

# The County & District Clerks' Association of Texas

---

---



---

---

## **BYLAWS 2016**

(with amendment language)

# TABLE OF CONTENTS

## BYLAWS OF THE COUNTY AND DISTRICT CLERKS' ASSOCIATION OF TEXAS

A NON-PROFIT CORPORATION Travis County, Austin, Texas

<b>ARTICLE I - THE CORPORATION .....</b>	<b>PAGE 1</b>
<b>THE NAME OF THE CORPORATION (1.01) .....</b>	<b>PAGE 1</b>
<b>ARTICLE II-THE PURPOSE .....</b>	<b>PAGE 1</b>
<b>THE PURPOSE OF THE ASSOCIATION (2.01).....</b>	<b>PAGE 1</b>
<b>ARTICLE III-OFFICE OF THE ASSOCIATION .....</b>	<b>PAGE 1</b>
<b>OFFICE OF THE ASSOCIATION (3.01).....</b>	<b>PAGE 1</b>
<b>ARTICLE IV-REGISTERED OFFICE AND REGISTERED AGENT.....</b>	<b>PAGE 1</b>
<b>REGISTERED OFFICE AND REGISTERED AGENT (4.01).....</b>	<b>PAGE 1</b>
<b>ARTICLE V-MEMBERS .....</b>	<b>PAGE 1</b>
<b>CLASSES OF MEMBERS (5.01) .....</b>	<b>PAGE 1</b>
<b>RIGHTS OF ACTIVE MEMBERS (5.02) .....</b>	<b>PAGE 2</b>
<b>ABSENTEE VOTING (5.03) .....</b>	<b>PAGE 3</b>
<b>NON-ACTIVE MEMBERSHIP (5.04).....</b>	<b>PAGE 3</b>
<b>TERMINATION OF MEMBERSHIP – DELIQUENT IN DUES (5.05) REPEALED</b>	<b>PAGE 4</b>
<b>TERMINATION OF MEMBERSHIP - VOLUNTARY (5.06) .....</b>	<b>PAGE 4</b>
<b>TERMINATION OF MEMBERSHIP – INVOLUNTARY (5.07) .....</b>	<b>PAGE 4</b>
<b>REINSTATEMENT (5.08) .....</b>	<b>PAGE 4</b>
<b>TRANSFER OF MEMBERSHIP (5.09).....</b>	<b>PAGE 4</b>
<b>CERTIFICATE OF MEMBERSHIP (5.10) .....</b>	<b>PAGE 4</b>
<b>ARTICLE VI - MEETINGS.....</b>	<b>PAGE 4</b>

MEETING OF MEMBERS – ANNUAL (6.01).....	PAGE 5
SPECIAL MEETING (6.02).....	PAGE 5
PLACE OF MEETING (6.03).....	PAGE 5
NOTICE OF MEETING (6.04).....	PAGE 5
MEETING OF MEMBERS -REGIONAL (6.05).....	PAGE 5
QUORUM (6.06).....	PAGE 5
NATIONAL EMERGENCIES (6.07).....	PAGE 5
<b>ARTICLE VII–OFFICERS</b> .....	<b>PAGE 5</b>
OFFICERS OF THE ASSOCIATION (7.01) .....	PAGE 5
ELECTION, QUALIFICATIONS, TERM OF OFFICE (7.02).....	PAGE 6
ROTATION OF OFFICERS (7.03) .....	PAGE 7
REMOVAL OF OFFICERS (7.04) .....	PAGE 7
VACANCIES (7.05).....	PAGE 7
EXECUTIVE BOARD (7.06) .....	PAGE 7
PRESIDENT (7.07).....	PAGE 8
VICE PRESIDENT (7.08) .....	PAGE 9
TREASURER (7.09) .....	PAGE 9
SECRETARY (7.10) .....	PAGE 11
<b>ARTICLE VIII-BOARD OF DIRECTORS</b> .....	<b>PAGE 12</b>
GENERAL POWERS (8.01).....	PAGE 12
NUMBER, TENURE AND QUALIFICATIONS (8.02).....	PAGE 13
DIRECTOR-IN-CHARGE (8.03) .....	PAGE 14
REGULAR MEETING (8.04) .....	PAGE 14
SPECIAL MEETING (8.05).....	PAGE 14
NOTICE OF SPECIAL MEETING (8.06) .....	PAGE 14

<b>QUORUM (8.07)</b> .....	<b>PAGE 15</b>
<b>MANNER OF ACTING (8.08)</b> .....	<b>PAGE 15</b>
<b>VACANCIES (8.09)</b> .....	<b>PAGE 15</b>
<b>INFORMAL ACTION (8.10)</b> .....	<b>PAGE 15</b>
<b>ARTICLE IX-ANNUAL CONFERENCE</b> .....	<b>PAGE 15</b>
<b>CONFERENCE CITY (9.01)</b> .....	<b>PAGE 15</b>
<b>REGISTRATION (9.02)</b> .....	<b>PAGE 18</b>
<b>MEMORIAL (9.03)</b> .....	<b>PAGE 18</b>
<b>NEW CLERKS (9.04)</b> .....	<b>PAGE 19</b>
<b>PAST PRESIDENTS (9.05)</b> .....	<b>PAGE 19</b>
<b>BUSINESS FRIENDS AND EXHIBITORS (9.06)</b> .....	<b>PAGE 19</b>
<b>COUNTY GOVERNMENT ASSOCIATIONS (9.07)</b> .....	<b>PAGE 19</b>
<b>ARTICLE X-COMMITTEES</b> .....	<b>PAGE 19</b>
<b>COMMITTEES (10.01)</b> .....	<b>PAGE 19</b>
<b>TERM OF OFFICE (10.02)</b> .....	<b>PAGE 20</b>
<b>CHAIRPERSON (10.03)</b> .....	<b>PAGE 20</b>
<b>VACANCIES (10.04)</b> .....	<b>PAGE 20</b>
<b>QUORUM (10.05)</b> .....	<b>PAGE 20</b>
<b>RULES (10.06)</b> .....	<b>PAGE 20</b>
<b>BYLAWS COMMITTEE (10.07)</b> .....	<b>PAGE 20</b>
<b>LEGISLATIVE COMMITTEE (10.08)</b> .....	<b>PAGE 21</b>
<b>NOMINATING COMMITTEE (10.09)</b> .....	<b>PAGE 23</b>
<b>CONFERENCE CITY SELECTION COMMITTEE (10.10)</b> .....	<b>PAGE 23</b>
<b>AUDIT COMMITTEE (10.11)</b> .....	<b>PAGE 24</b>
<b>CERTIFICATION AND VALIDATIONS COMMITTEE (10.12) REPEALED</b>	<b>PAGE 24</b>

EDUCATION COMMITTEE (10.13).....	PAGE 24
SCHOLARSHIP COMMITTEE (10.14) .....	PAGE 25
PROCEDURE MANUAL COMMITTEE (10.15) .....	PAGE 26
RESOLUTIONS COMMITTEE (10.16) REPEALED.....	PAGE 26
MEMORIAL COMMITTEE (10.17) .....	PAGE 26
PICTORIAL DIRECTORY COMMITTEE (10.18) .....	PAGE 27
SALES COMMITTEE (10.19) .....	PAGE 27
WEB-SITE/LIST SERVE COMMITTEE (10.20) .....	PAGE 27
HISTORICAL COMMITTEE (10.21) .....	PAGE 27
ARTICLE XI-EDUCATION .....	PAGE 27
EDUCATION CERTIFICATION (11.01) .....	PAGE 27
INSTRUCTION (11.02) .....	PAGE 28
ATTENDANCE (11.03) .....	PAGE 28
RECORD OF CREDIT HOURS (11.04) .....	PAGE 29
ARTICLE XII – CLERK OF THE YEAR.....	PAGE 29
CLERK OF THE YEAR AWARD (12.01) .....	PAGE 29
ARTICLE XIII-BOOKS AND RECORDS.....	PAGE 30
BOOKS AND RECORDS (13.01).....	PAGE 30
ARTICLE XIV – COMPENSATION.....	PAGE 31
COMPENSATION- BOARD OF DIRECTORS (14.01) .....	PAGE 31
MEMBERS (14.02).....	PAGE 32
ARTICLE XV –DUES .....	PAGE 32
ANNUAL DUES (15.01).....	PAGE 32
ARTICLE XVI – BUDGET.....	PAGE 32
BUDGET (16.01) .....	PAGE 33

<b>ARTICLE XVII – CONTRACTS, CHECKS, DEPOSITS AND FUNDS.....</b>	<b>PAGE 33</b>
<b>CONTRACTS (17.01) .....</b>	<b>PAGE 33</b>
<b>CHECKS AND DRAFTS (17.02) .....</b>	<b>PAGE 33</b>
<b>DEPOSITS (17.03) .....</b>	<b>PAGE 33</b>
<b>REVENUE (17.04) .....</b>	<b>PAGE 33</b>
<b>GIFTS AND DONATIONS (17.05) .....</b>	<b>PAGE 33</b>
<b>BANK BALANCE (17.06) REPEALED.....</b>	<b>PAGE 33</b>
<b>AUDIT (17.07) .....</b>	<b>PAGE 34</b>
<b>ARTICLE XVIII – PLANNING .....</b>	<b>PAGE 34</b>
<b>LONG RANGE PLANNING (18.01) REPEALED .....</b>	<b>PAGE 34</b>
<b>ARTICLE XIX - FISCAL YEAR.....</b>	<b>PAGE 34</b>
<b>FISCAL YEAR (19.01).....</b>	<b>PAGE 34</b>
<b>ARTICLE XX – SEAL .....</b>	<b>PAGE 34</b>
<b>SEAL (20.01) .....</b>	<b>PAGE 34</b>
<b>ARTICLE XXI – WAIVER OF NOTICE .....</b>	<b>PAGE 34</b>
<b>WAIVER OF NOTICE (21.01).....</b>	<b>PAGE 34</b>
<b>ARTICLE XXII – AMENDMENTS .....</b>	<b>PAGE 34</b>
<b>AMENDMENTS TO BYLAWS (22.01) .....</b>	<b>PAGE 34</b>
<b>EXHIBIT “A” SCHOLARSHIP GUIDELINES.....</b>	<b>PAGE 40</b>

# **BYLAWS OF THE COUNTY AND DISTRICT CLERKS’ ASSOCIATION OF TEXAS**

A NON-PROFIT CORPORATION Travis County, Austin

*The bylaws were amended on June 17, 2013 throughout for clean-up purposes. This includes grammatical errors, spelling, punctuation and formatting of the language.*

*June 17, 2012 – a “TOPIC” was added to each of the Articles to better locate the subject matter. The topics are reflected in the Table of Contents, which was labeled INDEX.*

## **ARTICLE I – THE CORPORATION**

**THE NAME OF THE CORPORATION** (1.01) The name of the corporation shall be “County and District Clerks’ Association of Texas” and may also be known as CDCAT, chartered by the Texas Association of Counties.

*Article 1.01 amended June 20, 2005 by adding, “Chartered by the Texas Association of Counties”.*

## **ARTICLE II – THE PURPOSE**

**THE PURPOSE OF THE ASSOCIATION** (2.01) The purpose of the Association shall be to promote professional standards, to provide a means for the education of its members regarding the statutory and constitutional duties of the offices of the county clerks, district clerks, and county and district clerks (hereinafter called combination clerks) to participate in the legislative, judicial and executive processes of state government beneficial in the performance of the members’ duties.

*Article 2.01 amended June 20, 2005 by adding “s” to county clerk and district clerk and also adding “and county and district clerks”. Also by omitting the words “and, & the”.*

*Article 2.01 was amended on June 13, 2011 to replace “county and district” with “combination”.*

## **ARTICLE III – THE OFFICE**

**OFFICE OF THE ASSOCIATION** (3.01) The principal office of the Association in the State of Texas shall be located in the City of Austin, County of Travis, at Texas Association of Counties.

## **ARTICLE IV – REGISTERED OFFICE AND AGENT**

**REGISTERED OFFICE AND REGISTERED AGENT** (4.01) The Association shall have and continuously maintain in the State of Texas a registered office, and a registered agent whose office is identical with such registered office and may be, but need not be, identical with the principal office of the Association, in the State of Texas, and the address of the registered office may be changed from time to time by the Board of Directors.

## **ARTICLE V – MEMBERS**

**MEMBERS – CLASSES OF MEMBERS** (5.01) The Association shall have three (3) classes of members. The designation of such classes and the qualifications of the members of such classes shall be as follows:

- A. Active member: Those members who are elected or duly appointed county clerks, district clerks, and combination clerks, presently serving in their respective offices that are current on payment of dues;
- B. Affiliate member: Those members who are employees of county clerks, district clerks, combination clerks and former clerks who are no longer serving in their respective offices. Election administrators, court administrators, domestic relations officers or any elected or appointed official or an employee of an elected or appointed official who is interested in the purpose and welfare of the Association, and its members;
- C. Honorary Member: Individuals who have performed a notable service for the Association and the public, and for the improvement of the Association or its members. This type of membership shall be issued only after approval of the Board of Directors. All past Presidents of the Association, who have retired from public office, shall become an honorary member of the Association, and shall be exempt from payment of annual dues only.

*Article 5.01 amended on June 15, 2009 by changing number of classes to three and combining Associate and Corporate members into one group with Affiliate members.*

*Article 5.01 "A" amended on June 13, 2011 by changing and adding "[hereafter referred to as combination clerks]" and removing "and hold a current continuing education certificate".*

*Article 5.01 "B" amended June 13, 2011 to replace "county and district" with "combination" and remove "vendors and their employees".*

**RIGHTS OF ACTIVE MEMBERS (5.02)** Each active member of the Association who has paid the current year's membership dues based on CDCAT's fiscal year July 1-June 30 shall be entitled to:

- A. Attendance at an annual, special or regional meeting with voting privileges, each member is allowed one vote. Voting privileges will be based on elected/appointed county, district and combination clerks having membership dues paid and current prior to the first day of the annual conference. Voting by proxy shall not be permitted. Voting may mail or electronic means will be permitted;
- B. Access to the CE Tracker program in which the active member shall enter and track their education hours, which have been approved by the Association;
- C. Legislative updates;
- D. Eligibility for certain nominations within the Association, i.e. clerk of the year, director, officer within the specified bylaws;
- E. Eligibility for appointments to association committees;
- F. Membership and access to the ListServe; and
- G. Certification of education hours approved by the Association subject to the requirements of Section 51.605 of the Texas Government Code (Certificate will be issued if approved hours meet the requirements).

