

ABATE OF OHIO, INC.

BYLAWS

(Published March of 2017)

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ABATE OF OHIO, INC.

BYLAWS

(Published March of 2017)

Established in Accordance with Article X of the Constitution

ARTICLE I: GENERAL IDENTIFICATIONS

Section 1: General Organization Identification.

- A.) ABATE of Ohio, Inc. (ABATE) is a not-for-profit organization whose primary goal is to preserve the rights, improve the image and promote safe operating practices of motorcyclists in Ohio.
- B.) ABATE logos, emblems and any other designs are the sole property of ABATE of Ohio, Inc.
- C.) ABATE publications, both printed and electronic, and any other intellectual properties are the sole property of ABATE of Ohio, Inc.
- D.) Unauthorized use or sale of ABATE property, of any kind, is prohibited by law and by the ABATE Constitution.

Section 2: General Member Identification.

- A.) Membership in ABATE of Ohio, Inc. is open to anyone, including members of other groups or organizations (including motorcycle clubs).
- B.) ABATE members tend to reflect all socio-economic levels of general society and all walks of life. This diversity leads to a dynamic organization with varying opinions and the ability to analyze topics from different points of view.
- C.) Members are prohibited from actively promoting the philosophies and/or objectives or conducting the business of any other organization at or during ABATE meetings or events that interferes with ABATE business.

Section 3: General Officer Identification.

- A.) All officer nominees must be residents of Ohio.
- B.) All officers must maintain Ohio residency during their entire tenure.

- C.) All officers must maintain membership in good standing during their entire tenure.

ARTICLE II: BOARD MEETINGS

- A.) All meetings of the Board of Directors (BOD), any Region Board of Officers (RBO) and any County Board of Officers (CBO) are subject to the ABATE Manual.
- B.) All meetings follow a written agenda and Roberts Rules of Order. See Sample Meeting Agenda (F024).
- C.) All meetings are open to the public and should be held in a public forum.
- D.) All meetings must be scheduled and published along with time and location sixty days in advance in the State Newsletter and on the State Website.
- E.) All meetings must begin with a call to order, the Pledge of Allegiance and a moment of silence.
- F.) The minutes must be recorded and maintained in written format. See Sample Meeting Minutes (F025).
- G.) The treasurer's report must be completed and recorded in minutes of meeting even when no monies were taken or expended.
- H.) Committees may be established with specific goals.
- I.) All applicable officers and committees should submit written reports.
- J.) Information is expected to flow both up and down the ABATE state, region, county and membership levels at meetings.

ARTICLE III: COMMITTEE MEETINGS

- A.) All committee meetings are subject to the ABATE Manual.
- B.) Committee chair and committee members are responsible for agenda and meeting structure to allow for committee goal setting and an open exchange of ideas.
- C.) Committee meetings may be attended by invited guests and non-committee members.
- D.) Committee chair and committee members are responsible for coordinating the meeting schedule.
- E.) Committee chair is responsible for communicating meeting results to BOD, RBO or CBO as required. Committee chair is also responsible for communicating BOD, RBO or CBO directions and suggestions to the committee.
- F.) Sub-committees may be established as needed.

ARTICLE IV: EVENTS

Section 1: Event Requirements (All Levels).

- A.) All events are subject to the ABATE Manual.
- B.) All events must be sanctioned by the BOD.
- C.) All events must have an approved flyer identifying the event as an ABATE of Ohio, Inc. event. (See Event Flyer Requirements in Treasurer's Manual.)
- D.) All events must have appropriate level of insurance. See Event Insurance Application (F009).
- E.) All events must have proper planning and budgeting. See Event Checklist (F019).
- F.) All events must have proper financial reporting. See Meeting/Event Report (F015).
- G.) All events are subject to a 70/30 split, where thirty percent of the net monetary proceeds go directly to the State Treasury. See Meeting/Event Report (F015).
- H.) The RBO or CBO may determine how the remaining seventy percent is distributed (Region Treasury, State Treasury and/or charity).
- I.) Any event name used by ABATE of Ohio, Inc. for a sanctioned event is the property of ABATE of Ohio, Inc.
- J.) All events are open to the public.

