



Constitution
of the
Texas Division
Sons of Confederate Veterans

Revision dated
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Constitution of the Texas Division Sons of Confederate Veterans

Preamble

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

An allegiance to the Constitution of the United States of America, largely written and expounded by Southern men, the very Magna Carta 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 Sons of Confederate Veterans, commit to insure that the aforementioned impartial Southern history will be taught to each generation, current and future, in accordance with the "Charge" given to the Sons of Confederate Veterans, by Lt. Gen. Stephen Dill Lee, Commander General of the United Confederate Veterans, in his speech at the 16th Annual Meeting and Reunion of the UCV held in New Orleans, Louisiana on 25 April 1906: ***"To you, Sons of Confederate Veterans, we will commit the vindication of the cause for which we fought. To your strength will be given the defense of the Confederate Soldiers' good name, the guardianship of his history, the emulation of his virtues, and perpetuation of those principles which he loved and which you also love and to those ideals which made him glorious, and which you also cherish."*** This will be the mission statement for all current and future Compatriots of the Texas Division, Sons of Confederate Veterans, as defined within this Constitution.

Therefore, we, the representatives of the Camps of the Texas Division, in Convention, do adopt, ordain, and establish this Division Constitution on 8 June 2024.

1. Title

- 1.1 The name of this organization shall be the Texas Division, Sons of Confederate Veterans, Incorporated, hereafter called the Texas Division.
- 1.2 The Official Emblem of the Texas Division, SCV, shall be as described in the Division Standing Orders.
- 1.3 The official flag of the Texas Division shall be the Battle Flag of the Army of Northern Virginia, with reverence to all Confederate flags used in the War for Southern Independence. An alternative Texas Division flag may incorporate the Official Emblem, as described in the Division Standing Orders.
- 1.4 Archives of the Texas Division shall be preserved at Texas Tech University, Lubbock, Texas. Division records may also be retained at the Division's principal office in this state (defined by the mailing address of the Division Commander), or other storage facility, as approved by the Division Executive Council. All Division records, minutes, books, and annual reports of the Division's financial activities shall be kept for at least three (3) years after the close of the fiscal year. These records of the Division shall be made available to the public for inspection and copying at a reasonable time and place specified by the Division Commander. The Division may charge a reasonable fee for preparing a copy of a record or report.
- 1.5 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 Standing Orders as adopted on 1 July 1896, and amended in General Convention on 15 July 2016, and any future amendments thereto.

2. Nature & Purpose

- 2.1 The Texas Division shall be a non-profit, 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. Each Compatriot is expected to perform his full duty as a citizen according to his own conscience and understanding.
- 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 The Texas Division shall be subdivided into Brigades for purposes of administration, representation, and fostering the growth and formation of Camps within the Division; each Brigade to have a number, as assigned by the Division, and,
 - 2.4.2 The several constituted bodies of the Brigades shall be as follows: Organizations

known as Camps; each Camp to have a name, and be assigned a number by General Headquarters upon admittance to the Confederation.

3. Membership

- 3.1 Eligibility. Membership in the Sons of Confederate Veterans is open to male descendants, lineal or collateral, of those men who served honorably and whose service terminated honorably in the armed forces of the Confederate States of America or one of the states thereof. Applicants for membership must be men of good character, who emulate the best qualities of the Confederate soldier. Applicants must be at least 12 years of age.
- 3.1.1 Each Camp shall be the judge of its own members, subject to the restrictions of this Constitution, the General Constitution, and the Standing Orders of the Texas Division and General 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 A Compatriot may be an associate member of other Camps in the Texas Division into which he is accepted. The accepting Camp may charge a fee for association; however, he may not vote nor hold elected office, nor be counted as a regular member in such a Camp, and he must maintain active membership and pay full Camp, Division and General dues to one and only one Camp, which shall be the only Camp that may count him as a regular member and in which he may hold elected office and represent at convention, either Division or General.
- 3.1.5 No one shall be admitted to membership in any Camp until satisfactory proof of the foregoing qualifications is submitted in triplicate on official applications. Membership qualification is subject to review by the Division Genealogist and the Division Executive Council. The Camp shall preserve a copy of the application, along with all supporting proof. The original application shall be forwarded to General Headquarters and a duplicate application to the Division Adjutant for record and preservation in a designated Division record storage location, as defined in Article 1.4.
- 3.2 Termination. A Compatriot 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 Compatriot may also be terminated upon the determination of the Division Executive Council that the Compatriot had joined under false application information or an unqualified ancestor. In this matter the Division Genealogist shall render a report on qualifications to the Division Executive Council for their deliberation. As well, the Compatriot in question may also submit documentation in defense of his qualifications.
- 3.2.1 Resignation. A Compatriot in good standing may resign by sending a written resignation to General Headquarters, with copies to the Division Adjutant and