*Article 5.02 amended on January 13, 2004 by adding, "Voting by mail will be permitted". Article 5.02 amended on June 20, 2005 by adding "or electronic means".*

*Article 5.02 amended June 13, 2011 by changing the Title of this section from "VOTING RIGHTS" TO "RIGHTS OF ACTIVE MEMBERS"; the first sentence was amended to read: Each active member of the Association "who has received the CDCAT approved continuing education hours required by Section 51.604 of the Texas Government Code 30 days*



prior to the first day of the summer conference shall be entitled to:”. Items A, B, C, D, E, and F were added to this section.

Article 5.02 amended June 25, 2012 by deleting “Required annual” and added “to be awarded in” and add the word “the” ListServe.

Article 5.02 amended June 23, 2014 by deleting “Required Annual education hours maintained and certified by the Association January of each year.” And added “Access to the CE Tracker program in which the active member can enter and track their education hours, which have been approved by the Association”, deleted E. “and”, added F. “and”, added G. Certification of Education Hours approved by the Association subject to the requirements of Section 51.605 of the Texas Government Code. (Certificate will be issued if approved hours meet the requirements)”.

Article 5.02 amended June 20, 2016 by deleting “received the CDCAT approved continuing education hours required by Section 51.605 of the Texas Government Code thirty (30) days prior to the first day of the summer conference” and adding “who has paid the current year’s membership dues based on CDCAT’s fiscal year July 1-June 30”.

Article 5.02 A amended June 20, 2016 by “Voting privileges will be based on elected/appointed county, district, combination clerks having membership dues paid and current prior to the first day of the annual conference”.

Article 5.02B amended June 20, 2016 by changing from "can" to "shall" enter and track their education hours.

**ABSENTEE VOTING (5.03)** An election where directors, officers, conference city selections or clerk of the year are elected by active members, such election may be conducted by mail, or electronic means in such manner as the Board of Directors shall determine.

The Secretary shall receive requests for absentee ballot(s) and be given sufficient time to process the request. The requesting clerk must return the absentee ballot by Friday at 5:00 p.m., one (1) week prior to the start of the Annual Conference. Absentee voters shall authorize on their ballot whether or not to count their vote in the event of a runoff.

Article 5.03 amended on January 13, 2004 by adding “conference city or clerk of the year”.

Article 5.03 amended on June 20, 2005 by omitting “VOTING BY MAIL”.

Article 5.03 amended on June 20, 2005 by adding “or electronic means” and also by adding “The Secretary shall receive absentee ballots by Friday at 5:00 p.m. one (1) week prior to the start of the Annual Conference. Absentee voters shall authorize on their ballot whether or not to count their vote in the event of a runoff.”

Article 5.03 amended on June 14, 2010 by adding “request for absentee ballot(s) and be given sufficient time to process the request. The requesting clerk must return the absentee ballot(s)”.

Article 5.03 amended June 25, 2012 by adding “Elections: and deleted the “s” from request.

**NON-ACTIVE MEMBERSHIP (5.04)** Any member in a classification other than an active member classification may attend and participate in the Annual Conference and regional meetings of the Association or other educational seminars. **The member may not have the privilege of the floor or participate in the discussion of various subjects handled during a business meeting of the Association and may not vote on any business that comes before the Association, However, privilege of the floor may be granted by vote of a majority of the active members present, if it would be in the best interest of the Association to hear from the member.**

Any member in a classification other than an active member classification shall not intervene directly or indirectly in any manner with the Association’s business. Therefore, if at any time the Board of Directors determines that a member in a classification other than an active member classification has

violated this bylaw; the Board of Directors may terminate the membership and prohibit the member from registration or other participation at the Annual Conference, regional meetings, seminars or other activities sponsored by the Association.

*Article 5.04 amended June 20, 2005 by omitting "RIGHTS OF MEMBERS".*

#### **TERMINATION OF MEMBERSHIP – DELINQUENT IN DUES (5.05) REPEALED**

*Article 5.05 repealed June 25, 2012.*

**TERMINATION OF MEMBERSHIP – VOLUNTARY - (5.06)** Any member may resign by filing a written resignation with the Secretary.

*Article 5.06 amended June 25, 2012 by omitting, "but such resignation shall not relieve the member so resigning of the obligation to pay any dues, assessments, or other charges accrued and unpaid."*

**TERMINATION OF MEMBERSHIP – INVOLUNTARY (5.07)** If it appears that any member is failing to adhere to the purposes, bylaws and rules of the Association or has acted in an illegal or unethical manner, and such member's actions has brought the Association into disrepute, then upon at least thirty (30) days written notice of such actions to the member, the Board of Directors shall conduct a full hearing on the matter. Upon two-thirds (2/3) vote of the Board of Directors to do so, the membership in the Association shall be forfeited, and all of the privileges of membership shall cease. The member shall have the express right to appeal the decision of the Board of Directors to the membership of the Association.

**REINSTATEMENT (5.08)** A former member shall be reinstated upon payment of current dues. Reinstatement for any reason other than the payment of dues shall be by two-thirds (2/3) vote of the Board of Directors.

*Article 5.08 amended on June 13, 2011 by replacing "Secretary" with Treasurer.*

*Article 5.08 amended June 25, 2012 by omitting "for failure to pay dues upon written request signed by the former member and filed with the Treasurer, and"*

**TRANSFER OF MEMBERSHIP (5.09)** Membership in this Association is transferable or assignable to the incoming elected or appointed official. Affiliate memberships are not transferrable.

*Article 5.09 amended June 14, 2010 by omitting "not" transferable or assignable*

*Article 5.09 amended June 25, 2012 by adding "to the incoming elected or appointed official".*

*Article 5.09 amended June 17, 2013 by adding "Affiliate memberships are not transferrable."*

**CERTIFICATE OF MEMBERSHIP (5.10)** The Board of Directors may provide for the issuance of certificates upon payment of required dues evidencing membership in the Association, which shall be in such form as may be determined by the Board of Directors. Such certificates shall be signed by the President and by the Treasurer and shall be sealed with the seal of the Association. A certificate of membership shall be issued in the member's name and delivered by the Treasurer.

## **ARTICLE VI – MEETINGS**

**MEETING OF MEMBERS – ANNUAL** (6.01) The annual meeting of the members shall be held each year beginning with the year 1977 for the purpose of electing officers and for the transaction of other business as may come before the Association. The annual meeting shall be held during the Annual Conference.

**SPECIAL MEETING** (6.02) Special meetings of the members may be called by the Board of Directors or not less than one-tenth (1/10) of the members having voting rights.

**PLACE OF MEETING** (6.03) For any special meeting called by the Board of Directors; the directors shall designate the place of the meeting.

*Article 6.03 amended June 25, 2012 by omitting “The Membership shall designate any place within the State of Texas as the place of meeting for any annual meeting.”*

**NOTICE OF MEETING** (6.04) Notice of any meeting of the members shall be given at least ten (10) days prior to the meeting by posting on the CDCAT website or by any other manner approved for notice by the Board of Directors. The notice shall state the place, day and time of the meeting along with the purpose for which the meeting is called.

*Article 6.04 amended June 15, 2009 by adding “by electronic means”.*

*Amended June 17, 2013 by adding CDCAT website and omitting “or by written notice delivered to each member personally, sent by mail to the address shown in the records of the Association, by electronic means”*

**MEETING OF MEMBERS – REGIONAL** (6.05) A regional meeting may be called by one (1) of the Directors or by one-tenth (1/10) of the members of the region having voting rights. Notice of the meeting shall be in the same manner as a notice of meeting in Article 6.04. The Director In Charge shall preside over the meeting. In the absence of the Director In Charge, the Director shall preside.

**QUORUM** (6.06) A majority of the members present at any meeting shall constitute a quorum at such meeting. A majority of the members present may adjourn the meeting from time to time without further notice.

**NATIONAL EMERGENCIES** (6.07) Any annual meeting of the Association may be postponed to a fixed or indefinite date during any emergency period, which emergency period shall be predicated on condition affecting the United States of America subject to the approval of the Board of Directors and all provisions of the Articles of Incorporation and Bylaws inconsistent with the content of this article are hereby suspended for the period of the national emergency.

## **ARTICLE VII – OFFICERS**

**ALL ELECTIONS shall follow Roberts Rules of Order unless specifically addressed in these CDCAT Bylaws.**

*Amended June 17, 2013 to add “unless specifically addressed in these CDCAT bylaws.”*

**OFFICERS OF THE ASSOCIATION** (7.01) The officers of the Association shall consist of the President, Vice President, Secretary, Treasurer and Immediate Past President of the Association.

**ELECTION, QUALIFICATIONS, TERM OF OFFICE (7.02)** The office of Secretary shall be elected by a majority vote of the active members at the Annual Conference. The President shall receive the nominations from the Nominating Committee. Each officer shall take the oath of their respective office and hold office for a term of one (1) year or until the officer's successor has been duly elected and qualified.

If a tie or a runoff is necessary at the Annual Conference, the active voting members present and the authorized absentee votes shall determine the winner. The presiding officer of the meeting shall supervise the casting of the votes.

A tying candidate may resolve the tie by filing with the presiding officer a written statement of withdrawal signed and acknowledged by the candidate. On receipt of the statement of withdrawal, the remaining candidate is the winner and a casting of votes is not held.

Any person desiring to seek the nomination of Secretary of the Association must submit their name in writing, by May 1<sup>st</sup>, to the Nominating Committee Chair acknowledging the fact that they met the qualifications required by Article 10.09.

Beginning with the Annual Meeting, and every year thereafter, the President shall retire to the position of Immediate Past President. The Vice President shall progress to the Office of President. The Treasurer shall progress to the Office of Vice President. The Secretary shall progress to the Office of Treasurer. The Office of Secretary shall be elected by a majority of the regular members for a one (1) year term of office.

If the election of the officers shall not be held on the day designated herein, or at any adjournment thereof, the Board of Directors shall cause the election to be held at a special meeting of the members as soon thereafter as reasonably as possible. Each officer serving on the Board of Directors will assume the responsibilities as directed by the President.

*Article 7.02 amended on June 26, 1998 by adding "by May 1ST".*

*Article 7.02 amended on January 9, 2001, to resolve tie votes and withdrawal of a candidate.*

*Article 7.02 amended on June 20, 2005 by adding "Election of officers shall occur at the Annual Conference", "the President shall receive the nominations from nominating committee", "has", "and " the authorized absentee votes that have given authorization for their ballot to be counted in case a run-off is necessary at the Annual Conference"*

*Article 7.02 amended on June 20, 2005 by omitting "during the annual meeting", "by taking the oath of office", "call for nominations in the order of Secretary, Treasurer, Vice President and President.", "fiscal", "shall have", "ballots", and "meeting".*

*Article VII amended on June 18, 2007 by adding "ALL ELECTIONS shall follow Roberts Rules of Order."*

*Article 7.02 amended June 13, 2011 by removing the "s" from officers; adding the word "Secretary" and removing the words :other than the Immediate Past President"; by adding the word "The"; replacing the word "officers" with Secretary" and correcting the grammar by adding the word "the: between from and nominating. The last paragraph is amended to remove "President, Vice President, or Treasurer" and adding the following: "Incompliance with Article 10.09, no nominations are taken from the floor for the election process.*

*Beginning with the annual meeting and every year thereafter, the President shall retire to the position of Immediate Past President. The Vice President shall progress to the Office of President. The Treasurer shall progress to the Office of Vice*

*President. The Secretary shall progress to the Office of Treasurer. The office of Secretary shall be elected by a majority of the regular members for a one year term of office.*

*If the election of the officers shall not be held on the day designated herein or at any adjournment thereof the Board of Directors shall cause the election to be held at a special meeting of the members as soon thereafter as reasonably possible. Each officer serving the Board of Directors will assume the responsibilities as directed by the President”.*

*Article 7.02 amended June 25, 2012 by replacing the sentence “In case of a tie the active voting members present and the authorized absentee votes that have given authorization for their ballot to be counted, in case a run-off is necessary at the Annual Conference, shall determine the winner” with the following sentence,” if a tie or a run-off is necessary at the Annual Conference, the active noting members present and the authorized absentee voters that have given authorization for their ballots to be counted shall determine the winner”.*

*Article 7.02 amended June 17, 2013 by omitting member and adding Chair.*

*Article 7.02 amended June 23, 2014 by omitting “annually”, “The election of Secretary shall occur at the annual conference. The nominee shall be from the active membership and have served as a member of the Board of Directors.” And “that have given authorization for their ballot to be counted in case of a runoff is necessary at the Annual Conference”, and “In compliance with Article 10.09, no nominations are taken from the floor for the election process.”*

**ROTATION OF OFFICERS (7.03)** It is recommended that there be a rotation of county clerks and district clerks as officers of the Association and it is also recommended that at least every fifth (5<sup>th</sup>) year there be elected a combination clerk serving as one (1) of the officers. A combination clerk should begin the rotation in 1998, followed by a district clerk in 1999 and then a county clerk in 2000. If no clerk is qualified or is willing to be nominated to fill the normal rotation, the next clerk in the rotation may be the nominee.

*Article 7.03 amended June 13, 2011 to replace “county and district: with “combination”*

**REMOVAL OF OFFICERS (7.04)** Any officer may be removed during their term of office by a two-thirds (2/3) vote of the Board of Directors whenever in its judgment the best interest of the Association would be served. The Board of Directors shall assign the duties of the officer to any member of the Board of Directors for the remainder of the unexpired term. The Association members shall be notified of the actions of the Board of Directors.