- K.) All events must begin with a call to order, the Pledge of Allegiance and a moment of silence.
- L.) All events must have the proper amount of merriment and joy.
- M.) ABATE members or officers volunteering at any event are required to pay full admission fees.
- N.) ABATE employees working at any event are exempt from admission fees.
- O.) All events must have a list of attendees with First Aid or CPR certification.

Section 2: Event Sanctioning.

- A.) Annually scheduled and other planned events for the following calendar year must be sanctioned at or before the September BOD meeting. See Event Sanctioning Request (F028).
- B.) Additional events planned after the September BOD meeting must be sanctioned at the next BOD meeting.
- C.) Additional events planned outside the timeframes of A and B above may be sanctioned by Chairman of the Board (COB) or Executive Director (EXEC).
- D.) No region or county level event may be scheduled in conflict with a state level event.
- E.) All charities benefitting from each event must be declared at sanctioning and must be Section 501(c)(3) charitable organizations. (See Charity Donation Record in Treasurer's Manual.)
- F.) An effort should be made to avoid scheduling an event in conflict with state or surrounding region or county events.

Section 3: Alcoholic Beverages.

- A.) No alcoholic beverages will be purchased, sold or provided by ABATE of Ohio, Inc.
- B.) Alcohol may be sold or provided at an ABATE event only if such beverages are being provided by a properly licensed, insured and legally responsible vendor and sold from a properly denoted and secured containment area. ABATE members may not provide security or oversight of patrons going in and out of alcohol containment area as this must be the sole responsibility of the vendor.

ARTICLE V: MEMBERSHIP

Section 1: Annual membership.

- A.) Single, new or renewal, membership dues as established by the BOD.
- B.) Couple, residing at same address, new or renewal, membership dues as established by the BOD.
- C.) When a single member wants to convert to a couple membership, the second person may be added to the membership for the difference between the single and couple membership rates and the single member's expiration date now applies to both members.
- D.) Forfeiture of membership join date will occur after eighteen months of expired status. Member will also be placed on no contact status.
- E.) Memberships placed on no contact status will be removed from the electronic database annually.
- F.) Reinstatement of join date can only be approved by the BOD at a regularly scheduled meeting.

Section 2: Lifetime membership.

- A.) Lifetime memberships are always single memberships.
- B.) Lifetime membership may be purchased for twenty times the current single membership rate.
- C.) Lifetime membership will be earned after twenty-five consecutive years of paying dues.
- D.) Lifetime membership will be presented when the member receives the Lifetime Achievement Award.

Section 3: Refunds of Membership Dues.

Membership dues are not refundable.

Section 4: Membership Applications.

- A.) Once a membership application is taken by a person, that person is responsible for that application and payment until both are received by the Region Treasurer or the State Office. See Membership Application (F008).
- B.) Any person who takes a membership application and payment and fails to submit them to ABATE will be held personally responsible for the payment.

Section 5: Membership Records.

- A.) All membership records (applications, files or reports) must be maintained in accordance with the national Privacy Act along with any federal, state or local statutes.
- B.) All membership records, whether printed or electronic, are the property of ABATE of Ohio, Inc.
- C.) All membership records are not sold or shared with third parties or used for non-ABATE business.
- D.) All membership applications must be submitted to the State Office. The membership applications and master electronic file are maintained only at the State Office. See Membership Application (F008).
- E.) Officers have access to the membership file through reports generated by the State Office. No RBO or CBO or person may maintain a membership file independent from the State Office.
- F.) Officers have access to the membership file at their designated officer level (state, region or county) and region or county of record. See Membership Report Authorization (F021).
- G.) All membership reports located outside the State Office must be destroyed within sixty days of creation.

ARTICLE VI: GENERAL PROPERTY AND FINANCE

Section 1: Property of ABATE of Ohio, Inc.

- A.) All monies generated or held at the state, region or county level, are the sole property of ABATE.
- B.) All property, product and supplies purchased by or donated to ABATE, held by any member or officer, is the sole property of ABATE.
- C.) All expenditures, deposits and financial transactions require proper documentation as specified by ABATE. This documentation is the sole property of ABATE.
- D.) Any physical property purchased with ABATE monies must be reported on the proper level inventory report. See Property Inventory List (F029).
- E.) No ABATE property may be disposed of without prior approval of the COB, EXEC and State Treasurer. See Property Disposal Record (F030).