Camp Commander. The resignation shall be effective upon receipt or on an otherwise specified date.

3.2.2 Expulsion. Any individual expelled from Division membership under the provisions of this Constitution and Standing Orders shall be stricken from the Division Roster, and the Division Adjutant shall take care to note his name so that he may not be readmitted nor reinstated to Division membership except by a two-thirds (2/3) vote of the Division Executive Council upon recommendation by the Division Commander.

3.2.3 Non-Payment.

3.2.3.1 Any Compatriot 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 delinquent.

3.2.3.2 Delinquent Compatriots and former Compatriots 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 Compatriot is reinstated. Thereafter, a reinstated Compatriot shall be liable for the per capita tax for succeeding fiscal years at the same time as other renewing Compatriots. "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 delinquency.

3.3 Life Membership:

3.3.1 Life membership in the Texas Division requires the one-time payment by the Compatriot in an amount equal to twenty-one (21) times the Texas Division annual per capita tax as stated in Article 10 – Finances for applicants up to 64 years of age, and half that amount for applicants 65 years of age or older and half that amount again for applicants 80 years of age or older. The Compatriot will be furnished with a Texas Division Life Membership badge. The Compatriot shall be exempt from payment of the Texas Division per capita tax and dues to the Texas Division after payment is made. The Compatriot, in order to remain a Compatriot 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 Compatriot in good standing with one Camp of the Texas Division. If a Life Member becomes disqualified for membership in a Camp of the Texas Division, his Texas Division Life Membership shall be suspended. Should the Life Member be reinstated as a regular Compatriot of a Camp of the Texas Division, his Life Membership shall be fully reinstated with no reinstatement fee.

3.4 Headquarters Camp Membership: Individuals qualifying as Compatriots 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 Compatriot of an active Camp of the Texas Division.
- 3.4.3 Headquarters Camp Compatriots shall be subject to the payment of the annual per capita tax dues paid to the Texas Division and General Organization.
- 3.5 Compatriots: 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: Male descendants from birth to twelve (12) years of age shall be eligible for membership as a Cadet. Participation requirements shall be identical to those of traditional membership, with the following exceptions: Cadets will not hold voting rights, Cadets cannot represent their respective Camp as a delegate at convention, and Cadets will not receive a subscription to the “*Confederate Veteran*” with their paid membership. A separate subscription may be purchased if desired.
 - 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: Cadet General Organization dues are ten dollars (\$10.00) annually. Texas Division Cadet dues shall be waived 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 Compatriot 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 vacancy occurring

among the leadership of a Camp 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 filled with an interim Commander, appointed by the Brigade 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 General and Division Headquarters stating the condition of their Camps and the work which they have done. Additionally, Camp Commanders shall 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. Each Camp shall have a banking account for use of the Camp and no Camp funds may be deposited or held in a Compatriot's personal account. Each Camp account shall have at least two signatories, although the Camp shall determine whether one or both are required on a check. 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, as prescribed by General Headquarters, with copies to the Texas Division Adjutant and the Brigade Commander.
- 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 or the Camp Adjutant shall render an immediate report to the Texas Division Chaplain and General Headquarters 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, the General Constitution, and the SCV Standing

Orders, and are in accordance with the laws of Texas, the rules of the IRS, and the current edition of Robert's Rules of Order.