*Article 7.04 is amended on June 20, 2005 by adding “OF OFFICERS”, “shall”, and “unexpired”.*

*Article 7.04 is amended on June 20, 2005 by omitting “may” and “the”.*

**VACANCIES (7.05)** A vacancy in any officer because of death, resignation, disqualification or otherwise, shall be filled by a majority vote of the Board of Directors for the unexpired portion of the term. The Association members shall be notified of the actions of the Board of Directors.

**EXECUTIVE BOARD OF DIRECTORS (7.06)** The Executive Board shall consist of all of the officers of the Association. The President shall chair the Executive Board. Notice of any meeting shall be provided in the same manner as any meeting of the Board of Directors.

The Executive Board shall be an administrative body charged with carrying on the everyday operations of the Association. It may formulate and recommend to the Board of Directors for approval general policies regarding the management of the business and affairs of the Association. The Executive Board shall not have the power to adopt policies or initiate programs except when matters arise that vitally affect the membership that were not foreseen at the last Board of Directors

meeting. In such instance, the Executive Board may take whatever action is deemed necessary subject to ratification by the Board of Directors at its next meeting.

A quorum of the Executive Board shall be three (3) members and a majority of the members present shall act on behalf of the Executive Board. Upon the second (2<sup>nd</sup>) absence of an officer during a term of office, any or all other officers shall notify the absent officer by certified mail, stating that another absence will result in automatic removal from office.

*Article 7.06 was amended June 20, 2005 by adding "prior" and "term of office".*

*Article 7.06 was amended June 20, 2005 by omitting "from" and "a calendar year".*

*Article 7.06 was amended June 15, 2009 by eliminating the duty of the President to grant excused absences and added notification after two absences with consequences thereof.*

**PRESIDENT (7.07)** The President shall be the principal executive officer of the Association and shall in general supervise and control all of the business and affairs of the Association. The President shall preside at all meetings of the members and of the Board of Directors and shall conduct the proceedings according to Roberts Rules of Order unless addressed specifically in the CDCAT bylaws. All authority not otherwise specifically vested shall be executed by the President. The President shall be chair of the Board of Directors and shall appoint a recording Secretary when the Association Secretary is not present at meetings.

The President shall give written notice of any special meeting of the members or of the Board of Directors ten (10) days before such a meeting and according to these bylaws. The notice shall contain any items of business that may be discussed at the meeting. In the event of an emergency, the notice may be waived with the approval of all of the officers of the Association.

The President may sign, with the Secretary and any other proper officers of the Association authorized by the Board of Directors, any deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these bylaws or by statute to some other officer or agent of the Association. In general the President shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

The President, with the approval of the Board of Directors, shall appoint the chairs and members of standing committees stated in these bylaws at the Annual Conference and may designate and appoint any other committees from time to time as deemed necessary to conduct the business of the Association. The President shall timely fill vacancies occurring in any committee for the remainder of the term.

The President shall appoint a parliamentarian who shall be an advisor to the President, other officers, committees and members of the Association on matters of parliamentary procedure during formal business meetings.

The President shall appoint two (2) clerks, one (1) representing the county clerks and one (1) representing the district clerks, who are active members of the Association, to the Texas Association

of Counties Board of Directors as specified in the TAC constitution and bylaws. The appointments shall be made in the current year and the Association representative shall serve on the TAC Board. An Association representative may not serve more than five (5) consecutive years on the TAC Board.

The President shall promote the purpose of the Association.

*Article 7.07 amended June 15, 2009 by eliminating the duty as President to appoint a memorial fund coordinator.*

*Article 7.07 amended June 14, 2010 by adding The President shall appoint a historian who shall prepare narrative accounts of all activities of the Association “from June – June calendar year”.*

*Article 7.07 amended June 25, 2012 by adding “unless addressed specifically in the CDCAT by-laws”.*

*Article 7.07 amended June 17, 2013 by omitting “no later than thirty days after assuming office” and adding by the Annual Conference”; and eliminating “The President shall appoint a historian who shall prepare narrative accounts of all activities of the Association from June – June calendar year. When the Association approves the narrative, it will become a permanent part of the official history of the Association.”*

**VICE PRESIDENT (7.08)** In the absence of the President or in the event of the President’s inability or refusal to act, the Vice President shall perform the duties of the President and, when so acting, shall have all the powers of and be subject to all the restrictions upon the President. It shall be the duty of the Vice President to establish and maintain a roster of the credit hours earned by the active members of the Association toward their certification according to these bylaws and shall certify each clerk’s completion of the required twenty (20) hours of continuing education to the Board of Directors. It shall be the duty of the Vice President to generate an electronic certificate signed by the President and the Vice President of the Association to the clerks who have successfully completed twenty (20) hours of continuing education the previous calendar year. Clerk’s certification is referenced in Section 11.01 of these bylaws. The Vice President shall perform other duties as assigned by the President or the Board of Directors.

*Article 7.08 was amended on June 20, 2005 by adding, “shall certify clerks’ completion of the required 20 hours of continuing education to the Board of Directors”.*

*Article 7.08 was amended on June 20, 2005 by deleting “the certification statute”, “from time to time may be”, and “to the Vice President”.*

*Article 7.08 was amended on June 15, 2009 by adding the duties for” Resolutions” solely to the Vice President.*

*Article 7.08 was amended on June 14, 2010 by omitting “The Vice-President shall prepare and present for approval of the membership at the Annual Conference such resolutions that further the purpose of the Association and resolutions of courtesy and thanks as the occasion may require”.*

*Article 7.08 was amended on June 13, 2011 to add the following sentence to the first paragraph: “It shall be the duty of the Vice-President to present a paper certificate signed by the President and Vice President of the Association to the Clerks who have successfully completed 20 hours (including Registry and Fraudulent filing) the previous calendar year. (Clerk’s certification is referenced in Section 11.01 of the by- laws.*

*Article 7.08 was amended June 25, 2012 by omitting “including Registry and Fraudulent filing”*

*Article 7.08 amended June 20, 2016 Amended by changing “present a paper certificate” to “generate an electronic certificate...”*

**TREASURER (7.09)** The Treasurer shall give a surety bond from a corporate surety in the amount of \$100,000.00 for the fiscal year of the office for the faithful discharge of the duties of office or in

such sum and with such surety or sureties' as the Board of Directors shall determine. The Association shall pay the premium for the bond.

By August 1<sup>st</sup>, the Treasurer shall send notice to each member stating the amount of dues required of the member. The Treasurer shall keep a register of the name, mailing address, telephone number, fax number, email address, and any other information requested by the Board of Directors of each member, which shall be furnished, to the Treasurer by each member. The Treasurer shall have charge and custody of and shall be responsible for all funds and securities of the Association, receive and give receipts for monies due and payable to the Association from any source whatsoever, and deposit all such monies in the name of the Association in such bank(s), trust and companies, or other depositories as shall be selected in accordance with the provisions of Article XVII of the bylaws.

The Treasurer shall use an automated bookkeeping system to keep an accurate record of all monies received and disbursed by the Treasurer in such manner and form as may be prescribed by the Board of Directors. The Treasurer shall submit an itemized statement of receipts, disbursements, fund balances, and a budget versus actual report to the Board of Directors showing the financial condition of the Association at every meeting. At the Annual Conference the Treasurer shall submit a written report of all receipts, disbursements, and fund balances to the Association together with a statement of any special funds in the Treasurer's possession. The Treasurer shall submit an updated budget spreadsheet to the Board of Directors at each meeting.

The Treasurer shall receive and audit all bills of the Association and, if found correct, shall pay the same in a timely manner, upon approval of the President. The Treasurer shall keep a record of all paid bills showing the amount, to who paid and the reason for payment. The Treasurer shall turn over all records, as requested, regarding deposits and disbursements to any auditor or audit committee as appointed by the President and in general perform all duties incident to the office of Treasurer.

Not later than the 15<sup>th</sup> of each month the Treasurer shall provide to the Chair of the Audit Committee, copies of the previous month's reconciled bank statement, detailed transaction reports reflecting income and disbursements, the profit/loss statement, the updated budget spreadsheet and any other supporting documentation necessary to audit the accounts. All documentation shall be submitted electronically (via email or by other electronic means). The first report is due no later than August 15<sup>th</sup> for the month of July.

The Treasurer shall turn over all records, as requested, regarding deposits and disbursements to any auditor and in general perform all duties incident to the office of Treasurer.

The treasurer shall collect all memorial contributions and notify the memorial committee chairman of such. All memorial funds collected will be deposited into the CDCAT account and reported in the scholarship fund.

The Treasurer, with the assistance of the Executive Board, shall prepare a budget to be approved by the Board of Directors at the spring meeting for the following year. All records pertaining to the financial business of the Association under the current treasurer shall be maintained by that treasurer in accordance with IRS standards and facilitate the filing of all required legal documents for the Association, including the IRS reporting.



*Article 7.09 was amended on June 20, 2005 by adding “an itemized” and “The Treasurer, with the assistance of the Executive Board, shall prepare a budget to be approved by the board for the following year”.*

*Article 7.09 was amended on June 15, 2009 by adding the duties of “Memorial Fund” collections and notification to the Memorial Committee.*

*Article 7.09 was amended on June 14, 2010 by adding “All records pertaining to the financial business of the association under the current treasurer shall be maintained by the treasurer in accordance with IRS standards”.*

*Article 7.09 was amended June 13, 2011 to include: “The Treasurer shall facilitate the filing of all required legal documents for the Association, including the IRS reporting (grammar corrected). Added the word “the” scholarship fund and also added “of Directors” for the following year.*

*Article 7.09 was amended on June 25, 2012 by omitting “Within sixty (60) days of taking office” and adding “By August 1st”.*

*Article 7.09 was amended on June 17, 2013 by omitting “written” notice.*

*Article 7.09 was amended on June 23, 2014 by omitting “\$5,000.00” and adding “\$100,000.00”, and “which shall be submitted to the Board of Directors for approval” and “use an automated bookkeeping system such as Quicken (or something similar to)” and “of receipts, disbursements, fund balances, and a budget vs. actual report” and “The Treasurer shall submit an updated budget spreadsheet to the Board of Directors at each meeting.” And “upon approval of the President” and “whom” and “Not later than the 15th of each month, the Treasurer shall provide to the Chair of the Audit Committee, copies of the previous month’s reconciled bank statement, detailed transaction reports reflecting income and disbursements, the profit/loss statement, the updated budget spreadsheet and any other supporting documentation necessary to audit the accounts. The documentation shall be submitted electronically (via email or by other electronic means). The first report is due no later than August 15th for the month of July.” And “at the spring meeting”*

*Article 7.09 amended on June 15, 2015 by adding “email address”*

*Article 7.09 amended June 20, 2016 by striking “such as Quicken (or something similar)”*

**SECRETARY (7.10)** The Secretary shall keep accurate minutes of all Executive and Board of Directors meetings of the Association. A written draft of minutes of such meetings shall be presented for approval at the next scheduled meeting. The minutes of the Annual Conference business meeting shall be presented for approval by the January conference. All minutes shall include a brief summary, index and any action taken.

The Secretary shall serve as a member of the bylaws committee. It shall be the duty of the Secretary to update and revise the bylaws with the approved changes. All proposed amendments shall be posted on the Association website thirty (30) days prior to the Annual Conference.

The bylaw amendments shall be presented to the members for consideration and vote at the Annual Conference business meeting. The Secretary shall record the results of the vote in the business meeting minutes.

The Secretary shall be custodian of the Association records. All official records shall be maintained and preserved utilizing the Association website.

The Secretary shall be the custodian of the seal of the Association, and affix the seal to all documents on behalf of the Association.

*Article 7.10 amended July 18, 2007 Annually the Secretary shall provide the Directors and Directors in Charge of each region a copy of the CDCAT bylaws and a list of their duties.”; adding “All official records shall be maintained and*

*preserved utilizing the Association website”; and eliminating “the execution of which on behalf of the Association under its seal is duly authorized in accordance with the provisions of these bylaws and, in general, perform all duties incident to the office of Secretary.”*

*Article 7.10 amended June 15, 2009 by adding annual duty to provide Directors and Directors in Charge with a copy of the bylaws.*

*Article 7.10 is amended June 15, 2009 by adding “by the spring conference the following year” and omitting ‘within six months’.*

*Article 7.10 amended June 13, 2011 to remove “The Secretary shall, in the manner required by law, facilitate the filing of all required legal documents for the Association, including the IRS reporting.”*

*Article 7.10 amended June 17, 2013 by changing records to minutes; adding when the minutes will be presented for approval; eliminating “with the approved bylaws changes and provide copies as stated in*

## **ARTICLE VIII – BOARD OF DIRECTORS**

**BOARD OF DIRECTORS – GENERAL POWERS (8.01)** The general oversight and supervision of the affairs of the Association shall be managed by the Board of Directors. All actions of the Board of Directors may be subject to review by the membership. The general duties of the Board of Directors shall be, but not limited to, the following:

- A. The Board of Directors shall direct the Secretary as to the manner in which proceedings and minutes of the meetings shall be kept.
- B. The Board of Directors shall have the power to appropriate, for necessary purposes, the funds of the Association as may be required.
- C. The Board of Directors shall determine the form and manner in which the accounts and records of the Association shall be kept and may at any time require any officer, committee or member having funds of the Association to render an account of same. The Board of Directors shall have full power and authority to take all necessary and proper measures for the protection and care of the funds and property of the Association.
- D. The Board of Directors may appoint or employ such agents or assistants that may be required to assist the Association with specific matters.
- E. *Repealed*
- F. The Board of Directors shall determine the scholarship criteria, and the requirements for the scholarship application form.
- G. The Board of Directors shall facilitate the requirements for the Conference City, with the assistance of the Conference City Selection Committee, for the Annual Conference as set out in Article IX of the bylaws.
- H. *Repealed*
- I. The Board of Directors shall submit annually, before the time required for the grant approval, the designation of the number and name of the educational programs for which the qualified members may receive statutory State expense reimbursement that each clerk may receive for a designated educational program with the approval of the Texas Center for the Judiciary. The determined amount for reimbursement shall be within the total of the grant amount. The Board of Directors shall provide a form to be used for the expense reimbursement.

