



2023 Edition

Marine Corps League

National Bylaws

Approved 18 August 2023

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NATIONAL BYLAWS

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MARINE CORPS LEAGUE

National Headquarters

18 Aug 2023


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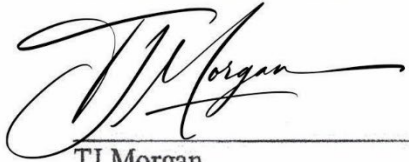
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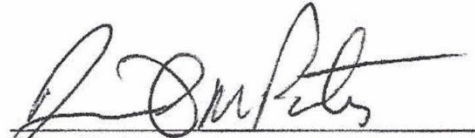
Ref: 2023 Edition of the National Bylaws and Administrative Procedures

1. **Purpose.** These Bylaws provide guidance concerning the function and organization of the Marine Corps League. The primary goal of these Bylaws is to ensure that the Marine Corps League is operated in accordance with the Marine Corps League's structure and to follow all local, state, and national laws. The 2022 Edition of the National Bylaws and Administrative Procedures are hereby cancelled on this date.
2. **Background.** At the 2023 National Convention held in Oklahoma City, OK, the National Bylaws were updated to ensure that the Marine Corps League is following all local, state, and national legal requirements. These National Bylaws state the responsibilities incumbent upon all Marine Corps Leagues members and state the requirements that will facilitate the mission of the League.
3. **Goal.** The goal of the Marine Corps League National Bylaws is to provide the Marine Corps League leadership effective resources and guidance to ensure that Detachments, Departments, Divisions, and the Marine Corps League are successful and relevant to the membership. These National Bylaws and the Marine Corps League's Administrative Procedures set the specific guidelines and requirements for all Marine Corps League members to follow.
4. **Ratification.** These National Bylaws were presented to all members at the 2023 National Convention held in Oklahoma City, OK. There was a motion and a second by qualified delegates to accept and approve the National Bylaws. Discussion phase was opened, and all questions or changes were made. The National Bylaws changes were ratified/approved by majority vote of all members present at the 2021 National Convention on Tuesday, 15 August 2023.
5. **Effective Date of National Bylaws.** These Bylaws were effective on 18 August 2023, the last day of the 2023 National Convention as required by the 2022 National Bylaws, Section 1105.

6. Reviewed and Approved:


Warren Griffin
Chief Executive Officer
National Commandant


TJ Morgan
Corporate Secretary
National Senior Vice Commandant


Dave Porter
National Judge Advocate

DISTRIBUTION:
National Bylaws, Article XI, Section 1110

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ARTICLE IX
Detachments

Section 900. Detachment Charter. No detachment shall be named in honor of a living person. No detachment shall adopt the name previously adopted by another detachment unless the charter of the other detachment has been surrendered or revoked. If the detachment is being named in honor of a deceased Marine, a signed permission letter is required from the deceased Marine's most immediate family.

Section 905. Bylaws. Each detachment shall adopt bylaws and may adopt administrative procedures that are consistent with the department and NBL and NAP. The bylaws and administrative procedures shall be approved by the department judge advocate. In the absence of a jurisdictional department, the National Judge Advocate shall be the approving authority.

Section 910. Members. Each detachment shall be the sole judge of its membership, providing said person meets the requirements of Article V, Section 515 and Section 520.

Section 915. Ineligible Members

- A. If there is reason to believe a member of the MCL does not meet the qualifications to be a member, this (these) reason(s) must be submitted in writing to the detachment commandant, who will appoint the detachment judge advocate who will investigate the charge as presented. Unless,
 - 1. The person to be investigated is the detachment commandant, the request will be given to the detachment senior vice commandant for action, or
 - 2. The person to be investigated is the detachment judge advocate, the detachment commandant will appoint a past detachment commandant to hold the investigation.

- B. If the investigation determines that the member does not have the necessary qualifications to be a member, the officer who is investigating will present a written report of the investigation, with a draft of a disciplinary charge to the members of the detachment board of trustees. The board of trustees shall file a charge with the department judge advocate in accordance with NAP, Chapter Nine.

