

CONSTITUTION

AND

BY-LAWS

FRATERNAL ORDER OF POLICE LODGE #171, OF FLORIDA INC.

PTL. PHILLIP CARDILLO MEMORIAL LODGE

ADOPTED ON JULY 10, 2012

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INDEX

CONSTITUTION

| <u>ARTICLE NUMBER</u> | <u>SUBJECT</u> | <u>PAGE NUMBER</u> |
|-----------------------|---|--------------------|
| ARTICLE 1 | <u>NAME</u> | 1 |
| ARTICLE 2 | <u>DEFINITIONS</u> | 2 |
| ARTICLE 3 | <u>CHARACTER</u> | 4 |
| ARTICLE 4 | <u>OBJECTS AND PURPOSES</u> | 5 |
| ARTICLE 5 | <u>MEMBERSHIP</u> | 6 |
| ARTICLE 6 | <u>OFFICERS</u> | 8 |
| ARTICLE 7 | <u>PRESIDENT</u> | 9 |
| ARTICLE 8 | <u>IMMEDIATE PAST PRESIDENTS</u> | 10 |
| ARTICLE 9 | <u>1st VICE PRESIDENT</u> | 11 |
| ARTICLE 10 | <u>SECRETARY</u> | 12 |
| ARTICLE 11 | <u>TREASURER</u> | 13 |
| ARTICLE 12 | <u>2nd VICE PRESIDENT</u> | 14 |
| ARTICLE 13 | <u>SERGEANT AT ARMS</u> | 15 |
| ARTICLE 14 | <u>CHAPLAIN</u> | 16 |
| ARTICLE 15 | <u>STATE TRUSTEE</u> | 17 |
| ARTICLE 16 | <u>LODGE TRUSTEES</u> | 18 |
| ARTICLE 17 | <u>DISCIPLINE</u> | 19 |
| ARTICLE 18 | <u>ASSOCIATES</u> | 23 |
| ARTICLE 19 | <u>AUXILIARY RESERVED</u> | 24 |
| ARTICLE 20 | <u>PARLIAMENTARY PROCEDURE</u> | 25 |
| ARTICLE 21 | <u>CONSTITUTIONAL AMENDMENTS</u> | 26 |
| ARTICLE 22 | <u>PER CAPITA TAX & ASSESSMENTS</u> | 27 |
| ARTICLE 23 | <u>LEGAL AID</u> | 28 |

BY-LAWS (Page 29)

| <u>ARTICLE NUMBER</u> | <u>SUBJECT</u> | <u>PAGE NUMBER</u> |
|------------------------------|--|---------------------------|
| ARTICLE 1 | USE AND DISPLAY OF EMBLEM | 30 |
| ARTICLE 2 | MEETINGS | 31 |
| ARTICLE 3 | ORGANIZATION | 33 |
| ARTICLE 4 | NOMINATION AND ELECTIONS OF DELEGATES FOR THE STATE & NATIONAL CONFERENCE | 35 |
| ARTICLE 5 | NOMINATION AND ELECTION OF OFFICERS | 36 |
| ARTICLE 6 | PRESIDENT | 38 |
| ARTICLE 7 | PAST PRESIDENTS RESERVED | 39 |
| ARTICLE 8 | 1 ST VICE PRESIDENT | 40 |
| ARTICLE 9 | SECRETARY | 41 |
| ARTICLE 10 | TREASURER | 42 |
| ARTICLE 11 | 2 ND VICE PRESIDENT | 43 |
| ARTICLE 12 | SERGEANT AT ARMS | 44 |
| ARTICLE 13 | CHAPLAIN | 45 |
| ARTICLE 14 | STATE TRUSTEE | 46 |
| ARTICLE 15 | LODGE TRUSTEES | 47 |
| ARTICLE 16 | GENERAL COUNSEL | 48 |
| ARTICLE 17 | DUTIES OF EXECUTIVE BOARD | 49 |
| ARTICLE 18 | EXPENSES OF LODGE OFFICERS | 51 |
| ARTICLE 19 | FIDELITY BOND | 52 |
| ARTICLE 20 | ASSOCIATE MEMBERS | 53 |
| ARTICLE 21 | DISCIPLINE AND HEARINGS | 54 |
| ARTICLE 22 | LEGAL AID | 56 |
| ARTICLE 23 | SOLICITATION | 58 |
| ARTICLE 24 | ANNUAL BUDGET | 59 |
| ARTICLE 25 | FUNDS | 60 |
| ARTICLE 26 | DUES AND ASSESSMENTS | 61 |
| ARTICLE 27 | BY-LAW AMENDMENTS | 62 |
| ARTICLE 28 | ORDER OF BUSINESS | 63 |
| ARTICLE 29 | ATTESTATION | 64 |

PREAMBLE

We, the members of the Fraternal Order of Police Lodge #171, of Florida Inc. agree:

To support and defend the Constitution of the United States and the State of Florida; to inculcate loyalty and allegiance to the United States of America; to promote and foster the impartial enforcement of law and order; to improve the individual and collective proficiency of our members in the performance of their duties; to encourage fraternal, educational, charitable and social activities among all law enforcement officers; to advocate and strive for uniform application of the civil service merit system for appointment and promotion; to support the improvement of the standard of living and working condition of the law enforcement profession through every legal and ethical means available; to create and maintain a tradition of esprit de corps insuring fidelity to duty under all conditions and circumstances; to cultivate a spirit of fraternalism and mutual helpfulness among our members and the people we serve; to increase the efficiency of the law enforcement profession and thus more firmly to establish the confidence of the public in the service that is dedicated to the protection of life and property.

All terms used herein to denominate gender shall be generic and, whenever appropriate, the singular shall include the plural and the plural shall include the singular.

CONSTITUTION

ARTICLE 1
NAME

This organization shall be known as Fraternal Order of Police Lodge #171, of Florida Inc.

ARTICLE 2
DEFINITIONS

Section 1. As used herein, the following terms, phrases or words shall be defined as follows:

- A. "Distribute" shall be defined for the purpose hereof, the sending out of Constitution and By-Laws or any other notices as email, fax, mail or other delivery service if needed. In most cases the method which will be used shall be email, unless for some reason the intended receiver is not able to get such delivery. If in time technology develops a better method of distribution, then that may also be used as a preferred method.
- B. "Elected/Appointed Law Enforcement Officer" shall mean, for purposes hereof, any law enforcement officer who meets the qualifications of the State Lodge Constitution, or who by law is exempted from meeting the minimum training standards.
- C. "Executive Board" shall mean and consist of the President, Immediate Past President, 1st and 2nd Vice Presidents, Secretary, Treasurer, Sergeant at Arms, Chaplain, State Trustee, Lodge Trustees and any National Officer or State Officer.
- D. "Full-time" shall mean law enforcement officers that are engaged in such employment as their full-time occupation as to hours worked and income derived as determined by their lodge. The term may also include law enforcement officers that are employed with multiple law enforcement agencies and are engaged in such employment as their full-time occupation on average of at least thirty (30) hours per week.
- E. "Good Cause" shall mean nonfeasance, malfeasance, dishonesty, or refusal to carry out the will of the Annual Conference, State Board of Trustees, Executive Board, or the Membership.
- F. "Jurisdiction" shall be the territorial range of authority or control where the lodge is located. The primary areas of jurisdiction are Municipalities, Counties (unincorporated areas), the State (not to infringe on a Municipal or County Lodge) and Federal (having no REAL area of jurisdiction in the State). Disputes over jurisdiction, because of membership and solicitation, shall be settled by the membership at either a Board meeting or Conference. All decisions are appealable to the National Lodge.
- G. "Member in good standing" in respect to the State Lodge, shall mean a member who fulfilled all requirements of membership in good standing in his respective subordinate lodge and for whom appropriate per capita tax has been paid to the State and National Fraternal Order of Police. Any member belonging to a subordinate lodge that is delinquent or has been suspended shall not be a member in good standing.