- J. Each of the sixteen (16) directors responsible for their regions of the State shall help coordinate and disseminate information to the regions' members, hold regional educational meetings for its members and hold regional meetings as required to conduct any business. Within thirty (30) days following a Board of Directors meeting, each Director In Charge shall inform the region's members of the any action taken at the meeting.
- K. Each Region shall appoint a Treasurer who shall be in charge of all funds of the region and shall submit a treasurer's report at each regional meeting. If a new treasurer is appointed all funds shall be transferred to him/her within thirty (30) days.
- L. Each officer, director or other member shall turn over all files, records, money and properties of the Association to any successor in office within thirty (30) days after the successor takes office.
- M. In accordance with Article 15.01 the Board of Directors shall set the annual membership dues.

*Article 8.01 amended on June 20, 2005 by adding, "Facilitate" and "as set out in Article IX of the bylaws".*

*Article 8.01 amended on June 20, 2005 by deleting "set" and "criteria". Article 8.01A amended on June 18, 2007 by adding "as to".*

*Article 8.01 amended on June 15, 2009 by adding subsections "K" and "L".*

*Article 8.01 amended on June 25, 2012 by repealing item #E. The Board shall appoint an editor or co- editors to produce a publication to educate the Association's members and notify the Association's members of issues and events. The budget and policies of the publication shall be approved by the Board.*

*Article 8.01 amended on June 25, 2012 by repealing item # H. The Board shall approve all educational programs presented to the members of the Association at the Annual Conference or other seminars.*

*Article 8.01 amended on June 17, 2013 by omitting in item #F "the number of scholarships to be awarded and the amount of each scholarship"; and #G omitting "Education Committee".*

*Article 8.01 amended on June 23, 2014 by adding "M. In accordance with Article 15.01, the Board shall set the annual membership dues."*

**NUMBER, TENURE AND QUALIFICATIONS (8.02)** The Board of Directors shall consist of sixteen (16) regional directors and the five (5) elected officers of the Association. The directors must be active members of the Association. There shall be one (1) county clerk and one (1) district clerk, or there may be one combination clerk in one of the positions, elected from each of the eight designated regions of the State. The Board of Directors shall determine the regions. The regional directors shall be elected by a majority vote of the active members of the region voting. Beginning in 2014 each Director and Director In Charge in Region's 1, 2, 3, and 4 will serve no more than two (2) consecutive terms, (terms being one (1) year as Director and one (1) year as Director in Charge) and in 2015 each Director and Director In Charge in Region's 5, 6, 7 and 8 will serve no more than two (2) consecutive terms.

Election of the directors may be at a meeting of the region's members held during the Annual Conference or the election may be during a meeting of the region's members held prior to the Annual Conference. Members of the region must be given written or electronic notice of the meeting at least ten (10) days prior to the meeting stating that the purpose of the meeting is for the election of the

directors. The election results shall be announced to the Association members at the Annual Conference.

Upon receipt from the majority of a region, the Executive Board may remove a Director or a Director In Charge from their position for neglect of performance of duties as set out in the bylaws. The Executive Board shall notify the Director or Director In Charge by certified mail and shall appoint a Temporary Director or Director In Charge until the next regional meeting with notice of an election.

*Article 8.02 amended June 15, 2009 by setting a limit on the amount of terms a clerk may serve as Director/Director in Charge.*

*Article 8.02 amended June 15, 2009 by adding "or electronic".*

*Article 8.02 amended June 15, 2009 by adding direction for "removal" from position as Director/Director in Charge.*

*Article 8.02 amended June 13, 2011 to replace "county and district clerk" with "combination clerk"; and remove: "for a term of two years, but"*

**DIRECTOR IN CHARGE (8.03)** One (1) of the directors of a region shall serve as the Director In Charge to preside over the meetings of the region and perform the duties as stated in these bylaws or at the request of the President of the Association. The directors of each region shall rotate being the Director in Charge. To begin the rotation, in 1998 the district clerk shall be the Director In Charge in regions 1, 2, 3, and 4 and the county clerk shall be the Director In Charge in regions 5, 6, 7, and 8. If a combination clerk was elected to fill one of the positions, the combination clerk shall be the Director In Charge.

*Article 8.03 amended June 13, 2011 to replace "county and district clerk" with "combination clerk"*

**REGULAR MEETING (8.04)** A regular annual meeting of the Board of Directors shall be held without any other notice than this bylaw immediately on the last day of the conference at a time set by the President, and at the same place as the Annual Conference of members. The Board of Directors may provide by resolution the time and place, within the State of Texas, for the holding of additional regular meetings of the Board of Directors without other notice than such resolution.

*Article 8.04 amended June 14, 2010 by omitting immediately "after" and adding "on the last day of the*

*Article 8.04 amended June 25, 2012 by adding the word "any" other notice*

**SPECIAL MEETING (8.05)** Special meeting of the Board of Directors may be called by or at the request of the President or a majority of the Board of Directors. The person or persons authorized to call special meetings of the Board of Directors may fix any place, within the State of Texas, as the place for holding any special meetings of the Board of Directors. However, whenever deemed possible, special meetings of the Board of Directors shall be held in conjunction with any educational conference or seminar.

*Article 8.05 amended June 23, 2014 by adding "Conference or", and omitting "for clerks that may include, but not limited to, the Association's Annual Conference, Secretary of State Election School, Bureau of Vital Statistics Conference, University of Texas School of Law Clerks Seminar, and the V.G. Young Institutes, Texas A&M University Seminar."*

**NOTICE OF SPECIAL MEETING (8.06)** Notice of any special meeting of the Board of Directors shall be given to each director at least ten (10) days prior to the meeting by written notice delivered personally, sent by mail to the address shown in the records of the Association, by electronic means

or by any other manner approved for notice by the Board of Directors. The notice shall state the place, day and time of the meeting along with the purpose for which the meeting is called.

*Article 8.06 amended June 15, 2009 by adding "by electronic means".*

**QUORUM** (8.07) Eleven (11) Members of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board of Directors, but if less than eleven (11) of the directors are present at said meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

**MANNER OF ACTING** (8.08) The act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by these bylaws. In the event of a tie vote, the President shall break the tie.

**VACANCIES** (8.09) Except as provided by Article 7.05, any vacancy occurring in the Board of Directors shall be filled by a vote of the members of that region. A director elected to fill a vacancy shall be elected for the unexpired term of the vacancy filled. Upon the second (2<sup>nd</sup>) absence of a Director or a Director In Charge during a term of office, the Executive Board shall notify the absent director by certified mail stating that another absence will result in automatic removal from office.

*Article 8.09 amended June 15, 2009 by adding "fiscal", and "Request for absence shall be made to the President, prior to the meeting".*

*Article 8.09 amended June 15, 2009 by deleting "calendar".*

*Article 8.09 amended on June 15, 2009 by eliminating the President's authority to grant excused absences and added notification after two absences with consequences thereof.*

**INFORMAL ACTION** (8.10) Upon consent in writing by a majority of the Board of Directors, an action may be taken without a called meeting.

*Article 8.10 amended on June 20, 2005 by adding "Upon consent in writing by a majority of the Board of Directors, an action may be taken without a called meeting".*

*Article 8.10 amended on June 20, 2005 by deleting "Any action which may be taken at a meeting of directors, may be taken without a meeting, if a consent in writing setting forth the action so taken shall be signed by all the majority of the directors".*

## **ARTICLE IX – ANNUAL CONFERENCE**

**ANNUAL CONFERENCE – CONFERENCE CITY** (9.01) The conference city for the Annual Conference shall be selected as follows:

- A. Applications for Conference City shall be submitted to the chairperson of the Conference City Selection Committee (CCSC) not later than May 1<sup>st</sup> by regular or electronic mail, Applications for conference city may be received as follows:

1. Two (2) clerks from a county or region may submit an application for hosting the Annual conference in the clerk's county or region. The application shall be in the name of the host clerks or region and shall include the conference city site, host hotel

or venue where the conference will be held. The application must include signatures of two (2) clerks of the Host County or region.

2. Repealed

- B. The CCSC shall review the submitted applications to assure the applicants meet the specified requirements of these Bylaws and the Conference City has adequate facilities (guest rooms, meeting room, etc.) to accommodate the Association according to the determination of the CCSC as set out in the Conference City application. The CCSC shall submit the names of the qualified applicants to the President on or before May 15<sup>th</sup> for inclusion on the voting ballot at the Annual Conference. The Annual Conference shall be held in the month of June, with the exclusion of Father's Day weekend, when possible.
- C. The President shall allow a designated representative(s) of each eligible conference city time to present to the members of the Association information about the destination.
- D. Selection of a conference city shall be by secret ballot, or voting by mail or electronic means for the conference to be held two (2) years hence. The successful conference city must receive a majority of the votes cast. If only one application is received and the applicant meets the specified requirements set out in the application and the bylaws no vote is required. The applicant will be awarded the conference and it will be reflected in the Annual Conference business meeting minutes.
- E. The host clerks shall submit a proposed conference budget at the next Annual Conference that shall be approved by the Board of Directors. An Annual Conference checking account shall be established in the name of CDCAT Annual Conference with the year. An accurate accounting of all expenses, disbursements and revenues shall be kept by the host clerk(s) and monthly reports provided to the Audit Committee. All binding contracts associated with the Annual Conference shall be signed by the President. A final conference report and all conference proceeds shall be submitted to the Board of Directors at the winter conference board meeting.
- F. The Conference City, venue(s), or host hotel shall provide the following complimentary rooms during the Annual Conference:
  - 1. All meeting and banquet rooms necessary to conduct the conference,
  - 2. One (1) Suite for the President;
  - 3. One (1) room for the Vice President;
  - 4. One (1) room for the Treasurer;
  - 5. One (1) room for the Secretary;
  - 6. One (1) room for the Immediate Past President; and
  - 7. One (1) room for each of the applicant host clerks if needed or available.

In the event that complimentary rooms are not provided, expenditures for these purposes must be approved by the Board of Directors and may result in the loss of the conference bid.

- G. Upon approval of the Conference City budget the host Clerk's shall be entitled to receive advancement in an amount not to exceed \$10,000.00 to open a checking account for out-of pocket conference expenses with invoices provided to the CDCAT Treasurer for payment. A final conference report and all conference proceeds shall be submitted to the Board of Directors at the winter conference board meeting.
  
- H. In the event the CCSC does not receive a bid for hosting the Annual Conference, the Executive Board of Directors shall engage the CCSC to find a location to host the Annual Conference. The CCSC shall assume the responsibility of meeting the requirements as stated in the Bylaws, per this section. Executive Board approved travel expenses incurred by the CCSC in connection with tasks authorized in this section shall be reimbursed by the Association. If assistance is requested by the host clerks, the CCSC shall assist the clerks in meeting all the necessary requirements in the bylaws.

*Article 9.01 (D) amended on January 13, 2004 by adding "or by voting by mail".*

*Article 9.01 (A) amended on June 20, 2005 by adding "Two clerks", "or region", "Host Clerks or region", and "must include signatures of two clerks of the Host County or region".*

*Article 9.01 (A) amended on June 20, 2005 by omitting "A county clerk and/or a district clerk", "must include the signature of both clerks of the county or include the statement declining participation, if applicable", and "or include the statement declining participation, if applicable."*

*Article 9.01 (A) amended on June 20, 2005 by repealing all of (A) 2. Article 9.01 (B) amended on June 20, 2005 by adding "The Board may consider bids from the previous years' submissions not selected".*

*Article 9.01 (B) amended on June 20, 2005 by omitting "still", "no bids", and "then".*

*Article 9.01(C) amended on June 20, 2005 by adding "a period after Association, capitalizing each and replacing cities to city".*

*Article 9.01(D) amended on June 20, 2005 by adding "or electronic means".*

*Article 9.01(H) amended on June 20, 2005 by omitting "of the Annual Conference", "for out of pocket expenses, incurred in making conference arrangements", "\$250.00 of which must be documented, or evidenced by receipts", and adding "for out-of-pocket conference expenses from the conference proceeds"*

*Article 9.01 € amended on June 18, 2007 by omitting "into the legislative fund".*

*Article 9.01(G) amended on June 15, 2009 by omitting "clerk" and adding "county", omitting "reimbursement" and adding "advancement" and omitting "500.00" and adding "1,000.00".*

*Article 9.01 (B) was amended on June 25, 2012 by omitting "If no bids are received or meet the required criteria, the Board of Directors shall select the conference city and the conference host(s)." Article 9.01 (h) was amended on June 25, 2012 by omitting "Committee"*

*Article 9.01 (A) was amended on June 17, 2013 by changing the word bid to "Applications" and omitting "written form" and adding "by regular or electronic mail".*

*Article 9.01 (A)(1) was amended on June 17, 2013 by changing the word bid to “application “and adding “host hotel or venue where the conference will be held”.*

*Article 9.01 (B) was amended on June 17, 2013 by changing the word bid to “application”; and adding “meet the specified”; omitting “the Education Committee and the Board of Directors” and adding “as set out in the Conference City Application”; omitting “conference cities that have met all the required criteria” and adding “President on or before May 15th for inclusion on the voting ballot for the Annual Conference”; and adding “When possible the conference shall be held in the month of June, with exclusion of Father’s Day weekend.”*

*Article 9.01(C) was amended on June 17, 2013 by adding “The President shall allow designated representative”; omitting “including the meeting and room accommodations, shall be provided”; omitting “ Each eligible bidding city shall be allowed time by the President for a representative to appeal to the membership for selection of their city prior to the vote.*

*“Article 9.01(D) was amended on June 17, 2013 by rewording “conference city” and deleting bidder; and deleting “The host clerk(s) with the approval of the Board of Directors shall select the headquarters hotel for the Annual Conference.”; and adding “If only one application is received and the applicant meets the specified requirements set out in the application and the bylaws, no vote is required. The applicant will be awarded the conference and it will be reflected in the Annual Conference business meeting minutes.”*

*Article 9.01(E) was amended on June 17, 2013by adding “proposed”, “at the next Annual Conference”, “An Annual Conference checking account shall be established in the name of CDCAT Annual Conference with the year”, and deleting “The remaining conference proceeds from the conference shall be submitted to the Treasurer to be deposited on behalf of the Association”, and adding “All binding contracts associated with the Annual Conference shall be signed by the President.*

*“Article 9.01(F) was amended on June 17, 2013by eliminating “headquarter hotel” and adding “Conference City, venue(s) or host hotel” and deleting “free of charge” and adding “complimentary”.*

*Article 9.01 (F). Omitting “the exception being, if the annual banquet must be held in a facility not owned by the hotel, then the Association would pay for the facility;” Adding “In the event that complimentary rooms are not provided, expenditures for these purposes must be approved by the Board and may result in loss of the conference bid”.*

*Article 9.01 (G) was amended on June 17, 2013 by adding “Upon approval of the Conference City budget,”; “10,000 to open a checking account”; “with invoices provided to CDCAT Treasurer for payment. A final conference report and all conference proceeds shall be submitted to the Board of Directors at the January conference board meeting.”*

*Article 9.01 (H) amended by deleting “Association” and replacing with “CCSC”; deleting “If assistance is requested by the city who wins the bid, the CCSC, with the approval of the Board of Directors, shall assist the clerks of the hosting city in meeting all necessary requirements in the bylaws, per this section.” Rewording reimbursement procedures to “Executive Board approved” and “If assistance is requested by the host clerks, the CCSC shall assist the clerks in meeting all necessary requirements in the bylaws.”*

*Article 9.01 (E) amended June 20, 2016 by adding “a final conference report and all conference proceeds shall be submitted to the Board of Directors at the winter conference board meeting”.*

*Article 9.01 (G) amended June 20, 2016 to change “January conference” to “winter conference”.*

**REGISTRATION (9.02)** All members, guests and business representatives attending the Annual Conference shall be registered and a roster of the same shall be compiled by the host clerk and provided to the Board of Directors to be made a part of the official minutes of the Association.

