

Polk County Fraternal Order of Police, Inc.
Lodge #46 By-Laws

ARTICLE 1
USE AND DISPLAY OF EMBLEM (NAME)

- Section 1.** This organization shall be known as the Polk County Fraternal Order of Police, Inc. Lodge #46, and is hereinafter referred to as the “Lodge.”
- Section 2.** No person, other than a member in good standing of the Polk County Fraternal Order of Police, Inc., their spouse or child living in the same residence, shall use or display the official emblem of the organization on any automobile or other motor vehicle.
- Section 3.** Any person who is not a member of the Polk County Fraternal Order of Police, Inc., or any member thereof who is unable to produce a current dues card, shall not use, wear or display the insignia or logo of the Fraternal Order of Police.

ARTICLE 2
LODGE ACTION CONCERNING STATE AND/OR LOCAL MATTERS

- Section 1.** The Lodge shall take cognizance of matters concerning and affecting the welfare and interests of law enforcement officers and their dependents. The Board of Director shall take such immediate action as shall be necessary to safeguard the welfare and interests of the Lodges’ members by providing aid or such other services as may be required.

ARTICLE 3
COMMITTEES

- Section 1.** There may be the following standing committees within the Lodge as appointed by the President: By-Laws, Legislative, Membership, and Public Relations.
- Section 2.** The President shall appoint the majority of all committees in accordance with the provisions of the Constitution. The First Vice President shall appoint the minority of all committees.
- Section 3.** The President may create other committees as is deemed necessary.
- Section 4.** Each committee shall consist of at least a Chairperson and two other Lodge members.

Section 5. If any committee fails to act within thirty (30) days of their appointment, the President may declare the committee dismissed and a new committee appointed in accordance with the by-laws.

ARTICLE 4 MEMBERSHIP

Section 1. Any regularly appointed or elected and full time employed law enforcement officer of the United States, any state or political subdivision thereof, with in the territorial boundaries of Polk County, Florida may be eligible for membership in the Fraternal Order of Police, subject to provisions of this Constitution. No active law enforcement officer of a jurisdiction or agency outside of Polk County may join this Lodge if there is an active Fraternal Order of Police lodge made up of members of his/her department or police organization unless permission is granted by the affected Lodge. No person shall be denied membership on account of race, religion, color, creed, gender, age or national origin.

Section 2. Subject only to the provisions of this Constitution, this lodge shall be the judge of its membership. This lodge shall establish requirements for membership in good standing of its respective membership, which requirements shall not be inconsistent with the Florida State Lodge, Fraternal Order of Police or the Grand Lodge, Fraternal Order of Police. No one eligible for active membership may belong to an Auxiliary or Associate Lodge of the Fraternal Order of Police.

Section 3. There shall be four (4) classes of membership: Active, Retired, Honorary and Lifetime.

A. Active Membership shall include regularly appointed or elected full-time law enforcement officers. It may include retired regularly appointed or elected law enforcement officers provided such members pay annual dues established for active members. It also may include, subject to the approval of the State Lodge Board of Trustee and this Lodge, regularly appointed or elected law enforcement officers who have resigned from their law enforcement duties while an active member of this Lodge and who have remained in good standing. Only Active members, as herein defined, shall have a voice and vote or be able to hold office.

B. Retired Membership shall be comprised of regularly appointed or elected law enforcement officers who withdraw from active membership upon or after retirement. Retired members shall pay annual dues that exclude per capita payments to the State and Grand Lodges, and shall have no vote nor be eligible to hold office within the Lodge.

C. Honorary Membership shall be comprised of individuals recognized by the Lodge, for exceptional service or contribution to the Nation, the State, or Political Subdivision, the law enforcement community or the Fraternal Order of Police. Honorary members shall have no vote nor be eligible to hold office within the Lodge.

D. Lifetime Membership shall be extended to retired members in accordance with provisions of Article 26 of these By-Laws. The member must first have been a member in good standing of the lodge for at least ten (10) years.

Section 5. No person shall be a member of more than one subordinate lodge at the same time nor shall any member who is delinquent, or who has been suspended by a subordinate lodge for any reason, be eligible for membership in this Lodge until such suspension has been lifted.

Section 6. The Fraternal Order of Police may deny membership to anyone who is, or has been a member of any organization regardless of what name which advocates the abolition, destruction or violent overthrow of the government of the United States or any state or political subdivision thereof.

