



**\*BYLAWS OF THE  
EAST TEXAS SECTION  
OF THE  
AMERICAN CHEMICAL SOCIETY**

**BYLAW I  
Name**

The name of this organization shall be the East Texas Section (hereinafter referred to as the "Section") of the AMERICAN CHEMICAL SOCIETY (hereinafter referred to as the "SOCIETY").

**BYLAW II  
Objects**

Section 1. The objects of the Section shall be those of the SOCIETY as stated in the Charter and Constitution of the SOCIETY.

Section 2. Nothing in these bylaws shall be inconsistent with the Charter, Constitution, and Bylaws of the SOCIETY.

**BYLAW III  
Territory**

The territory of the Section shall be that assigned to it by the SOCIETY.

**BYLAW IV  
Members and Affiliates**

Section 1. The rolls of the Section shall include those MEMBERS, STUDENT MEMBERS, and Society Affiliates of the SOCIETY residing within the territory of the Section, provided that

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\*Effective April 27, 2012. Approved, as amended, by the Committee on Constitution and Bylaws, acting for the Council of the AMERICAN CHEMICAL SOCIETY. (C&B: [bylaws@acs.org](mailto:bylaws@acs.org); [www.acs.org/bulletin5](http://www.acs.org/bulletin5))

exceptions to this rule shall be made in conformity with the Constitution and Bylaws of the SOCIETY.

Section 2. MEMBERS and STUDENT MEMBERS shall have such rights and privileges as are accorded them by the Constitution and Bylaws of the SOCIETY. STUDENT MEMBERS may not hold elective positions or serve as Temporary Substitute Councilors. STUDENT MEMBERS may vote for elective positions and vote on Articles of Incorporation and bylaws.

Section 3. Society Affiliates may not vote for or hold an elective position of the Section, vote on Articles of Incorporation or bylaws of the Section, or serve as voting members of the Executive Committee. Society Affiliates may be appointed as Committee Chairs.

## **BYLAW V Organization**

Section 1. The officers of the Section shall be MEMBERS of the SOCIETY and shall consist of a Chair, Chair-Elect, Secretary, and Treasurer. The offices of Secretary and of Treasurer may be held by the same person.

Section 2. The Section shall have Councilors and Alternate Councilors as provided in the Constitution and Bylaws of the SOCIETY.

Section 3. The Executive Committee shall consist of the officers of the Section, the Immediate Past Chair, the Councilors, the Alternate Councilors, and one designee from each Student Chapter within the territory of the Section.

## **BYLAW VI Manner of Election and Terms of Office**

Section 1. Elected officers of the Section shall serve for a term of one year, beginning on January 1, or until their successors qualify. Upon completion of the term of office, the Chair-Elect shall succeed to the office of Chair.

Section 2. Councilors and Alternate Councilors shall serve for a term of three years beginning on January 1.

Section 3. In the event of a vacancy in the office of Chair, the Chair-Elect shall assume the added duties of the Chair for the unexpired term. All other vacancies shall be filled by the Executive Committee by interim appointment for the period up to the next annual election, at which time the Section shall elect a MEMBER to fill out the unexpired term, if any. In the event the office of Chair-Elect is filled by such interim appointment, the Section shall elect both a Chair and a Chair-Elect at its annual election.

Section 4. The Nominating Committee shall nominate one or more MEMBERS for each elective position for which a vacancy will occur, and shall make a report at a regular meeting of the

Section. With the exception of the Chair and Chair-Elect, the incumbent of any elective position may be renominated. Nominations from the floor (which must be seconded) or by petition bearing the signatures of at least five members of the section are in order, following the report of the Committee. No nominees' names shall be placed on the ballot unless they have stated their willingness to serve if elected.

Section 5. The election of officers shall be conducted either at a regular meeting subsequent to that mentioned elsewhere in these bylaws or, at the discretion of the Executive Committee, by a ballot distributed to the members of the Section in accordance with the Bylaws of the SOCIETY. A tie vote shall be resolved by vote of the members of the Executive Committee.

Section 6. Councilor(s) and Alternate Councilor(s) shall be elected by a ballot distributed to the members of the Section in accordance with the Bylaws of the Society.

Section 7. Elections shall be completed and the results certified to the Executive Director of the SOCIETY by December 1, as required by the Bylaws of the SOCIETY.

Section 8. For distributed ballots, no less than three weeks must be provided between the date of distribution of the ballots to the members and the deadline for their return to the Secretary or other designated officer of the Section.

## **BYLAW VII**

### **Recall of Elected Officials**

Section 1. The elected officials of the Section (officers or elected Executive Committee members) are subject to recall for neglect of duties or conduct injurious to the SOCIETY. Recall procedures are not applicable to Councilors and Alternate Councilors elected by Local Sections.

Section 2. The recall of an official shall be initiated when a signed petition, indicating in writing the specific charges and reasonable substantiating evidence is submitted to the Chair from at least five voting members of the Section. In the event the Chair is the official in question, the Chair-Elect shall receive the petition and shall assume the duties of the Office of Chair with respect to this issue until the issue is resolved.

Section 3. The Chair shall, without delay, determine that the petitioners are aware of the gravity of their actions and the procedures to be followed. The Chair shall seek an alternate resolution to the problem and a withdrawal of the petition at this time. In the absence of a resolution to the problem, the Chair shall notify the members of the Executive Committee and call a special meeting within thirty days.

