

COUNTY AND DISTRICT CLERKS' ASSOCIATION OF TEXAS

Proposed BYLAW AMENDMENTS for 2017

AMENDMENT #1

Author: Bylaws Committee

Current Language of the Bylaws:

TREASURER (7.09) 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.

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 20 (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.

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.

Proposed language of the Bylaws:

TREASURER (7.09) The Treasurer, with the assistance of the Executive Board, shall prepare a budget to be approved by the Board of Directors at the **winter** 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.

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 **Winter** 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 20 (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.

BUDGET (16.01) The Treasurer shall prepare a budget for the following fiscal year to be reviewed by the Board of Directors at the **winter** 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.

Comments: The proposed change is from "spring" to "winter"

AMENDMENT #2

Author: Bylaws Committee

Current Language of the Bylaws:

ANNUAL CONFERENCE – CONFERENCE CITY (9.01)

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.

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.

Proposed language of the Bylaws:

ANNUAL CONFERENCE – CONFERENCE CITY (9.01)

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 shall be submitted to the Board of Directors at the Winter Conference Board of Directors Meeting. All conference proceeds shall be deposited into the CDCAT Money Market Account no later than 180 days after the annual conference via wire transfer with any transaction fees deducted from the conference proceeds.**

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 shall be submitted to the Board of Directors at the Winter Conference Board of Directors Meeting. All conference proceeds shall be deposited into the CDCAT Money Market Account no later than 180 days after the annual conference via wire transfer and transaction fees deducted from the conference proceeds.**

Comments: The proposed change is to allow wire transfers of conference proceeds vs. an actual check

AMENDMENT #3 – PENDING REPLY FROM PAUL J. SUGG

Author: Bylaws Committee

Current Language of the Bylaws:

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 3 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

Proposed language of the Bylaws:

Comments: The proposed change is (pending)

AMMENDMENT #4

Author: Bylaws Committee

Current Language of the Bylaws: 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.

Proposed Language of the Bylaws:

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 Secretary shall send the absentee ballot(s) to all requestors for a voting period of two weeks.** 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.

Comments: The proposed change is to require the Secretary to send out the absentee ballot for a voting period of two weeks.