Section 7. Any active member may be granted a transfer from one subordinate lodge to another provided that he or she is in good standing, both subordinate lodges agree to the transfer, and the member cannot be active within his or her own law enforcement agency's lodge because of collective bargaining law restrictions or geographical location.

Section 8. Specifically excluded are private security guards, special police, members of profit making security and correctional organizations, auxiliary or reserve police.

ARTICLE 5 OFFICERS

Section 1. The Board of Directors of the Lodge shall consist of the President, Immediate Past President, First Vice President, Second Vice President, Secretary, Treasurer, Conductor, Guard, Chaplain, four Trustees, State Trustee and any District, State or National officer elected from the Lodge.

Section 2. The "Officers" shall consist of a President, Immediate Past President, First and Second Vice Presidents, Secretary, Treasurer, Conductor, Guard, Chaplain, four (4) Trustees and the State Trustee.

- Section 3.** The Board of Directors shall have the authority to exercise all administrative powers of the Order during the periods between meetings. It shall have the power to act in all emergencies pertaining to the welfare of this Lodge and its members.
- Section 4.** The Officers of the Lodge, with the exception of the State Trustee and any District, State and National officer elected from this Lodge, shall be elected for a term of one year and shall serve until their successors are elected, qualified and installed.
- Section 5.** The State Trustee shall be elected by the Lodge delegates in attendance at the June Conference of the Florida State Lodge in even numbered years and shall serve a two year term.
- Section 6.** The Board of Directors shall meet once a month, other than the regular membership meeting, at a date and time that is convenient to a majority of its members. The Board shall ensure that minutes are kept of the meeting and shall make available a report of all business transacted at the meeting to the membership at the next regular membership meeting.
- Section 7.** Officers are required to attend all regular meetings of the Lodge and all meetings of the Board of Directors, unless circumstances prevent their attendance. Officers who are unable to attend any meeting shall notify the President or the Secretary in advance of their inability to attend said meeting and state their reason.
- Section 8.** Any officer, who misses four (4) consecutive meetings, may be removed from office, unless there is good and sufficient cause to excuse the officer from attendance. The Board of Directors shall have the final say as to excusing the officer from a meeting's attendance. In no case shall the excuse of having to work be acceptable in more than two consecutive instances.
- Section 9.** Any officer who has missed four (4) consecutive meetings may have charges preferred against them by the Board of Directors, and said charges shall be presented to the membership in accordance with the By-Laws.

**ARTICLE 6
NOMINATION AND ELECTION OF DELEGATES
TO THE NATIONAL AND STATE CONFERENCES**

- Section 1.** Delegates from the Lodge to the National Conference shall be elected as prescribed in the Grand Lodge By-Laws.

- Section 2.** Delegates to the National Conference shall be nominated and elected at the general membership meeting held in June of even numbered years. Elections shall be by secret ballot. The candidates receiving the highest number of votes shall be deemed elected as delegates. The number of delegates will be determined by Grand Lodge By-Laws.
- Section 3.** Only active members in good standing may be nominated and elected as delegates to the National and/or State Conferences. Delegates shall obey any instruction given to them by the membership under the seal of the Lodge. Delegates are expected to attend all sessions of the conferences. Any absenteeism shall be approved in advance by the Lodge president or his designee in attendance.
- Section 4.** The term of office of the delegates shall commence with the assembling National Conference and shall terminate upon the election of their successor.
- Section 5.** Delegates from this Lodge to the State Conference shall be elected as prescribed in the Florida State Lodge By-Laws.
- Section 6.** Delegates of the State Conference shall be nominated and elected at the general membership meeting held in April of each year. Election shall be by secret ballot. The candidates receiving the highest number of votes shall be deemed elected as delegates. The number of delegates will be determined by Florida State Lodge By-Laws.
- Section 7.** The Secretary of the Lodge shall fill out the delegate forms certifying those selected as delegates. They shall then be signed by the President and Secretary and authenticated by the seal of said lodge. One copy shall be forwarded to the State Secretary at least thirty (30) days prior to convening of the State Conference and the original shall be given to the delegates for presentation on the floor of the Conference.

**ARTICLE 7
NOMINATION AND ELECTION OF OFFICERS**

- Section 1.** Candidates for election to office shall be nominated at the regular business meeting during the month of November of each year.
- Section 2.** No member shall be a candidate for more than one (1) office. To be qualified for nomination to office, the proposed candidate must be an active member in good standing in this Lodge for a period of at least one (1) year prior to nomination, and must have attended a minimum of six (6) regular membership meetings during the period from December of the preceding year through November of the election year. Officers may succeed themselves, if so elected, to an unspecified number of terms.