- H. "Member/Lodge in good standing" shall mean a member/lodge which is not greater than thirty (30) days in arrears in the payment of all dues, delinquency fees and assessments due and payable to or for the National Fraternal Order of Police on behalf of its members. Any member/lodge in arrears of payment of dues or assessments more than thirty (30) days and less than ninety (90) days shall be deemed to be delinquent and not in good standing. Any member/lodge in arrears of payment of dues or assessments more than eighty-nine (89) days shall be and is hereby automatically suspended from membership in good standing in the Fraternal Order of Police.
- I. "Regularly appointed law enforcement" shall mean for the purposes hereof, any law enforcement officer who meets the minimum standards, has received the training and education required by the United States, the state, the political subdivision or agency by which they are appointed, and who is granted arrest powers.

ARTICLE 3
CHARACTER

Section 1. The Lodge is an organization consisting of professional full-time law enforcement officers.

A. The Lodge is a fraternal organization composed of professional law enforcement personnel who have joined together for their common good.

B. In no event shall the Lodge, join or be controlled by any labor organization, provided, however, that this section shall not prohibit cooperative efforts by the Lodge with labor organizations for their common good.

Section 2. The Lodge, shall not strike or by concerted action cause a cessation of the performance of police duties, or induce other members or lodges to do likewise.

Section 3. This Constitution shall be the fundamental law of the Order and, with the Rituals adopted and such By-Laws as may be adopted from time to time, shall govern the conduct of the Lodge and all its members.

Section 4. There shall be By-laws which shall govern the day-to-day operation and administration of the Lodge. The By-laws of the Order may be promulgated, amended, or revised by a vote of two-thirds (2/3) of the membership voting at a general meeting, after proper notice has been posted.

Article 4
OBJECTS AND PURPOSES

Section 1. This organization is formed for the purpose of bettering existing conditions of Law Enforcement by solidifying their unity and promoting their mutual welfare in this State and nationally through our affiliation with the National Order.

Section 2. It shall be the duty of this organization to be always on the alert at all sessions of the Flagler County Commission and the Florida Legislature to promote the interest of law enforcement officers, and work for the passage of laws that benefit law enforcement.

Section 3. It shall be the duty of this organization to see that all laws protecting law enforcement officers are upheld.

Section 4. The Lodge Officers shall have the power to act in all matters pertaining to the welfare of this organization.

Section 5. The Lodge advocates defined benefit pensions for law enforcement officers and will continue to work for the establishment of better-defined benefit pensions or relief for the law enforcement officers.

Section 6. The Fraternal Order of Police Lodge #171, of Florida Inc. is an organization of law enforcement officers sworn to enforce the law under all circumstances.

Article 5
MEMBERSHIP

Section 1. Any regularly appointed or elected and full-time employed law enforcement officer of the United States, any state or political subdivision thereof, or any agency may be eligible for membership in the Fraternal Order of Police, subject to provisions of this Constitution. No person shall be denied membership on account of race, religion, color, creed, gender, age or national origin.

Section 2. Subject only to the provisions of this Constitution, this lodge shall be the judge of its membership. This lodge shall establish requirements for membership in good standing of its respective membership, which requirements shall not be inconsistent herewith.

Section 3. There shall be two (2) classes of membership: Active and Honorary.

A. Active Membership -

1. Shall include regularly appointed or elected full-time law enforcement officers.
2. Shall include retired regularly appointed or elected law enforcement officers who have remained in good standing with this Lodge.
3. May include, subject to the approval of the State Lodge Board of Trustees and this lodge, regularly appointed or elected law enforcement officers who have left the employ of their respective agency and who have remained in good standing with state and subordinate lodges.
4. Only Active members, as herein defined, shall have voice and vote or be able to hold office.

B. Honorary Membership - shall be comprised of individuals recognized by the Lodge, for exceptional service or contribution to the Nation, The State, or Political Subdivision, the law enforcement community or the Fraternal Order of Police, but may not include individuals that qualify for Active Membership.

Section 4. No person shall be a member of more than one subordinate lodge at the same time nor shall any member who is delinquent, or who has been suspended by a subordinate lodge for any reason, be eligible for membership in this lodge until such suspension has been lifted.

Section 5. The Fraternal Order of Police may deny membership to anyone who is, or has been, a member of any organization regardless of what name which advocates the abolition, destruction or violent overthrow of the government of the United States or any state or political subdivision thereof.

Section 6. Any active member may be granted a transfer from one subordinate lodge to another provided that they are in good standing, both subordinate lodges agree to the transfer, and the member cannot be active within their own law enforcement agency's lodge because of collective bargaining law restrictions or geographical location.

Section 7. Specifically excluded are private security guards, special police, members of profit-making security and correctional organizations, auxiliary or reserve police.

Section 8. No person at any time shall be a member of the auxiliary or associate lodge when they qualify for membership in the Fraternal Order of Police.

Section 9. The Fraternal Order of Police may deny any membership, or continuation of membership, to anyone convicted of a felony crime in any court of the United States, or any State Court, once all appeals have been exhausted.

Section 10. Official Membership Card of the National Lodge

The official membership card of the National Lodge shall be printed or electronic and may interface with other functions of the Order. No state lodge, subordinate lodge or member thereof shall print or cause to be printed or create electronically a replica of the official membership card of the National Lodge nor shall any member use any other membership card for Active Members.

Section 11. Membership Coherence and Jurisdictional Integrity of the Lodge

A. Scope and Purpose: This section pertains to the acceptance of members into the lodge from outside the state of Florida.

B. Membership Eligibility: This Lodge is prohibited from accepting new members who reside outside the state of Florida.

1. To be considered a resident, the applicant must meet the Florida homestead requirements.

2. Alternatively, the applicant must rent or lease their primary residence in the State of Florida for more than six (6) months of the year.

C. Existing Member Relocation: Existing members who relocate outside the State of Florida are eligible to retain their current membership with this lodge, upon approval, as long as their dues remain current.

ARTICLE 6
OFFICERS

Section 1. The "Officers" of the Lodge shall consist of a President, Immediate Past President, First and Second Vice Presidents, Secretary, Treasurer, Sergeant at Arms, Chaplain, State Trustee and Lodge Trustee(s).

Section 2. The "Executive Board" shall consist of a President, Immediate Past President, all Active Past Presidents, First and Second Vice Presidents, Secretary, Treasurer, Sergeant at Arms, Chaplain, a State Trustee, Lodge Trustees, and any State or National Officer elected from this Lodge.

Section 3. The "Executive Board" shall have the authority to exercise all administrative powers of the Order during the periods between meetings. It shall have the power to act in all emergencies pertaining to the welfare of this Lodge and its members.

Section 4. The "Officers" of the Lodge shall be elected for a term of two years and shall serve until their successors are elected, qualified and installed.

Section 5. By virtue of their office, the President, Immediate Past President, and the Secretary shall be the Lodge delegates to the Biennial Conference of the National Fraternal Order of Police and the Annual Conference of the Florida State Lodge, Fraternal Order of Police.

Section 6. The President may call meetings of the Executive Board as necessary.

ARTICLE 7
PRESIDENT

- Section 1. The President shall be the Chief Executive Officer of the Fraternal Order of Police Lodge #171, of Florida Inc. The President shall preside at all meetings of the Lodge. The President shall have general management of the business of the Order and shall see that all orders and resolutions of the Executive Board and the membership are carried into effect.
- Section 2. The President shall execute any and all contracts that may be authorized by the Executive Board and/or the membership.
- Section 3. The President shall be ex-officio member of all Standing Committees.
- Section 4. The President shall have the power, with the advice and consent of the membership, to appoint the majority of all Standing and Special Committees.
- Section 5. The President shall have the power to call a special meeting of the membership whenever an emergency arises or upon the petition of a majority of the members of the Executive Board.
- Section 6. The President shall submit a written report of the business transactions, and together with such recommendations as The President may deem advisable at each meeting.
- Section 7. The President shall convey to their successor all unfinished business of the Lodge.
- Section 8. The President shall attest to all warrants or vouchers drawn on any fund of the Lodge before payment by the Treasurer.
- Section 9. And shall furnish a fidelity/surety bond for the faithful performance of duty in the amount specified by the Executive Board.

ARTICLE 8
IMMEDIATE PAST PRESIDENT

The Immediate Past President shall attend all meetings of the Executive Board, and shall assist and advise the President and other officers of the Lodge. The Immediate Past President shall execute such arrangements or orders as may be issued by the President or the Executive Board.