- F.) An annual physical inventory must be conducted by all officers at all levels of ABATE. See Property Inventory List (F029).
- G.) ABATE is not a bank and will not accept third-party checks or return cash for a check.
- H.) Any uncollectible payment to ABATE, either written or electronic, will be pursued for payment by all means deemed necessary.

Section 2: Region Finance.

- A.) Regions must adhere to all financial transaction and reporting requirements of ABATE and maintain region level financial documentation (statements, records, receipts, forms, reports, etc.).
- B.) Region Treasurers must adhere to reporting requirements of ABATE and maintain archive of region level financial documentation. See Monthly Region Report (F014).
- C.) If the State Treasurer is also a Region Treasurer, they are restricted from reviewing and approving their own reports.
- D.) Regions may retain a region treasury of working capital not to exceed one thousand dollars. (See Regional Checking Account Verification Report in Treasurer’s Manual.)
 - 1.) Any region with a membership of two thousand or more for six consecutive months may ask the BOD to increase the region treasury to two thousand dollars.
 - 2.) Region treasury will revert back to one thousand dollars when membership falls below two thousand for three consecutive months.
- E.) Any excess working capital must be forwarded to the state treasury on a monthly basis.
- F.) The region treasury must be maintained in an approved bank account.
- G.) No region funds may be maintained in a petty cash account, soft fund account or slush fund.
- H.) Region expenses must be approved by the RBO before any expenditure may be made.
- I.) Thirty percent of net proceeds of any region or county level event must be forwarded to the state treasury along with the event report.

Section 3: County Finance.

- A.) Counties may not retain a county treasury. All county meeting or event income must be forwarded to the region treasury.
- B.) Counties must adhere to all financial reporting requirements of ABATE.
- C.) No county funds may be maintained in a petty cash account, soft fund account or slush fund.
- D.) County expenses must be approved by the RBO before any expenditure may be made.

Section 4: Expense Reimbursement.

- A.) Reimbursement for ABATE business related expenses may not be made without proper authorization and documentation.
- B.) Expense reimbursement documentation must include a completed report and original receipts. See Expense Reimbursement Request (F023).
- C.) An officer may not approve his or her own expenses.
- D.) BOD officers may be reimbursed for expenses directly related to the performance of their duties when approved by the BOD in advance, either at a BOD meeting or by e-vote. When time does not allow for BOD approval, a majority vote between the COB, EXEC and State Treasurer is required.
- E.) Paid ABATE employees, whether a BOD officer or not, must be reimbursed for work-related expenses, including meals, when the employee’s work takes them out of the county where the State Office is located.
- F.) Contract ABATE employees or BOD officers receiving a monetary stipend from ABATE are not considered paid ABATE employees.
- G.) The Finance Committee will review all expense reports and make recommendations to the BOD annually.
- H.) Travel expenses (mileage / fuel / fares / meals / lodging) are not ABATE business related expenses:
 - 1.) When to, from or at any state level meeting or event.
 - 2.) When to, from or at the State Office.
 - 3.) Within an officer’s region of record.
 - 4.) When paid for by another organization or through event registration fees.

- 5.) Only BOD pre-approved travel expenses will be reimbursed.
- I.) No alcoholic beverages will be purchased, sold or provided by ABATE of Ohio, Inc.
- J.) There is no per diem paid by ABATE of Ohio, Inc.

Section 5: Stipend.

- A.) The BOD may establish a monthly stipend for any BOD office.
- B.) The amount of the monthly stipend is established by the BOD.
- C.) Stipend is intended as a block reimbursement for ABATE business related expenses throughout the month and not as a means of personal income.
- D.) The BOD will review all stipends at the January BOD meeting.
- E.) The stipend recipient may draw any amount up to the monthly limit established by the BOD.
- F.) Stipend may be claimed only during the designated month and may not be accumulated.
- G.) Stipend drawn is reported to the federal, state and local tax authorities via a 1099 each year.
- H.) The BOD may modify or cancel any stipend at any time with a proper vote.

Section 6: Earmarked Funds.

- A.) By definition, earmarked funds are those that are set aside to pay for a specific project or event.
- B.) Earmarks are approved by the State Treasurer or the State Treasurer may choose to bring them before the BOD.
- C.) Earmarking is a planned process. Earmarking for any planned expense requires proper budgeting.
- D.) Any earmarked fund must be approved by the appropriate level board with a specified purpose and a maximum goal amount before application.
- E.) Earmarked funds are only available to be used for the approved purpose.
- F.) If an earmark needs to go beyond its approved maximum, it must be reapproved with an amended goal amount.
- G.) All earmark activity must be completed using the appropriate level treasury.