- Section 3.** Contested elections shall be by secret ballot mailed to all active members eligible to vote. An Election Committee shall be appointed in accordance with Article 3, Section 2 of these By-Laws. In the case of all eligible offices, with the exception of the Trustees, the candidate for a particular office shall be deemed elected by a plurality of all votes cast. If a candidate is unopposed, he/she shall be deemed elected by acclamation.
- Section 4.** The Election Committee shall cause the ballots, of contested elections, to be mailed by First Class mail to all eligible active members by the 15th day of November. Each ballot shall have an identifying serial number affixed to assure the integrity of the balloting process, though no record of which member received which ballot shall be maintained. Members shall cause their completed ballots to be returned to the Lodge and received prior to 6:00 p.m., on the night of the December regular membership meeting. The absolute return date and time will be printed on the ballot. The Election Committee shall convene to open the ballots and tabulate the results. The results will be announced by the Election Committee Chairman prior to the conclusion of the December meeting.
- Section 5.** The duly elected Officers shall be declared elected at the regular business meeting and shall take office during the regular business meeting in January. The installation of the newly elected Officers shall take place during the month of January.
- Section 6.** Candidates for the offices of Trustee shall be nominated to the position of Trustee. The four (4) candidates receiving the highest number of votes shall be deemed elected as Lodge Trustees. In the case of a tie vote, for any office, a run-off election shall be held during the December regular membership meeting between the candidates. The candidate receiving the plurality of the votes cast by secret ballot by active members in attendance at the December meeting shall be deemed elected.
- Section 7.** The ballots shall be tabulated by the Election Committee and shall not be destroyed until the election results are certified by the Board of Directors and the membership at the next regular business meeting.
- Section 8.** Should a vacancy exist for any office, with the exception of the office of the President, for the reason of suspension, expulsion, resignation, or death, the President shall fill the position, on a pro-tem basis until the vacancy can be filled by selection of the Board of Directors.

**ARTICLE 8
PRESIDENT**

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

**ARTICLE 9
IMMEDIATE PAST PRESIDENT**

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

**ARTICLE 10
VICE PRESIDENTS**

Section 1. Duties of the First Vice President include:

- A. Assist the President in the performance of his/her duties and, in the absence of the President, shall exercise the powers and the duties of that office.**
- B. Have the power, with the advice and consent of the membership to appoint the minority of all Standing and Special Committees.**
- C. Perform such other duties as may be ordered by the President or the Board of Directors.**
- D. Furnish a fidelity/surety bond for the faithful performance of duty in the amount specified by the Board of Directors, which costs shall be borne by the Lodge.**

Section 2. Duties of the Second Vice President include:

- A. Assist the President in the performance of his/her duties, in the absence of the 1st Vice President, and, in his/her absence, exercises the powers and duties of that office.**
- B. By virtue of this office, be responsible for the care and upkeep of the Lodge property, as well as, the operation of the lounge and its manager(s).**
- C. Perform such other duties as may be ordered by the President.**

**ARTICLE 11
SECRETARY**

Section 1. The Secretary shall have custody of the books, records, documents, the seal of the Lodge and office paraphernalia and equipment, under the general orders of the President and the Board of Directors.

Section 2. He/she shall keep a record of the minutes of all Lodge meetings, and meetings of the Board of Directors and shall submit the same for approval, alteration or rejection at the next succeeding membership meeting.

Section 3. He/she shall conduct general correspondence of the Lodge.

- Section 4.** He/she shall attest to, under the seal of the Lodge, all duly authorized contracts of the Lodge.
- Section 5.** He/she shall be the official custodian of Constitution and By-Laws of the Lodge, which shall be authenticated by the seal of the Lodge and the signature of the President and Secretary. He/she shall keep a record of the official amendments to the Constitution and By-Laws adopted by the Lodge and shall cause them to be properly inserted therein.
- Section 6.** He/she shall handle the membership roster and prepare the necessary Per Capita tax and assessments forms due the Grand Lodge and the State Lodge.
- Section 7.** He/she shall furnish a fidelity bond for the faithful performance of duty in such amount as shall be specified by the Board of Directors which costs shall be borne by the Lodge.
- Section 8.** He/she shall perform such other duties as are usual and incidental to the Office of Secretary.
- Section 9.** At the expiration of his/she term of office, and within ten (10) days thereafter, the Secretary shall deliver to his successor the Official Seal of the Lodge and all books, documents, records, funds, supplies, equipment, paraphernalia, etc., and shall require and receive a receipt for same.