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 Constitutions 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, including having submitted both General and Division per capita taxes (and recording fees / reinstatement fees, if applicable) for all Camp Compatriots who have paid them by 1 May, in accordance with this Constitution (see Article 10.5) and the General Constitution.
- 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, provided that the number of Brigades shall not exceed half the number of Congressional Districts in Texas.
 - 5.1.1 The constituent Camps of each Brigade shall be listed on the Division web site.
 - 5.1.2 The constituent Counties of each Brigade shall be shown on a Texas map, included on the Division web site.
 - 5.1.3 Neither the constituent Camps nor Counties may be changed without approval of either the Division Executive Council or the Division Convention.
- 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 certified Camp delegates of each Brigade in Brigade Meetings during the Division Convention. At 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.

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 elected Brigade 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 Convention, where new officers may be properly elected by the certified Camp delegates 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 biennial 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 Constitutions 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 that concur with the Constitution, the General Constitution, the SCV Standing Orders, and are in accordance with the laws of Texas, the rules of the IRS, and the current Robert's Rules of Order. 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 2nd Lieutenant Commander is solely responsible for recruiting and retention efforts in his Brigade. As such, he works as liaison between the Texas Division 2nd

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 biennial odd-number year 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 and 1st Lieutenant 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, and such additional assistants and Aides-de-Camp as he may deem necessary. The Division Commander shall also nominate a Division Judge Advocate and Division Parliamentarian with the advice and consent of the Division Executive Council.
- 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:

Division officers shall comply with and enforce all provisions of the Texas and General Constitutions, and associated Standing Orders that are in accordance with the laws of Texas, the rules of the IRS, and the current Robert's Rules of Order.

6.4.1 Division Commander:

- 6.4.1.1 The Division Commander shall be the executive head of the Texas Division, Sons of Confederate Veterans.
- 6.4.1.2 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 that concur with this Constitution, the General Constitution, the SCV Standing Orders, and are in accordance with the laws of Texas, the rules of the IRS, and the current Robert's Rules of Orders.
- 6.4.1.3 The Division Commander shall be an ex-officio member of all Division committees, and has the same rights (including voting) as any other member.
- 6.4.1.4 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 relationship with General and Department Headquarters.

- 6.4.1.5 The Division Commander shall see to the execution of all constitutional orders received from Department and General Headquarters. He shall assist the Department Commander by counsel or otherwise. He shall promptly transmit to Department and General Headquarters copies of all general and special orders, and all circulars, circular letters, and other literature which he may issue.
- 6.4.1.6 The Division Commander shall be the chairman of the Division convention and the Division Executive Council and shall decide all questions of law, order, or usage according to this Constitution, the General Constitution, the SCV Standing Orders, and in accordance with the laws of Texas, the rules of the IRS, and the current Robert's Rules of Order.
- 6.4.1.7 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 according to this Constitution, the General Constitution, the SCV Standing Orders, and in accordance with the laws of Texas, the rules of the IRS, and the current Robert's Rules of Order. These actions are subject in all such decisions and acts to review by the Division Convention.
- 6.4.1.8 The Division Commander has the authority to immediately suspend an appointed Division-level 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.
- 6.4.1.9 Vacancies occurring among officers, including those of Lieutenant Division Commanders, shall be filled by him with the approval of the Commander-in-Chief until the next Division Convention.
- 6.4.1.10 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.
- 6.4.1.11 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.
- 6.4.1.12 The Division Commander shall ensure that copies of all meeting minutes and other Division legal and financial documents are retained in a designated Division record storage location, as defined in Article 1.4, for at least the time required by law for 501(c)3 organizations. The Division Commander shall determine who has access to these records according to this Constitution, the General Constitution, the SCV Standing Orders, and

in accordance with the laws of Texas, the rules of the IRS, and the current Robert's Rules of Order.