- H.) Earmark additions and deletions must be properly reported.
- I.) Any unused monies left over after completion of the approved purpose must be returned to the appropriate level treasury.
- J.) All earmarks must be completed within one year of approval.
- K.) Earmarks may allow a region to retain a treasury beyond the stated limits.
- L.) Earmarks should be approved before the monies are raised.
- M.) All open earmarks must be reviewed by the appropriate level board at the first meeting of the calendar year.

ARTICLE VII: OFFICER QUALIFICATIONS

Section 1: Length of Membership Qualifications.

- A.) Unless a longer time requirement is stated elsewhere in this Article, all BOD officers, including Region Directors, must be a member in good standing for a minimum of two years to accept nomination or appointment.
- B.) All other RBO officers, including County Coordinators, must be a member in good standing for a minimum of one year to accept nomination or appointment.
- C.) All other CBO officers must be a member in good standing for a minimum of six months to accept nomination or appointment.
- D.) A member that does not meet the time requirements may fill a vacant position on an interim basis.
- E.) Paid ABATE employees are not subject to the requirements of this Section.

Section 2: Qualifications for all Officers of ABATE.

The minimum qualifications for all officers of ABATE are:

- A.) Solid understanding of the contents of the ABATE Manual.
- B.) Skills, knowledge and temperament necessary to carry out the duties of the designated office as specified in the ABATE Constitution.

- C.) Leadership skills needed to effectively execute the office.
- D.) Honesty and integrity.
- E.) Strong commitment to the motorcyclist rights movement.
- F.) Ability to establish goals and execute plans to meet or exceed those goals.
- G.) Ability to work and communicate with a variety of personality types
- H.) Ability to place the organization's goals and interests above personal ones.
- I.) Ability to represent ABATE in a professional manner and to promote professional practices and policies.
- J.) Ability to apply problem solving skills using negotiation and compromise.
- K.) Ability to represent ABATE with credibility and integrity.
- L.) Ability to delegate when needed, communicate expectations and effectively follow up.
- M.) Ability to serve on or chair a committee when needed.
- N.) Ability to establish and maintain communication with other officers holding the same office title or seated on the same BOD, RBO or CBO.
- O.) Ability to motivate members and officers.
- P.) Financial ability to execute the office and the money management skills to do it effectively.
- Q.) Time needed to execute the office and the time management skills to do it effectively.
- R.) Means to communicate with the membership and other officers within ABATE.
- S.) Means to attend meetings and events as required by the office held.
- T.) Means to participate in an e-vote.

Section 3: Qualifications for the Corporate Officers.

The minimum qualifications for the Corporate Officers are:

- A.) Member in good standing for five years.
- B.) Three years service on any level board.
- C.) Basic understanding of Robert's Rules of Order.
- D.) Organizational management skills required to fulfill the direction, policies and procedures of ABATE.

- E.) Ability to work productively with BOD officers.

Section 4: Qualifications for the Chairman of the Board.

The minimum qualifications for the Chairman of the Board are:

- A.) Member in good standing for a minimum of seven consecutive years.
- B.) Minimum of four years as a BOD officer.
- C.) Solid understanding of the concerns, needs and goals of the motorcycling community.
- D.) Proven communication skills, both written and spoken, directed to a wide audiences including members, politicians, the public and the media.
- E.) Ability to conduct and control a BOD meeting while facilitating productivity.
- F.) Ability to develop a network of contacts with other motorcycling organizations to achieve mutual goals.
- G.) Ability to be bonded.

Section 5: Qualifications for the Executive Director.

The minimum qualifications for the Executive Director are:

- A.) Member in good standing for a minimum of seven consecutive years.
- B.) Minimum of four years as a BOD officer.
- C.) Solid understanding of the concerns, needs and goals of the motorcycling community.
- D.) Solid understanding of state and federal legislative processes.
- E.) Proven communication skills, both written and spoken, directed to a wide audiences including members, politicians, the public and the media.
- F.) Ability to develop a network of contacts with other motorcycling organizations to achieve mutual goals.
- G.) Ability to be bonded.

Section 6: Qualifications for the State Deputy Directors.