ARTICLE 9
1st VICE PRESIDENT

- Section 1. Duties of the 1st Vice President - The 1st Vice President shall:
- A. Assist the President in the performance of their duties and, in the absence of the President, shall exercise the powers and the duties of that office.
 - B. Have the power, with the advice and consent of the membership to appoint the minority of all Standing and Special Committees.
 - C. Perform such other duties as may be ordered by the President or the Executive Board.
 - D. Furnish a fidelity/surety bond for the faithful performance of duty in the amount specified by the Executive Board.

ARTICLE 10
SECRETARY

- Section 1. The Secretary shall have custody of the books, records, documents, the seal of the Lodge and office paraphernalia and equipment, under the general orders of the President and the Executive Board.
- Section 2. The Secretary shall keep a record of the minutes of all Lodge meetings, and shall submit the same for approval, alteration or rejection at the next general meeting.
- Section 3. The Secretary shall conduct general correspondence of the Lodge.
- Section 4. The Secretary shall attest, under the seal of the Lodge, all duly authorized contracts of the Lodge.
- Section 5. The Secretary shall be the official custodian of the Constitution and By-Laws of the Lodge, which shall be authenticated by the seal of the Lodge and the signature of the President and Secretary. The Secretary shall keep a record of the official amendments to the Constitution and By-Laws adopted by the Lodge and shall cause them to be properly inserted therein.
- Section 6. The Secretary shall handle the membership roster and prepare the necessary Per Capita tax and assessments forms due to the National Fraternal Order of Police and the State Lodge.
- Section 7. The Secretary shall furnish a surety bond for faithful performance of duty in the amount specified by the Executive Board.
- Section 8. The Secretary shall perform such other duties as are usual and incidental to the Office of Secretary.
- Section 9. At the expiration of the Secretary's term of office, the Secretary shall deliver to their successor the seal of the Lodge and all books, documents, records, funds, supplies, equipment, paraphernalia, etc., and shall require and receive a receipt for same.

ARTICLE 11
TREASURER

- Section 1. The Treasurer shall be the custodian of the funds of the Lodge. The Treasurer shall furnish a surety bond for faithful performance of duty in the amount specified and approved by the Executive Board.
- Section 2. The Treasurer shall sign all checks, duly authorized for disbursement of funds.
- Section 3. The Treasurer shall keep an itemized record of all receipts and disbursements.
- Section 4. The Treasurer shall deposit all funds collected in a bank approved by the Executive Board and shall maintain direct control over all bank accounts involving the Lodge. The Treasurer shall retain in his office a contingency fund of not more than \$100.00 for the purpose of paying emergency current expenses.
- Section 5. The Treasurer shall set up special accounts for special funds approved by the membership.
- Section 6. The Treasurer shall perform such other duties as are usual and incidental to the office.
- Section 7. The Treasurer shall give a complete report of all receipts and disbursements of all Lodge funds at each Lodge meeting and shall provide a profit or loss statement and a balance sheet at the end of each quarter.
- Section 8. The Treasurer shall collect all revenue derived from contractual terms set forth for the promotion of the Lodge, and shall deposit all funds into the Lodge General or Savings Funds.
- Section 9. The Treasurer shall prepare a report of all credits and disbursements pertaining to Lodge funds, and shall submit a copy of such report a minimum of ten (10) days prior to any meeting.
- Section 10. At the expiration of the Treasurer term of office the Treasurer shall deliver to their successor all books, documents, records, funds, supplies, equipment, paraphernalia, etc., and shall require and receive a receipt therefore.
- Section 11. In the event the Treasurer becomes unable to perform their functions temporarily, the Lodge 1st Vice President shall assume these functions until such time as the Treasurer can resume their duties or a new Treasurer is appointed in accordance with these Constitution and By-Laws.
- Section 12. The Treasurer shall provide and maintain a supply and a record of pre-numbered, triplicate expense vouchers, accounting for these vouchers at each Lodge meeting.

ARTICLE 12
2nd VICE PRESIDENT

Section 1. The 2nd Vice President shall:

- A. Assist the President in the performance of their duties, in the absence of the President or the 1st Vice President, exercise the powers and duties of that office.
- B. Shall examine the dues cards of Officers, and other members of the organization, ascertaining that all present at each meeting are in good standing; also take up the password, and shall make a report to the President of the same. The 2nd Vice President shall perform such other duties as the President may require.
- C. Perform such other duties as may be ordered by the President.

ARTICLE 13
SERGEANT AT ARMS

The Sergeant at Arms shall have charge and control of the meeting room. They shall permit only qualified persons to enter or to remain. They shall assist the 2nd Vice President in the execution of such duties as the President may order.

ARTICLE 14
CHAPLAIN

The Chaplain shall open each Lodge meeting with a prayer. The Chaplain shall close each Lodge meeting with a prayer. The Chaplain shall be responsible for reporting all members "Sick and Distress" and shall be the Chairperson of the Lodge Memorial Committee.

ARTICLE 15
STATE TRUSTEE

- Section 1. The State Trustee (who is a State Officer) shall:
- Section 2. Should attend all State Conferences and State Board of Trustee meetings.
- Section 3. State Trustee should also attend all meetings called by the District Director as representatives of the lodge.
- Section 4. Gather data and information of every kind pertaining to the welfare of Law Enforcement and furnish the same to the Lodge on request or when deemed necessary.
- Section 5. When a duly elected State Trustee is unable to attend any meeting or function called by the State Lodge President, the Lodge President will be permitted to attend the called meeting or function. If the President is unable to attend; it would be at the discretion of the President to appoint from within the elected Officers of the Lodge a member to attend in their place. The Lodge President or Representative shall have voice and vote at such meetings and functions. (NOTE: Moved from By-Laws Article 5 Section 1. A 6/2023)
- A. The State Trustee shall be elected at a meeting of the delegates of the Lodge at a Lodge Meeting and announced prior to nominations of other State officers at the June Conference. They shall be declared elected by the State President.

ARTICLE 16
LODGE TRUSTEES

Section 1. They shall take charge of all physical property of the Lodge, make a complete itemized inventory of such property and file a certified copy with the Secretary.

Section 2. They shall recommend the amount of bond to be required of the President, 1st Vice President, Secretary, the Treasurer and any standing committees that are deemed to require a performance bond, for the faithful performance of their duties.

Section 3. They shall examine and audit the financial books, records, and funds of the Lodge and make a report of their findings at the May and November meetings.

Section 4. They shall ascertain that all monies received have been allocated to the credit the proper funds and so deposited in the name of the Lodge.

ARTICLE 17
DISCIPLINE

Section 1. This article shall govern discipline of officers and members and shall be interpreted in such manner as to afford equity and fairness to all affected thereby.

A. Any and all charges shall be in writing, utilizing the prescribed State Lodge Discipline Hearing Forms (D.H.F. #1-A & 1-B), attested to and signed under oath and served upon the Secretary to the Lodge.

Section 2. Discipline shall be initiated by the Lodge and imposed upon an individual member, or officer only in extraordinary circumstances where the member or officer has acted or failed to act in respect of a matter of direct and significant importance to the Lodge or has violated this Constitution, the By-laws, or the Ritual of the Order.

Section 3. Individual Members

A. In the case of discipline imposed upon an individual member involving suspension, expulsion or removal from office, an appeal may be taken by the member to the state lodge and an appeal may be taken from the decision of the state lodge by the non-prevailing party to the National Board of Trustees and, ultimately, to the Biennial Conference.

1. An appeal to the state lodge may be brought by the filing of a written notice of appeal with the state president no more than thirty (30) days after the member's receipt of official notification of their suspension, expulsion or removal from office. Unless continued or delayed for good cause, such appeal shall be heard by the state lodge at the next board meeting following the state lodge President's receipt of such notice of appeal and, unless waived in writing by both the appealing member and the responding lodge, a written decision shall be rendered by the board within ten (10) days after such meeting. Both the appealing member and the lodge from whose action the appeal is brought shall have the right to a hearing at which both parties may be heard and may present witnesses and documents. Such hearing shall be conducted in conformity with the By-laws. The parties to the appeal shall receive notice of the date of the hearing by registered mail not less than ten (10) days before such hearing. The approved State Lodge, Document on Demand, Discipline Hearing Form (D.H.F. #2) shall be completed by all parties involved in the appeal.