- 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 Commander-in-Chief of the SCV. The Lieutenant Commander shall be charged with handling Heritage Defense issues within the Texas Division; the 2nd Lieutenant Commander is responsible for all recruiting and retention matters; the 3rd Lieutenant Commander is the Communications Officer of the Division, which include maintaining e-mail lists, updating the Division web page, and supervising production of the Division Newsletter as defined in Article 11. The 3rd Lieutenant Commander will seek approval from the Division Commander prior to releasing e-mails or Division correspondence if those e-mails or correspondence are controversial or questionable. 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 minutes of the Division Convention, special Division meetings, and the Division Executive Council, and assist the Division Commander in assuring they are properly retained. 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 and as updated by the Division Awards Committee Chairman after each annual Division Convention.
- 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 establish financial accounts at a FDIC banking institution as deemed necessary to hold the Division's monies. The Division Commander and the Division Adjutant shall be signers on said accounts and can act separately from the other. 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 Compatriots and 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 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 this Constitution, the General Constitution, and the SCV Standing Orders, in accordance with the laws of Texas, the rules of the IRS, and the current Robert's Rules of Order. 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 Sergeant shall be responsible for maintaining the Texas Division colors and present them at all meetings. The Color Sergeant shall also be responsible for liaison with reenactment groups.
- 6.4.8 The Division Parliamentarian shall assist the Division Commander in interpretation of Robert's Rules of Order and train the Division Chief of Staff in preparing compliant minutes of all Division meetings. A Professional Registered Parliamentarian shall be hired for the annual Division Convention.

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, Brigade Lieutenant Commanders, Division Chief of Staff, Division Adjutant, Division Judge Advocate and the three (3) immediate Past Division Commanders who are in good standing. No individual may simultaneously hold more than one voting office on the Division Executive Council (e.g., one cannot hold office as both a Brigade officer and an elected or appointed Division officer with DEC voting rights, nor hold two elected or appointed Division offices that have DEC voting rights).
- 7.2 Meetings: The Executive Council shall meet at the place of the Division Convention and as announced by the Division Commander for other quarterly meetings. The Division Commander may call other meetings as he deems necessary or upon written request of ten

- (10) members of said Council. The Division Commander shall be the Chairman of the Division Executive Council.
- 7.3 Division Executive Council Quorum: A quorum shall exist at a Division Executive Council meeting when one-third (1/3) of the Executive Council's members are in attendance.
- 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 ten (10) 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 twenty-one (21) calendar days-
- 7.7.4 If, after seven (7) calendar 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, and are in accordance with the laws of Texas, the rules of the IRS, and the current Robert's Rules of Order.
- 7.8.1 The current edition of Robert's Rules of Order shall govern all meetings of the Division Executive Council, including Executive Sessions, so far as they are applicable and not inconsistent with this Constitution and Standing Rules of the Confederation which are in accordance with the laws of Texas and the rules of the IRS.
- 7.8.2. The Division Executive Council may go into Executive Session only to address disciplinary or litigation matters, or other matters which, if they became general knowledge, would be detrimental to the Division or to individual Compatriots. The

Division Executive Council may not go into Executive Session without a motion passed by a simple majority of members present and voting.

- 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 electronic means so long as the opportunity to hear and participate is available to all eligible members of the Division Executive Council.
- 7.11 Motions: Before a vote is taken on any motion, including those made in Executive Session, the person taking the minutes of the meeting shall read the motion as it will be recorded in the minutes. The Compatriot making the motion may require the recorder to change the wording to clearly reflect the maker's intention.
- 7.12 Minutes: Accurate and concise minutes of the meeting, including Executive Session, shall be taken in the format prescribed by the National Association of Parliamentarians, including, but not limited to, a word-for-word record of all motions made, a record of whether the motion passed or failed, and the method of the ballot (voice, hand, standing, written, or other means). A copy of these minutes shall be retained, as defined in Article 6.4.1.12.

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 biennial election convention or to elect a successor to the office of Division Commander in case the biennial 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 Proposed amendments to the Division Constitution and Standing Orders must be published in the Spring Division Newsletter and distributed in accordance with Article 11, 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. It is the responsibility of the Camp Commanders to discuss with their Camp members the voting instructions for their delegates on all amendments. All other amendment proposals, not submitted in accordance with the prescribed procedures in time to be published in the Spring Newsletter at Texas Division expense, will be the responsibility of the author to print and mail to every Compatriot of the Texas

Division at his own expense. The author will not be responsible to pay for a supplemental distribution of a proposed amendment that was properly submitted on time, but not included in the Division Newsletter.