The minimum qualifications for the State Deputy Directors are:

- A.) Ability to work productively with the COB, EXEC and BOD.
- B.) Ability to chair committees or lead special projects as needed.
- C.) Ability to assist or extend aid to the regions as needed.

Section 7: Qualifications for the State Secretary.

The minimum qualifications for the State Secretary are:

- A.) Ability to record, maintain, organize and distribute proper meeting minutes and other records.
- B.) Ability to maintain, organize and archive the ABATE Corporate Notebook.
- C.) Computer literacy and reliable access to the internet.

Section 8: Qualifications for the State Treasurer.

The minimum qualifications for the State Treasurer are:

- A.) Solid understanding of double-entry bookkeeping.
- B.) Solid understanding of bank account reconciliation.
- C.) Ability to record, maintain, organize and distribute accurate financial records.
- D.) Ability to maintain, organize and archive the financial records of ABATE for tax purposes.
- E.) Ability to handle funds in a responsible manner.
- F.) Ability to recognize and report irregularities resulting from possible theft or embezzlement.
- G.) Ability to safeguard the financial stability of ABATE.
- H.) Ability to be bonded.
- I.) Computer literacy and reliable access to the internet.

Section 9: Qualifications for the State Ex Officio.

The minimum qualifications for the State Ex Officio are:

- A.) Member in good standing for a minimum of twelve consecutive years.
- B.) Successfully completed terms of office at both the BOD and RBO level.
- C.) Ability to safeguard the principles of ABATE.
- D.) Ability to communicate a historical perspective to the BOD.

Section 10: Qualifications for the State Government Relations Director.

The minimum qualifications for the State Government Relations Director are:

- A.) Member in good standing for three years.
- B.) Understanding of the political, legislative, judicial and executive processes at the federal, state and local levels.
- C.) Understanding of agencies and their authority at the state and local levels.
- D.) Understanding of the use of political power and diplomacy.
- E.) Proven communication skills, written and verbal, directed to individuals and a variety of groups including: the membership, politicians, the public, other organizations and the media.
- F.) Ability to work with elected and appointed officials.
- G.) Ability to organize and coordinate legislative and political endeavors.
- H.) Ability to research legislative and political issues using all available resources and tools.

Section 11: Qualifications for the State Safety and Education Director.

The minimum qualifications for the State Safety and Education Director are:

- A.) Member in good standing for three years.
- B.) Understanding of necessary agencies and their authority at the state and local levels.
- C.) Proven communication skills, written and verbal, directed to individuals and a variety of groups including: the membership, politicians, the public, other organizations and the media.
- D.) Ability to organize and promote ABATE's motorcycle safety and awareness endeavors.
- E.) Ability to develop and implement programs, initiatives and activities designed to increase motorcycle safety and awareness to both the motorcycling community and the non-motorcycling public.
- F.) Ability to keep all ABATE safety and education programs current.
- G.) Ability to research safety and education issues using all available resources and tools.

Section 12: Qualifications for the State Security Director.

The minimum qualifications for the State Security Director are:

- A.) Basic understanding of Robert's Rules of Order.
- B.) Ability to maintain direction and decorum at meetings and events.
- C.) Ability to organize and coordinate security teams for events.
- D.) Ability to use logic, compromise and diplomacy to defuse tense situations.
- E.) Ability to read situations, anticipate problems and act with due regard for the safety of members and other persons in attendance.
- F.) Ability to maintain an even temperament and self-control.

Section 13: Qualifications for the State Events Director.

The minimum qualifications for the State Events Director are:

- A.) Understanding of all aspects of the organization, advertisement and hosting of an event.
- B.) Ability to review all event flyers for compliance with ABATE standards.
- C.) Means to correct non-complying flyers and to forward same to the required recipients.

Section 14: Qualifications for the State Products Director.

The minimum qualifications for the State Products Director are:

- A.) Ability to control, distribute, market and maintain the state product inventory.
- B.) Ability to monitor product sales and inventory at the region and county levels.
- C.) Ability to legally transport the state product trailer as needed.
- D.) Ability to develop new products.
- E.) Ability to recognize proper inventory levels based on sales history.
- F.) Ability to develop and maintain a list of recommended product suppliers.