2. The state lodge may sustain, modify or reverse the disciplinary action against the member.

B. In any case of discipline involving suspension, expulsion or removal from office of an individual member and upon the decision of the state lodge in respect to an appeal from the action of a subordinate lodge, an appeal may be taken to the National Board of Trustees and, ultimately, to the Biennial Conference.

C. Except in the case of discipline initiated thereby, the State Lodges Board of trustees shall review appeals of disciplinary matters solely to ensure that the parties were afforded due process and that the decision was consistent with this Constitution, the By-laws, and Ritual of the National Fraternal Order of Police.

1. Those appeals received by the State Secretary after the Annual Conference but before the next State Board of Trustees meeting shall be considered by the State Board of Trustees. The State President shall appoint a special committee which shall meet, gather and review facts and arguments of the parties, consult with all interested parties in attendance and make a full report, including its recommendation, to the Board prior to its adjournment.

2. Following the report of the special committee, if any, interested parties may appear before the entire Board which shall decide the matter by majority vote.

D. An appeal may be taken by either party to the Annual Conference from the decision of the State Board of Trustees respecting any appeal of disciplinary action imposed upon an individual member by a subordinate lodge, or discipline imposed by the State Board of Trustees.

1. A party seeking to appeal a decision of the State Board of Trustees to the Annual Conference shall serve notice thereof upon the State Secretary and the opposing party. Such notice of appeal shall consist of a concise statement describing the act of failure to act upon which the appeal is based, the basis for such appeal, the decision appealed from, and those written materials the appellant deems appropriate and relevant to a fair consideration of the appeal by the State Board of Trustees. The opposing party may respond in writing to such notice of appeal with such materials as it deems necessary and shall submit a copy of such response to the State Secretary and the appealing party. Said notice of appeal and any responsive submissions shall be forwarded by the State Secretary to the State President who shall deliver said materials to a committee of the Conference which shall consider the matter and report thereon to the Conference prior to a vote thereon by the delegates.

E. Discipline may be initiated by the lodge and imposed upon an individual member thereby only in extraordinary circumstances in which case, such member shall be afforded a hearing of which the member will be given notice, at which the member will be permitted to present witnesses and documents and at which due process shall be afforded to the member, the same protections set forth in respect to discipline imposed by a local lodge.

Section 4. Lodge Officers

A. Lodge officers shall be subject to discipline, including censure, reprimand, removal from office or expulsion from the Order only upon proof of good cause.

B. Allegation(s) of misconduct against a lodge officer in respect to the Lodge Officers duties as a lodge officer shall only be brought by a member in good standing or a member of the Lodge Executive Board. Said allegation(s) shall be in writing, utilizing the prescribed State Lodge Discipline Hearing Forms (D.H.F. #1-A & 1-B) attested to and signed under oath), and notice thereof shall be served upon the Lodge officer against whom the allegation(s) are made and the Secretary, provided however, that if such allegation(s) are made against the Secretary, said allegation(s) shall be served upon the President. Said allegation(s) shall specifically describe the nature of the alleged misconduct in sufficient detail for a determination by the Executive Board as to whether there exists good cause to proceed with the inquiry.

C. Upon service of the allegation(s) on the affected lodge officer and the Secretary (or President, as the case may be), copies of the allegation(s) shall be distributed to each member of the Executive Board. The lodge officer against whom the allegation(s) are made shall, within thirty (30) days of receipt of the allegation(s) prepare a response thereto and serve said response upon the Secretary (or President, as the case may be), which response shall be distributed to each member of the Executive Board. The Secretary or President, in the event that the allegations pertain to the Secretary, shall forward to each member of the Executive Board an anonymous ballot upon which each member shall indicate, after reviewing the allegation(s) and the response thereto, whether the Board Member believes that there exists good cause to proceed with the inquiry. Said ballots shall be returned to the Lodge officer from whom they are received and shall be counted and the results thereof certified to the State Trustee (unless they are the officer against whom the allegations are made, in which case the results shall be certified to the President). The ballots shall be retained until the resolution of the matter.

D. Upon receipt by the State Trustee (or the President, as the case may be) of the certified results of the ballot, said Lodge officer shall determine whether good cause to proceed further with the inquiry was found by the Executive Board. A majority vote of all of the members of the Executive Board (present at a meeting/hearing) shall be necessary for a finding of good cause to proceed further with the inquiry. The State Trustee shall either (i) immediately cause the Secretary (or shall themselves) distribute to each member of the Lodge (present at a Special meeting) notice that good cause was not found to proceed with an inquiry, or, (ii) certify to the President (or to the 1st Vice President in the event that the allegations are made against the President), that good cause has been found to proceed with further inquiry. The President (or 1st Vice President) shall declare an emergency, call a meeting of the membership and ensure that notice thereof is given accordance with this Constitution within forty-five (45) days of said notice.

E. The emergency meeting of the membership shall be held for the purpose of resolving the charges against the officer and there shall occur a disciplinary hearing thereon before the membership at which the charged officer shall be entitled to counsel and shall be afforded due process to the same extent afforded members herein. The State Trustee or their designee (or the President, if the charges have been brought against the State Trustee), shall preside over such disciplinary hearing and shall resolve all questions of procedure and evidence.

F. No disciplinary action shall be taken upon a Lodge officer except upon three-fourth (3/4) vote of the membership present and entitled to vote.

G. A lodge officer against whom discipline is imposed in accordance herewith shall be entitled to appeal the decision of the membership to the next State Board of Trustees meeting or to the next Annual State Lodge Conference. By taking the oath of office, each lodge officer acknowledges and agrees that until and unless reversed by the State Lodge Conference, however, the decision of the membership shall be final.

1. An appeal by a lodge officer shall be made by filing notice thereof with the State Secretary within thirty (30) days of the decision of the membership.

2. The lodge officer making the appeal shall be permitted to address the State Lodge Conference for such time as the Chair shall deem appropriate and the State Trustee or their designee (or the Lodge President, as the case may be) shall be permitted an equal amount of time to respond thereto.

H. Any member of this Lodge who brings an allegation against another member or lodge officer which allegation is found to be brought frivolously or for personal gain shall, himself, be subject to discipline by the Lodge Executive Board.

ARTICLE 18
ASSOCIATES

Section 1. This Lodge may establish and supervise a Fraternal Order of Police Associates, Fraternal Order of Police Lodge #171, of Florida Inc. composed of public-spirited citizens who are interested in good police organization, the police officer's welfare and the Fraternal Order of Police.

Section 2. In the organization of this Associate Lodge, it shall not be forgotten that the Fraternal Order of Police Lodge #171, of Florida Inc. is the parent organization and shall be recognized and respected as such at all times.

Section 3. Associate members shall not have voice or vote or be eligible to any of the secret work of the Fraternal Order of Police Lodge #171, of Florida Inc.

Section 4. Associate members shall be permitted to adopt a Constitution and By-laws, not in conflict with the Constitution and By-Laws of the Fraternal Order of Police Lodge #171, of Florida Inc. the Florida State Lodge or the National Fraternal Order of Police.

Section 5. The Constitution and By-laws of the Associate Lodge are subject to approval of the parent Lodge membership.

Section 6. The FOP shall retain the right to suspend or revoke the charter of the Associate Lodge by a membership vote at a regular or special meeting where notice of suspension or revocation has been posted as provided in this Constitution and By-Laws.

ARTICLE 19
AUXILIARY
(Reserved)

ARTICLE 20
PARLIAMENTARY PROCEDURE

Except as provided in the Fraternal Order of Police Lodge #171, of Florida Inc., State Lodge and National Lodge Constitution and By-Laws, the latest edition of "Roberts Rules of Order" shall govern the conduct and deliberation of this Lodge during meetings.

ARTICLE 21
CONSTITUTIONAL AMENDMENTS

Section 1. In order to amend the Constitution, only three (3) members, in good standing, shall sign the proposed amendment, or the Lodge Constitution and By-Laws Committee, or a majority of the Executive Board. Only the above mentioned, may propose an amendment to this Constitution. The proposed amendment shall be submitted for consideration and voted by the Lodge membership. No proposed amendment shall become part of this Constitution except upon two-third (2/3) vote of those voting at the designated meeting.

