

# CONSTITUTION OF THE TEXAS MUNICIPAL POLICE ASSOCIATION

ORGANIZED JUNE 26, 1950

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To Instill A Feeling Of Civic Pride, The Spirit Of Cooperation, And  
The Promotion Of Efficiency In The Field Of Law Enforcement.

REV. 05/04/2018

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## CONSTITUTION

### ARTICLE I - NAME OF THE ASSOCIATION

#### SECTION 1. ORGANIZATION NAME AND OBJECT

This Association shall be known as the TEXAS MUNICIPAL POLICE ASSOCIATION which is an association organized June 26, 1950, and now existing under and by virtue of State Charter #17103560 State of Texas.

#### SECTION 2.

This Association shall be for the duration of the existing charter, namely perpetual.

#### SECTION 3. OBJECT OF ASSOCIATION

This Association shall be a free and voluntary organization composed of all active and retired members of public safety agencies employed in the various parts of the State of Texas, for the purposes of perpetuating the memory and spirit of public safety personnel who have given their lives in the pursuit of duty, promoting social fellowship and economic well-being, promoting better wages, benefits, and working conditions; instilling in the members the spirit of cooperation and the high regard of our calling; asserting a wholesome influence on the education of the citizens of the State of Texas, especially with the purpose of inculcating respect for law and order; cooperating with courts and judges thereof and with the branches of our government, both state and national; incorporating among the members a closer personal acquaintance, gathering, receiving and dissemination of such information as may be helpful to our members in the pursuit of duty; encouraging cooperation and unified action with the various public safety organizations of the state; and defraying such legal and other expenses as may be incurred in perpetuating the interest of this Association.

#### SECTION 4. POWERS OF ASSOCIATION VESTED IN THE MEMBERS:

The powers of this Association shall be vested in its membership, but may be exercised by a Board of Directors as defined in Article II of the Constitution.

### ARTICLE II - OFFICERS POWERS AND DUTIES

#### SECTION 1. OFFICERS

The officers of this Association shall be: PRESIDENT, 1st VICE PRESIDENT, 2nd VICE PRESIDENT, 3<sup>RD</sup> VICE PRESIDENT, 4<sup>TH</sup> VICE PRESIDENT, SECRETARY, TREASURER and REGIONAL DIRECTORS OF THE BOARD and the outgoing President, who shall be appointed

automatically to the Board for one year, or as long as the current President remains in office.

#### **SECTION 1A.**

The State of Texas shall be divided into ten (10) regions. One Director shall be elected for each of the ten (10) regions. Regions are determined by membership. Each region represents no less than 7% of total membership. No counties shall be split between two regions. In the event a county holds more than 7% of total membership, it shall be made a region in and of itself. In the event that a county contains more than 14% of total TMPA membership, that county shall be given an additional Director for each additional 7% up to a maximum of 3. If a county has more than one Regional Director, the subsequent Director(s) shall not be employed by same agency. Regional Directors shall be elected by the delegates representing the respective regions. Region Directors from those Regions not represented by delegates at the Annual Conference shall be elected by delegates from adjoining Regions or the position may remain vacant until such time as an eligible candidate is appointed by the President.

#### **SECTION 1B.**

The state map defining the ten (10) regions shall be reviewed annually each spring by the Board of Directors to mark trends in membership and adjust the regions as necessary based upon the 7% rule. The redrawing of regional boundaries may only occur in years ending in even numbers (every two years).

#### **SECTION 2. POWER OF OFFICERS**

All of the officers named and described in this article shall constitute the BOARD OF DIRECTORS of this Association. Said Board shall be the governing body and shall have custody, control, and management of all funds, property, and effects of this Association.

#### **SECTION 3. TERMS OF OFFICE**

The Officers and Directors of this Association shall be elected from the members present in the regular Annual Conference of the Association, and shall serve in their elected capacities until their successor has been duly elected and qualified at the next regular conference of the Association. The office of PRESIDENT will be limited to a one year term.