- 8.5 The Convention Planning Committee shall work with the Division Convention Host Camp to set a registration deadline (not later than 1 May). Texas Division members may attend the Convention without pre-registration, but will not be guaranteed a printed program or Reunion medal.
- 8.6 Conduct of the Convention:
- 8.6.1 The Texas Division Convention shall be called to order by the Division Commander, the Convention Chairman for the Host Camp, or a Compatriot appointed for that purpose.
- 8.6.2 The Division Chaplain shall invoke God's blessing on the Convention with a prayer, or, in his absence, the ranking Chaplain.
- 8.6.3 Addresses of welcome shall be extended to Convention guests.
- 8.6.4 The Division Commander shall appoint a Credentials Committee prior to the Convention, to whom the credentials of all delegates shall be referred, in accordance with Article 8.9.1. This Committee shall verify delegate credentials, arrange the roll of the Convention, and report each Camp's number of authorized delegates as of the start of the business meeting. This report shall be signed by the Committee and handed to the Division Commander.
- 8.6.5 After the approval of the Credentials Committee report, the meeting shall proceed to business on the bases fixed thereto.
- 8.6.6 The rules of procedure at any Division Convention shall be those set forth in Robert's Rules of Order, except where they may be altered by the Convention.
- 8.7 Quorum: A quorum shall exist at the Division Convention when one-fourth (1/4) of the Division's Camps are represented. No motions or votes will occur unless there is a quorum present.
- 8.8 Representation: Each Camp shall be entitled to send one (1) delegate for every ten (10) Compatriots 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 Compatriots do not count toward Camp representation.
- 8.9 Delegates: Representation of the various Camps at the Division Convention shall be by delegates as follows:
- 8.9.1 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. The credential forms shall be submitted by United States Postal Service mail or an e-mail to the Texas Division Adjutant by the 15th day of May preceding the current year's convention. Any credentials postmarked or date marked after that date shall be assessed a ten dollar (\$10.00) late fee and those received the day of the convention will be assessed a twenty-five dollar (\$25.00) late fee. Changes to the

delegates may be submitted at any time prior to the posted start time for the beginning of the morning business session. All delegates must be in good standing in the Camp they represent. For the purposes of representation and voting at the Division convention, a delegate is not in 'good standing' if his annual per capita dues and, if applicable, recording fee or reinstatement fee, have not been paid in accordance with Article 10.3.2.

8.9.2 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 Convention in order to vote all the votes to which the camp is entitled. (e.g., a Camp with 59 Compatriots is entitled to six votes at the Convention; the Camp must have six delegates present in order to cast all six of its votes).

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

8.10 Voting:

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

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

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

8.10.4 Only delegates may vote.

8.10.5 Division Headquarters Camp Compatriots may not vote.

8.10.6 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.

8.10.7 Enumeration: On enumerating active Compatriots 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 Compatriots do not count towards enumeration.

8.10.8 Motions: Before a vote is taken on any motion, the person taking the minutes of the meeting shall read the motion as it will be recorded in the minutes. The Compatriot making the motion may require the recorder to change the wording to clearly reflect the maker's intention.

8.11 Minutes: Accurate and concise minutes of the meeting, including Executive Session, shall be taken in the format prescribed by the National Association of Parliamentarians, including, but not limited to, a word-for-word record of all motions made, a record of

whether the motion passed or failed, and the method of the ballot (voice, hand, standing, written, or other means). A copy of these minutes shall be retained, as defined in Article 6.4.1.12.

- 8.12 Actions Required of Division Executive Council: At each regular quarterly meeting of the Division Executive Council following the Annual Convention, the Division Commander shall require the Convention minutes to be read regarding all passed motions requiring any type of action, and report to the members of the Division Executive Council what actions have been taken. Action items previously reported as closed need not be reread.