Section 2. Proposed amendments to this Constitution shall be submitted to the Secretary, at least thirty (30) days prior to the convening of the next regular meeting. The Secretary shall post a copy of such proposed amendments at least twenty (20) days prior to the next regular meeting.

Section 3. A proposed amendment shall contain the precise language of the proposed amendment, shall specifically set forth the language to be added, deleted and/or revised, and shall identify each and every Article and Section of this Constitution affected thereby. Proposed amendments shall not be set forth in resolution form but shall be accompanied by a statement, not to exceed one (1) page in length, setting forth the basis for the proposed amendment.

Section 4. The Constitution and By-Laws Committee shall receive proposed amendments to this Constitution and shall review same for form, grammar, and placement within this Constitution and shall report to the Lodge membership its conclusions and recommendations thereof.

Section 5. In the event the National Fraternal Order of Police or the Florida State Fraternal Order of Police amends their Constitution and that amendment(s) requires that all subordinate State Lodges shall amend their respective Constitution to comply with the National Fraternal Order of Police amendment or the Florida State Fraternal Order of Police, this Constitution shall be considered as amended to comply with the National Fraternal Order of Police or the Florida State Fraternal Order of Police amendment until such time this Lodge's Constitution shall be amended to comply with the National Fraternal Order of Police, or the Florida State Fraternal Order of Police directive.

ARTICLE 22
LODGE PER CAPITA TAX AND ASSESSMENTS

Section 1. Each member shall pay to the Lodge a Per Capita tax (dues) as stated in the By-laws.

Section 2. If two-thirds (2/3) of the Lodge Executive Board should deem it necessary that a special assessment is needed to meet an emergency, they shall follow the same procedure as set forth in the National Fraternal Order of Police By-Laws.

ARTICLE 23
LEGAL AID

Upon such terms and in accordance with the procedures established in Article 22 of the By-laws, a member may request and be granted legal assistance or financial aid.

BY-LAWS

ARTICLE 1
USE AND DISPLAY OF EMBLEM

- Section 1. No person, other than a member in good standing of the Fraternal Order of Police, its Associate Lodge, or its Auxiliary, their spouse or child living in the same residence, shall use or display the official emblem of the organization on any automobile or other motor vehicle.
- Section 2. The unauthorized use or the abuse of the name or insignia of the Fraternal Order of Police or the infringement of a trademark thereof by a member or local lodge, shall be grounds for discipline, including suspension, expulsion, removal from office, or revocation of lodge charter.
- Section 3. Automobile emblems purchased from the National Lodge for re-issue to members of this Lodge shall not be “**SOLD**” to the members thereof, but shall remain the exclusive property of the Lodge.
- Section 4. All emblems as described in Section 3, shall be re-issued to members on a “lend-lease” basis and upon their separation from the Lodge, they shall surrender their emblems(s) to the Lodge Secretary. The legal right to possession of the emblem shall be vested in the Lodge.
- Section 5. Any Person who is not a member of an active or associate lodge of the Fraternal Order of Police or a member thereof who is unable to produce a current dues card, shall not use, wear or display the insignia or logo of the Fraternal Order of Police.

ARTICLE 2 MEETINGS

Section 1. This Lodge shall hold monthly meetings on the 2nd Tuesday of each month. The meeting time and location will be set with the advice and consent of the Executive Board. The President shall have the authority to change the day and time of a monthly meeting, should a conflict or emergency occur.

Section 2. Special meetings – The President and or the majority of the Elected Officers may call a Special Meeting of the Lodge when they deem it necessary for the best interest of the Lodge. No business shall be transacted at a special meeting other than the reason for which the meeting was called. Notifications for a special meeting shall be made in an effort to reach all members in the customary fashion at least 10 days prior to the date of the special meeting. Efforts will be made to reach every member. All decisions made at a special meeting shall be binding after a vote of the majority attending the special meeting.

Section 3. Virtual/Electronic Meetings

- A. In certain unusual circumstances it may be necessary to conduct meetings by means of a virtual meeting platform.
- B. Meetings of this Lodge may be held by means of a virtual platform in the following circumstances: During a natural or man-made disaster, a state of emergency has been declared, large scale civil unrest, or when deemed necessary by the President, with the approval Lodge Executive Board. Additionally, the State President with the State Board of Directors may approve the use of virtual meetings when geographical needs arise. The decision to hold a virtual meeting will not be made for the sake of convenience, to avoid the requirement of meetings listed in Article 19, Section 6 of the Florida State Constitution.
- C. Various Committees of the Florida State Lodge, the Districts, as well as those of Subordinate Lodges may hold meetings by means of a virtual platform at their discretion when the need arises.
 - 1. Safeguards will be in place to ensure members' rights to attend the virtual meeting, make motions, speak, and to vote, are in place and preserved.
 - 2. The provisions within the latest edition of Roberts Rules of Order, Newly Revised, will be followed in the crafting and adoption of by-laws concerning virtual meetings.
 - 3. Security will be in place by the meeting Chair to insure only members are invited and attending virtual meetings. No virtual meeting shall be held without proper noticing to affected members, and the meeting Chair is

responsible for ensuring members have access to the chosen virtual platform. All other requirements for recording attendance, meeting minutes, and voting on motions are to be applied.

Section 4. Executive Board Meetings - The time, date and place of each Executive Board meeting shall be designated by the President.

Section 5. All Committee Meetings shall meet at the discretion of the Chairman of each Committee.

Section 6. Quorum. Ten (10) percent of total membership in good standing shall constitute a quorum and will be sufficient in number to conduct the business of the Lodge at any meeting. Subject to change upon expansion of the Lodge's membership). Furthermore, a minimum of three (3) elected officers must be present to conduct the business of the Lodge.

Section 7. Travel. The President, or his alternate, when traveling by automobile on Lodge Business shall be reimbursed for his or her mileage round trip at the current IRS rate. Further the President or his alternate shall receive 1 round trip coach airfare ticket if traveling by airplane plus \$75 per diem. If traveling by automobile in excess of 200 miles each way and whenever an overnight stay is required, he or she shall be entitled to \$ 75 per diem plus lodging expenses. All travel expenses including travel to approved FOP Conventions must be approved by the Executive Board after discussion and approval by the membership. This is not all inclusive and any other reasonable expenses which may arise, may be submitted to the Executive Board for future discussion and possible approval by the members. Funding for expenses, other than those which are further described, here within the rules as Lodge operating expenses, MUST first be approved by the Executive Board and the general membership.

Section 8. Public Relations. All members shall act in a manner that is lawful, courteous and respectful during any and all meetings and when they are recognized and speaking as a member of the Fraternal Order of Police Lodge #171, of Florida Inc.. The President along with the Executive Board shall determine and designate who will speak as an official representative of the lodge in any matter concerning the business of the lodge.

ARTICLE 3
ORGANIZATION

Section 1. There shall be established such committees of the Order as the Executive Board and President shall prescribe.

Section 2. The President and 1st Vice President shall appoint members to committees in accordance with the provisions of the Constitution.

Section 3. Committees:

- A. There shall be established certain Standing and Special Committees as called for in the Constitution and By-laws or as deemed to be needed by the Lodge Executive Board.
- B. These committees shall consist of a Chairperson and members appointed in accordance with the policy and procedures of the Lodge.
- C. These Committees shall submit a written report of all activities to the 2nd Vice President prior to each meeting.
- D. All expenditures of the committee shall be reported in accordance with the policy and procedures of the Lodge.
- E. These committees shall, unless otherwise provided in the Constitution and By-Laws, submit a written budget for approval by the Executive Board at the meeting immediately following the meeting approving the appointment of these committees.
- F. All revenue generated by the activities of these committees shall, unless otherwise provided for in the Constitution and By-laws, be placed in the general fund of the Lodge. These Funds shall be utilized for the efficient operation of the Lodge.
- G. Duties -
 - 1. It shall be the duty of these committees to perform the stated responsibilities of their respective committee in an effective and efficient manner.
 - 2. It shall be the duty of these committees to perform their responsibilities in a manner so as not to bring discredit or financial hardship upon the Lodge.

