



Texas Department of Public Safety Officers Association BYLAWS

ARTICLE I – NAME AND STATUS

The name of this organization shall be the Texas Department of Public Safety Officers Association, hereafter referred to as the Association. It shall be a non-profit association organized under the laws of the State of Texas.

ARTICLE II – PURPOSE

The purpose of the Association will be:

- A. To cooperate with the Administration in ensuring that the Department of Public Safety is the best law enforcement agency in the state;
- B. To assist all Texas Department of Public Safety personnel in improving their educational achievements;
- C. To promote professionalism within the Texas Department of Public Safety;
- D. To work in all regards for the betterment of the Texas Department of Public Safety personnel and the citizens of the State of Texas.

Nothing herein shall be construed as establishing policy for the Texas Department of Public Safety.

ARTICLE III – MEMBERSHIP

Section 1. Membership

(A) **Regular Member** - All Texas Department of Public Safety commissioned personnel, criminalists and communications personnel who are TCLEOSE certified. All retirees whose position, at date of retirement, qualified the retiree for regular membership are eligible for membership in the Association. Regular Members will be categorized as follows:

- (i) **Active Members.** Active Members are those dues-paying members of the Association who are current employees of the Texas Department of Public Safety.
- (ii) **Retiree Members.** Retiree Members are those dues-paying members of the Association, or members who have previously paid for a “lifetime” membership in the Association, who have ended their employment with the Texas Department of Public Safety, but otherwise qualify for Regular Membership in this Association.

(B) **Associate Members** - All residents of the State of Texas who support the Texas Department of Public Safety in its law enforcement efforts, who are of good moral character and in the judgment of the Association’s Board of Directors are worthy of Associate Membership, are eligible for Associate Membership.

Section 2. Voting

- (A) Regular Members have the right to vote in Association elections as provided in these Bylaws.
- (B) Associate Members have no voting rights.

Section 3. Revocation of Membership

After notice to the affected member and a hearing before the Board of Directors, a member may be expelled from the Association. Three-fourths (3/4) of the Board of Directors present must vote in favor of expulsion.

Section 4. Application for Membership and Dues

A written application to the Association is required for membership.

ARTICLE IV – MEMBER DUES

Section 1. Active Member Dues

Active Members’ dues are payable only through the employee payroll deduction plan at an amount established by the Board of Directors.

Section 2. Retiree Member Dues

Retiree Members' dues are paid in one payment due on January 1st of each year at an amount established by the Board of Directors.

Section 3. Retire-Rehire Membership Dues

Retiree-Members who rehire after retirement shall retain continuous membership provided the rehired member resumes participation in the payroll deduction plan upon rehire.

Section 4. Delinquent Membership

A Retiree Member who fails to pay his dues by the 15th day of February is delinquent. The delinquent member shall forfeit all rights, privileges and benefits accorded to members in good standing.

Section 5. Automatic Termination of Membership

A delinquent member who fails to pay his dues by March 31, or an active member who withdraws from the employee payroll deduction plan, or a lifetime member who separates employment with the Texas Department of Public Safety and has a designation of dishonorably discharged or generally discharged as defined in the Texas Occupations Code 1701.452(a)(2), shall have his name deleted from DPSOA roster and shall not be eligible for any member benefit, including but not limited to legal assistance pertaining to any matter occurring prior to the date of termination of membership.

ARTICLE V – MEETINGS

Section 1. Annual Meeting

An annual meeting of the Association shall be held within the State of Texas at a time and place designated by the Board of Directors.

Section 2. Notice of Meeting

- (A) Notice of the annual meeting shall be published no less than thirty days in advance of the meeting.
- (B) Notice of any Regional meeting should be mailed or electronically mailed to each member in that Region, if practicable, at least ten (10) days prior to the meeting.

Section 3. Regional Meetings

Regional meetings of the Association shall be held at least quarterly at a time and place designated by the Regional Representative.

Section 4. Quorum

The voting members present at any Annual or Special meeting of the Association shall constitute a quorum of the Association for the transaction of business at such meeting.

