

**Veterans of Foreign Wars of the United States  
Department of Georgia**

**2021-2022**

**Bylaws**

ARTICLE I

NAME AND TERRITORIAL JURISDICTION

- Section 1. Name: This Subdivision of the Veterans of Foreign Wars of the United States, Incorporated, shall be known as the "Department of Georgia, Veterans of Foreign Wars of the United States, Incorporated", hereafter referred to as the "Department".
- Section 2. Territorial Jurisdiction. The territorial jurisdiction of the Department shall conform with the territorial limits of the State of Georgia.

ARTICLE II

PURPOSE

- Section 1. The purposes of the corporation are fraternal, patriotic, historical, charitable, and educational, and are:
1. to preserve and strengthen comradeship among its members;
  2. to assist worthy comrades;
  3. to perpetuate the memory and history of our dead, and to assist their surviving spouses and orphans;
  4. to maintain true allegiance to the Government of the United States, and fidelity to its Constitution and laws;
  5. to foster true patriotism;
  6. to maintain and extend the institutions of American freedom; and
  7. to preserve and defend the United States from all enemies.

ARTICLE III

AUTHORITY

- Section 1. The supreme power of this Department shall be vested in the National Convention of the Veterans of Foreign Wars of the United States and shall, at all times, be governed by the Congressional Charter and Bylaws adopted by said National Convention, mandates of the National Council of Administration, and lawful orders of the Commander-in-Chief.
- Section 2. Subject to the provisions of the Congressional Charter and Bylaws, the government of the Department shall be vested in a Department Convention, Department Council of Administration, and lawful orders of the State Commander.

ARTICLE IV

DEPARTMENT HEADQUARTERS

- Section 1. The Department Headquarters shall be located in Macon, Bibb County, Georgia.
- Section 2. Official correspondence emanating from Department Headquarters shall be in writing, or in printed or email form, signed by the State Commander, or the State Adjutant who shall attest to all official communications and reports with their signature or electronic signature in the case that email is used.
- Section 3. All Department minutes and proceedings, including electronic recordings, shall be kept on file at the Department Headquarters.

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ARTICLE V

COUNCIL OF ADMINISTRATION

- Section 1. The Department Council of Administration shall consist of those members as set forth in the National Bylaws.
- Section 2. The Department Council of Administration shall meet in regular session not less than twice each year, at such time and place as the State Commander or Council of Administration shall designate.
- Section 3. The State Commander may direct the State Adjutant to conduct email or mail ballots; the results of such ballots shall be reported for the record at the next stated meeting.
- Section 4. The State Commander may call a special meeting of the Council of Administration whenever the same may be necessary for the welfare of the Department. The State Commander shall call a special meeting upon a request (written or email ballot) by the majority of the Department Council of Administration. In case the State Commander refuses to call such a meeting, the Department Council of Administration may proceed to hold such meeting in accordance with the National Bylaws. No business shall be transacted at the special meeting except that business for which the meeting is called.
- Section 5. The Council of Administration may set and levy fees on the Districts to pay for items as deemed necessary for the welfare of the Department membership such as the hospitality room. The State Quartermaster will provide a report of monies collected as well as monies expended.

**B1. Amend Article V, Council of Administration, by adding a new Section 6 stating: The Department administrative staff shall be allowed to attend Council of Administration meetings for the purpose of providing administrative support to the Council unless the Council specifically advises them not to attend.**

**B2. Amend Article V, Council of Administration, by adding a new Section 7 stating: The Council may determine that a COA meeting is to be held via electronic means NLT 48 hours prior to the convening of said meeting at which point the Adjutant shall send out instructions for electronic attendance. In the event that the meeting is to be held in person, no electronic attendance will be permitted unless it is approved by the Department Commander.**

**B3. Amend Article V, Council of Administration, by adding a new Section 8 stating: All Districts must be represented at the Council meeting. In the event that a District Commander cannot attend, the District Commander shall ensure that the District Sr Vice or District Jr Vice Commander attends in their place.**

ARTICLE VI

DEPARTMENT DISTRICTS

- Section 1. The Department Districts shall be formed, chartered, and operated in accordance with the provisions of the National Bylaws.