9. Committees

- 9.1 Organization: In the furtherance of its work, the Texas Division shall organize its Compatriots 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 a simple majority 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 General Constitution.
- 10.3.2 Annual per capita tax of Fifteen dollars (\$15.00) shall be paid by each Camp to the Division Adjutant for every active Compatriot, plus any reinstatement fee, with the exception of Real Sons and Life Members of the Texas Division. A prorated per

capita tax of eight dollars (8.00) shall be paid for per capita tax after February 1, plus any reinstatement fees. In order for a Compatriot to be considered in good standing in the Texas Division, that Compatriot 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 Compatriot whose per capita tax is not transmitted to the Division Adjutant by the deadline date of that fiscal year shall be automatically delinquent.
- 10.3.4 A delinquent Compatriot 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 Compatriot was delinquent. "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 set by General Headquarters shall be retained by the Division Adjutant as proof of membership delinquency. {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 three dollars (\$3.00) for each Texas Division Compatriot (regular or Life Member, as of 1 May) shall be allocated toward the expenses of the annual Division Convention. No 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 Compatriots or a copy of the application of a new Compatriot (or complete information there from) 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 Compatriots whose per capita tax is transmitted to the Division Adjutant after May 1st 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 1st 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 Compatriots whose per capita taxes have 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 3.3.1 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; and (c) Archives of the Texas Division, as defined in as defined in Article 1.4 of this Constitution. A file shall be maintained in the Archives 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 a new Compatriot shall be remitted to General Headquarters within ten (10) days after a Compatriot joins the Confederation.

10.9 Budget: The Division Finance Committee or Division Adjutant shall propose an annual budget for the next fiscal year to the Division Executive Council for approval. The Division Adjutant shall present the DEC-approved budget to the Division Convention for approval.

10.10 Annual Financial Review: A financial review of the Texas Division shall be conducted at least annually by at least three (3) qualified people. The Division Commander shall nominate the individuals, with the advice and consent of the Division Executive Council. This review may be done by Division Compatriots or other volunteers, who are CPAs or suitably experienced accountants. The report shall be submitted to the Division Convention every year.

10.11 The Division Commander and Division Adjutant shall ensure that current and accurate records are kept in accordance with accepted accounting procedures for 501(c)3 corporations. All Division records, books, and annual reports of the Division's financial activities shall be retained as defined in 6.4.1.12.

11. Division Newsletter

A Division Newsletter shall be published quarterly... Effective beginning in 2022, the Spring Newsletter shall be a printed copy mailed to each Brigade Commander, Camp Commander, Camp Adjutant in the Texas Division, and a copy emailed via the Texas Division email system to the entire membership. The Spring Newsletter shall include any proposed Constitutional amendments or Special Rules of Order that are to be voted on at the Division Convention.

12. Prohibitions

12.1 No discussion of partisan political subjects nor political action endorsing aspirants for political office shall be permitted in any organization of the Texas Division Sons of

Confederate Veterans. The exception being non-partisan political actions which are necessary to carry out the mission of the Sons of Confederate Veterans (e.g., laws or governmental actions affecting commemorations 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 Compatriot 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 and must have approval of the General Executive Council. No other Compatriot or office retains this authority. The Division Commander shall also 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 & Administration

Any Compatriot of the Texas Division may be censured, suspended, or expelled from membership if found guilty of charges, as defined in Article 13.1. Prior to commencing any disciplinary process, affected Compatriots and officers shall familiarize themselves with *Understanding the Disciplinary Process of the SCV*, posted on the General SCV website.

- 13.1 Charges: Charges shall be based upon the commission of an act repugnant to the Division or General Constitutions or Standing Orders; or disloyalty, neglect of duty, dishonesty, or conduct unbecoming a Compatriot of the Texas Division and the Sons of Confederate Veterans; or whenever the conduct of a Compatriot is considered potentially injurious to the good operation and representation of the Texas Division and the Sons of Confederate Veterans. Anyone violating the confidentiality of an Executive Session shall be subject to charges and disciplinary action.
- 13.2 Standing: Camps, being the judges of their own Compatriots, may impose discipline upon their own Compatriots in accordance with the provisions as set forth in the Division and General Constitutions. Complaints proffered by a Camp to the Division must be against one of its own Compatriots. The Division Executive Council or Division Convention may proffer charges against any Texas Division Compatriot. Charges may not be proffered by any individual.
- 13.3 Disciplinary Investigation Committee: After an investigation has been authorized by the Division Executive Council or Division Convention, in response to a complaint of alleged

infractions, as defined in Article 13.1, an ad hoc Disciplinary Investigation Committee shall be formed by the Division Commander, with advice and consent of the Division Executive Council.

