



***BYLAWS OF THE
SAN DIEGO SECTION
OF THE
AMERICAN CHEMICAL SOCIETY**

**BYLAW I
Section Name**

This organization shall be known as the San Diego 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, especially the encouragement and advancement of chemistry in all its branches; and by its meetings, reports, papers, discussions, and publications, to promote scientific interests and inquiry.

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 MEMBERS, STUDENT MEMBERS, and Society Affiliates of the SOCIETY residing within the territory of the Section, provided that

***Effective December 5, 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; www.acs.org/bulletin5)

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

Section 2. The Section may have Local Section Affiliates as authorized in the Constitution and Bylaws of the SOCIETY. A person may become a Local Section Affiliate upon approval by the Executive Committee of an application submitted to the Secretary, and payment of the specified dues.

Section 3. MEMBERS and STUDENT MEMBERS shall have such rights and privileges as are accorded them by the Constitution and Bylaws of the SOCIETY. STUDENT MEMBERS shall have all the rights of MEMBERS but may not serve as Councilors, Alternate Councilors, Temporary Substitute Councilors, Chair, or Chair-Elect. STUDENT MEMBERS may serve as Secretary, Treasurer and Members-at-Large.

Section 4. Society Affiliates and Local Section 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 serve as appointed members or chairs of committees, other than standing committees or the Nominating Committee.

BYLAW V Organization

Section 1. The officers of the Section shall be: Chair, Chair-Elect, Secretary, and Treasurer. The Chair and Chair-Elect shall be MEMBERS of the SOCIETY and the Section. The Secretary and Treasurer shall be members of the SOCIETY and the Section. The offices of Secretary and Treasurer may be held by one person.

Section 2. The Section shall have Councilors and Alternate Councilors as authorized by the SOCIETY.

Section 3. The Executive Committee shall consist of the Section officers, Councilors and Alternate Councilors, the Immediate Past Chair, Members-at-Large, and chairs of the standing committees.

BYLAW VI Terms of Office

Section 1. The Chair-Elect, Secretary, and Treasurer shall hold office for one year, or until their successors qualify.

Section 2. The Chair-Elect shall succeed to the office of Chair upon the completion of the term of office. At the same time, the previous Chair becomes the Immediate Past Chair.

Section 3. Councilors and Alternate Councilors are each to be elected for a term of three years.

Section 4. Members-at-Large are to be elected for terms of three years, but their terms will be staggered so that one is elected each year if possible.

Section 5. All officers and others shall assume office on January 1.

Section 6. The Executive Committee shall fill any vacancy in its membership and any vacant office by the appointment of any member of the Section qualified to hold office, and such member so appointed shall serve until the next annual election. Vacancies in the positions of Councilor and Alternate Councilor shall be filled by the Executive Committee by interim appointment of a MEMBER of the Section, for the period up to the next annual election, at which time the Section shall elect a MEMBER to fill out the unexpired term. Vacancies in the position of Member-at-Large 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.

BYLAW VII Manner of Election

Section 1. At an Executive Committee meeting to be held prior to October 1 in each year, the Chair shall appoint a Nominating Committee of no fewer than three members who are not officers of the Section to provide nominees for each elected position of the Executive Committee.

Section 2. The Nominating Committee shall present its report of nominees to the Executive Committee by October 10. With exception of the Chair and Chair-Elect, the incumbent of any elective position may be nominated for another term. After the report of the Committee, nominations may be received from the floor with the approval of a majority of the members of the Executive Committee present or by petition signed by 25 members. Only nominees who have agreed to serve if elected may be named on the ballot as candidates. The Secretary shall distribute the report of the Nominating Committee to all members of the Section together with instructions for completion of a secret ballot. The secret ballot may be available by mail or by any other means allowable by the SOCIETY. In the event the election is to be held by means other than by mail-in ballot, the Secretary shall announce the election to the members by October 10 to allow all members to request a mail-in ballot. All members shall be allowed to vote only once, regardless of the format in which the ballot is provided. Members may add candidates of their own selection by entering the names on the ballot.

Section 3. Members shall make their choices on the official ballot. All mail ballots cast shall be so mailed to the Secretary. All electronic ballot results shall be sent to the Secretary by the person or organization conducting the election.

Section 4. All valid ballots cast as described above and received by the Secretary by noon on November 25, preceding the annual meeting, shall be counted and/or validated by Tellers appointed by the Chair. The vote tally shall be reported to the Chair. The Tellers shall submit a written report at the annual meeting as describe elsewhere in these bylaws.