*Article 9.02 was amended June 17, 2013 by adding “host clerks and provided to the Board of Directors to be” and eliminating the word “Secretary” and “A list of all registered active members shall be compiled for certification of educational hours or expense reimbursement”*

**MEMORIAL (9.03)** Members deceased during the last year shall be remembered with a suitable memorial ceremony or other remembrance during the Annual Conference.



**NEW CLERKS (9.04)** Recognition by introduction of all new clerks elected or appointed during the last year shall be held during each Annual Conference.

**PAST PRESIDENTS (9.05)** Any past President of the Association in attendance at the Annual Conference shall be recognized.

**BUSINESS FRIENDS AND EXHIBITORS (9.06)** Business friends and exhibitors registered shall be recognized during each Annual Conference.

*Article 9.06 was amended on June 17, 2013 by eliminating "Recognition by introduction of all" and "for each conference" and adding "recognized" and eliminating "held".*

**COUNTY GOVERNMENT ASSOCIATIONS (9.07)** A letter of invitation to the Annual Conference shall be sent by the Association President to all of the Presidents of the other county government associations and each association shall be recognized at the Annual Conference.

## **ARTICLE X – COMMITTEES**

**COMMITTEES GENERAL (10.01)** The President, with the approval of the Board of Directors, may designate and appoint active, qualified members to serve on committees. Whenever possible, committees shall be representative of county clerks and district clerks. However, no such committee shall have the authority of the Board of Directors in reference to:

- A. Amending, altering or repealing the bylaws;
- B. Electing, appointing, or removing any member of any such committee or any director or officer of the Association;
- C. Amending the articles of incorporation;
- D. Adopting a plan of merger or adopting a plan of consolidation with another corporation or association;
- E. Authorizing the sale, lease, exchange, or mortgage of all or substantially all of the property and assets of the Association;
- F. Authorizing the voluntary dissolution of the Association or revoking proceedings, therefore; adopting a plan for the distribution of the assets of the Association;
- G. Amending, altering or repealing any resolution of the Board of Directors which by its terms provides that it shall not be amended, altered, or repealed by such committee.

The President shall appoint from the active members of the Association the following standing committees:

- Bylaws;
- Legislative;
- Audit;
- Nominating;
- Education;
- Two (2) Procedure Manual Committees (one (1) representing the county clerks and one (1) representing the district clerks);
- Historical;

- Memorial;
- Scholarship;
- Pictorial Directory;
- Conference City Selection;
- Sales; and
- Website/ListServe

The President may appoint other committees for a term, to carry out a dedicated function or project for the Association.

*Article 10.01 amended on June 20, 2005 by omitting the word “a or an before the described committees and omitting the word committee after each described committee”. Article 10.01 amended June 14, 2010 by omitting “resolutions” and adding web site”/list serve”.*

*Article 10.01 amended on June 17, 2013 by eliminating “each of which shall include one or more directors in the management of the Association” and eliminating “The designation and appointment of any such committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual director, of any responsibility imposed by law.” Adding, “The President may appoint other committees for a term, to carry out a dedicated function or project for the Association.”*

**TERM OF OFFICE (10.02)** Each member of a committee shall continue until the next annual meeting of the Association and until the member’s successor is appointed, unless the committee shall be sooner terminated, or unless such member be removed from such committee, or unless such member shall cease to qualify as a member thereof.

*Article 10.02 amended on June 20, 2005 by omitting “as such”.*

**CHAIRPERSON (10.03)** The President shall appoint the chairperson of each committee.

*Article 10.03 amended on June 17, 2013 rewording from “A member of each committee shall be appointed chairperson by the person or persons authorized to appoint the members thereof.” to The President shall appoint the chairperson of each committee.*

**VACANCIES (10.04)** Vacancies in the membership of any committee may be filled by appointment made in the same manner as provided in the case of the original appointments.

**QUORUM (10.05)** A majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

**RULES (10.06)** Each committee shall adhere to the bylaws of the Association.

*Article 10.06 amended on June 20, 2005 by omitting “may adopt rules for its own government and not inconsistent with these by laws” and adding “shall adhere to the bylaws of the Association.”*

**BYLAWS COMMITTEE (10.07)** The Bylaws Committee shall be composed of the Association President, Vice President, Secretary and parliamentarian and three additional members. The Bylaws Committee shall advise and aid the officers and directors of the Association on all matters pertaining to the bylaws of the Association. The Bylaws Committee shall annually review the bylaws and recommend any necessary changes to the Board of Directors at the Spring Conference. Upon recommendation of the Board of Directors, amendments to the bylaws shall be presented for a vote to the members of the Association during the Annual Conference business meeting. Within forty-five

(45) days of passage, the Secretary shall provide a revised copy of the bylaws to the Board of Directors. All changes shall be posted on the Association Website.

*Article 10.07 amended on June 20, 2005 by omitting “and”, “of”, “submit the changes to the members of the Association”, “copy of the”, “by laws”, “all of the members of”, “The Association members shall be informed of any bylaws changes, and by adding “Upon”, “by”, “recommendations of bylaws shall be submitted to the members of the Association for ratification”, “copy”, and “All changes shall be posted on the Association Web-Site”.*

*Article 10.07 amended on June 17, 2013 for rewording and clarification by omitting “and interpretations thereof” adding “at the Spring Conference” adding “during the Annual Conference business meeting.” Omitting “approval by”, “recommendation” “submitted” “ratification” and “of any Association final action on the bylaws”*

**LEGISLATIVE COMMITTEE (10.08)** The Association shall have a Legislative Committee appointed by the President and chaired by a four (4) person team composed of a county clerk, a district clerk, combination clerk and a county clerk who conducts elections to serve as the election legislative contact. In the event a combination clerk is not available to serve the President shall appoint a clerk to fill the vacant position.

Each of the four (4) chairs shall select nine (9) sub-committee members considering county, district, and combination clerks and population factors. Each of the nine (9) sub-committee members shall serve as the chairperson for one (1) of the nine (9) categories:

- A. Courts;
- B. Real Property/Privacy;
- C. Personal Records/Vitals;
- D. Elections & Voter Registration;
- E. Probate;
- F. Family;
- G. Criminal;
- H. Civil/Juveniles; and
- I. Fees

Each of the nine (9) sub-committee members shall recruit clerks to assist with reviewing legislation and conducting legislative services as needed. The elected officers of the Association shall be ex-officio members of the committee.

The Legislative Committee shall officially represent the Association at the Legislature of Texas and are empowered to use the name of the Association in presenting the Association’s views to committees, legislative bodies and others. Appointed members to the Legislative Committee shall be credentialed so that the Legislative Committee hearings are certain that the person addressing the Legislative Committee is truly representing the Association’s views.

The Legislative Committee shall:

- A. Actively promote the adoption, amendment and maintenance of the constitution and statutes pertaining to the offices of the county clerks and district clerks keeping in mind the best interest of the Association members;

- B. Review issues and whenever deemed possible a majority opinion of the committee members shall be sought through meetings, mail, telephone, fax, or other methods order to reflect the Association’s position and enable the committee to act on behalf of the Association;
- C. Keep each other and all of its members informed of legislative issues in order to coordinate the best efforts for the Association;
- D. Remain neutral on issues in conflict between county clerks and the district clerks unless the Association, through the Board of Directors, has issued a position;
- E. Coordinate legislative efforts with other county official associations and state agencies;
- F. Report to the Association legislative issues through printed material, presentations or training sessions; and
- G. Hold meetings of its members in conjunction with conferences or seminars as practicable. All suggestions of association members shall be submitted through the legislative co-chairs or officers to be presented to the legislative committee.

*Article 10.08 amended January 15, 2002, to change from two legislative committees to one legislative committee chaired by a 3-person team and form five functional areas within the legislative committee.*

*Article 10. 08 amended on June 20, 2005 by adding “In the event a combo clerk is not available to serve, the President shall appoint a clerk to fill the vacant position”, “whenever possible”, by changing from five to eight areas and adding numbers in front of each area and by adding “(5) Probate, (6) Family (Child Support), (7) Criminal, (8) Civil / Juvenile”, “An additional fees committee shall be formed from the chairs of the probate, family, criminal, civil / juvenile subcommittees”, “current”, “by”, “incoming”, and “All suggestions of association members shall be submitted through the legislative co-chairs or officers to be presented to the legislative committee”.*

*Article 10.08 amended June 15, 2009 by adding “/Privacy” under subcommittees (2).*

*Article 10.08 amended June 14, 2010 by omitting “triumvirate, 3-“ and adding “four” and “and a county clerk who conducts elections to serve as the election legislative contact.” . By omitting” The committee shall consist of eight sections. Each section shall have ten members and section 1 shall include four members that are a county and district clerk whenever possible. The committee members shall be selected from the counties, considering county, district, combination and population factors according to population determined by the latest federal census as follows: Section 1 – population of 20,000 and under Section 2 – population of over 15,000 but less than 40,000 Section 3 – population of 35,000 but less than 60,000 Section 4 – population of over 50,000 but less than 190,000 Section 5 – population of 150,000 and over “ by omitting “three” and adding “four” and “select” ; by omitting “ serve in addition to the” and adding “nine”; omitting “fifty” and adding “sub—committee” members; Omitting “The three clerk chairs shall select appointed clerks, with the approval of the President, to serve on subcommittees also”; Adding “ Each of the nine sub-committee members shall serve as chairperson for one of the nine categories:”; Omitting “ The subcommittees shall be divided into eight functional areas;”; Omitting “ (Child Support),” ; Adding “ (9) Fees”.; Adding “nine”; Omitting “eight functional areas”; adding “ sub-committee members shall recruit clerks to assist with reviewing legislation and conducting legislative services as needed.”; Omitting “ shall have a chairperson to be selected in the same manner as the subcommittees. An additional fees committee shall be formed from the chairs of the probate, family, criminal, civil /juvenile subcommittees”; Omitting “The current three clerk chairs may submit names of clerks willing to actively serve on the legislative committee to the incoming President by May 1 for the incoming President’s consideration to the appointments”*

*Article 10.08 was amended on June 13, 2011 to replace “combo” with “combination”.*

*Article 10.08 amended June 25, 2012 by adding the words “each” select; “and” combination “clerks”; as “the” chairperson.*

*Article 10.08 amended on June 17, 2013 by removing the word “single”.*

**NOMINATING COMMITTEE (10.09)** The Nominating Committee shall consist of three (3) members. The Nominating Committee shall receive nominations in writing by May 1<sup>st</sup> as required by Article (7.02) for the office of Secretary, verify that each nominee is an elected clerk holding a current certificate of membership and has been in office at least four (4) years. All nominees must hold a current certificate of membership and a current continuing education certificate issued by the Association and is willing to have their name submitted as a nominee. The committee shall submit the names of all qualified nominees for Secretary to the President for placement on the ballot at the Annual Conference.

*Article 10.09 amended January 9, 2001, to add “nominee must be in office at least four years and hold a current certificate of membership and current continuing education certificate”. Also, added, “Nominations can be taken from the floor”. Nominations taken from the floor repealed*

*Article 10.09 amended on June 20, 2005 by adding “by May 1 as required by Art. 7.02” and also omitting “Nominations can be taken from the floor”.*

*Article 10.09 amended June 14, 2010, to add “The nominating committee and clerks they select shall count all ballots at the Annual Conference.”*

*Article 10.09 amended June 25, 2012 by omitting, “. The nominating committee and clerks they select shall count all ballots at the Annual Conference.”*

*Article 10.09 amended June 13, 2011 to remove ‘s’ from offices; remove the words President, Vice-President, Treasurer; removed “to the membership the name of one nominee for President, one nominee for Vice- President, one nominee for Treasurer and”.*

*Article 10.09 amended June 17, 2013 by omitting “or duly appointed” and adding “to the President for placement on the ballot at the Annual Conference.”*

**CONFERENCE CITY SELECTON COMMITTEE (10.10)** The Conference City Selection Committee (CCSC) shall consist of three (3) members. The CCSC Chair shall receive Conference City applications for cities desiring to host the Annual Conference as prescribed by Article IX. The committee shall determine if the applicant(s) met the requirements set out in the Conference City Application and these bylaws. The CCSC shall verify that the applicant(s) have adequate facilities to accommodate the Association including hotels which will provide complimentary rooms and facilities prescribed in Article IX.