13.3.1 Members: The committee shall be chaired by the Division Inspector General and at least two (2) and no more than four (4) Compatriots from separate Brigades. The members of this committee shall be appointed by the Division Commander with the advice and consent of the Division Executive Council. Committee members shall be selected who are not biased for or against either party in the complaint.

13.3.2 Authority: The members of this committee carry the full weight of the office and authority of the Texas Division Commander.

13.3.3 Conduct: The committee may subdivide to hear particular cases so long as the sub-committee is composed of not less than three members with each sub-committee chaired by the Division Inspector General.

13.3.4 Findings: Upon conclusion of its investigation, the Inspector General will render a report, in writing, detailing the investigation conducted by his committee. The Division Commander will assure that all members of the DEC receive copies of the report at the next meeting of the Division Executive Council. All findings made by this committee will be discussed in Executive Session of the Division Executive Council prior to punitive actions being taken against a Compatriot of the Texas Division.

13.4 Procedure:

13.4.1 Camps are expected to resolve most discipline issues internally and are judges of their own membership. Unless otherwise specified in their Camp By-Laws or Constitution, they should follow the same procedural guidelines as the Division. Issues between Compatriots of different Camps shall be resolved, if possible, by the applicable Camp Commanders and Brigade Commander(s). If it cannot be resolved, the complaint may be forwarded to the Division Commander for his consideration, in accordance with Article 13.4.2.

13.4.2 If a Camp votes that the infraction merits Division-level discipline, they may forward their complaint(s) to the Division Commander. If he concurs that the complaint(s) are sufficient to warrant the Division's formal disciplinary process, he shall present the complaint(s) to the Division Executive Council at the next meeting. {Note: This and subsequent Division Executive Council meetings addressing this disciplinary issue may be either the next scheduled quarterly meeting, or a special meeting, depending on the urgency of the issue, and shall be conducted in Executive Session.}

13.4.3 If the DEC authorizes an investigation by majority vote, the ad hoc Disciplinary Investigation Committee will be formed, as defined in Article 13.3. The Division Commander shall assure that the accused is notified via certified United States mail, return receipt, regarding the complaint and that an investigation is being conducted. The accused shall be invited to respond in writing within fifteen (15) calendar days from the date of delivery or return to the Division Commander if delivery is refused. He shall be invited by the Disciplinary Investigation Committee to be interviewed

- as part of its investigation and thus have the opportunity to present his defense.
- 13.4.4 Once the committee has completed its investigation, the Inspector General shall report the findings at the next Division Executive Council meeting. The Division Executive Council shall discuss the findings, then vote on the issue, with 2/3 vote required to proffer charges and proceed in the disciplinary process.
- 13.4.5 If charges are proffered, the Division Commander shall send a description of the charge(s) to the accused, via United States Postal Service certified mail, return receipt. This letter should include any evidence and findings of the Disciplinary Investigation Committee, as well as the date, time and location of the Division Executive Council meeting that will hear the charges. The accused will be invited to respond within fifteen (15) calendar days from the date of delivery to the accused or return to the Division Commander if delivery is refused. The accused shall also be invited to attend the hearing and thus have the opportunity to face his accuser(s), as well as provide defense in statements, inclusion of any evidence, witnesses, and findings to the Division Executive Council. The Disciplinary Investigation Committee or sub-committee may conduct additional inquiries prior to the hearing, and submit a supplemental report at the hearing, if deemed necessary.
- 13.4.6 At the Division Executive Council hearing, 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-fifths (4/5) vote on the charges. If the charges are against a member of the Division Executive Council, he may participate in the applicable discussions regarding those charges, as indicated in Article 13.4.5, but must recuse himself from voting on that issue.
- 13.4.7 If the charges are upheld, the Division Judge Advocate will explain the alternative courses of action, and the Division Executive Council will select one by two-thirds (2/3) vote, except that expulsion from the Division, or to forward charges to General Headquarters for recommended expulsion from the Sons of Confederate Veterans, will require a four-fifths (4/5) vote.
- 13.4.8 The verdict and description of any disciplinary action shall be sent to the accused Compatriot by Certified Mail, return receipt. A copy of the letter and the receipt (or notice of refusal) shall be retained by the Division Judge Advocate and another copy sent to the Judge Advocate-in-Chief at General Headquarters. The contents of the letter shall not otherwise be shared, but the Division Executive Council shall be shown the Certified Mail return receipt to document that the letter was sent.
- 13.4.9 If the accused resigns from the Texas Division before final action is taken on the complaints or charges, the accused shall be considered to have voluntarily admitted guilt and it shall be considered the same as an expulsion from the Texas Division. He will not be eligible for reinstatement in the Texas Division, except as provided by Article 3.2.2.
- 13.5 False Evidence: If the evidence submitted regarding the alleged facts, information, or