ARTICLE VI – BOARD OF DIRECTORS

Section 1. Regional Representative/General Affairs

(A) The business and affairs of the Association shall be managed by the Board of Directors. The Board of Directors shall consist of the elected Officers of the Association, the seven (7) Regional Representatives of the Association, and three (3) Retiree Representatives as follows:

- (i) One Regional Representative shall be elected from each of the six (6) Regions as defined by the Texas Department of Public Safety, Texas Highway Patrol Division, and one (1) Regional Representative from the Headquarters/Capitol Command, defined as all commissioned personnel, criminalists and communications personnel who are TCLEOSE certified who are stationed in the San Antonio Region, but who do not fall under the San Antonio Regional Command. Regional Representatives must be Active Members and must be stationed in the Region Represented. Only Active Members are eligible to vote for Regional Representatives. Active Members may vote in only one Regional Representative election during each election cycle.
- (ii) Retiree Representatives must be Retiree Members of the Association and only Retiree Members are eligible to vote for Retiree Representatives. The position of Retiree Representative is statewide and the three (3) Retiree Representatives will be elected at-large by all Retiree Members. Active Members are not eligible to vote for Retiree Representatives. Regional Representatives and the Retiree Representatives shall take office at the annual Meeting.

Section 2. Regular Meetings

The Board of Directors shall hold regular quarterly meetings at such time and place as designated by the President. These quarterly meetings can be held at a physical location, or telephonically or by video conference as specified by the President.

Section 3. Special Meetings

The Board of Directors shall hold such special meetings as may be called by the President or by a majority of the members of the Board of Directors.

Section 4. Notice

The President shall notify the Directors of each regular and special meeting by notice given at least seven days in advance of the date of the meeting. The proposed agenda of the meeting shall accompany the notice of the meeting.

Section 5. Quorum

A quorum for the transaction of business shall be a majority of the members of the Board.

Section 6. Organization

The President of the Association shall serve as the Chairman of the meetings of the Board of Directors. In Absence of the President, the Vice President shall serve as Chairman.

Section 7. Procedure

The Board of Directors may conduct business, including votes on motions, in person, by teleconference or electronic mail.

Section 8. Vacancies

A vacancy occurring on the Board of Directors caused by the death, resignation, retirement, transfer out of Region, removal of the person elected thereto, or other causation, shall be filled by appointment by the President, subject to the confirmation by a majority vote of the Board of Directors.

In case of a vacancy occurring on the Executive Board caused by death, resignation, removal from office, or other causation, such a vacancy shall be filled by appointment by the President, subject to the confirmation by a majority vote of the Board of Directors.

Section 9. Removal

An elected officer or Director may be removed for cause by vote calling for such removal by three fourths vote of the members of the Board of Directors, after notice and hearing.

ARTICLE VII – OFFICERS

Section 1. Executive Board

The Executive Board of the Association shall consist of the President, the Vice-President and the Secretary-Treasurer. Each Executive Board member shall serve until the annual meeting of the Association in odd-numbered years.

Section 2. Qualifications

The President, Vice-President, and Secretary-Treasurer shall be regular members who have not attained the rank of Major or its equivalent or higher rank. The President must have served at least one term on the Board of Directors prior to installation.

Section 3. Duties of the President.

The President is the chief executive officer of the Association and it is his responsibility to supervise and coordinate the activities of the Association and to preside at its meetings. The President shall be the Chairman of the Board of Directors.

Section 4. Duties of Vice-President

The Vice-President shall assist the President in the performance of his duties as well as perform such other duties as may be determined by the Board of Directors. In the absence or resignation of the President, the Vice-President shall assume the duties of the President.

Section 5. Duties of Secretary-Treasurer

The Secretary-Treasurer of the Association shall keep or cause to keep minutes of all Board of Director meetings of the Association. The Secretary-Treasurer shall oversee the financial operations of the Association as prescribed by the Board of Directors and shall serve as chairman of the Financial Committee and in that capacity shall prepare or cause to be prepared a financial report to the Board of Directors for its approval prior to the beginning of the Association's fiscal year.

ARTICLE VIII—ELECTIONS

Section 1. Installations

At each Annual Meeting of the Association in odd-numbered years, officers shall be installed. The officers are to take office immediately upon installation and the officers are to serve for two years or until their successors take office.

Section 2. Nominating Committee

(A) In even-numbered years, nominations will be made by the Board of Directors or, in the alternative, any regular member may submit a petition nominating a candidate for a Regional Representative position, provided the petition contains the signatures of at least 25 Active Members from the Region of the office being sought. Nominations by the Board of Directors must be reported to the membership no less than sixty (60) days prior to the annual meeting. Petitions must be submitted to the President no less than forty-five (45) days prior to the annual meeting. A member may not be nominated for more than one office.

