

## PREAMBLE

Proud possessors of a priceless heritage, we male descendants of veterans of all wars, associate ourselves together as “Sons of The American Legion” for the following purposes:

To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a true spirit of Americanism; to preserve the memories of our former members and the associations of our members and our forefathers in all wars; to inculcate a sense of individual obligation to the community, state, and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our friendship by our devotion to mutual helpfulness; to adopt in letter and spirit all of the great principles for which The American Legion stands; and to assist in carrying on for God and Country.

## ARTICLE I

### NAME

**Section 1.** The name of this organization shall be the “Sons of The American Legion, Detachment of Ohio.”

**Section 2.** The Detachment Headquarters of the Sons of The American Legion, Detachment of Ohio shall be located at the site of the Department Headquarters of the The American Legion, Department of Ohio in the city of Delaware, Ohio. (Amended: Detachment Executive Committee, July 2020; To Be Ratified: 57<sup>th</sup> Detachment Convention, May 2021.)

## ARTICLE II

### NATURE

**Section 1.** The Sons of The American Legion is a civilian organization. Membership therein does not affect nor increase the liability for military or police service.

**Section 2.** The Sons of The American Legion shall be absolutely non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person or group seeking public office or preferment.

**Section 3.** The Sons of The American Legion shall be absolutely non-sectarian.

**Section 4.** Each member shall perform his full duty as a citizen according to his own conscience and understanding in accord with the law.

## ARTICLE III

### ELIGIBILITY

**Section 1.** All male descendants, adopted sons, and stepsons of members of The American Legion, and such male descendants of veterans who died in service during World War I, and from December 7, 1941, to date, as set forth in Article IV, Section 1, of the National Constitution of The

American Legion, or who died subsequent to their honorable discharge from such service, shall be eligible for membership in the Sons of The American Legion. (Amended: LEGION Act, 2019.)

**Section 2.** There shall be no form or class of membership except an active membership.

#### ARTICLE IV ORGANIZATION

**Section 1.** Those who desire to form a Squadron of the Sons of The American Legion shall make application to the Post Commander of the local Post of The American Legion. Upon approval by the Post Commander the application shall be forwarded to the Department Commander, and upon his approval, it shall be forwarded to National Headquarters of The American Legion, where the Charter will be issued by the National Commander and the National Adjutant of The American Legion in the same manner as prescribed in the issuance of charters of Posts of The American Legion.

**Section 2.** The minimum membership for the formation of a Squadron of the Sons of The American Legion and retention of its Charter will be ten (10) members. (Amended: 29<sup>th</sup> Detachment Convention, 1991.)

**Section 3.** There shall be no more than one Squadron of the Sons of The American Legion for any one Post.

**Section 4.** The Detachment shall have the authority to create intermediate bodies between the Squadrons and the Headquarters of the Detachment to be known as “Districts” (to conform to subdivisions of The American Legion Department) consisting of the Squadrons in each District, which shall conform to the boundaries of each Legion District in the Department, and all actions of the District Sons of The American Legion are subject to the approval of the District governing body of The American Legion. (Amended: 29<sup>th</sup> Detachment Convention, 1991.)

#### ARTICLE V LEGISLATIVE BODY

**Section 1.** The legislative body of the Sons of The American Legion shall be the annual Detachment Convention and their acts are subject to the approval of the Department Sons of The American Legion Committee which will report to the Department Executive Committee of The American Legion.

**Section 2.** The Department Headquarters of The American Legion shall issue a Call to the Detachment Convention to each Squadron not less than sixty (60) days prior to the opening day of the Detachment Convention.

**Section 3.** The annual Detachment Convention shall be composed of delegates and alternates from each Squadron. Each Squadron shall be entitled to one (1) delegate and one (1) alternate for the first ten (10) members, and one (1) delegate and one (1) alternate for each additional ten (10) members, or major fraction thereof, paid up ten (10) days prior to the opening day of the Detachment Convention. (Amended: 29<sup>th</sup> detachment Convention, 1991.)

**Section 4.** Each duly registered delegate shall be entitled to one (1) vote. The total number of delegates listed must be present to cast the total number of votes for the Squadron.

**Section 5.** Delegates from eight (8) Squadrons shall constitute a quorum.

**Section 6.** The governing body of the Sons of The American Legion between Detachment Conventions shall be the Detachment Executive Committee, and their acts are subject to the approval of the Department Sons of The American Legion Committee which will report to the Department Executive Committee of The American Legion, along with a representative of the Detachment Executive Committee of the Sons of The American Legion.