ARTICLE 12 TREASURER

- Section 1.** The Treasurer shall be the custodian of the funds of the Lodge. He/she shall furnish a fidelity bond for the faithful performance of duty in such amount as shall be specified by the Board of Directors which costs shall be borne by the Lodge.
- Section 2.** He/she shall co-sign all checks, duly authorized for disbursement of funds.
- Section 3.** He/she shall keep an itemized record of all receipts and disbursements.
- Section 4.** The Treasurer or designee shall deposit all funds collected in a bank approved by the Board of Directors and shall maintain direct control over all bank accounts involving the Lodge.

- Section 5.** He/she shall set up special accounts for special funds, and allocate funds to each, respectively, as directed by the Board of Directors.
- Section 6.** He/she shall perform such other duties as are usual and incidental to the office of Treasurer. He shall prepare an annual budget to be presented to the membership for the next year, at the December meeting of the prior year.
- Section 7.** He/she shall give a complete report of all receipts and disbursements of all Lodge funds at each Lodge meeting and shall provide a profit or loss statement and a balance sheet each month.
- Section 8.** The Treasurer shall collect all revenue derived from contractual terms set forth for the promotion of the Lodge, and shall deposit all funds into the appropriate account.
- Section 9.** At the expiration of his/her term of office, the Treasurer shall deliver to his/her successor all books, documents, records, funds, supplies, equipment, paraphernalia, etc., and shall require and receive a receipt therefore.
- Section 10.** In the event the Treasurer becomes unable to perform his/her functions temporarily, the First Vice President shall assume these functions until such time as the Treasurer can resume his duties or a new Treasurer is appointed in accordance with these Constitution and By-Laws.

ARTICLE 13 CONDUCTOR

- Section 1.** The Conductor shall perform such duties as are prescribed in the “Ritualistic” work of the Lodge. When the Lodge is in session, he/she shall examine the dues card and take up the Password from each member present, ascertaining that all present are entitled to remain, and shall report his/her findings to the President.
- Section 2** In the absence of the President and the Vice Presidents, it shall be his/her duty to open the Lodge and preside at the session, assuming the same power and prerogative
- Section 3** It shall be his/her duty to welcome and to attend to visitors, as well as perform such other duties as the President may require.

ARTICLE 14 GUARD

- Section 1** The Guard shall have charge and control of the meeting room. He/she

shall permit only qualified persons to enter or to remain. He/she shall assist the Conductor in the execution of such duties as the President requests. He/she shall perform such other duties as the President may require.

ARTICLE 15 CHAPLAIN

- Section 1** The Chaplain shall lead the Lodge in prayer and he/she shall report at each monthly meeting those members that are sick, injured or in distress. The Chaplain shall assist the President at all funerals of Brothers and Sisters.
- Section 2** He/she shall administer the Lodge Card and Flower program and insure that all Sick or Distressed brothers or sisters are afforded any and all benefits of the Lodge.
- Section 3** The Chaplain shall perform other such duties as the President may require.

ARTICLE 16 LODGE TRUSTEES

- Section 1** They shall take charge of all physical property of the Lodge, make a complete annual itemized inventory of such property, and file a certified copy with the Secretary.
- Section 2** Under the supervision of the State Trustee, they shall examine and audit the financial books, records, and funds of the Lodge on a quarterly basis and make a report of their findings to the Board of Directors and the membership of the Lodge.
- Section 3** They shall ascertain that all monies received have been allocated to the credit of the proper funds and so deposited in the name of the Lodge.
- Section 4** They shall perform other such duties as may be required by the President.

ARTICLE 17 STATE TRUSTEE

- Section 1** The State Trustee shall attend all State and District meetings on behalf of the Polk County Fraternal Order of Police Lodge #46 and shall report on the business conducted at the next regular membership meeting.

Section 2 In the event that the State Trustee cannot attend a meeting as directed in these By-Laws, the President shall attend in his/her place. In the event that the President cannot attend in the place of the State Trustee, the State Trustee shall appoint another active member in good standing to attend in his/her place.

