Signature

Adjutant Name

Signature

Judge Advocate

Signature

Constitution and By-Laws Committee Members:

Signature

Signature

Signature