**Section 7.** The Detachment Executive Committee of the Sons of The American Legion shall consist of the duly elected officers of the Detachment, the Immediate Past Detachment Commander, the District Commander and District First Vice Commander from each District, or in the absence of a Sons of The American Legion District organization, a representative appointed by the District Commander of The American Legion of said District. The duly appointed officers of the Detachment (Adjutant, Sergeant-at-Arms, Historian, etc.) and all Past Detachment Commanders other than the Immediate Past Detachment Commander shall be members of the Detachment Executive Committee with voice, but no vote. (Amended: 31<sup>st</sup> Detachment Convention, 1993.)

**Section 8.** The Detachment Executive Committee of the Sons of The American Legion shall meet at least twice a year, once before the Detachment Convention and once immediately following the Detachment Convention.

**Section 9.** The Detachment Executive Committee of the Sons of The American Legion, without meeting together, may transact business by mail, email, fax or telephone on a matter of urgency not involving new policy and on which action cannot be delayed to the next regular meeting. Thirty (30) days shall be allowed for the return, by mail, email, fax or telephone, of the votes thereon by the Detachment Adjutant. The Detachment Adjutant shall notify the Detachment Commander of the results of the vote taken. The Detachment Executive Committee may also meet on the call of the Detachment Commander of the Sons of The American Legion or on written request of at least three (3) Districts, at any time during the year for sufficient reason to it appearing. (Amended: Detachment Executive Committee, July 2020; To Be Ratified: 57<sup>th</sup> Detachment Convention, May 2021.)

## ARTICLE VI

### DETACHMENT / DISTRICT ORGANIZATION

**Section 1.** Districts shall be comprised of the Squadrons within their respective geographical areas, which shall coincide with the boundaries of the appropriate District / Department of The American Legion.

**Section 2.** The Detachment shall hold an annual Detachment Convention to elect a Detachment Commander, First and Second Vice Commanders, a Detachment Chaplain, and in even-numbered years a National Executive Committeeman and an Alternate National Executive Committeeman. Such officers shall take office and be installed immediately before the adjournment of that session of the Convention at which they are elected and shall serve until the next Convention or until their successors are elected and qualified. The retiring Detachment Commander shall be the Chairman of the Detachment delegation to the National Convention occurring in the year in which his term expires. Vacancies in these offices

occurring between Detachment Conventions shall be filled by the Detachment Executive Committee, except in the case of vacancy in the office of the Detachment Commander, the First Vice Commander shall succeed to that office.

**Section 3.** The Detachment shall hold an annual Convention at a time and location selected by the Convention delegates two (2) years prior to said Convention. All Convention bids will first be reviewed for acceptance or rejection by a Detachment Convention Screening Committee, or similar designation, appointed by the current Detachment Commander. Their findings will be based on accuracy and adherence to Detachment Convention bidding guidelines, and whose Chairman will report his findings to the Convention delegates. The approval of the Department Sons of The American Legion Committee and Department Executive Committee is also required. In the absence of a convention bid, the Detachment Executive Committee will, at a later date and subject to American Legion approval, select the Convention time and location. Said Convention must be held prior to the close of the annual Department Convention. (Amended: 31<sup>st</sup> Detachment Convention, 1993.)

**Section 4.** The Detachment Commander shall duly appoint with the approval of the Detachment Executive Committee, a Detachment Adjutant, Judge Advocate, Sergeant-at-Arms, Assistant Sergeant-at-Arms, Historian, and other such officers as deemed necessary for his respective organization.

**Section 5.** The Detachment Executive Committee shall define the powers of such intermediate groups, but in no event shall such powers invade the prerogatives now vested in the Squadron or District or Detachment Organization.