Section 3 The State Trustee shall be elected in accordance with Article 5, Section 5 of these By-Laws.

Section 4 Under the supervision of the State Trustee, the Lodge Trustees shall conduct a quarterly audit of the Lodge's financial affairs and report on said audit to the Board of Directors and the membership.

**ARTICLE 18
EXPENSES OF LODGE OFFICERS**

Section 1 The President, Secretary, State Trustee and any other delegate or alternate to a Conference, District or Board meeting shall receive at the discretion of the President expenses as prescribed in Subsection (a), (b), (c) and (d) of this section.

A. Travel shall be paid at economy rate air transportation. When traveling in areas not covered by air transportation or if the member elects to drive, they shall receive mileage at the rate set by the State of Florida not to exceed the economy air rate.

B. Hotel or motel accommodations.

C. A reasonable rate for meals, not to exceed \$50.00 per day at the discretion of the Board of Directors.

D. Registration fees.

Section 2 Any lodge officer or member performing duties and services for the Lodge, upon order of the President and/or the Board of Directors, may be compensated for such expenses pursuant to Section 1.

**ARTICLE 19
FIDELITY BOND**

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

**ARTICLE 20
DISCIPLINE AND HEARINGS**

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

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

Section 3 **Individual Members**

In the case of discipline imposed upon an individual member involving suspension or expulsion, an appeal may be made to Superior Lodges as promulgated in the Florida State and Grand Lodge Fraternal Order of Police By-Laws and Constitutions.

Section 4 **Lodge Officers**

A. **For the purposes this article only, lodge officers are defined in Article 5, Section 2, of these By-Laws and shall be subject to discipline, including censure, reprimand, removal from office or expulsion from the Order only upon clear and convincing proof. It shall be two separate issues as to remove the officer from office and then to expel them from membership.**

B. **Allegations of misconduct against a lodge officer in respect to his duties as a lodge officer, or individual member, shall only be brought by a member in good standing. Said allegations shall be in writing and notice thereof shall served upon the lodge officer against whom the allegations are made and the Secretary, provided however, that if such allegations are made against the Secretary, said allegations shall be served upon the President. Said allegations shall specifically describe the nature of the alleged misconduct in sufficient detail for a determination by the Board of Directors as to whether there exists good cause to proceed with the inquiry.**

C. **Upon service of the allegations on the affected lodge officer and the Secretary (or President, as the case may be), copies of the allegations shall be distributed to each member of the Board of Directors. The lodge officer or individual member against whom the allegations are made shall, within seven (7) days of receipt of the allegations prepare a response thereto and serve said response upon the Secretary (or**

President, as the case may be), which response shall also be distributed to each member of the Board of Directors. The President or Secretary in the event that the allegations pertain to the President, shall call a meeting of the Board of Directors for the purpose of resolving the matter.

- D. A majority vote of all of the members of the Board of Directors (present at the meeting) shall be necessary for a finding of just cause based on clear and convincing evidence to proceed with discipline. At the next regular meeting of the membership, but not with less than thirty (30) days notice, the matter shall be placed before the membership. The hearing shall be conducted in a manner which limits the scope of the inquiry to the specific complaint(s), allegations or charge(s) set forth in the written notice. The hearing shall adhere to an order of procedure which places the burden of proof upon the party charging the Officer or individual member.
- E. The Officer or individual member shall have the right to speak to the issue before the membership.
- F. No disciplinary action shall be taken upon any Officer or individual member except upon three fourths (3/4) vote of the membership present and voting.
- G. A lodge officer, against whom discipline is imposed, in accordance herewith, shall be entitled to appeal the decision of the membership to the next State Board of Trustees meeting or to the next annual State Lodge Conference. By taking the oath of office, each lodge officer acknowledges and agrees that until and unless reversed by the State Lodge, the decision of the membership shall be final.
 - 1. An appeal by a Lodge officer shall be made in accordance with Florida State Lodge, Fraternal Order of Police By-Laws and Constitution.

ARTICLE 21 LEGAL AID

- Section 1. Members of this Lodge requesting legal assistance shall furnish some proof of effort to provide financial protection for themselves through the Grand Lodge Legal Protection Plan or a similar legal plan to aid members in good standing.
- Section 2. Any member receiving assistance under this Article and who subsequently successfully receives compensation in excess of his /her normal compensation, shall return to this Lodge that compensation

received, provided returning of such compensation does not cause his/her compensation to be less than his/her normal wages.