#### **SECTION 3A.**

If any officer or director of this Association shall be unable to attend the regular Annual Conference and shall so inform the Board of Directors, stating the reasons in writing, within twenty-four (24) hours of the first meeting of the first day of the conference, the delegates shall have the power to vote on the validity and urgency of the absence. If the reason for the officer or director's absence is found worthy by a majority vote, the officer or director may then be nominated and elected to a consecutive term, in absentia. The twenty-four (24) hour period may be waived if an extreme emergency should arise, immediately prior to the commencement of the Conference, in which the officer or director does not have time to notify the Board in writing; but does notify the Board by some other means of communication before the first meeting.

#### **SECTION 4. QUALIFICATIONS OF OFFICERS**

No member may be a candidate for office who is not in good standing in the Association for at least eighteen (18) months immediately prior to seeking office, and whose respective delegation has not been duly recognized and seated at the Annual Conference. A member with less than eighteen (18) months may be a candidate if approved by the Board of Directors. No member may be nominated for any office unless that member is present at the Annual Conference except as otherwise provided in this Constitution, nor may any

officer continue in office or exercise the powers of any office, who is not in good standing. The term "good standing" in this instance is deemed to mean that all-current dues and assessments have been paid [and a waiver has not been granted by the Board of Directors].

#### **SECTION 5. COMPENSATION OF OFFICERS**

Each of the officers, members of the Board of Directors, and members of the Committees and Sub-committees shall serve without pay, provided however, that the Board of Directors may provide for reasonable compensation for the services rendered by the Secretary and the Treasurer of this Association; such compensation to be decided by a vote of the Board of Directors.

#### **SECTION 6. DUTIES OF OFFICERS, PRESIDENT**

The President, or in the President's absence, inability or refusal to act, the succeeding Vice Presidents, shall call and preside at all meetings, appoint Committees, and shall have, subject to the control of the Board of Directors, the general management and direction of the affairs of this Association. The President shall perform such other duties as may be consistent with the office. Any vacancy occurring in the board of Directors, for any reason, shall be filled by appointment of a member in good standing by the President. Such appointment shall be only for the unexpired term of the office to be filled.

#### **SECTION 6A.**

If the vacancy is valid and necessary and approved by the president, the absent member may suggest, in writing, the name of a member in good standing, to fill in for the absent member on a temporary basis. Upon return of the absent member, the appointee will step down and the member holding the position originally will claim his rightful position on the Board. If the original member does not intend to return or fails to return, the appointee may be elected to serve another term.

#### **SECTION 7. SECRETARY**

The Secretary shall keep, or cause to be kept, a record of all of the proceedings of the Board of Directors and of all general and special meetings and, after approval of the minutes of said meeting, forward the minutes to the Executive Director for safekeeping at the state office. The Secretary shall keep or cause to be kept a record and file of the membership and all correspondence of this Association. In case of the Secretary's absence, inability, refusal or neglect to do or perform any of the duties of the office, the President may appoint any member to perform such duties.

#### **SECTION 7A. TREASURER**

The Treasurer shall be responsible for the accurate reporting of all monies received and expended by this Association, and except as otherwise provided by By-laws, shall be Treasurer of all committees of this Association. The Treasurer shall perform monthly account reconciliations and other such duties as may be required by the Constitution and by-laws of this Association. In case of the Treasurer's absence, inability, refusal, or neglect to do or perform any duties of the office, the President may appoint any member to perform such duties.

#### **SECTION 8. DUTIES AND POWERS OF DIRECTORS**

It shall be the duty of the Board of Directors to conduct, manage, govern, execute, and administer all of the affairs of this Association; to control and supervise the handling of its funds and property; to cause to be kept a complete record of all meetings and acts; to supervise all officers and employees of this Association. To pass upon all matters of importance pertaining to this Association. The Board of Directors shall be required to pass a balanced budget.