**Section 6.** Selection of National Convention delegates shall be conducted in the following manner.

- A. The Detachment is entitled to three (3) delegates plus one (1) delegate for every 500 members.
- B. Thirty (30) days prior to the Detachment Convention the Convention Screening Chairman will obtain a membership report from Detachment Headquarters and determine each District's number of delegates allowed based on the following formula.
- C. Each District will be given one (1) delegate automatically.
- D. All elected Detachment Officers for the current year are automatic delegates-at-large.
- E. Remaining delegates will be distributed among the Districts according to the District's percentage of Detachment membership.
- F. If, after the initial distribution there are still delegates to be assigned or Districts have no representation, the number of remaining delegates will be chosen by random drawing of Districts until all allowable delegate positions are filled.
- G. Detachment Headquarters will notify each District of their delegate strength. Each District will return a list of their prospective delegates to the Convention Screening Chairman by the date specified on the notification. The Convention Screening Chairman will create a list of delegates.
- H. The Convention Screening Chairman will present the list to the Detachment Convention for approval.
- I. To be considered for election as a delegate, the member must be in attendance at the Detachment Convention unless excused by the Detachment Commander. (Amended: 44<sup>th</sup> Detachment Convention, 2006.)

**Section 7.** The recommendation of members for consideration for appointments to the various National Commissions and Committees of the Sons of The American Legion shall be the responsibility of a Detachment Committee on Committees, comprised of the National Executive Committeeman, the Alternate National Executive Committeeman, three (3) Past Detachment Commanders appointed by the Detachment Commander, and one member of the Department Sons of The American Legion Advisory Committee as an advisor. The Past Detachment Commanders appointed to the Detachment Committee on Committees shall serve a term of three (3) years, with the exception of the initial appointments, which shall be for one (1), two (2) and three (3) years, respectively, to create a staggered expiration of terms. The Detachment Committee on Committees Chairman shall be the National Executive Committeeman and he shall be responsible for submitting the nominees to the National Organization upon the approval of the Detachment Executive Committee. (Amended: 47<sup>th</sup> Detachment Convention, 2010.)

## ARTICLE VII

### FINANCES

**Section 1.** The revenue of the Sons of The American Legion shall be derived from annual membership dues and / or from such other sources as may be approved by the Department Executive Committee.

**Section 2.** The annual National dues shall be prescribed by the National organization and payable October 20<sup>th</sup> of each year for the succeeding year.

**Section 3.** The amount of the annual Detachment Per Capita dues shall be ~~\$3.00~~ \$5.00 more than the per capita established for National dues. (Amended: Detachment Executive Committee, July 2020; To Be Ratified: 57<sup>th</sup> Detachment Convention, May 2021.)

**Section 4.** The amount of the annual Squadron dues shall be determined by the Squadron.

**Section 5.** The annual dues established by the National Headquarters shall be collected by each Squadron and transmitted through the Detachment Headquarters to the National Treasurer of The American Legion. The annual Detachment dues shall be collected by the Squadron and transmitted together with the National dues to Detachment Headquarters. If a Squadron uses the mySAL.org portal to transmit their memberships online, then the National and Detachment dues are paid directly to the National organization together, with the Detachment portion being returned to the Detachment on a regular basis. (Amended: Detachment Executive Committee, July 2020; To Be Ratified: 57<sup>th</sup> Detachment Convention, May 2021.)

**Section 6.** The development and management of the Detachment's annual budget and financial matters shall be the responsibility of a Detachment Finance Committee, comprised of three (3) ~~Past Detachment Commanders~~ Sons of The American Legion members appointed by the Detachment Commander, the Detachment Adjutant, the Department Sons of The American Legion Liaison, and one member of the Department Sons of The American Legion Advisory Committee as an advisor. The ~~Past Detachment Commanders~~ Sons of The American Legion members appointed to the Detachment Finance Committee shall serve a term of three (3) years, with the exception of the initial appointments, which shall be for one (1), two (2) and three (3) years, respectively, to create a staggered expiration of terms. The Detachment Finance Committee Chairman shall be the ~~Past Detachment Commander~~ Sons of The

American Legion member whose term on the committee expires in the current administrative year. (Amended: Detachment Executive Committee, July 2020; To Be Ratified: 57<sup>th</sup> Detachment Convention, May 2021.)

**Section 7.** An annual Sons of The American Legion budget must be approved and forwarded to the Department Sons of The American Legion Committee for presentation to and approval of the Department Finance and Department Executive Committees no later than thirty (30) days following the annual Sons of The American Legion Detachment Convention.

**Section 8.** The Department Finance Committee should provide a reconciled budget report to the Detachment Commander and Detachment Finance Committee on a regular basis. (Amended: Detachment Executive Committee, July 2020; To Be Ratified: 57<sup>th</sup> Detachment Convention, May 2021.)

## ARTICLE VIII

### DISCIPLINE

**Section 1.** The Detachment Headquarters may recommend cancellation, suspension or revocation of the Charter of a Squadron of the Sons of The American Legion which violates this Constitution, subject to the approval of the Department Executive Committee.