(B) In odd-numbered years, nominations will be made by the Board of Directors or, in the alternative, any Retiree Member may submit a petition nominating a candidate for a Retiree Representative position, provided the petition contains the signatures of at least 25 Retiree Members. Nominations by the Board of Directors must be reported to the membership no less than sixty (60) days prior to the annual meeting. Petitions must be submitted to the President no less than forty-five (45) days prior to the annual meeting. A member may not be nominated for more than one office.

Section 3. Procedure

(A) In odd-numbered years, a ballot of all nominees for President, Vice-President, and Secretary will be mailed or electronically mailed to the Regular Members at least thirty (30) days prior to the annual meeting. Additionally, in odd numbered years, a ballot of all nominees for Retiree Representatives will be mailed or electronically mailed to all Retiree Members at least thirty (30) days prior to the annual meeting.

(B) In even-numbered years, a ballot of all nominees for Regional Representative will be mailed or electronically mailed to all Active Members in the respective Region at least thirty (30) days prior to the annual meeting.

(C) In order to be recorded as a valid vote, the ballot must be received by the Association office at least ten (10) days prior to the annual meeting. The nominee receiving the greatest number of votes for each office shall be elected, provided that the nominee receives at least a majority of the ballots cast. If no nominee receives a majority of the ballots cast, a runoff election will be held. The nominees in a runoff election shall be the two nominees who receive the highest and second highest number of votes cast in the main election or who tie for the highest number of votes. In the event more than two nominees tie for the second highest number of votes, the tied nominees shall cast lots to determine which two shall be the runoff nominee.

Section 4. Election of Unopposed Candidate

In cases of election in which a nominee is unopposed, the nominating committee may declare each unopposed nominee elected to the office. Notification required in Section 2 of this article to the membership must show "Unopposed Nominee Declared Elected".

Section 5. Record of Voting

A record of the vote taken at all elections shall be made available for inspection upon request by any member of the Association.

Section 6. Emergency Elections

In the event that the Department undergoes radical reorganization, a special election may be held for a modified term to realign the Board of Directors with the Department's new organizational structure. The term for positions created by such an election shall be determined by the Executive Committee, but may not exceed two (2) years.

**ARTICLE IX – POLICIES OF THE ASSOCIATION
AND POLLING OF THE MEMBERSHIP**

Section 1. Pronouncement of Declaration of Policy

No member of the Association shall officially make any pronouncement of declaration of a question of policy until it has been authorized by the Board of Directors except as provided in Section 2.

Section 2. Special Circumstances

When in the President's discretion he determines that it is necessary to make a pronouncement of declaration of policy and circumstances do not permit a meeting or poll of the Board of Directors, he may, after obtaining the consent of a majority of the Board of Directors by telephone or otherwise, make the pronouncement of declaration.

Section 3. Inauguration or Poll

The Board of Directors may on its own motion, or shall upon presentment to the Board of Directors a petition requesting such action and signed by at least one hundred voting members, poll the membership of the Association on any request.

Section 4. Polling Procedure

The President shall take a poll of the membership by mailing or electronic mailing the inquires necessary to obtain the information desired by canvassing the votes on the poll at least ten but not more than sixteen days after the mailing of the inquires.

ARTICLE X – COMMITTEES

Section 1. Standing Committees

There shall be the following standing committees:

- a. Scholarship
- b. Legislative
- c. Fund raising, and
- d. Budget

Section 2. Special Committees

There shall be such special or study committees as deemed necessary by the President of the Board of Directors.

Section 3. Appointments

The President shall appoint the membership of each committee and designate the Chairman of each committee, with the exception of the Finance Committee which will be chaired automatically by the Secretary-Treasurer.

ARTICLE XI – AMENDMENTS

These bylaws may be amended by a majority of the regular members of the Association who participate in a vote for that specific purpose. An amendment of the by-laws may be proposed by a majority vote of the Board of Directors or by the signatures of at least fifteen percent of the total regular membership of the Association. The proposed amendments shall be mailed or electronically mailed to all regular members in good standing of the Association and a date shall be designated as the last day ballots are to be received at the Association office.