Section 4. LEGISLATIVE COMMITTEE

- A. There shall be a committee established to be known as the Fraternal Order of Police Lodge #171, of Florida Inc. FOP Legislative Committee.

B. This committee shall consist of a Chairperson, Vice-chairperson, State Lodge Legislative Liaison and a minimum of four (4) other members.

C. Duties:

1. It shall be the duty of the committee to recommend a written legislative program, taking into consideration any issues coming before the Flagler County Commission and the Fraternal Order of Police Lodge #171, of Florida Inc. Personnel Board that might have a direct or in-direct effect on our membership.
2. It shall be the duty of this committee to provide for adequate representatives to assist the Florida State Lodge at each session of the Florida Legislature, to assure efforts toward passage of the State Lodge legislative program.

Section 5. WAYS AND MEANS COMMITTEE

A. There shall be a committee established to be known as the Ways and Means Committee.

B. All revenue generated by the activities of this committee shall be placed in the General fund of the Lodge. These funds shall be utilized for the efficient operation of the Lodge.

C. Duties -

1. It shall be the duty of this committee to provide for the operations of the official Lodge Newsletter.
2. It shall be the duty of this committee to provide for all fund-raising activities of the Lodge.
3. It shall be the duty of this committee to ensure that none of the activities, for which it is responsible, brings discredit or financial hardship to the Lodge.

ARTICLE 4
NOMINATION AND ELECTION OF DELEGATES
TO THE NATIONAL CONFERENCE

Section 1. Delegates from this lodge to the National Conference (with the exception of the Lodge President, Immediate Past President and Secretary) shall be elected as prescribed in the National Fraternal Order of Police By-Laws.

Section 2. Delegates from this lodge to the State Conference shall be the Lodge President, Immediate Past President and Secretary, along with the State Trustee (who is a State Officer).

Section 3. The term of office of the delegates shall commence with the assembling of either the State or National Conference and shall terminate upon the election of their successor.

Section 4. The State Secretary shall prescribe such rules, forms and/or procedures as are necessary to enable verifiable credentials to be issued to all attendees. Each attendee shall always have available for inspection a verifiable image of their conference credential, (and government issued photo identification, at all times) while within or when seeking admission to the Conference Hall.

ARTICLE 5
NOMINATION AND ELECTION OF OFFICERS

Section 1. Nominations - Candidates for election to Office, shall be nominated at the regular business meeting during the month of November of each even numbered year.

Section 2. Elections - The election of Officers shall be held between the regular meeting in November and one week preceding the regular meeting in December of each even numbered year.

Section 3. Installation of newly elected Officers - The duly elected Officers shall be declared elected at the regular business meeting and shall take office during the regular business meeting in January.

Section 4. Election Procedures - The Lodge Officers shall be elected by a Plurality vote of the membership. A printed ballot listing the names of the candidates running for office shall be furnished to each member who shows up at the designated locations to vote. After indicating their choice thereon, the member shall deposit the ballot in the receptacle provided for that purpose.

Section 5. Election Committee - An Election Committee of at least three (3) members of this Lodge shall be appointed by the President and 1st Vice President, of which one (1) shall be appointed Chairman. Each Candidate will be permitted a Poll Watcher during the election and the counting of the ballots.

Section 6. Ballots - The ballots shall be tabulated by the Election Committee and shall not be destroyed until the election results are certified by the Executive Board and the membership at the next regular business meeting.

Section 7. Qualification for Office - No member shall be a candidate for more than one (1) office. To be qualified for nomination to office, the proposed candidate must be in good standing in this Lodge for a period of at least one (1) year prior to nomination, and must have attended a minimum of four (4) Lodge meetings during the preceding year. The Executive Board shall have the right to waive the minimum attendance time for any AUTHORIZED absence. No member shall be qualified to run for President unless they have held a position previously on the Executive Board of this Lodge.

Section 8. The Nominating Committee shall accept nominations for offices at the October general meeting. Candidates for officer will be announced at the regular meeting in November. Elections will be held at the December regular meeting and those elected will take office 30 days after the election or at the next general meeting, allowing for a transition of powers between the current and newly elected officers.

- All votes will be by written ballot unless the position is uncontested.
- Newly elected officers must receive a majority (51%) votes of those voting and attending the election meeting.

- Any full member in good standing who desires to have their name placed in nomination for any board position must meet the following requirements:

- A) Said nominee must have been a member of Lodge #171 for the minimum of one (1) year.

- B) Said nominee must have attended the minimum of six (6) general meetings during the time mentioned in A noted above.

Note: The above requirements do not apply to vacated positions.

ARTICLE 6
PRESIDENT

Section 1. At each meeting of the Lodge Executive Board, the President shall submit a full and complete written report in respect to the business transacted by the President since the last meeting of this Lodge together with such recommendations as the President may deem advisable.

Section 2. It shall be the duty of the President, upon approval of the Executive Board, to promote the growth of the organization, seek new members, give lectures about the organization, the aims and objects, what it has accomplished, what it can accomplish and what it strives to do for its members and the Citizens of the Community.

ARTICLE 7
PAST PRESIDENTS
(Reserved)

ARTICLE 8
FIRST VICE PRESIDENT

Section 1. The First Vice President shall submit a report in writing to the Lodge Secretary prior to the Lodge meeting.

ARTICLE 9
SECRETARY

Section 1. A petty cash fund in the amount of (\$200) dollars shall be allowed to the Secretary for the purpose of paying emergency expenses.

Section 2. The Secretary shall be responsible for the compilation, printing, and distribution of the Lodge Constitution and By-laws.

ARTICLE 10
TREASURER

Section 1. The Treasurer shall submit a report in writing to the Secretary at each regular monthly business meeting.

Section 2. The Treasurer shall cause an annual audit of the accounts, books and records of the Lodge, to be conducted by a certified public accountant.

ARTICLE 11
SECOND VICE-PRESIDENT

Section 1. The Second Vice President shall submit a report in writing to the Secretary every third month advising what Lodge activities the Second Vice President attended.

ARTICLE 12
SERGEANT AT ARMS

Section 1. The Sergeant at Arms shall submit a report in writing to the Secretary every third month advising what Lodge activities the Sergeant at Arms attended.

ARTICLE 13
CHAPLAIN

Section 1. The Chaplain shall submit a report in writing to the Secretary every third month advising what Lodge activities the Chaplain attended.

Section 2. The Chaplain shall report at each monthly meeting, those members that are sick, injured or in distress. The Chaplain shall be authorized to send Fruit/Flowers to those members or immediate family members that are hospitalized.

ARTICLE 14
STATE TRUSTEE

Section 1. The State Trustee shall submit a report in writing to the Secretary, every third month advising what Lodge activities the State Trustee attended.

Section 2. Serve on the Lodge audit committee.

Section 3. Serve as a member of the Lodge Board of Trustees.

Section 4. Gather data and information of every kind pertaining to the welfare of Law Enforcement and furnish the same to the Lodge on request or when deemed necessary.

ARTICLE 15
LODGE TRUSTEES

Section 1. The Lodge Trustee shall submit a report in writing to the Secretary, every third month advising what Lodge activities the Lodge Trustee attended.

Section 2. The Lodge Trustees for this Lodge shall consist of (3) (odd number of) members nominated and elected at the time, date and method as set forth for the General Election of Officers.

Section 3. They shall make a complete report of the financial conditions of the Lodge at the regular meeting in November, prior to the Nomination of Officers.

Section 3. They shall select a chairperson to speak for them at meetings, giving all reports to the Lodge.

Section 4. The term of office for each Trustees shall be 3 years on a staggered basis, with 1 Trustee elected each year.

Section 5. Assumption of Duties – All elected Trustees shall assume their duties 30 days after their election or at the next regular general meeting.

Section 6. Vacancies - In the event of a vacancy during the Trustee's term the Executive Board shall appoint a member to fill the vacancy at the next executive board meeting. The appointed Trustee shall serve out the unexpired term of their predecessor.

ARTICLE 16
GENERAL COUNSEL

[Intentionally Omitted]

ARTICLE 17
DUTIES OF THE EXECUTIVE BOARD

Section 1. Members – The Executive Board shall consist of all elective officers of Fraternal Order of Police Lodge #171, of Florida Inc.171. The elective officers of the Lodge are President, 1st Vice-President, 2nd Vice-President, Secretary, Treasurer, Sergeant at Arms, State Trustee, three (3) Trustees and Chaplain. These eleven (11) elected officers make up the Executive Board of Fraternal Order of Police Lodge #171, of Florida Inc.