- G.) Ability to maintain product checkbook.
- H.) Ability to record, maintain, organize and distribute accurate product records.
- I.) Ability to handle all methods of payment in a responsible manner.
- J.) Ability to safeguard the product inventory against theft, damage or loss.

Section 15: Qualifications for the State Newsletter Director.

The minimum qualifications for the State Newsletter Director are:

- A.) Ability to organize, edit and format the State Newsletter in a well thought out manner.
- B.) Ability to oversee the publication and distribution of the State Newsletter in a timely manner.
- C.) Ability to develop and maintain a list of advertisers.
- D.) Ability to record, maintain, organize and distribute accurate advertising records.
- E.) Proven abilities in writing, graphics and other editorial skills.
- F.) Computer literacy and reliable access to the internet.

Section 16: Qualifications for the State Technology Director.

The minimum qualifications for the State Technology Director are:

- A.) Ability to organize, edit and format the State Website in a well thought out manner.
- B.) Ability to oversee and monitor web presence at the state, region and county level.
- C.) Ability to develop and maintain a list of external links.
- D.) Ability to oversee and monitor purchased email, shopping and payment services.
- E.) Ability to develop and maintain a list of advertisers.
- F.) Ability to record, maintain, organize and distribute accurate advertising records.
- G.) Current technical knowledge of computer and web-related issues.
- H.) Proven abilities in writing, graphics and other editorial skills.
- I.) Computer literacy and reliable access to the internet.

Section 17: Qualifications for the Non-Voting BOD Officers.

The minimum qualifications for the Non-Voting BOD Officers are:

- A.) Member in good standing for three years.

Section 18: Qualifications for a Region Director.

The minimum qualifications for a Region Director are:

- A.) Basic understanding of Robert's Rules of Order.
- B.) Understanding of the concerns, needs and goals of the motorcycling community.
- C.) Ability to conduct and control a RBO meeting while facilitating productivity.
- D.) Ability to generate the interest, participation and support for ABATE's goals and objectives at the region and county level.
- E.) Ability to monitor legislative activity at the local level.
- F.) Ability to be accessible to the membership.
- G.) Proven communication skills, both written and spoken, directed to a wide audiences including members, politicians, the public and the media.

Section 19: Qualifications for a Region Secretary.

The minimum qualifications for a Region Secretary are:

- A.) Ability to record, maintain, organize and distribute proper meeting minutes and other records.
- B.) Ability to maintain, organize and archive the Region Notebook.

Section 20: Qualifications for a Region Treasurer.

The minimum qualifications for a Region Treasurer are:

- A.) Ability to maintain a region checkbook.
- B.) Ability to record, maintain, organize, archive and distribute accurate financial records.
- C.) Ability to handle funds in a responsible manner.
- D.) Ability to recognize and report irregularities.
- E.) Ability to safeguard the financial stability of the region.

Section 21: Qualifications for a County Coordinator.

The minimum qualifications for a County Coordinator are:

- A.) Basic understanding of Robert's Rules of Order.
- B.) Understanding of the concerns, needs and goals of the motorcycling community.
- C.) Ability to conduct and control a CBO meeting while facilitating productivity.
- D.) Ability to generate the interest, participation and support for ABATE's goals and objectives at the county level.
- E.) Ability to monitor legislative activity at the local level.
- F.) Ability to be accessible to the membership.

Section 22: Qualifications for a County Secretary.

The minimum qualifications for a County Secretary are:

- A.) Ability to record, maintain, organize and distribute proper meeting minutes and other records.
- B.) Ability to maintain, organize and archive the County Notebook.

ARTICLE VIII: ELECTION OF OFFICERS

Section 1: General Procedures.

- A.) Nominations for office are opened at the September BOD, RBO or CBO meeting and closed at the November BOD, RBO or CBO meeting.
- B.) All nominations must be accepted by the nominee and recorded in the minutes.
- C.) Candidates may accept nomination in person, by phone, via email address of record or in writing. Any write-in candidate must accept nomination at the time of ballot counting.
- D.) Ballots for all ABATE offices at all levels will be printed and will include space for write-in candidates, including any uncontested offices. See Sample Election Ballot (F027).
- E.) State Office will issue voting rosters on November 16 to Region Directors. State Office to retain master copy of all voting rosters.
- F.) Voting roster may not be modified.