In the event the CCSC does not receive a bid for hosting the Annual Conference, the Executive Board of Directors shall engage the CCSC to find a location to host the Annual Conference. The CCSC shall assume the responsibility of meeting the requirements as stated in the Bylaws, per this section. If assistance is requested by the host clerks, the CCSC, the Education Committee and the Board of Directors, shall assist the selected conference city clerks in planning, preparing and meeting all necessary requirements of hosting the Annual Conference. The Executive Board or designated CCSC members may travel to the host city if needed. Expenses incurred in connection with the visit will be reimbursed by the Association with a reimbursement form completed and all receipts attached and submitted to the Treasurer for payment within thirty (30) days of travel. Advancements may be requested.

*Article 10.10 amended on June 14, 2010 by adding “In the event the association does not receive a bid for hosting the Annual Conference, the Executive Board shall engage the CCSC to find a location to host the conference. The CCSC shall assume the responsibility of meeting the requirements as stated in the bylaws, per this section. If assistance is requested by the city who wins the bid, the CCSC with the approval of the Board of Directors, shall assist the clerks of the hosting*

*city in meeting all necessary requirements in the bylaws, per this section. Two committee members may travel to the host city if needed. Any travel expenses incurred in connection with the visit must be approved by the executive board prior to the visit. Expenses will be reimbursed by the Association at a rate of \$36 per day for meals and mileage will be reimbursed in accordance to the state rate. A reimbursement form must be completed with all receipts attached and submitted to the treasurer within 30 days of travel.”*

*Article 10.10 amended on June 17, 2013 reword and revise for clarification and adjustments for no conference city bids. Change bid to applicant; omit “with the assistance of the Board of Directors and Education Committee”; “for the conference city. If necessary, the committee shall visit each city that has submitted a bid to inspect the facilities.” Change “free of charge” to “complimentary”; Deleting “city who wins the bid” and rewording to “host clerks”; omitting “with the approval of the Board” Deleting “Any travel” rewording to “ Expenses”; deleting “must be approved by the Executive Board of Directors prior to the visit”; deleting “at a rate of \$36.00 per day for meals, and mileage will be reimbursed in accordance to the State rate.” And rewording “with a reimbursement form completed and all receipts attached and submitted to the Treasurer for payment”.*

**AUDIT COMMITTEE (10.11)** The Audit Committee shall consist of two (2) members who are not officers. The Audit committee shall audit the financial transaction of the Treasurer or any other officer or member having charge of Association funds monthly. The committee shall compare bank records receipts and disbursements in the account books on a monthly basis for the fiscal year for the year they are appointed. The committee chair shall report its findings to the Board of Directors in writing, at the scheduled conferences. The committee shall also provide a final report of their findings to the Association at the Annual Conference business meeting.

The Audit Committee shall, upon the host clerk(s) opening the Annual Conference account, audit income and expenses and provide a report to the Board of Directors at scheduled conferences.

The Audit Committee shall receive, count and audit all ballots. In the event a committee member shall become an award nominee, the President shall appoint a replacement of the said member to the committee.

*Article 10.11 was amended on June 25, 2012 by omitting “and their designees” and “for the outstanding clerk of the year award and “either” from the last paragraph*

*Article 10.11 was amended on June 17, 2013 by omitting “prior” and adding “for which they are appointed.” Adding “at the scheduled conferences” and deleting within 30 days of the audit. Adding a new sentence “The Audit Committee shall, upon the host clerk(s) opening the Annual Conference account, audit income and expenses and provide a report to the Board of Directors at scheduled conferences.”*

*Article 10.11 was amended on June 23, 2014 by adding “monthly” and “receipts and disbursements” and deleting “vouchers and original entries” and adding “on a monthly basis.”*

**CERTIFICATION AND VALIDATIONS COMMITTEE (10.12) – REPEALED**

*Article 10.12 amended on June 20, 2005 by repealing this article.*

**EDUCATION COMMITTEE (10.13)** The Education Committee shall consist of at least one (1) county clerk, one (1) district clerk and/or a combination clerk from each of the following population brackets:

- A. Less than 20,000 in population;
- B. 20,000 - 100,000 in population; and
- C. 100,000 plus in population

The Education Committee shall further the education of the members by formulating, planning and promoting professional educational programs that are beneficial to the members of the Association. The educational programs shall include information on the statutory, constitutional and administrative duties of the county clerks and the district clerks.

The Education Committee shall:

- A. Formulate a structured progressive curriculum based on core duties which can be utilized on a rotating basis;
- B. Formulate an advanced track curriculum to include administrative, management, and legislative issues for incorporation with basic track programs;
- C. Plan the agenda and arrange for speakers to present the educational portion of meetings and conferences sponsored by the Association utilizing the core curriculum plan and advanced track topics as appropriate;
- D. Provide assistance and support to universities, state agencies or other professional organizations with cooperative continuing education programs;
- E. Actively seek educational opportunities that will enhance the clerk's profession and provide certification opportunities for the clerks;
- F. Develop a training program for clerks who wish to serve as volunteer faculty in order to insure accurate, well-prepared, professional presentations during educational programs;
- G. Maintain a speakers' bureau or resource file of clerks, representatives and recognized experts from universities, state agencies and other professional organizations to represent relevant topics during educational programs;
- H. Formulate a process for member evaluation of each section of an educational program and for reporting evaluation results to the Board of Directors using the results to plan future conferences; and
- I. Assist the Board of Directors in projecting educational expenses for each conference or seminar, identifying costs to maintain effective educational programs and in pursuing grants or other funds for educational purposes.

*Article 10.13 amended June 15, 2009 by changing the minimum requirements to compile the education committee.*

*Article 10.13 amended June 25, 2012 by changing the format of a, b, &c in first paragraph and adding the words "in population". In C. changed the word "education" to "educational".*

**SCHOLARSHIP COMMITTEE (10.14)** The Scholarship Committee shall consist of at least three (3) members. The identity of the members of the Scholarship Committee shall be confidential so no influence may be place upon the committee regarding the scholarship selection process. All scholarship applications shall be submitted on the form approved by the Board of Directors to the President of the Association by April 1<sup>st</sup>.

The Scholarship Committee shall review each application and award scholarships according to the criteria established by the Board of Directors outlined in Exhibit A (attached). The Association may award up to eight (8) \$1,000.00 scholarships (only one (1) per region). In the event no qualified application is received from a region no scholarship will be awarded for that region. All scholarships should first be awarded to a child or legal ward of an active member within each region. If no applications are received or no applications meet the scholarship criteria of a child or legal ward of an

active member, a scholarship may be awarded to a grandchild of an active member within the particular region.

If any scholarship recipient does not attend college or fails to meet the required number of semester hours in the upcoming school term, the recipient automatically forfeits the scholarship. The Scholarship Committee may review the remaining applicants, within that particular region, and award a scholarship to the next recipient meeting the criteria.

Proof of college admittance must be received before payment is presented. Once a scholarship recipient is awarded the funds the student must maintain a present proof to the treasurer of a minimum 2.0 GPA to receive the second half of the scholarship award.

*Article 10.14 amended on June 20, 2005 by omitting “that”, “then”, changing a comma to a period at the end of scholarship, omitting “and” then capitalizing The, and then omitting “The Board of Directors may choose to divide the payment of the scholarship per semester of admittance”.*

*Article 10.14 amended June 14, 2010 by omitting “May” and adding “April”; by adding “outlined in Exhibit A” and “through the adoption of the annual budget”; by adding “Once a scholarship recipient is awarded the funds the student must maintain and present proof to the treasurer of a minimum 2.0 GPA to receive the second half of the scholarship award.”.*

*Article 10.14 was amended June 13, 2011 by adding “The Association may award up to eight (8) \$1,000.00 scholarships (only one per region). In the event no qualified application is received from a region no scholarship will be rewarded for that region” and the words “within each region”.*

*Article 10.14 amended June 25, 2014 to add the words” within that particular region”.*

*Article 10.14 amended on June 17, 2013 by adding “or fails to meet the required number of semester hours*

**PROCEDURE MANUAL COMMITTEE (10.15)** There shall be a county clerk and a district clerk Procedure Manual Committee. Each sub-committee shall consist of at least seven (7) members. Each sub-committee shall review the manual annually and make such revisions as needed to update and enhance the manual in order to provide proper educational materials for the members of the Association.

All updates should be presented for publication to the Board of Directors at the Annual Conference board meeting for approval. Upon approval, updates shall be made on the CDCAT website and a courtesy copy provided to the Office of Court Administration.

*Article 10.15 amended on June 17, 2013 by adding “All updates should be presented for publication to the Board of Directors at the Annual Conference board meeting for approval. Upon approval, updates shall be made on the CDCAT website and a courtesy copy provided to the Office of Court Administration.”*

#### **RESOLUTIONS COMMITTEE (10.16) REPEALED**

*Article 10.16 amended June 15, 2009 by REPEALING the entire article.*

**MEMORIAL COMMITTEE (10.17)** The Memorial Committee shall consist of at least three (3) members. Upon notification from the CDCAT Treasurer of receiving a memorial, the committee shall be responsible for mailing memorial acknowledgements. The committee shall plan the Memorial Remembrance for the Annual Conference.

*Article 10.17 amended June 15, 2009 by adding duty of memorial acknowledgments.*



**PICTORIAL DIRECTORY COMMITTEE (10.18)** The Pictorial Directory Committee shall consist of at least three (3) members. The Pictorial Directory Committee shall annually make revisions and updates to the Association’s online and printed directory.

*Article 10.18 amended June 17, 2013 by adding “online and printed”*

**SALES COMMITTEE (10.19)** The Sales Committee shall consist of at least five (5) members. The Sales Committee shall be responsible for acquiring and selling merchandise for the Association, maintaining inventory of merchandise and reporting of sales at the Annual Conference Board of Director’s meeting. The committee chair is required to transfer all merchandise and inventory report to newly appointed committee chair after the end of the Annual Conference.

*Article 10.19 Sales Committee added on June 20, 2005.*

*Article 10.19 amended June 13, 2011 by adding maintaining inventory of merchandise and report of sales at the annual conference board meeting. The committee chair is required to transfer all merchandise and inventory and report to newly appointed Chair by or before the next association conference.*

*Article 10.19 amended June 25, 2012 changing the word and adding report to “reporting all”, and added the word “committee” to the newly appointed “committee”.*

*Article 10.19 amended on June 17, 2013 omitting “and shall serve under the direction of the President”; changing the reporting period to “at the end of the Annual Conference” from “by or before the next Association Conference”.*

**WEBSITE/LISTSERVE COMMITTEE (10.21)** The Website/List Serve Committee shall consist of three (3) members. One (1) member will be appointed as chairman by the President, who will serve as the contact person for all communications regarding hosting services. TAC will serve as the Web-Site host.

*Article 10.20 Web-Sit/List Serve Committee added on June 20, 2005.*

*Article 10.02 amended on June 14, 2010 by adding “/List Serve” and by adding “One member will be appointed as chairman by the president who will serve”; omitting “of which shall be designed by the Board of Directors to serve”*

**HISTORICAL COMMITTEE (10.21)** The Historical Committee shall consist of three (3) members. The Historical Committee shall prepare narrative accounts of all activities of the Association from July – June fiscal year. An annual written report shall be provided at the Annual Conference and will be made part of the Annual Conference minutes.

*Article 10.21 Historical Committee was added to the bylaws on June 17, 2013.*

## **ARTICLE XI – EDUCATION**

**EDUCATION CERTIFICATION (11.01)** Each January, CDCAT will provide a Certificate of Continuing Education to a county Clerk, district clerk or combination clerk upon the successful completion of twenty (20) hours of approved instruction and as required by Texas Government Code Section 51.605.

*Article 11.01 amended on June 20, 2005 by adding “which includes 1 hour registry of the court and 1 hour fraudulent filing”.*

*Article 11.01 amended on June 18, 2007 by adding “Each elected/appointed public official, not later than the 90*

day after taking the oath of office, shall complete a course of training (Open Records & Public Information) of not less than one and not more than two hours regarding the governmental body the official serves. (Texas Government Code Section 552.012(b).

Article 11.01 was amended June 13, 2011 to replace “county and district’ with “combination”.

Article 11.01 amended on June 25, 2012 by deleting” (which includes 1 hour of registry of the court” and 1 hour fraudulent filings)” and “Each elected/appointed public official, not later than the 90th day after taking the oath of office, shall complete a course of training (Open Records & Public Information) of not less than one and not more than two hours regarding the governmental body the official serves. (Texas Government Code Section 552.012(b) )

Article 11.01 amended June 17, 2013 by adding “CDCAT will provide a Certificate of Continuing Education each January” and deleting “the performance of duties of their office during each calendar year”.

Article 11.01 amended on June 23, 2014 by adding “Each January, CDCAT will provide a Certificate of Continuing Education to a county clerk, district clerk or combination clerk, upon the successful completion of twenty (20) hours of approved instruction and as required by Texas Government Code Section 51.605.” and deleting “A county clerk, district clerk or combination clerk, hereinafter called clerk, shall be officially certified as having met the requirements of “continuing education” required by Texas Government Code 51.605. Upon successful completion of twenty (20) hours instruction, CDCAT will provide a Certificate of Continuing Education Hours, each January that begins after the clerk’s election or appointment to office.”

**INSTRUCTION (11.02)** The Association will provide annually three (3) educational programs. The Education Committee shall determine the number of credit hours of instruction clerks may receive through successful completion of a program. The President and Vice President will determine the number of credit hours available through completion of such programs. Credit hours for instruction received in ways other than those enumerated in this section shall be submitted on an individual basis to the Vice President for a determination of whether or not credit hours will be granted, and if so, how many.

Article 11.02 amended on June 20, 2005 by adding “Education Committee”, “Ten (10) of the twenty (20) required hours must be completed at any of the three Association sponsored programs: University of Texas School of Law, VG Young Institute of County Government, or CDCAT Annual Conference.”, “President, Vice President and Education Chair”, and “Vice President”.