## **SECTION 8A. EXECUTIVE DIRECTOR**

The Board of Directors shall be authorized to hire an Executive Director to assist in the administration of the affairs of this Association. Any such Executive Director that may be hired shall be appointed by the Executive Committee and that appointment shall be confirmed by the Board of Directors by a majority vote. The Executive Director shall be considered an employee of this Association and as such will be responsible to the Board of Directors through the President, who will have primary responsibility for the Executive Director.

## **SECTION 9. QUORUM TO DO BUSINESS**

A two-thirds (2/3) majority of the Officers and Board of Directors shall constitute a quorum for the purpose of transacting the business of this Association. A quorum may be obtained through a regular meeting, conference call, or via electronic means providing that a record of that business is reflected in the minutes of the next regular Board meeting.

## **SECTION 10. SPECIAL COMMITTEES**

Special Committees may from time to time be appointed by the President, whose duty it shall be to carry out the purpose for which the Special Committees have been created. Each Committee as herein provided shall serve until its duties shall have been fulfilled and completed and it has been discharged by the President.

## **SECTION 10A. SPECIAL APPOINTMENTS**

The President may appoint a Parliamentarian, Sergeant-at-Arms, and/or Historian, whose duties shall conform with "Roberts Rules of Order, Newly Revised" for those positions.

## **SECTION 11. OATH OF OFFICE**

I (name in full), do solemnly swear that I will support the Constitutions of the United States and the State of Texas; and I will faithfully perform the duties of \_\_\_\_\_(name of office) for the Texas Municipal Police Association, so help me God.

# **ARTICLE III – MEMBERSHIP**

## **SECTION 1.**

Membership in this Association shall be confined to full-time peace officers as defined by the Texas Code of Criminal Procedure, who have been regularly appointed in their various ranks and positions, and such honorary members as may be authorized by the Board of Directors at a regular meeting.

## **SECTION 1A.**

Members of the Association in good standing at the time of their retirement, and who have been members in good standing for at least (2) two years, under honorable circumstances with their local retirement system shall be designated as lifetime members with all the privileges of other members. Their annual dues to this association shall be suspended.

## **SECTION 2. APPLICATION FOR MEMBERSHIP**

Application for membership in this Association shall contain the name, rank, department of employment, and local Association affiliation, if any. Application must be in writing upon the form approved, prescribed, and furnished by the Board of Directors.

## **SECTION 3. TERMINATION OF MEMBERSHIP**

Except as otherwise provided in this Constitution, membership in this Association shall terminate by abandonment, withdrawal, non-payment of dues, removal from office or

position in a public safety agency, malfeasance or death of the member. It shall be the duty of the members to notify the Association of their termination of membership.

#### **SECTION 4. EFFECT OF TERMINATION**

Whenever any membership shall have terminated in any manner, the person whose membership has thus terminated, and all persons claiming under, by, or through such person, shall not be entitled to any refund of dues or fees paid into or contributions or donations made to this Association, or to any claim whatsoever upon any of the funds, benefits, or property of this Association.

#### **SECTION 5. DUES, FEES, AND ASSESSMENTS**

Dues for membership in this Association shall be determined by the Board of Directors. Membership eligibility commences with the receipt of application for membership along with acceptable arrangements for payment of dues at the Association's state office.

#### **SECTION 6. CHECKS**

All checks, drafts, and notes of the Association shall be overseen by the Controller of Accounts according to current TMPA Accounting policies approved by the Board of Directors.

### **ARTICLE IV – AMENDMENTS**

#### **SECTION 1.**

The Board of Directors may, by majority vote, call for an election to amend the constitution. Such election shall be by ballot. The ballots shall be mailed to all qualified voting members at least thirty days prior to the voting deadline. The returned ballots must be received at the TMPA State Office by the deadline. To the degree that technology provides for electronic voting, members may cast ballots through secure internet connection when this option is provided.

### **ARTICLE V**

#### **SECTION 1.**

This Constitution shall be in full force and effect immediately upon adoption.

#### **SECTION 2.**

Any amendments of this Constitution shall be in full force and effect immediately upon adoption unless an effective date is otherwise stipulated.