- G.) In case of a tie, the vote is recounted. Then if still a tie, the contest is decided by a single coin toss by an impartial party.
- H.) Incomplete election results may not be reported at any level.
- I.) Any act of fraud may result in misconduct charges and election results may be voided.
- J.) Once an election cycle has started with officer nominations, any changes in election policy and procedure will go into effect after that election cycle has been completed.
- K.) Any interested party may witness tallying of the votes as long as their presence does not impede or restrict the tally process.

Section 2: Officer Election Committees.

- A.) Ex Officio to be chair for State Officer Election Committee. Three other BOD officers not on the current ballot to complete the committee. Ex Officio is not to be involved in counting of own office ballot.
- B.) Region Officer Election Committee and County Officer Election Committee to be three members in good standing and not contested on the current ballot. Committee members are not be involved in counting of own office ballot.
- C.) The responsibilities of the Officer Election Committees are as follows:
 - 1.) Ensuring that nominees meet office qualifications.
 - 2.) Ensuring that ballots are cast properly.
 - 3.) Ensuring that no member votes more than once.
 - 4.) To count and tally the ballots at the appropriate ABATE board level.
 - 5.) To certify and report the election results to the appropriate ABATE board level Secretary for archiving.
 - 6.) County Officer Election Committees to forward: the voting roster, (sealed) uncounted region ballots and (sealed) county ballots / election results to Region Officer Election Committee within three days.
 - 7.) Region Officer Election Committees to forward: the voting rosters, (sealed) region ballots / election results and all (sealed) county ballots / election results to the State Office within seven days.

Section 3: Voter Qualifications.

- A.) A voting member must be current and establish valid mailing address and their region and county of record with the State Office prior to 3 p.m. November 15 or last business day prior.
- B.) A member may only vote in their region or county of record on the voting roster.
- C.) Proper government or employer ID must be shown and member must be listed on voting roster to receive a ballot.

Section 4: Election of the Chairman of the Board.

- A.) COB is elected by majority vote of the membership.
- B.) Nominees for office are published in the October and November State Newsletter and the State Website.
- C.) COB candidates must submit a statement of qualifications to the State Newsletter for publication in the December issue.
- D.) Election is held via ballot printed in the December State Newsletter for members receiving printed copy or via postcard ballot for members not receiving printed copy. Mailing list generated by the State Office on November 16. Ballot will be located so that address label prints on the reverse side. Original ballot to be hand delivered during regular business hours or mailed and postmarked to the State Office by December 31.
- E.) If address label indicates single membership, only one vote may be cast. If address label indicates couple membership, two votes may be cast.
- F.) State Officer Election Committee to meet between January 1 and the January BOD meeting to count ballots and certify result of COB election.

Section 5: Election of State Officers.

- A.) Nominees for office are published in the October and November State Newsletter and the State Website.
- B.) Candidates may submit a statement of qualifications to the State Newsletter for publication.
- C.) Any candidate will have an opportunity to address the BOD prior to balloting.
- D.) Election is held at the November BOD meeting.

Section 6: Election of Region Officers.

- A.) Nominations must be accepted fourteen days prior to the election to allow time for ballot preparation.
- B.) Any candidate will have an opportunity to address the RBO and membership at an open meeting after nominations close and prior to balloting.
- C.) Notice of balloting date, time and location to be published in the State Newsletter (November and December issues) and on the State Website (sixty days in advance).
- D.) Election is held in December.
- E.) Any member in an unorganized county may only vote at the region level election location.
- F.) Absentee ballots are not accepted.
- G.) All region ballots must be returned to the Region Officer Election Committee for counting and certification.

Section 7: Election of County Officers.

- A.) Nominations must be accepted fourteen days prior to the election to allow time for ballot preparation.
- B.) Any candidate will have an opportunity to address the CBO and membership at an open meeting after nominations close and prior to balloting.
- C.) Notice of balloting date, time and location to be published in the State Newsletter (November and December issues) and on the State Website (sixty days in advance).
- D.) Election is held in December.
- E.) Any member in an organized county may only vote at the county level election location.
- F.) Absentee ballots are not accepted.
- G.) Organized counties must have a separate ballot from the region ballot, which is cast at the same date, time and location as the county election.

ARTICLE IX: APPOINTMENT OF INTERIM OFFICERS

Section 1: General Rules.

- A.) Any appointed office is considered to be an interim office.