Section 3. After the Lodge member has received assistance from this Lodge and/or their District, he may put in a request for legal assistance or financial aid (through this Lodge) to the State Lodge. All requests must be in writing, and shall include all appropriate and relevant documentation and materials. It should be forwarded to the State Secretary (State Office) who shall forward copies of same to the State Legal Aid Committee.

Section 4. No member shall allege, represent or promise that the Lodge will assume any payment or provide any assistance or aid nor shall the Lodge, or any officer, employee, agent or representative provide or promise to provide any legal assistance or financial aid except in conformity herewith. Any provision of such legal assistance or financial aid shall be specifically authorized by the Lodge, and put in writing signed by the President and Secretary under the Lodge Seal.

ARTICLE 22 SOLICITATION

Section 1 This Lodge shall comply with all Florida State law in reference to solicitation.

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

ARTICLE 23 DUES AND ASSESSMENTS

Section 1 The yearly dues shall be due and payable upon the first day of January for the current year. Any member who has not paid their dues by the last day of January shall be considered in arrears, and the Secretary shall notify said members in writing. Any member who has not paid their dues prior to the first day of March shall be considered in arrears for dues and thus suspends themselves Ipso-Facto from membership. The Secretary shall notify the member of their current status and immediately remove the member from the per capita membership rolls.

Section 2 A person suspended for non-payment of dues can be reinstated if delinquent for less than one (1) year, by payment of all delinquent dues and assessments, as well as, a five dollar reinstatement fee. If said person is delinquent for a period exceeding one (1) year, they must again petition the Lodge for membership.

Section 3 The amount of dues for Active membership shall be recommended to the membership by the Board of Directors during September of the prior year for the next years dues. The amount of the recommended dues shall be published in the monthly newsletter prior to the October meeting at which the dues amount will be considered. The amount of dues will become official with the approval of the membership in attendance at the October meeting.

Section 4 Retired members shall pay dues to the Polk County Fraternal Order of Police, that exclude the per capita amounts due the Florida State Lodge and Grand Lodge. Retired members shall also be responsible for any special assessments relating to the Florida State and Grand Lodge, as well as to the Polk County Fraternal Order of Police Survivor Benefit Fund. All monies due shall be paid to the Polk County Fraternal Order Police for proper distribution.

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

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

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

ARTICLE 24 BY-LAW AMENDMENTS

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

Section 2 Proposed amendments to these By-laws shall be submitted to the Secretary and the By-Laws Committee at least thirty (30) days prior

to the convening of the next regular business meeting. The Secretary shall cause the proposed amendments to be printed in the monthly newsletter and post a copy of such proposed amendments at least twenty (20) days prior to the next meeting.

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

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

ARTICLE 25 SURVIVOR BENEFIT FUND

Section 1 The Fraternal Order of Police Polk County Lodge 46 will maintain a fund, hereafter named the Survivor Benefit Fund, for the purpose of providing immediate monetary assistance of a member whose death is either in the line of duty or not.

Section 2 The benefit to be paid from the Survivor Benefit Fund will be in the amount of \$5,000.00 if the death is the result of the member being killed while on duty or while acting in an official capacity under the "color of the law." The benefit to be paid from the Survivor Benefit Fund will be in the amount of \$2,500.00 if the death is the result of any cause other than a line of duty incident.

Section 3 The benefit will be delivered in a timely manner as soon as possible by a representative of Lodge 46 upon notification of the death of a member.

Section 4 The Survivor Benefit Fund will be maintained in an interest bearing account, separate from the General Fund and any other funds that may be established by Lodge 46. The Fund shall be administered by the Board of Directors of Lodge 46 who shall audit the account annually and report the findings of the audit to the general membership.

Section 5 The Survivor Benefit Fund shall continue and benefits will be provided as long as Polk County Lodge 46 is able to continue funding

the account. Should the Fund become depleted and Lodge 46 is unable to replenish it, the Survivor Benefit Fund will cease to exist.

Section 6 All members of the Fraternal Order of Police Polk County Lodge 46 who are members in good standing, for a minimum of twenty-four (24) months prior to the time of their deaths shall be eligible for the benefits provided by the Survivor Benefit Fund.

Section 7 Payments from the Survivor Benefit Fund shall be made in cash and shall be authorized by any two of the following officers of Lodge 46; President, First Vice President, Secretary, or the Treasurer, provided such payment meets the criteria established for benefits under the Survivor Benefit Fund.