Section 2. The management of the properties and affairs of the Lodge shall be vested in the Executive Board.

Section 3. The Executive Board shall:

- Decide all matters pertaining to the funds of the Lodge and shall place all income in a Lodge Treasury and direct the expenditures of it, with approval of the membership if expenses exceed \$500 for operating expenses.
- Not permit the disbursement of Lodge Funds for other than The Lodge activities and objectives. However other expenditures such as scholarships, sunshine club, etc. will be voted and approved by the membership
- Have the power by a 2/3 vote of those present at any regular or special meeting to discipline, suspend or remove any Elected Officer, Committee Member or any member of the Lodge in accordance with State FOP procedure.
- Any charges or complaints against a member must be presented in writing at a regular meeting of the Executive Board before the Board or the membership can take any action. The person making the complaint shall sign the complaint. Any member in good standing may make a complaint against another member.
- The member involved shall be notified of such meeting, informed of the nature of the complaint and given an opportunity to appear at the next meeting to answer such complaints. If the member is not available, the member may write their response to such complaint and mail it to the Lodge's official address. The response must be received within 30 days of the complaint and proof of mailing is required. All disciplinary actions will be in accordance with the State and National FOP rules.
- Receive recommendations for non-budgeted expenditures in excess of \$1000 and either disapprove of such request or recommend approval to the general membership.
- All regular Executive Board meetings are open and may be attended by any member in good standing but the attending member may not participate in the meeting. Request to attend the meeting shall be made in advance in order to accommodate members.
- The President shall have an agenda and make every effort to issue it to the Executive Board prior to the meeting. In the absence of the President, the 1st Vice-President shall preside over the meeting and make all efforts to discuss the materials on the agenda.

- No member shall hold more than one elected office at the same time.
- Elected officers shall attend at least six (6) meetings per year and failing to do so without proper excuse may at the discretion of the Executive Board be replaced.
- Upon dissolution of the Fraternal Order of Police Lodge #171, of Florida Inc. and after all outstanding debts and claims have been satisfied, distribute the property and or funds of the Lodge to the Florida State FOP Lodge.

Section 4. The Executive Board may:

- Adopt such rules and regulations for the conduct of its members and the management of The Lodge as it may deem proper, with approval of the membership.

ARTICLE 18
EXPENSES OF LODGE OFFICERS

Section 1. The President, Secretary, and Immediate Past President and any other delegate or alternate to the Conference or Board Meeting, shall receive expenses as prescribed in Subsection (A), (B), (C), and (D) of this Section.

- A. Travel - Shall be paid at tourist rate air transportation. When traveling in areas not covered by air transportation shall receive mileage at the current IRS rate.
- B. Hotel or motel accommodations.
- C. A reasonable rate for meals to be set by the Executive Board at the February Board Meeting and ratified by the membership.
- D. Registration fees.

Section 2. The President, when attending a State or National Conference or Board Meeting, shall receive additional expenses not to exceed an amount to be determined by the State for hospitality and entertainment purposes for State Board Meetings and for State and National Conferences.

Section 3. Any lodge officer or member performing duties and services for the Lodge, upon order of the President, shall be compensated for such expenses pursuant to Section 1.

Section 4. The annual compensation of the Lodge President, Lodge Secretary, and Lodge Treasurer shall be determined by a two-thirds (2/3) majority vote of the Executive Board and ratified by the membership at the February meeting (in the election year).

ARTICLE 19
FIDELITY BOND

Section 1. This lodge shall provide proof of fidelity bond or insurance to the State Lodge.

ARTICLE 20
ASSOCIATE MEMBERS

Section 1. Prospective Associate members shall submit their application accompanied by a fee determined by the President.

- A. A strict investigation shall be conducted by a standing committee, composed of three (3) Active members and two (2) Associate members.
- B. The application in question shall be checked for criminal background.
- C. This standing committee shall submit (in confidence) a majority report, and may submit a minority report if desired, to the Lodge Executive Board.
- D. Upon favorable report by the Executive Board the applicant's name shall be submitted to the Lodge membership at the next regular business meeting for approval or disapproval. A majority vote is necessary for acceptance.
- E. A dues card shall not be issued to any Associate member until they have received the Oath of Membership.

ARTICLE 21
DISCIPLINE AND HEARINGS

Section 1. In respect to any disciplinary hearing conducted by this lodge. Due process shall be afforded the parties thereto.

Section 2. In all disciplinary hearings conducted by this lodge, the body conducting such hearing shall:

- A. Require the complaint, charge or allegation be made under oath and in writing (utilizing the State Lodge Discipline Hearing Forms (D.H.F.# 1-A & 1-B), attested to and signed under oath and served upon the Lodge Secretary), and provide such facts as may enable the charged party to be fairly apprised of the nature of the charge;
- B. Ensure that the party charged is provided with a copy of such complaint, charge or allegation and given sufficient time, which in any event shall be not less than thirty (30) days, to prepare a defense, if any, thereto;
- C. Conduct a hearing upon the matter during which the trier of fact shall limit the scope of the inquiry to the specific complaint(s), charge(s) or allegation(s) set forth in the written notice thereof;
- D. Adhere to an order of procedure which places the burden of proof upon the party charging the member;
- E. Permit the parties thereto to introduce documents and exhibits and the testimony of witnesses in accordance with such rules of evidence as may be determined and applied uniformly by such body.

Section 3. Discipline may be imposed upon a member for any violation of the good of the order, including, but not limited to, the following:

- A. Violation of the Lodge #171, Florida State Lodge or National Fraternal Order of Police Constitution and By-laws, or the Ritual, oath or obligation of the Order.
- B. Acts of disloyalty to the Fraternal Order of Police, including, but not limited to, overt attempts to decertify the Fraternal Order of Police where such lodge is the certified bargaining representative of its members, holding office in an organization which encourages members of the Fraternal Order of Police to leave the Order or, where applicable, which attempts to decertify the F.O.P. or such

other acts as bring disrepute, disgrace or dishonor upon the Fraternal Order of Police.

- C. Distribution or use of the membership list for any reason without the express permission of the Lodge Executive Board;
- D. The unauthorized use or the abuse of the name or insignia of the Fraternal Order of Police or the infringement of a trademark thereof.

ARTICLE 22
LEGAL AID

Section 1. This Lodge shall establish a Legal Defense Trust to provide financial assistance to aid members in good standing.

Section 2. The purpose of this fund is to assist members of this Lodge should the member be charged with any criminal offense or have charges brought against the member administratively by the Agency or any individual as that having occurred within the scope of the members employment.

Section 3. Those participating as regularly appointed, full time police officers who are members in good standing at the time of the alleged incident are entitled to this aid.

Section 4. The revenue for this fund shall come from the members monthly dues.

Section 5. Any member of this Lodge in distress will follow this procedure to obtain this assistance:

- A. The distressed member shall apply to the President or Secretary, stating the member reasons for the assistance. The member shall be permitted an initial three (3) hours with the Lodge Attorney(s).
- B. Members of this Lodge shall not have vested right to demand any certain sum of money. All requests will go before the Executive Board for approval and then to the membership at the next regular business meeting.
- C. No funds shall be disbursed in payment of any fine and/or costs or satisfaction of judgment or lien, as the result of this action or any other.
- D. The distressed member shall have the right of appeal if the Executive Board determines that the member is not entitled to such aid. The member shall then go before the general membership at the next regular business meeting whereby a majority vote of those present shall be the final decision.

Section 6. If the distressed member is granted financial aid from this Lodge, the monies shall be sent to the Attorney of the member choice. Provided that the Lodge has received an itemized billing from the Attorney.

Section 7. Any member receiving assistance under this Article and who subsequently successfully receives compensation in excess of his normal compensation, shall return to

this Lodge that compensation received, provided returning of such compensation does not cause the member compensation to be less than his normal wages.