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Section 2. Department Districts shall be numbered the same as, and in accordance with, the designated districts of this Department as shown on a current map which is attached and which may be altered in accordance with the National Bylaws, from time to time, as need may arise.

ARTICLE VII

DEPARTMENT CONVENTION

Section 1. The Department shall convene an annual convention in accordance with the National By - Laws.

Section 2. In the event of an emergency, failure to act expeditiously in preparing for the Annual Convention, or failure to comply with the proposals upon which a Convention bid was approved by the Department Convention, the State Commander, with the approval of the Council of Administration, may change the site, as well as the time and place of same.

Section 3. A Convention committee shall be appointed by the State Commander to conduct the business affairs of the Convention.

Section 4. The Department Convention Committee, or such person as may be designated by the Department Commander, shall notify all Posts and Districts within the Department at least thirty (30) days prior to the Convention of the room rates, registration fees, banquet rates, and all other necessary costs, fees, and special conditions or limitations governing rates and conduct during the Convention.

Section 5. All other Committees shall be appointed by the State Commander at least sixty (60) days prior to the convening of the Department Convention.

Section 6. The voting delegate strength for each Post within the Department shall be as prescribed by the National Bylaws based on the record of members in good standing according to the records in the Department Headquarters as of March 31, current year. Additionally, the Post Commander, or in their absence, the Post Senior Vice Commander, or in their absence, the Post Junior Vice Commander, if present, may be registered and function as a member of the Convention.

Section 7. In accordance with the National Bylaws, a delegate registration fee shall be paid by each Post for each delegate to which the Post shall be entitled, based upon the State Quartermaster's record as of March 31, current year. The delegate registration fee shall be forwarded by each Post regardless of the number of delegates present at the annual Department Convention. The delegate fee is \$12.00 per delegate plus an additional \$5.00 fee for the Post commander. Posts failing to forward the full delegate Registration fee shall be considered delinquent and in arrears.

Section 8. (a) Only those officers and delegates to the Department Convention for whom registration fees have been paid shall be entitled to vote in the Convention.

(b) A fee as recommended by the Convention Committee and approved by the Council of Administration not to exceed \$15.00 for pre-registration shall be required by the Department for each person receiving credentials as prescribed by the National Bylaws. An additional fee may be charged for on-site registration.

(c) A fee as recommended by the Convention Committee and approved by the Council of Administration not to exceed \$50.00 shall be required by the Department from each person pre-registering that receives credentials and banquet seating. An additional fee may be charged for on-site registration and banquet seating.

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Section 9. (a) Elected officers for the Department of Georgia Veterans of Foreign Wars of the United States will include: Commander, Sr. Vice Commander, Jr. Vice Commander, Quartermaster, Judge Advocate and Chaplain. With regard to order, the nomination and election shall fall after those offices required by National Bylaws.

**B4. Amend Article VII, Section 9(a), by removing "and Chaplain." and replacing it with ", Chaplain and Surgeon."**

(b) Voting on all elective officers shall be by roll call vote by districts, randomly selected. Voting of the posts of the district will be in numerical order. Should only one candidate be nominated for an elective office, the presiding officer shall be empowered to instruct a member of the Convention to cast one (1) unanimous ballot for the nominee who shall then be declared elected.

(c) A candidate for Junior Vice Commander-in-Chief from the Southern Conference shall be selected at a Department Convention by roll call vote by districts, randomly selected. Voting of the posts of the district will be in numerical order. The State Commander, or in their absence the State Senior Vice Commander or Junior Vice Commander, if present, shall be mandated to cast the Department vote on the first ballot at the Southern Conference for the candidate selected at a State Convention. Should that candidate be dropped for due course or after the first ballot, the State Commander, or in their absence the State Senior Vice Commander or Junior Vice Commander, if present, shall vote the poll choice(s) of the Department Members present.

ARTICLE VIII

RESOLUTIONS

Section 1. Resolutions for Convention consideration shall be typewritten and four (4) copies shall be delivered to the State Commander, or Adjutant, at least thirty (30) days prior to the convening of the Convention, so a copy can be recorded by the Adjutant. Copies for study shall be forwarded to the Committee Chairman at least fifteen (15) days prior to the convening of the Convention.

Section 2. Resolutions, other than those of condolence and appreciation, shall not be considered by the Convention unless the provisions of Section 1 of this Article have been complied with, except by two-thirds (2/3) vote of the registered Convention delegates.