Article 11.02 amended on June 20, 2005 by omitting “Board of Directors” “Successful completion of any two of the three Association sponsored programs within a year will guarantee the 20 credit hours necessary for certification.”, “Credit hours for instruction in the performance of the duties of office may also be earned through successful completion of courses sponsored by an accredited public institution of higher education. State agencies or other associations, including Association regional meetings, offering education in the duties and responsibilities of a clerk.”, and “certification and validation committee” (that appears in two different places).

Article 11.02 amended on June 25, 2012 by deleting “Ten (10) of the twenty (20) required hours must be completed at any of the three Association sponsored programs: University of Texas School of Law, VG Young Institute of County Government, or CDCAT Annual Conference.

Article 11.02 amended on June 17, 2013 by deleting “upon review of the educational content of each individual program,”; “Upon receiving certification as to a clerk’s attendance and participation in other programs”; and changing the word earned to “available “and, deleting the word “other”.

Article 11.02 amended on June 23, 2014 by deleting “which consist of two (2) seminars and the Annual Conference”, adding “and”, deleting “and Education Chair of the Association.”

**ATTENDANCE (11.03)** Attendance at an educational program or course shall mean official registration and personal attendance at desired sessions of the program or course as evidenced by the member submitted continuing education.

*Article 11.03 amended on June 17, 2013 by adding “desired” instead of “all”. Adding “the member submitted Continuing Education”; deleting “official records”.*

**RECORD OF CREDIT HOURS (11.04)** It shall be the duty of the Vice President to establish and maintain a data of the credit hours earned by clerks. It shall be the duty of the individual clerk to enter those hours into the CE Tracker program and to certify to the Vice President, the clerk’s attendance and participation in an educational program to which credit hours may be attributed, but are not listed in the CE Tracker program. CE hours obtained outside of the Association may or may not be approved toward the required 20 hours. If the credit hours are earned at an Association sponsored program or approved program, certification as to official registration and personal attendance shall be sufficient.

Pursuant to Article 11.02; upon successful completion of twenty (20) hours approved continuing education, within time prescribed, a clerk shall be issued a “Continuing Education Certificate”.

*Article 11.01 amended March 17, 1998 according to House Bill 2273 75<sup>th</sup> legislative session, effective 09/01/1997 upon successful completion of twenty (20) hours approved continuing education, within time prescribed, a clerk shall be issued a “Continuing Education Certificate”.*

*Article 11.04 amended on June 20, 2005 by omitting “If however, credit hours are earned in a program other than one sponsored by the Association or pre-determined by the Board, certification of attendance together with an official description of the course offered shall be submitted to the certification committee for its convenience”.*

*Article 11.04 amended June 25, 2012 by changing the word “education” to “educational” and adding after which the “President and Education Committee Chairman have” and deleted “Board of Directors”*

*Article 11.04 amended June 17, 2013 by rewording “data” from “a roster”; deleting “in writing”; deleting “to which the President and Education Committee Chairman have predetermined the number of credit hours to be earned”; and deleting “and certified by the Board of Directors”.*

*Article 11.04 amended June 23, 2014 by adding “base”, “enter those hours into the CE Tracker Program and to”, and “but are not listed in the CE Tracker Program. CE Hours obtained outside of the Association may or may not be approved toward the required 20 hours.”*

## **ARTICLE XII – CLERK OF THE YEAR**

**CLERK OF THE YEAR AWARD (12.01)** Two (2) outstanding clerks of the Association shall be honored with a Clerk of the Year Award. A county clerk and a district clerk, or a combination clerk representing either a county clerk or a district clerk, shall be presented the Clerk of the Year Awards at the Annual Conference.

Each region of the State may nominate two (2) clerks, one (1) representing a county clerk and one (1) representing a district clerk. At a regional meeting held prior to May 15<sup>th</sup>, all nominees for the awards shall be voted on by the members present, by secret ballot. Each Clerk of the Year nominee shall be an active member of the Association with a current continuing education certificate, as verified by the President of the Association and has served at least four (4) years in office. The Clerk of the Year nominee should have provided notable service to the Association while promoting the purpose of the Association. Current Executive Officers or previous recipients of the award may not be nominated.

Each region’s Director In Charge shall provide the names of the nominees along with the resume/ personal biography on the specified form for the clerk of the year awards to the President by May

15<sup>th</sup>. The Secretary shall prepare ballots, with approval by President, for voting at the Annual Conference.

The Clerk of the Year award is based on service and contribution to the Association, therefore; solicitation for votes for Clerk of the Year is prohibited.

All of the nominees for the Clerk of the Year awards shall be presented to the members at the Annual Conference with a brief description of the reason for their nomination. The active members of the Association shall vote by secret ballot or by voting absentee for one (1) county clerk representative and one (1) district clerk representative during the Annual Conference. The ballots are counted by the Audit Committee. The names of the Clerk of the Year honorees shall be given to the President.

An award for Clerk of the Year shall be presented to the county clerk representative and to the district clerk representative receiving the largest number of votes cast. In case of a tie for either County Clerk of the Year or District Clerk of the Year, both clerks shall receive the award. The award presentations shall be made at the Annual Banquet.

*Article 12.01 amended on January 9, 2001, to add language and clarify procedures for Clerk of the Year certifications, qualifications, balloting, and resolution if a tie occurs.*

*Article 12.01 (Paragraph 4) amended on January 13, 2004 by adding "or by voting by mail".*

*Article 12.01 amended on June 20, 2005 by adding "and have served at least four (4) years in office", by omitting "The President will prepare the ballots for voting" adding "The Secretary shall prepare ballots, with approval by President, for voting at the Annual Conference" omitting "at the conference and" adding "Copies of the nominees' information shall be prepared by the President for presentation at the conference", omitting the word "distribution" from that sentence, adding "The Clerk of the Year award is based on service and contribution to the Association, therefore; solicitation for votes for Clerk of the Year is prohibited", omitting "by mail" and adding "absentee"*

*Article 12.01 amended on June 15, 2009 by adding "executive" to second paragraph.*

*Article 12.01 amended June 13, 2011 to replace the word "shall" with "should"; remove "within the last year or two"; remove "Prior year's contributions to the Association may also be considered in the nomination" Removed "of the Association" and added "or previous recipients of the award" and replace "county and district" with combination".*

*Article 12.01 amended June 25, 2012 by deleting "Copies of the nominees' information shall be prepared by the President for presentation at the conference".*

*Article 12.01 amended June 15, 2015 by omitting the word "Outstanding" and rewording the sentence "The names of the Outstanding Clerks honorees shall be given to the President. An Award for Outstanding Clerk of the Year shall be presented to the person receiving the largest number of votes cast for the county clerk representative and an award for Outstanding Clerk of the Year shall be presented to the person receiving the largest number of votes cast for the district clerk representative. In case of a tie for either Outstanding County Clerk or Outstanding District Clerk, both clerks shall receive the award" to "The names of the Clerk of the Year honorees shall be given to the President. An award for Clerk of the Year shall be presented to the county clerk representative and to the district clerk representative receiving the largest number of votes cast. In case of a tie for either County Clerk of the Year or District Clerk of the Year, both clerks shall receive the award."*

### **ARTICLE XIII – BOOKS AND RECORDS**

**BOOKS AND RECORDS** (13.01) The Secretary shall keep correct and complete books and records of accounts and minutes of the proceedings of its members, Executive Board and Board of Directors. All books and records of the Association may be inspected by any member or the member's agent or attorney for any proper purpose at any reasonable time. Each officer, director or other member shall

turn over all files and records, of the Association, to any successor in office by the conclusion of the Annual Conference.

All designated records shall be available on the Association website, excluding any record that may contain confidential information, which may include but is not limited to bank account information, tax identification numbers, social security numbers, contracts, etc.

The Records Manager shall serve as the repository for the Association.

*Clerk's Note: All records from 1977 – present are stored with the Wheeler County Clerk's office.*

*Article 13.01 was amended on June 14, 2010 by adding "Record Manager"; omitting "Association" by adding "s" on account; Omitting "shall also keep"; Adding "Executive Board and" Omitting" and committees having any of the authority of the Board of Directors and shall keep at the registered or principal office a record giving the names and addresses of the members entitled to vote. "*

*Article 13.01 was amended on June 17, 2013 by changing "Records Manager" to "Secretary"; changing "within thirty (30) days after the successor takes office" to "by the conclusion of the Annual Conference; and adding "All designated records shall be available on the Association website, excluding any record that may contain confidential information, which may include but is not limited to bank account information, tax identification numbers, social security numbers, contracts, etc. The Records Manager shall serve as the repository for the Association.*

*Clerk's Note: All records from 1977 – Present are stored with the Wheeler County Clerk's Office."*

## **ARTICLE XIV – COMPENSATION**

**COMPENSATION – BOARD OF DIRECTORS** (14.01) Members of the Board of Directors may receive reimbursement for any expenses incurred on behalf of attending a Board of Directors meeting or special called meeting(s). Upon written request to the Treasurer and approval by the President reimbursement requests shall be processed within thirty (30) days of the date submitted. The member must provide proof of mileage using MapQuest (or similar mileage program) and receipts of expenses incurred on behalf of the Association, which includes:

- A. Hotel room plus tax;
- B. Meals per day;
- C. Cost of air fare or mileage

The President and guest/or a representative shall be authorized to attend a conference dedicated to the promotion of the Association and its members. Some notable conferences are:

- National Association of Counties (NACo);
- International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT);
- Leadership Conference(s) by Texas Association of Counties; or
- Other state and national conference of an association affiliated with clerks each year.

The Board of Directors may review any refusal or failure to provide reimbursement. Any other compensation is prohibited unless expressly approved by the Board of Directors.

*Article 14.01 amended January 9, 2001 to add that President's appointment of approval is to be attached to requests for reimbursements and clarification of reimbursements.*

*Article 14.01 amended January 15, 2002 to change meal reimbursement at "meals per day with receipts at the same rate as set by the State of Texas".*

*Article 14.01 amended on June 20, 2005 by adding "and guest" to President and "and guest" to a representative, also adding "or" after the (NACO).*

*Article 14.01 amended on June 15, 2009 by omitting the word "All" and added "any" and "attending a Board of Directors meeting" and deleted second paragraph which reimbursed clerk's only if they were registered for the coinciding meeting.*

*Article 14.01 amended June 25, 2012 by changing format of a, b, and c, in paragraphs 1 and 2.*

*Article 14.01 amended June 17, 2013 reword for clarification. Adding "processed within 30 days of the date submitted"; "must provide proof of mileage using map quest" ; omitting "with receipts at the same rate as set by the State of Texas"; "as set by the State of Texas for that year, per mile traveled to all official meeting of the Association, both regular and special."*

*Article 14.01 amended June 23, 2014 by adding "(or similar mileage program)"*

*Article 14.01 amended January 15, 2015 by adding "14.01 (D) Car rental if none provided by hotel from Airport and with approval from President".*

**MEMBERS (14.02)** Members of the Association may receive reimbursement for their necessary expenses not to exceed that allowed by the Board of Directors, upon approval by the President for:

- A. Appointment by the President to a committee;
- B. Performance of a special function;
- C. Appointment by a State official or agency to a committee; or
- D. Performance of a special function for the Association

*Article 14.02 amended June 25, 2012 by deleting "upon appointment by the President to a committee or to perform a special function or upon appointment by a State official or agency to a committee or to perform a special function for the Association," and added and changed format for a, b, c and d.*

## **ARTICLE XV – DUES**

**ANNUAL DUES (15.01)** The Board of Directors shall establish the dues to be paid annually by all members, not to exceed \$200.00.

Dues are payable within forty-five (45) days of receipt of the dues statement.

*Article 15.01 was amended June 20, 2005 by raising the dues of each category of county population by \$5.00 and then also raising the Associate and Affiliate members by \$10.00 and by also raising corporate member by \$25.00.*

*Article 15.01 was amended June 15, 2009 by eliminating the dues for Associate and Corporate members and raising the Affiliate member's dues to \$50.00.*

*Article 15.01 was amended June 13, 2011 to replace "thirty" with "forty five" and to remove "Payment of the annual dues entitles the member to receive the magazine or other official public of the Association".*

## **ARTICLE XVI – BUDGET**

**BUDGET (16.01)** The Treasurer shall prepare a budget for the following fiscal year to be reviewed by the Board of Directors at the spring meeting or at another time as requested by the President. The budget shall include items of expenses and revenue. Each committee that may have expected expenditures or revenue shall submit the committee's budget to the Treasurer for inclusion in the Association's budget.

The Board of Directors shall approve the budget. The Board of Directors may amend the budget by a two thirds (2/3) majority vote of those present and voting. Upon the adoption of the budget, it shall be placed on the Association website.

*Article 16.01 amended June 17, 2013 reword and revise for clarification and placement of budget of website. Omitting "and present the budget to the members at the Annual Conference." Adding, "Upon the adoption of the budget, it shall be placed on the Association website."*

## **ARTICLE XVII – CONTRACTS, CHECKS, DEPOSITS AND FUNDS**

**CONTRACTS, CHECKS, DEPOSITS AND FUNDS – CONTRACTS (17.01)** The Board of Directors may authorize any officer(s) or; agent(s) of the Association, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Association. Such authority shall be confined to specific instances.

**CHECKS AND DRAFTS (17.02)** All checks, drafts or orders for payment of money, notes, or other evidences of indebtedness in an amount exceeding \$250.00 issued in the name of the Association shall be signed by such officer(s) or; agents(s), of the Association and in such manner as shall from time to time be determined by the Board of Directors. In the absence of such determination by the Board of Directors such instruments shall be signed by the Treasurer and countersigned by the President.

*Article 17.02 was amended on June 20, 2005 by omitting \$150.00 and adding \$250.00*

**DEPOSITS (17.03)** All collected funds of the Association shall be to the credit of the Association, in such banks, trust companies, or other depositories determined by the Treasurer. Accounting for separate funds maintained by the Association shall include general, legislative, scholarship, and memorial. Other funds as required for the operation of the Association may be established as needed by the Board of Directors.