Section 8. After the Lodge member has received assistance from this Lodge and/or their District the member may put in a Request for legal assistance or financial aid (through this Lodge) to the State Lodge. All requests must be in writing, and shall include all appropriate and relevant documentation and materials. It should be forwarded to the State Secretary (State Office) who shall forward copies of same to the State Legal Aid Committee.

Section 9. The Legal Aid Committee (Executive Board) shall meet and confer (in person or telephonically) in respect to each request and shall determine whether the requesting member has complied with the provisions of this Article. In the event that the request has followed the procedure set forth herein, the committee shall further review the request, conduct such investigation as it deems necessary or appropriate, and make its recommendation to the membership at the next regular business meeting.

Section 10. All requests for legal assistance or financial aid shall be heard at the next regular membership meeting. In the case of an extreme emergency where time is of the essence and the delay caused by waiting for the next meeting could cause irreparable injury, a direct request may be made to the President, which request shall be in the same form as otherwise provided herein for request made to the State Executive Board. The President and Executive Board shall consider the matter and, upon majority vote thereof, may grant the legal aid requested.

Section 11. No member shall allege, represent or promise that the Lodge will assume any payment or provide any assistance or aid nor shall the Lodge, or any officer, employee, agent or representative provide or promise to provide any legal assistance or financial aid except in conformity herewith. Any provision of such legal assistance or financial aid shall be specifically authorized by the Lodge, memorialized by a writing signed by the President and Secretary under the Lodge Seal.

ARTICLE 23
SOLICITATION

Section 1. This Lodge (F.O.P., F.O.P.A.) shall comply with all Florida State laws in reference to solicitation.

Section 2. Failure to comply can result in disciplinary action as stated in the Florida State Lodge Constitution and By-laws.

ARTICLE 24
ANNUAL BUDGET

Section 1. The Annual Budget of this Lodge shall include an estimate of anticipated revenue, anticipated expenditures, and line-item estimates of the needs of the administrative and operational functions of the Lodge. Line items shall include, but not be limited to, the following:

- A. State Conference and Board Meeting Expenses
- B. Lodge Office Expenditures
- C. Committee Expenditures
- D. Legal Expenses

Section 2. Any other provision of these By-laws notwithstanding, the Lodge President shall not approve any warrant or voucher in excess of the budgeted amount for any particular line item, or sub-line-item account. Each Officer, committee chairman and employee will cooperate in the institution of and compliance with the annual budget of the Lodge and will, upon request thereof, submit an itemized budget with respect to anticipated revenues and expenses in their area of control or interest for the next fiscal year.

ARTICLE 25
FUNDS

Section 1. All monies collected on behalf of the Lodge or resulting from authorized lodge functions shall be deposited in the Lodge Treasury in a chartered Florida Bank account and shall be used to further the purpose and activities of the lodge. Other funds collected shall not be commingled and will be used according to its designated purpose.

Section 2. Between regular meetings the President with approval of the majority of the Executive Board shall have the discretion to expend up to \$500 for business of the Lodge and such expenditures shall be recorded and placed in the minutes of the executive board meetings to be read to the membership at the next regular meeting. Expenditures exceeding \$500 dollars shall be approved by a vote of the body of the membership at a regular or special meeting.

Section 3. Section 3. A board member may request permission to purchase an item for the lodge for any amount up to \$200.00.

*A request form must be submitted indicating the exact amount and the reason for this expenditure. Upon approval by the board or the president. A receipt for same shall be given to the treasurer for filing. *(Added December 30, 2021)*

ARTICLE 26
DUES AND ASSESSMENTS

Section 1. Annual membership - The dues of the annual membership shall be decided by the Executive Board and presented and approved by the members at a general meeting.

Dues must be payable prior to October 31 of the year. Dues not paid by the last day of October that year shall be considered in arrears and the members may be considered for removal from the membership rolls.

Section 2. The yearly dues for each Active member shall be set by the President.

A. The dues shall be divided into twenty-six (26) equal payments and taken out as a payroll deduction, or at the Lodges discretion.

Section 3. Retired members shall pay dues as determined by the President.

Section 4. New members shall be responsible for payment of the current year's annual dues upon joining. If a new member joins after July 1st- November 31st, they will be charged \$100, \$25 to cover half year and \$75 payment for the following year. In December the normal fee will be the normal \$75.

A. Any increase in the amount of annual dues shall be by vote of a majority of the members at a regular meeting after being voted and approved by the Executive Board.

Section 5. Assessments - In the event of an emergency as determined by the Executive Board in accordance with this Constitution, the Executive Board shall first determine the amount of assessment required from each member in order to meet the emergency.

A. The Executive Board shall then notify the membership by notice of its intent to levy an assessment upon the membership, setting forth the reason for the assessment and a detailed account of probable expenditures.

B. The membership would then be provided an opportunity to vote either for the assessment or against the assessment at either a Special meeting or the next regular business meeting. Absentee ballots would be allowed for those members unable to attend because of work, sickness or vacation.

Section 6. Any member who has withdrawn from membership and wishes to once again become active and a member in good standing may do so by the payment of all past amounts due. In addition, thereto, the member will pay the current initiation fee at the time of reapplication.

ARTICLE 27
BY-LAW AMENDMENTS

Section 1. In order to amend these By-laws, three (3) members in good standing shall sign the proposed amendment, or the Lodge Constitution and By-Laws Committee or a majority of the Executive Board shall submit the proposed amendment. No proposed amendment shall become part of these By-laws except upon two-thirds (2/3) vote of those members voting at a regular business meeting or a special meeting, after proper notice has been posted.

Section 2. Proposed amendments to these By-laws shall be submitted to the Secretary at least thirty (30) days prior to the convening of the next regular business meeting. The Secretary shall post a copy of such proposed amendments at least twenty (20) days prior to the next meeting.

Section 3. A proposed amendment shall contain the precise language of the proposed amendment, shall specifically set forth the language to be added, deleted and/or revised, and shall identify each and every Article and Section of the By-laws affected thereby. Proposed amendments shall not be set forth in resolution form but shall be accompanied by a statement, not to exceed one (1) page in length, setting forth the basis for the proposed amendment.

Section 4. The Constitution and By-Laws Committee shall receive proposed amendments to these By-laws and shall review same for form, grammar, and placement within the By-laws and shall report to the membership its conclusions and recommendations thereof.

Section 5. In the event the National Fraternal Order of Police or the Florida State Fraternal Order of Police amends their By-Laws and that amendment(s) requires that all subordinate State Lodges shall amend their respective By-Laws to comply with the National Fraternal Order of Police amendment or the Florida State Fraternal Order of Police, these By-Laws shall be considered as amended to comply with the National Fraternal Order of Police or the Florida State Fraternal Order of Police amendment until such time this Lodge's By-Laws shall be amended to comply with the National Fraternal Order of Police, or the Florida State Fraternal Order of Police directive.

ARTICLE 28
ORDER OF BUSINESS

The following is the general manner in which to conduct a meeting and should be continue to be the standard order of business. This process may, however be changed to fit the needs of the Lodge with the approval of the President:

1. Call to order
2. Pledge of allegiance to the Flag and Invocation.
3. Roll call of officers.
4. Introduction of special guests.
- 5 Communications and Report:

- President

- 1st Vice-President

- 2nd Vice President

- Secretary

- Treasurer

- Sergeant at Arms

- State Trustee

- Trustees

- Chaplain

- Committee Reports

Article 29
ATTESTATION

In as much as this great lodge will also be known as the Fraternal Order of Police Lodge #171, of Florida Inc., which was formed by two members and not an executive board, it will remain in control by its members. In accordance to the Constitution and By-Laws of the National and State Fraternal Order of Police. The executive board will remain the necessary instrument to convey the wishes of the membership and should never be a position of personal need or desires. It will continue to be the means by which the desires of the members are cohesively managed and instituted. As in Law Enforcement, this lodge will continue its traditions of camaraderie, loyalty, honor, and respect for each other and our citizens. Police derives from the Latin word “Politia” which means civil administration and that is what we as members and executive board should strive for. Our members and our administrators being of Police families should continue to be models for others to imitate. Our Fraternal Order of Police Lodge #171, of Florida Inc. will be that model for which all other Lodges will look to emulate with the assistance of our God and I pray.

Attest: David Mazzone-President

Prepared: Joe Mondello, State Trustee

Dated: July 18, 2023