Section 3. All resolutions passed at a Department Convention shall have continuing force and effect unless rescinded, repealed, or amended by a subsequent Department Convention.

Section 4. Any resolution or action of any Department Convention affecting the continuing policy, operations, or finances of the Department shall be listed by subject in a subject file to be maintained by the State Adjutant at Department Headquarters which shall be available, at all times, to the Department Officers and Council of Administration.

ARTICLE IX

DEPARTMENT DUES

Section 1. The Department per capita tax shall be \$6.50 per annum, payable by every member in good standing, except life members.

Section 2. New annual and life members that join a Post in the Department will be assessed a \$1.00 admission fee and shall be paid to the Department. The Department will bill the Post in May, current year for the total admission fee due and again in July for new memberships submitted in May and June.

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ARTICLE X

POST AND DISTRICT REMITTANCE TO DEPARTMENT

- Section 1. All remittances of money to Department Headquarters shall be made payable to the “Department of Georgia Veterans of Foreign Wars”.
- Section 2. The Instituting Officer shall transmit membership funds collected upon instituting a new Post to Department Headquarters.
- Section 3. Remittances shall be as prescribed by the National Bylaws.

ARTICLE XI

FUNDS AND AUDITS

- Section 1. General Fund: All money received by the Department from whatever source, which is not set aside as a “Special Fund”, or for a designated purpose, shall constitute the General Fund.
- Section 2. Special Funds:
- (a) Dues Reserve Fund: A dues reserve fund shall be credited within the Department with not less than fifty percent of its part of the current year’s dues paid by members prior to July 1, including Life Membership dues payouts received from the National Organization. The Quartermaster shall not disburse nor shall an obligation be incurred against this fund.
- (b) Restricted Funds: The Council of Administration shall, in each annual budget, provide for the following restricted funds:
- (1) Building: Funds which shall be available for the payment of mortgage amortization, maintenance, repairs, upkeep, improvements, insurance and utility charges on real property owned by the Department.
- (2) Contingency: Funds which shall be available for the payment of such charges, not reasonably anticipated or provided for in the annual budget, which have been recommended by the Budget and Finance committee and approved by the Council of Administration.
- (3) Veterans of Foreign Wars Programs: Funds received, which may include but not limited to, cash, certificates of deposits, bonds, stocks, bank accounts, negotiable instruments and or money received from the disposition of personal or real property, resulting from the surrender or forfeiture of Post charter, shall be deposited in an interest bearing account. The interest/dividends therefrom shall be available for the programs set forth in the Congressional Charter, Section 3 to augment VFW Programs, except the Council of Administration may otherwise authorize expenditures from the principle fund.
- (4) Service Officer (Post/District) Recognition and Enrichment (Perpetual) Fund: Funds received, which may include but not limited to cash, certificates of deposit, bonds, stocks, bank accounts, shall be deposited into a restricted interest bearing account. The interest/dividends therefrom shall be available for the recognition and enhancement of Post and District Service Officers as determined by the Department Veterans Service Committee and approved by the Council of Administration.

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(5) Disaster Relief: Funds received to aid in the relief of veterans (families) who have suffered personal financial loss resulting from disaster. The State Quartermaster is hereby authorized to disburse money from this fund in an amount not to exceed One Thousand Dollars (1,000.00), except as otherwise directed by the Council of Administration.

(6) We Care: Funds received and disbursed to veterans (families), in an emergency, who may have experienced and unforeseen financial shortfall. Normally used to prevent utilities from being cut off, or eviction from a dwelling, provide food or lodging. Funds usually limited to \$200, on a one-time basis. A three-person committee determines and controls disbursement of funds.

NOTE: Except for those funds restricted to augment Veterans of Foreign Wars Programs and disbursement of the restricted Disaster Relief funds, payment may be made from these funds only in accordance with the policies established by the Department Convention or the Council of Administration within the limits of the approved budget.

Section 3. Custody of Funds: The State Quartermaster shall be the custodian of all funds, and will maintain separate accounts for the General Funds, Special Funds, and such other funds as may be required by the National Bylaws.

Section 4. Budget and Finance Committee:

(a) The State Commander shall, upon the date of installation, appoint a standing Budget and Finance Committee consisting of not less than three nor more than five members.