Section 5. In case of a tie vote for any elected position, the members present at the annual meeting shall forthwith proceed to decide between the candidates by vote.

Section 6. The Secretary shall retain all ballots and/or voting records for at least ninety days after either the announcement of the results to the membership or until any disputes have been resolved, whichever is later.

BYLAW VIII

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 25 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 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.
- (3) The official may choose not to respond within thirty days 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 IX Duties of Officers and Executive Committee

Section 1. The duties of the officers shall be such as usually pertain to their offices, together with those required by the Constitution and Bylaws of the SOCIETY and other such duties as may be given 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, subject to ratification by the Executive Committee, the chairs of the various committees with the exception of the Program Committee.

Section 3. The Executive Committee is the governing body of the Section and shall have charge of the affairs, funds and property of the Section and of all other matters not otherwise provided for in these bylaws.

Section 4. The Chair-Elect shall serve as Program Chair.

Section 5. The Treasurer shall receive and deposit all funds paid to the Section in the name of the Section and shall disburse funds only at the direction of the Executive Committee. The Treasurer shall be bonded in a suitable manner if and when the Executive Committee so provides.

BYLAW X Committees and Their Duties

Section 1. There shall be a Nominating Committee as provided for elsewhere in the bylaws.

Section 2. The standing committees of the Section shall be determined by the Executive Committee. The Executive Committee may add or delete standing committees to meet the needs of the Section. Other ad hoc committees may be appointed from time to time by the Chair.

Section 3. The Chair shall be ex officio member of all committees except the Nominating Committee.

Section 4. With the exception of the Nominating Committee, the Chair of the Section shall appoint the membership of all other committees, with the concurrence of the Executive Committee.

BYLAW XI

Meetings

Section 1. At least two Section meetings shall be held each year. One such meeting is to be the annual meeting, held in December, at which time reports are received and election returns announced.

Section 2. The Section may have special meetings within thirty days upon the call of a majority of the Executive Committee or upon the request of 20 percent of the members of the Section. The notices for special meetings shall state the exact nature of business intended to be transacted and no other business shall transpire at such meetings.

Section 3. A quorum for the transaction of business at a meeting of the Section shall be 30 members of the Section. In the absence of a quorum, regular and special meetings shall adjourn to a date.

Section 4. At regular meetings of the Section, the normal order of business shall be:

- a. Reading of Papers
- b. Minutes of previous meeting
- c. Reports of Officers
- d. Reports of Committees
- e. Miscellaneous business
- f. Adjournment

Section 5. The order of business at any regular meeting of the Section, excepting the annual meeting, may be suspended at the discretion of the Chair.

Section 6. The parliamentary procedure for all Section meetings not specifically provided for in these bylaws shall be subject to the latest edition of *Robert's Rules of Order Newly Revised*.

Section 7. The Executive Committee shall meet upon due notice at such times and places as may suit its convenience upon call of the Chair or within thirty days following a request of a majority of its members.

Section 8. A quorum for an Executive Committee meeting shall consist of 10 members of the Board. In the absence of a quorum, the Executive Committee shall take no official action.

Section 9. In urgent matters, the Chair may poll the Executive Committee provided that the communication is distributed to all members of the Executive Committee and the votes are recorded by the Secretary who shall certify a quorum among the responses. In addition, the Executive Committee shall affirm the vote at its next meeting.

BYLAW XII
Dues, Funds, Donations and Bequests

Section 1. All Society Affiliates and members except MEMBERS in emeritus status of the SOCIETY, may annually be assessed such voluntary local dues as the Section may determine.

Section 2. All Local Section Affiliates shall pay annual dues as set by the Executive Committee. Failure to pay such dues in advance shall terminate such affiliation.

Section 3. The raising and collecting of funds other than dues may be provided by agreement of a majority of Executive Committee members subject to the Constitution and Bylaws of the SOCIETY.

Section 4. Donations or bequests of funds or property may be accepted on behalf of the Section by the Executive Committee, subject to the provisions of the Constitution and Bylaws of the SOCIETY.

BYLAW XIII
Amendments to Bylaws

Section 1. These bylaws shall be amended as follows:

- a. The proposed amendment shall have been first been 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).
- d. At least two-thirds (2/3) of the votes cast shall be required to approve the amendment(s).

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

Section 3. Amendment(s) to these bylaws shall become effective upon approval by the Committee on Constitution and Bylaws, acting for the Council of the SOCIETY, unless a later date is specified.

BYLAW XIV
Dissolution

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 Local Section, as is 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 Local 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 at the Section's dissolution.