**Section 2.** Upon the cancellation or revocation of the Charter of any Squadron of the Sons of The American Legion, property and assets belonging to each such Squadron shall thereupon become the property of the Post of The American Legion to which such Squadron is attached.

## ARTICLE IX

### AMENDMENTS

**Section 1.** This Constitution may be amended by the Detachment Convention by a vote of two-thirds (2/3) of the total representation thereat, subject to ratification by the Department Executive Committee of The American Legion.

## ARTICLE I

### DEPARTMENT SONS OF THE AMERICAN LEGION COMMITTEE

**Section 1.** The Department Commander of The American Legion will appoint a Chairman of the Department Sons of The American Legion Committee as his representative for the Sons of The American Legion activities.

**Section 2.** The Department Sons of The American Legion Committee shall consist of American Legion members appointed by the Department Commander.

**Section 3.** Actions of the Department Sons of The American Legion Committee are subject to approval of the Department Executive Committee.

## ARTICLE II

### DUTIES OF OFFICERS

**Section 1.** Commander – The Commander shall assume all duties usually conferred upon a presiding officer (President or Commander), subject at all times to the Department Executive Committee of The American Legion, which Committee shall at all times be the final authority.

**Section 2.** First Vice Commander – The First Vice Commander shall act as the representative of the Commander on all matters referred to him. He shall perform such duties as are usually assigned to the First Vice Commander. His specific assignment shall be that of membership chairman.

**Section 3.** Second Vice Commander – The Second Vice Commander shall likewise act as the representative of the Commander on all matters referred to him. He shall perform such other duties as are usually assigned to the Second Vice Commander.

**Section 4.** Adjutant – The Adjutant shall be charged with the usual duties of an Adjutant or Secretary. He is the administrative officer of the policies and mandates of the Supervising Committee.

**Section 5.** Sergeant-at-Arms – The Sergeant-at-Arms and Assistant Sergeant-at-Arms shall be charged with the responsibility of preserving order at all meetings and shall be given the custody and responsibility of the colors of the organization. They shall perform such other duties as are usually incident to their offices.

**Section 6.** Chaplain – The Chaplain shall perform such divine and non-sectarian services as shall be necessary adhering to the ceremonial rituals as may be prescribed by the Detachment Executive Committee.

**Section 7.** Historian – The Historian shall collect from year to year all records and data of value and interest to the Sons of The American Legion and The American Legion, and shall compile during his term of office a complete history of the year's activities.

**Section 8.** Judge Advocate – The Judge Advocate shall advise the Detachment Officers and the Detachment Executive Committee on all legal matters, including the construction and interpretation of the Detachment of Ohio Constitution and By-Laws, and shall perform all other duties as are usually incident to this office.



**Section 9.** All officers of the Sons of The American Legion in the performance of their duties shall be governed by The American Legion at the appropriate level. All actions of the Sons of The American Legion at the Squadron level, District level, and at the Detachment level shall be subject to review and ratification at the appropriate level of The American Legion.

### ARTICLE III

#### SQUADRON, DISTRICT AND DETACHMENT CONSTITUTION AND BY-LAWS

**Section 1.** In the formation of the Constitution and By-Laws governing the Squadron, District and Detachment there shall be no conflict with the National Constitution and By-Laws governing the Sons of The American Legion.

### ARTICLE IV

#### INDIVIDUAL APPLICATION FOR MEMBERSHIP

**Section 1.** Eligibility for membership shall be determined by the Post Adjutant of the sponsoring Post of The American Legion.

**Section 2.** Members shall be classified as delinquent, as prescribed by the National Sons of The American Legion Constitution.

**Section 3.** All Squadrons will hold their annual elections and certify their officers to Detachment Headquarters by May 1<sup>st</sup> (each year) effective with the 1987-1988 membership year. (Amended: 24<sup>th</sup> Detachment Convention, 1986.)

### ARTICLE V

#### MEETINGS

**Section 1.** The Sons of The American Legion shall hold a Detachment Convention and any additional meetings deemed necessary by the Detachment Executive Committee.

### ARTICLE VI

#### AMENDMENTS

**Section 1.** These By-Laws may be amended by the Sons of The American Legion Detachment Convention by a vote of two-thirds (2/3) of the total representation thereat, subject to ratification by the Department Executive Committee of The American Legion.