material is found to be intentionally false, based on lies or unsupported statements, the people supplying the false evidence shall be investigated for dishonesty and conduct unbecoming.

- 13.6 Appeal: The accused may appeal the verdict and/or punishment by submitting a written request for an appellate hearing to the Commander-in-Chief of the Sons of Confederate Veterans within thirty (30) days of the date on which the Division Executive Council decided against the accused. The accused has the right to take his case before the next Division Convention for a vote by the delegates in convention.

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 United States 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. If a quorum is achieved, the Camp is free to vote the issue of dissolution. Failure to achieve a quorum requires the Camp officers to contact the Brigade and Division Commanders to request their attendance at the next Dissolution Meeting. The meeting date must allow sufficient time for the Brigade and Division staffs to contact all the Compatriots 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 the Camp votes to dissolve, the Camp Adjutant will immediately prepare and forward a complete list of all Camp Compatriots 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 Compatriot 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. These debts may include the

cost of mailing the notification letters to the Compatriots of the Camp as required in Articles 14.1.2 and 14.1.3 of this Section. No new debts following the vote to dissolve the Camp may be made by the leadership or any member of the Camp.

14.1.6 If there remains at least seven (7) Compatriots of the Camp that do not wish for the Camp to be dissolved, even following a vote by the majority of the Camp Compatriots to dissolve, the Camp charter will remain intact 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-guarding. 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 at least seven (7) Compatriots willing to ensure the survival of the Camp, then the Camp shall proceed to final dissolution. In the event of dissolution or final liquidation of a Camp, the Camp's charter and any flags or emblems shall be turned over to General Headquarters of the Sons of Confederate Veterans. None of the property, nor any proceeds, shall be distributed to or divided among any of the officers or members or inure to the benefit of any individual. After all liabilities and obligations have been paid and discharged, the residual assets, including all moneys, real or personal property, investments, credits, endowments, financial records, and any other appurtenances, or things pecuniary value, shall be turned over to the Division under which the Camp is organized or, if there is no Division, to the General Headquarters of the Sons of Confederate Veterans. The dissolving Camp may recommend the use for these funds. 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. In the event of dissolution or final liquidation of the Division, any flags or emblems shall be turned over to General Headquarters of the Sons of Confederate Veterans. None of the property, nor any proceeds, shall be distributed to or divided among any of the officers or members or inure to the benefit of any individual. After all liabilities and obligations have been paid and discharged, the residual assets, including all moneys, real or personal property, investments, credits, endowments, financial records, and any other appurtenances, or things of pecuniary value, shall be turned over to the General Headquarters of the Sons of Confederate Veterans in such a manner as to allow the reorganization of the Division.

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 member 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 there at.
- 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 or the SCV Standing Orders, and are in accordance with the laws of Texas, the rules of the IRS, and the current edition of Robert's Rules of Order.

Certification

This Constitution becomes effective upon ratification by the authorized delegates meeting in Convention on 8 June 2024.

Commander
Texas Division



Adjutant
Texas Division



Amended and Approved
23 June 2024