- B.) Any interim office is seated at the convenience of the BOD, RBO or CBO.
- C.) An interim officer may be removed from office by a simple majority vote of the BOD, RBO or CBO.
- D.) A written ballot is not required.

Section 2: Appointment Procedure.

- A.) Available offices to be published in the State Newsletter and State Website thirty days prior to the appointment.
- B.) Anyone interested in the office should contact the BOD, RBO or CBO and/or send a list of qualifications.
- C.) Any candidate will have an opportunity to address the BOD, RBO or CBO at the appointment meeting.
- D.) Office is filled by a simple majority vote of the BOD, RBO or CBO or vote of confidence if only one candidate.
- E.) BOD, RBO or CBO Secretary must notify State Office of change.

ARTICLE X: RESIGNING FROM OFFICE

- A.) Any officer wishing to resign from office must do so in writing. See Officer Resignation (F002).
- B.) Any officer resigning from office will not be eligible for that office until the next scheduled election cycle.
- C.) Any officer resigning from office must surrender all ABATE assets, including but not limited to records, property and monies pertaining to that office. See Property Transfer (F003).

ARTICLE XI: MISCONDUCT

Section 1: Definition of Misconduct.

- A.) Any action that violates federal, state or local laws. Authorities may be contacted when necessary.
- B.) Any action that knowingly violates the ABATE Constitution or Bylaws.
- C.) Any action that is detrimental to ABATE of Ohio, Inc. or discredits the image of ABATE of Ohio, Inc.

Section 2: Misconduct Categories.

- A.) Individual misconduct applies to a member or officer.
- B.) Group misconduct applies to any ABATE board or committee formed by the BOD, RBO or CBO.
- C.) Any group of individuals not formed by the BOD, RBO or CBO will be addressed individually.

Section 3: Hearing Procedure.

- A.) All misconduct charges will be heard by the BOD.
- B.) Charges are submitted to the State Office in writing, proof of delivery is recommended.
- C.) Charges may be withdrawn at any time by the accuser(s).
- D.) Notice of the charges is sent to all named individual(s) to their last known address via certified mail. See BOD Notice to Appear (F022).
- E.) Notice of the charges is sent electronically to all BOD officers.
- F.) BOD will establish a committee when necessary to investigate the charges. The committee members to be appropriate for the charges and without conflict of interest.
- G.) The named individual(s) may submit any related information to the BOD or investigating committee.
- H.) Investigating committee will establish an appropriate method and timeline for the investigation and report electronically to the BOD officers, the named individual(s) and the accuser(s).
- I.) The BOD will determine the hearing date, time and location. An emergency BOD meeting may be deemed necessary.
- J.) Notice of the hearing is sent to all named individual(s) and the accuser(s) to their last known address via certified mail. See BOD Notice to Appear (F022).
- K.) Attendance by the named individual(s) and accuser(s) is recommended but not necessary for the hearing to proceed as notified.
- L.) The hearing is conducted by the BOD: All evidence reviewed, witnesses from both sides heard and investigating committee recommendations presented.
- M.) A verdict is reached by the BOD by a simple majority vote.

- N.) After a guilty verdict, the BOD will determine appropriate penalties and/or corrective countermeasures by a simple majority vote.

Section 4: Individual Penalties.

- A.) Letter of reprimand.
- B.) Temporary suspension of membership.
- C.) Permanent removal from membership.
- D.) Removal from any or all current offices.
- E.) Temporary or permanent ban on holding office.
- F.) Filing of criminal charges.
- G.) Filing of civil action for restitution.
- H.) Any other penalty deemed necessary by the BOD.

Section 5: Countermeasures.

- A.) Nullify and revoke an election.
- B.) Freeze of region treasury.
- C.) Removal as a signer on any bank account.
- D.) Any other countermeasure deemed necessary by the BOD.

ARTICLE XII: MISCELLANEOUS

- A.) The ABATE P&P are subject to change after discussion by the BOD, one reading during scheduled BOD meetings where quorum is met and approval by a majority vote of the BOD after the reading.
- B.) The ABATE F&D are subject to change after discussion by the BOD, one reading during scheduled BOD meetings where quorum is met and approval by a majority vote of the BOD after the reading.
- C.) At the direction of the BOD, a new dated version of the ABATE P&P and the ABATE F&D will be published with all changes incorporated that have been approved since the last printing.