- a. The Executive Committee shall promptly continue the recall process or dismiss the petition as ill-founded or find an alternative solution to the problem. The Chair shall promptly inform the petitioners and the official of the decision of the Executive Committee.
- b. If the proceedings continue, the Chair shall assign the duties of the official to another MEMBER of the Section until the issue is resolved.

- c. If the proceedings continue, the official shall be offered an opportunity to answer the allegations in the petition before the Executive Committee.

Every reasonable effort shall be made to contact the official throughout this procedure. That effort shall include a certified letter to the last known address on the official SOCIETY membership rolls. Upon notification, the official shall have thirty days to make a written response to the allegations. The Executive Committee shall decide whether to proceed after studying the official's response. The Chair shall inform the official and the petitioners of the decision of the Executive Committee.

If no contact with the official can be made after a reasonable effort, the Executive Committee may remove the official in question with a two-thirds (2/3) vote of the remaining members.

- d. If the proceedings continue, the official shall choose one of the following options:

- (1) The official may resign.
- (2) The official may request a recall vote in the same manner as the original election, which must be consistent with the Section bylaws. The voting membership shall be informed, through brief written statements prepared by the Executive Committee and the official, of the issues involved with the recall vote. Both statements shall be distributed to the voting membership before the vote is taken.
- (3) The official may request a hearing and a recall vote by the remaining members of the Executive Committee. A two-thirds (2/3) vote of the remaining members of the Executive Committee shall be required to recall the official.
- (4) The official may choose not to respond and thus forfeit the position.

Section 4. The vacancy provisions of these bylaws shall be used to fill a vacancy caused by a recall process. The membership of the Section and the Executive Director of the SOCIETY shall be informed of the results of the recall process and the replacement of the official.

### **BYLAW VIII**

#### **Duties of Officers and Executive Committee**

Section 1. The duties of the officers shall be those customarily performed by such officers, together with those responsibilities prescribed by the Constitution and Bylaws of the SOCIETY and by these bylaws and such other duties as may be assigned from time to time by the Executive Committee.

Section 2. The Chair of the Section shall serve as Chair of the Executive Committee and shall appoint all committees authorized in these bylaws or by the Executive Committee. Committee chairs shall be designated by the Section Chair.

Section 3. The Executive Committee shall be the governing body of the Section and as such, shall have full power to conduct, manage, and direct the business and affairs of the Section in accordance with the Constitution and Bylaws of the SOCIETY and these bylaws.

### **BYLAW IX Committees**

Section 1. The Executive Committee shall establish committees as necessary for the proper operation of the Section.

Section 2. The Executive Committee shall appoint a Nominating Committee.

### **BYLAW X Meetings**

Section 1. The Section shall hold regular meetings at places and times designated by the Executive Committee.

Section 2. The Section may hold special meetings at the call of the Executive Committee or at the written request of 15 members of the Section. The notices of special meetings shall state the exact nature of the business to be considered and no other business shall be transacted at such meetings.

Section 3. Due notice of all meetings shall be distributed to each member and Society Affiliate of the Section. A quorum for transaction of business at a Section meeting shall consist of at least 10 members of the Section. No business shall be transacted in the absence of a quorum.

Section 4. The Executive Committee shall meet upon due notice to its members at the call of the Chair or at the request of a majority of the members of the Committee. In the absence of a quorum, which shall be a majority of the members of the Executive Committee, called meetings of the Executive Committee shall adjourn to a date to be announced.

### **BYLAW XI Finances**

All members and Society Affiliates of the Section may be assessed such voluntary annual Local Section dues as may be set by the Executive Committee. At the discretion of the Executive Committee, Local Section Dues for STUDENT MEMBERS may be waived.

### **BYLAW XII Amendments**

Section 1. These bylaws shall be amended as follows:

- a. The proposed amendment(s) shall have been first submitted to the Executive Committee by at least five members, or shall have been raised by the Executive Committee, and shall have been evaluated and approved by a majority of the members of the Executive Committee.
- b. If a dispute arises regarding approval of said amendment(s), the Executive Committee may resolve the issue by majority vote of the Committee after hearing discussion of the issue at a regular meeting of the Section, or the Committee may decide to hold a special election of the Section to resolve it.
- c. The Section Secretary shall send the proposed bylaw amendment(s) to the SOCIETY's Committee on Constitution and Bylaws for a preliminary review. After receipt of the review, the Executive Committee will then make appropriate changes as necessary. The Secretary shall then distribute to all Section members a suitable explanation of the bylaw amendment(s), along with a ballot.
- d. At least two-thirds (2/3) of votes cast shall be required to approve the amendment.

Section 2. The Secretary shall distribute the outcome of the ballot regarding the amendment(s) to the Section members and within one month, shall meet all requirements for submitting the results to the Committee on Constitution and Bylaws.

Section 3. Amendments to these bylaws, after adoption by the Section, shall become effective upon approval by the Committee on Constitution and Bylaws, acting for the Council, unless a later date is specified.

### **BYLAW XIII**

#### **Dissolution of Section**

Upon the dissolution of the Section, any assets of the Section remaining thereafter shall be conveyed to such organization then existent, within or without the territory of the Section, dedicated to the perpetuation of objects similar to those of the AMERICAN CHEMICAL SOCIETY, or to the AMERICAN CHEMICAL SOCIETY, so long as whichever organization is selected by the governing body of the Section at the time of dissolution shall be exempt under Section 501(c)(3) of the Internal Revenue Code of 1954 as amended or under such successor provision of the Code as may be in effect at the time of the Section's dissolution.