(b) Budget and Finance Committee, acting for the Council of Administration, shall audit the accounts and records of the State Quartermaster at least quarterly, or as necessary and report their findings to the Council of Administration. This Committee shall be responsible not merely for the detail audit of the accounts, but also for insuring that the expenditures for any account does not exceed the annual budgeted allotment for that year, and make recommendations at any time to the Council of Administration, touching on the financial affairs of the Department.

Section 5. Bonding: Department Officers and employees handling Department monies or property shall be bonded in a sum at least equal to the amount of liquid assets for which they may be accountable.

Section 6. Annual Budget:

(a) In accordance with the National Bylaws, the Council of Administration shall at its first regularly scheduled meeting following the Department Convention adopt an annual budget based on the tentative budget as submitted by the State Quartermaster with the recommendations of the Budget and Finance Committee.

(b) No expenditures of Department funds may be authorized or exceed the allowance set forth in the annual budget, except that the Council of Administration, upon recommendation of the Budget and Finance Committee, may amend the budget.

ARTICLE XII

INVESTED DEPARTMENT FUNDS

Section 1. The funds of the Department now invested, or any funds that shall be invested in the future, shall not be liquidated, except by a vote of two-thirds (2/3) of the Council of Administration sitting in a

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regular session, or at a special meeting called for that purpose by the Department Commander, and then only on a recorded roll call vote.

ARTICLE XIII

DEPARTMENT OFFICERS

Section 1. The State Commander shall appoint a Surgeon, Adjutant, Assistant Adjutant, Assistant Quartermaster, Chief of Staff, Service Officer, Inspector, Legislative Officer, and such other officers as deemed necessary and not in conflict with the Congressional Charter and Bylaws of the Veterans of Foreign Wars of the United States.

**B5. Amend Article XIII, Department Officers, Section 1, by removing "Surgeon,".**

**B6. Amend Article XIII, Department Officers, by adding a new Section 2 stating: In the event of a vacancy in the office of Department Junior Vice Commander, the Department Judge Advocate may, without undue delay, succeed to the title and duties of the Junior Vice Commander.**

ARTICLE XIV

CONSOLIDATION OF POSTS

Section 1. Two or more posts in the Department of Georgia may consolidate as provided for in Section 209 of the National Bylaws and Manual of procedure.

ARTICLE XV

FRATERNAL REVIEW/DEPARTMENT COMMITTEE

Section 1. The State Commander shall appoint a Fraternal Review Committee consisting of not less than nine (9) members. They shall be available to the State Commander to review problem areas presented in writing by any Comrade, Post or District Commander and will make recommendations for resolution to the State Commander.

Section 2. Notwithstanding Section 1 above, the State Commander may appoint additional Fraternal Review committees to conduct reviews of fraternal activities of posts and other entities and is not limited to the committee referred to in Section 1 above.

Section 3. The Council of Administration shall establish and provide a budget account for the support of an appointed Fraternal Review Committee. The budget account should be sufficient to provide mileage, hotel and meals during travel plus a nominal fee on a daily basis established by the Council of Administration for individuals involved in on-site visits to the Post/District. The Post/District shall reimburse the department for the cost of the Fraternal Review Committee.

ARTICLE XVI

STATE ADMINISTRATIVE COMMITTEES

Section 1. The State Commander will appoint as necessary and as required Administrative Committee members to function on behalf of posts and/or districts when charters have been suspended. The

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appointed State Administrative Committee members will operate on behalf of the members of the Department of Georgia in working with the post or district under suspension.

Section 2. The mission of the appointed State Administrative Committee is to conduct the necessary business of the post/district to resolve the reasons for the suspension action.

Section 3. The State Administrative Committee will ensure that all records, money, or other property of the post or district is safeguarded and under proper authority and control.

Section 4. The Council of Administration shall establish and provide a budget account for the support of an appointed State Administrative Committee. The budget account should be sufficient to provide for mileage, hotel and meals during travel involved on a daily basis established by the Council of Administration for the individuals involved in on-site visits to the post/district. The post/district shall reimburse the Department for the costs of the State Administrative Committee.