*Article 17.03 amended June 17, 2013 transferring duties to the Treasurer from the Board of Directors omitting "as the Board of Directors may select".*

**REVENUE (17.04)** All dues, contributions, donations and other monies solicited on behalf of the Association shall be collected and disbursed by the Treasurer. Additional sources of revenue in addition to dues shall be sales, gifts or donations, registration, grants and aid, auction and booth fees.

*Article 17.04 amended June 17, 2013 by removing the words "of advertising" with sales.*

**GIFTS AND DONATIONS (17.05)** The Board of Directors may accept on behalf of the Association any contribution, give bequest, or devise for the general purposes of the Association. Unsolicited donations may be accepted by the President at the President's discretion and reported to the Board of Directors immediately.

**BANK BALANCE (17.06) REPEALED**

*Article 17.06 amended June 17, 2013 by deleting “The checking account balance shall be adjusted to \$1,000.00 before transfer to the incoming Treasurer by transferring all excess to the savings account or transferring an amount from savings to adjust to the \$1,000.00 balance.”*

**AUDIT (17.07)** An outside Certified Public Accountant (CPA) shall perform a formal review of all Association accounts and prepare and file the Association tax return. The Treasurer shall furnish the CPA all necessary account information upon closure and transfer of funds to the incoming Treasurer. The transfer of funds and account information furnished should be as soon as practical, but no later than August 1<sup>st</sup> to allow the CPA ample time to perform the specified duties.

*Article 17.07 amended June 17, 2013 reword and revise for clarification. Adding CPA shall perform a formal review of all Association accounts and prepare and file the Association tax return: omitting “Audit Committee with a certificate from the bank or savings institution as to the balances as of June 1st each year.” Adding, “...All necessary account information upon closure and transfer of funds to the incoming Treasurer. The transfer of funds and account information furnished should be as soon as practical, but no later than August 1st to allow the CPA ample time to perform the specified duties.”*

## **ARTICLE XVIII – PLANNING**

### **LONG RANGE PLANNING (18.01) REPEALED**

*Article 18.01 was repealed on June 25, 2012 by deleting “The Board of Directors and any other members appointed by the President shall meet at least once every five years for a long range planning session to consider and research areas which will affect the future of the Association and its members. The long- range plan shall strengthen the professionalism, educational programs and effectiveness of the Association.”*

## **ARTICLE XIX – FISCAL YEAR**

**FISCAL YEAR (19.01)** The fiscal year of the Association shall begin on the first day of July and end on the last day of June of the following year.

## **ARTICLE XX – SEAL**

**SEAL (20.01)** The Board of Directors shall provide an Association seal, which shall be in the form of a circle and shall have inscribed thereon the name of the Association.

*Article 20.01 was amended on June 20, 2005 by omitting “and the words “Corporate Seal of the County and District Clerks Association of Texas”.*

## **ARTICLE XXI – WAIVER OF NOTICE**

**WAIVER OF NOTICE (21.01)** Whenever any notice is required to be given under the provisions of the Texas Non-Profit Corporation Act or under the provisions of the articles of incorporation or the bylaws of the corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

## **ARTICLE XXII – AMENDMENTS**

**AMENDMENTS TO THE BYLAWS (22.01)** These bylaws may be altered, amended or repealed and new bylaws may be adopted by a majority of the active members present at any regular meeting



or at any special meeting, if at least two (2) days' notice is given of an intention to alter, amend, or repeal these bylaws or to adopt new bylaws at such meeting.



*The foregoing by laws adopted by unanimous vote of the County and District Clerks' Association of Texas on the 17<sup>th</sup> day of March, A.D., 1998, in College Station, Texas.*

*/s/ Dorsey R. Trapp, President  
District Clerk, Wichita County, Texas*

*/s/ Paulette Burks, Secretary  
County Clerk, Rockwall County, Texas*



*The foregoing by laws was amended by unanimous vote of the County and District Clerks' Association of Texas on the 26<sup>th</sup> day of June, A.D., 1998, in Abilene, Texas.*

*/s/ Dorsey R. Trapp, President  
District Clerk, Wichita County, Texas*

*/s/ Paulette Burks, Secretary  
County Clerk, Rockwall County, Texas*



*The foregoing bylaws were amended by unanimous vote of the County and District Clerks' Association of Texas on the 9<sup>th</sup> day of June, A.D., 2001*

*/s/ Paulette Burks, President  
County Clerk, Rockwall County, Texas*

*/s/ Gail Turley, Vice President  
County & District Clerk, Goliad County, Texas*

*/s/ Jo Ann Chastain, Secretary  
County Clerk Angelina County, Texas*

*/s/ Charles Bacarisse, Parliamentarian  
District Clerk, Harris County, Texas*



*The foregoing bylaws were amended by a majority vote of the County and District Clerks' Association of Texas on the 15<sup>th</sup> day of January, A.D., 2002 in College Station, Texas*

*/s/ Gail M. Turley, President  
County & District Clerk, Goliad County, Texas*

*/s/ Marc Hamlin, Vice President  
District Clerk, Brazos County, Texas*

*/s/ Becky Wilbanks, Secretary  
District Clerk, Cass County Texas*

*/s/ Rhonnie C. Mayer, Parliamentarian  
County Clerk, Moore County, Texas*



*The foregoing bylaws were amended by unanimous vote of the County and District Clerks' Association of Texas on the 13<sup>th</sup> day of January, A.D., 2004 in College Station, Texas*

*/s/ JoAnn Chastain President  
County Clerk, Angelina County, Texas*

*/s/ Becky Wilbanks, Vice President  
District Clerk, Cass County, Texas*

*/s/ Brenda Hudson, Secretary  
County & District Clerk, Swisher County, Texas*

*/s/ Marc Hamlin, Parliamentarian  
District Clerk, Brazos County, Texas*

*/s/ Barbara Meyer, Bylaws Committee Chairman  
District Clerk, Gillespie County, Texas*

*/s/ Phyllis Stephens, Bylaws Committee  
County & District Clerk, Upton County, Texas*

*/s/ Charlotte Barrett, Bylaws Committee  
County Clerk, Madison County, Texas*

*/s/ Kenneth McElveen, Bylaws Committee  
County Clerk, Jackson County, Texas*



*The foregoing bylaws were adopted by unanimous vote of the County and District Clerks' Association of Texas on the 20<sup>th</sup> Day of June, A.D., 2005 in South Padre Island, Texas.*

*/s/ Becky Wilbanks, President  
District Clerk, Cass County, Texas*

*/s/ Beth Rothermel, Vice President  
County Clerk, Washington County, Texas*

/s/ Janice Gray, Secretary  
County Clerk, Coryell County, Texas

/s/ Marc Hamlin, Parliamentarian  
District Clerk, Brazos County, Texas

/s/ Dorsey Trapp, Bylaws Committee Chairman  
District Clerk, Wichita County, Texas

/s/ Jeane Brunson, Bylaws Committee  
County Clerk, Parker County, Texas

/s/ Janice Lyons, Bylaws Committee  
County Clerk, Taylor County, Texas



*The foregoing bylaws were amended by a majority vote of the County and District Clerks' Association of Texas on the 18<sup>th</sup> day of June, A.D., 2007 in Wichita Falls, Texas.*

/s/ Brenda Hudson, President  
County & District Clerk, Swisher County, Texas

/s/ Janice M. Gray, Secretary  
District Clerk, Coryell County, Texas

/s/ Barbara Adamick, Secretary  
District Clerk, Montgomery County, Texas

/s/ Becky Groneman, Parliamentarian  
County Clerk, Tyler County, Texas

/s/ Dorsey Trapp, Bylaws Committee Chairman  
District Clerk, Wichita County, Texas

/s/ Donece Gregory, Bylaws Committee  
County Clerk, Tyler County, Texas



*The foregoing bylaws were amended by a majority vote of the County and District Clerks' Association of Texas on the 15<sup>th</sup> day of June, A.D., 2009 in South Padre Island, Texas*

/s/ Karen McQueen, President  
County Clerk, Brazos County, Texas

/s/ Cathy Stuart, Vice President  
District Clerk, Victoria County, Texas

/s/ Bena Hester, Secretary  
County & District Clerk, Briscoe County, Texas

/s/ Becky Groneman, Parliamentarian  
County & District Clerk, Oldham County, Texas

/s/ Donece Gregory, Bylaws Committee Chairman  
County Clerk, Tyler County, Texas



*The foregoing bylaws were amended by a majority vote of the county and District Clerks' Association of Texas on the 12<sup>th</sup> Day of June, A.D., 2011 in Lewisville, Texas.*

*/s/ Joyce Hudman, President  
County Clerk, Brazoria County, Texas*

*/s/ Bena Hester, Vice President  
County & District Clerk, Briscoe County, Texas*

*/s/ Sheri Woodfin, Secretary  
District Clerk, Tom Green County*

*/s/ Tammy Kneuper, Parliamentarian  
District Clerk, Bandera County, Texas*

*/s/ John F. Warren, Bylaws Committee Chairman  
County Clerk, Dallas County, Texas*



*The foregoing bylaws were amended by a majority vote of the County and District Clerks' Association of Texas on the 25<sup>th</sup> day of June, A.D., 2012 in Galveston, Texas*

*/s/ Bena Hester, President  
County & District Clerk, Briscoe County, Texas*

*/s/ Diane Hoefling  
District Clerk, Moore County, Texas*



*The foregoing bylaws were amended by a majority vote of the County and District Clerks' Association of Texas on the 17<sup>th</sup> day of June A.D., 2013 in San Antonio, Texas*

*/s/ Sheri Woodfin, President  
District Clerk, Tom Green County, Texas*

*/s/ Heather H. Hawthorne  
County Clerk, Chambers County, Texas*

*/s/ Tammy Kneuper, Parliamentarian  
District Clerk, Bandera County, Texas*

*/s/ John F. Warren, Bylaw Committee Chairman  
County Clerk, Dallas County, Texas*



*The foregoing bylaws were amended by a majority vote of the County and District Clerks' Association of Texas on the 23<sup>rd</sup> day of June, 2014 A.D., 2014 in Frisco, Texas.*

/s/ Teresa Kiel, President  
County Clerk, Guadalupe County, Texas

/s/ Celeste Bichsel, Secretary  
County & District Clerk, Carson County, Texas



The foregoing bylaws were amended by a majority vote of the County and District Clerks' Association of Texas on the 15<sup>th</sup> day of June, A. D. 2015 in Houston, Harris County, Texas.

/s/ Diane Hoefling, President  
District Clerk, Moore County, Texas

/s/ Heather Hawthorne  
County Clerk, Chambers County, Texas

/s/ Tammy Kneuper, Secretary/Parliamentarian  
District Clerk, Bandera County, Texas

/s/ Barbara Duncan, Bylaws Committee Chairman  
District Clerk, Gregg County, Texas

/s/ Cheri Hawkins, Bylaws Committee  
Combination Clerk, Shackelford County, Texas

/s/ Karren Winter, Bylaws Committee  
County Clerk, Archer County, Texas

/s/ Renee Calhoun, Bylaws Committee  
County Clerk, Randall County, Texas



The foregoing bylaws were amended by a majority vote of the County and District Clerks' Association of Texas on the 20<sup>th</sup> day of June, A. D. 2016 in Corpus Christi, Nueces County, Texas.

/s/ Heather Hawthorne, President  
County Clerk, Chambers County, Texas

/s/ Celeste Bichsel, Vice President  
Combination Clerk, Carson County, Texas

/s/ Jennifer Lindenzweig, Secretary  
County Clerk, Hunt County, Texas

/s/ Barbara Duncan, Bylaws Committee Chair  
District Clerk, Gregg County, Texas

/s/ Tammy Kneuper, Treasurer  
District Clerk, Bandera County, Texas

/s/ Karren Winter, Bylaws Committee member  
County Clerk, Archer County, Texas

/s/ Diane Hoefling, Immediate Past President  
District Clerk, Moore County, Texas

/s/ John Warren, Parliamentarian  
County Clerk, Dallas County, Texas

## **Exhibit “A”**

# **COUNTY & DISTRICT CLERKS’ ASSOCIATION OF TEXAS**

### **SCHOLARSHIP GUIDELINES**

All applicants must adhere to the following guidelines:

1. Submit a completed scholarship application. Incomplete applications may not be considered.
2. Submit a copy of a recent transcript (high school/college) together with a letter from your high school principal or former teacher explaining the applicant’s potential as a college student.
3. Applicants must be a high school graduate (at least will graduate prior to the Clerks’ June Conference at the time the scholarship would be awarded)
4. Applicants must be younger than twenty –two (22) years of age. The oldest age to be considered will be person twenty-two (22) years old.
5. Any application received by the President of the Association after the date of April 1, shall not be considered by the Committee.
6. Scholarships will be awarded at the Annual Conference of the County & District Clerks’ Association of Texas.
7. The President of the County & District Clerks’ Association of Texas will appoint a Scholarship Committee to review the applications and make the selection. This committee shall consist of a County Clerk, a District Clerk, and a Combination Clerk who none shall have submitted an application for review that year.
8. The President of the County & District Clerks’ Association shall not be eligible to submit an application during the year of which they are serving the Association as President.
9. The student’s grade average should be considered, but the grades should not be the only factor considered. The needs of the student, whether the student is receiving any other scholarships, the student’s sincere desire to attend college and any other similar information should be considered.
10. A past scholarship winner is ineligible to receive an additional scholarship.
11. One half (1/2) of the scholarship money awarded shall be made payable to the student upon proof of enrollment of at least twelve (12) hours in an accredited college. The remaining one half (1/2) shall be made payable to the student upon proof of additional second semester of twelve (12) hours of enrollment and presentment of proof to the treasurer of a minimum 2.0 GPA. Failure to present proof of enrollment and GPA of the immediate succeeding semester shall constitute a forfeiture of the remaining amount of money and will remain in the said scholarship fund to be used for another scholarship.
12. Accredited Trade Schools, where the student would be attending at least one (1) full year (or the Trade Schools determination of a term/year) can be considered for a scholarship. Any application requiring less than this time shall not be considered.