Section 8 Any disputes regarding the eligibility for payment will be settled by the general membership of Lodge 46 as a course of regular business handled during a regular membership meeting.

Section 9 If the Survivor Benefit Fund amount falls to \$10,000.000, a special assessment of Lodge members will be considered by the Board of Directors and brought before the general membership during a regular membership meeting.

ARTICLE 26 LIFETIME MEMBERSHIP

Section 1 Before any member can be considered for lifetime membership, in Lodge 46, they must first have been a member in good standing of Lodge 46 for at least ten (10) years and be retired from law enforcement.

Section 2 The member must be nominated by two members in good standing, in letter form, addressed to the Board of Directors. The Board of Directors shall evaluate the nomination for lifetime membership, based upon the nominee's contributions to the Lodge and/or the law enforcement profession. The Board of Directors shall vote upon a recommendation to be presented to the membership. Upon a majority recommendation, the President shall present the recommendation of the Board of Directors to the membership at the next regular meeting.

Section 3 The membership shall then vote on the issue of extending a lifetime membership to the nominee. Upon the membership's majority decision to extend a lifetime membership, that member shall not be responsible for any regular annual dues or assessments starting with the following membership year. The member shall still be obligated by all other bylaws and rules of the Fraternal Order of Police.

Section 4 Only two (2) lifetime memberships may be awarded during any one calendar year.

**ARTICLE 27
MEETINGS AND THE MONTHLY PUBLICATION**

Section 1 Regular membership meetings will be held on the first Monday of each month, with holidays being the exception. Special meetings may be called if at least seven (7) active members in good standing petition the President to call such a session. The special meeting shall be noticed by a mailing to all members. To hold a regular or special meeting of this Lodge, at least seven (7) members in good standing, or which two (2) must be officers of the Lodge, must be in attendance at the meeting.

Section 2

- A.** The order of business shall be governed by the Ritual Book of the Grand Lodge, Fraternal Order of Police. In no case, shall anything be done in conflict with the Constitution and By-Laws of the Grand Lodge, Florida State Lodge or of the Polk County Fraternal Order of Police. In any case or circumstance not covered by the aforementioned documents, the ruling shall come from Roberts Rules of Order, (Revised) the most current edition.
- B.** All request(s) for financial assistance of a nonspecific budgeted item whose aggregate amount exceeds \$200.00 must be submitted to the Lodge President, in writing, prior to the monthly Board of Directors meeting held prior to the monthly General Membership Meeting at which the request(s) is to be considered. The Board of Directors shall discuss the request(s) and make a recommendation to the membership, as to whether or not the request(s) should be honored. The request(s) may then be considered by the membership in the regular course of Lodge business. Specifically excluded from the coverage of the B-Laws are request(s) from individual members for emergency financial assistance.

Section 3 The Lodge shall have a monthly newsletter published and mailed to the membership. The President shall appoint the editor of the newsletter. The President and the Board of Directors reserve the right not to publish a Lodge newsletter every month.

ARTICLE 28
POLK COUNTY LAW ENFORCEMENT MEMORIAL

- Section 1** **The Lodge shall establish a Polk County Law Enforcement Memorial, hereinafter referred to as the “Memorial.”**
- Section 2** **The responsibility for the administration and day to day operation of the Polk County Law Enforcement Memorial shall be the Board of Directors of the Polk County Law Enforcement Memorial Fund, Inc., hereinafter referred to as the PCLEMF, Inc.**
- Section 3** **The Lodge shall have a Memorial Committee. The members of this Committee shall have at least one representative on the PCLEMF, Inc. Board of Directors.**
- A.** **The members of the Lodge Memorial Committee shall, at the October general membership meeting, request input for the Annual Peace Officers Memorial Service to be held in May of the following year. Upon approval of the Board of Directors, the information will be finalized and submitted to the PCLEMF, Inc. prior to their annual December board meeting.**
- B.** **The annual Memorial Service shall take place at the Polk County Law Enforcement Memorial site during the month of May of each calendar year, to coincide, when practical, with National Police Week, as declared by Presidential Proclamation.**
- C.** **The Lodge Memorial Committee shall coordinate, with the PCLEMF, Inc. all mutual activities and programs required for the presentation of the memorial service.**
- D.** **The Lodge Memorial Committee and the PCLEMF, Inc. shall jointly conduct the memorial service.**

End/