ARTICLE XVII

REDISTRICTING COMMITTEE

Section 1. The State Commander shall appoint a Redistricting Committee which shall continually review the structure of each District and make timely reports to the Council of Administration and recommendations to the Department Convention.

Section 2. The Redistricting Committee shall be composed of at least six members as appointed by the State Commander.

Section 3. The Council of Administration shall provide a budget account for the support of the Redistricting Committee.

ARTICLE XVIII

BYLAWS COMMITTEE

Section 1. The State Commander shall appoint a Bylaws Committee which shall continually review the Department and National Bylaws and make timely reports to the Council of Administration and recommendations to the Department Convention.

Section 2. The Bylaws Committee shall be composed of at least six members as appointed by the State Commander.

Section 3. The Council of Administration shall provide a budget account for the support of the Bylaws Committee.

ARTICLE XIX

VETERANS OF FOREIGN WARS MOTORCYCLE RIDERS GROUP OF GEORGIA

Section 1. The Veterans of Foreign Wars (VFW) Motorcycle Riders Group of Georgia, herein after referred to as VFWRG is a committee made up of members of the VFW and its Auxiliary in good standing. The VFWRG is a group within the VFW that enjoys the past time of motorcycling. The VFWRG is an official committee of the Department of Georgia VFW.



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Section 2. Each VFWRG will be subject to the rules and regulations adopted by the National, Department, District and Post and also includes Addendum #1, Department of Georgia, Standard Operating Procedures (SOP) and Addendum #2 Commander-in-Chief letter dated 14 September 2010. Addendums to these Bylaws are included in the Commanders Book.

Section 3. The addendums may be amended from time to time by the issuing authority.

ARTICLE XX

PROGRAMS CHAIR

Section 1. The Department Council of Administration may provide such remuneration as it deems advisable to such chair.

ARTICLE XXI

STATEMENT OF POLICY

Section 1. Veterans of Foreign Wars of the United States, Department of Georgia, shall not be responsible for the negligent or wrongful acts or omissions nor the contractual obligations or debts of any Post, District, activity, clubroom, holding company, or subordinate units sponsored, conducted, or operated by, for or in behalf of any Post, District, activity, clubroom, holding company or subordinate units.

Section 2. Individuals whose membership has been terminated or individuals whose membership has been suspended for a specified period of time, under VFW National Bylaws, Manual of Procedure and Ritual, Article IX Discipline Section 902 Offenses, Section 907 Penalties, are permanently banned from all VFW Department of Georgia post, district, or state property or until such specified time has passed upon a final decision executed by the issuance of a Special Order by the Commander-in-Chief or the National Council of Administration.

(a) Individuals whose membership has been terminated in accordance with Article IX of the VFW National Bylaws, Manual of Procedure and Ritual found to be on VFW property are subject to arrest for trespass.

(b) Individuals terminated from membership for a specified period of time found to be on VFW property prior to the last day of the restriction are subject to arrest for trespass.

(c) Members of the VFW Department of Georgia failing to enforce the penalty as provided in Section 907 of Article IX are subject to Disciplinary Action in accordance with Section 902 Offenses.

(d) Posts of the Department of Georgia failing to enforce the penalty as provided in Section 907 of Article IX are subject to Article II, Section 211 – Suspension and Revocation of Charter.

Section 3. Elected and appointed officers at Post, District, and/or Department who are continuous Members in good standing in a post of the Veterans of Foreign Wars of the United States, Department of Georgia, in addition to providing proof of eligibility before being installed, should provide payment of dues for the entire term to which they have been elected or appointed, before being installed.

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ARTICLE XXII  
AMENDMENTS

- Section 1. These Bylaws may be amended by a two-thirds (2/3) vote of the registered delegates present at the Department Convention. No amendment shall become effective until reviewed by the Commander-in-Chief, Veterans of Foreign Wars of the United States.
- Section 2. No amendment shall be considered unless a copy of the same shall have been forwarded to all Posts and District Commanders and Department Officers at least thirty (30) days prior to the convening of the Department Convention.
- Section 3. Wherever these Bylaws or subsequent amendments may be found to be in conflict with the present or any future National Bylaws the latter shall prevail and be binding on this Department as though written herein.

Proposed amendments and addendums amended and added to the Bylaws were adopted by the annual Convention of the Department of Georgia on **June 18, 2021**.