Section 920. Detachment Officers. Each detachment shall:

- A. Elect a commandant, a senior vice commandant, a junior vice commandant, and a judge advocate each year; and
- B. Elect or appoint an adjutant, paymaster (or adjutant/paymaster), chaplain, and sergeant-at-arms.
- C. A detachment may have such additional elected and appointed officers as required by the detachment bylaws.

- D. All elected officers shall be regular members of the detachment in which they are elected.
- E. At the will of the detachment, associate members may serve in appointed offices only.
- F. **Term Limits.** Each elected officer shall be elected for a term of one year and may be reelected for additional terms as provided in the detachment bylaws. Appointed officers shall serve a term that expires when the installation after the annual election occurs and may be appointed to additional terms.

Section 925. **Vacancies**

A. **Detachment Elected Officers**

1. **Order of Succession.** The order of succession to the office of the detachment commandant shall be; first, detachment senior vice commandant and second, detachment junior vice commandant.
2. **Detachment Commandant.** Should the commandant's position become vacant, the senior vice commandant, if agreeable, will serve as the new commandant for the remainder of the term. If not agreeable, the junior vice commandant, if agreeable, will serve as the new commandant for the remainder of the term. If neither one is agreeable, the department commandant will be responsible for finding a replacement detachment commandant with assistance from the rest of the detachment staff. If either the senior vice commandant or junior vice commandant serve as the replacement commandant, they will be responsible for finding a replacement for their previous position with assistance and approval of the detachment board of trustees.
3. **Detachment Senior Vice Commandant.** Should the senior vice commandant position become vacant, the junior vice commandant, if agreeable, will serve as the new senior vice commandant for the remainder of the term. If not agreeable, the commandant will be responsible for finding and appointing a replacement for the vacancy, with assistance and approval of the detachment board of trustees.
4. **Detachment Junior Vice Commandant or Judge Advocate.** Should the junior vice commandant or judge advocate position become vacant, the commandant will be responsible for finding and appointing a replacement for the vacancy, with assistance and approval of the detachment board of trustees.
5. **Any Other Detachment Officer.** Should any other elected or appointed position become vacant, the commandant will be responsible for finding and appointing a replacement for the vacancy, with assistance and approval of the detachment board of trustees.
6. **Causes for Vacancy.** In addition to death, resignation, or incapacity;

- a. An elected officer vacancy should occur through the failure to attend two consecutive, officially-called meetings of the detachment board of trustees.
- b. An elected or appointed officer vacancy shall occur through removal from office by disciplinary action in accordance with the NAP.
- c. An elected or appointed officer vacancy shall occur when the offending officer is no longer a member in good standing. (Rev 2021)

7. **Installation and Report of Installation Submission.** Upon appointing a member to any new position on the detachment staff, the department commandant, detachment commandant, or any past commandant, in the case of a newly appointed commandant, will swear in the officer to the new position and submit the revised ROI form as specified in the NAP.

B. **Detachment Staff Officers.** A vacancy in an appointed office, a committee chairman, or a committee member shall be filled as soon as practical by the detachment commandant. All such appointments shall be approved by the detachment board of trustees.

Section 930. Meetings. A detachment shall meet at a date, time and frequency of its choosing. Once a month is recommended. The detachment charter or a copy, the National Colors, and a Bible shall be displayed at all business meetings.

Section 935. Detachment Board of Trustees. The elected officers of a detachment shall be its board of trustees. However, a detachment is authorized to appoint the outgoing junior past commandant or a past detachment commandant to serve a one-year term as a member of the detachment board of trustees. No member of the detachment shall serve in more than one (1) position on the detachment board of trustees. (Rev 2021)

Section 940. Election of Officers

- A. Each detachment shall hold an annual election and installation of officers between September 1 and May 15. Installation must be conducted no later than the last day of the month subsequent to the election. The “Report of Installation - Detachment” form shall be submitted within five (5) days of the installation to ensure that it is received at the National Office by June 30th of each year to establish credentials for the National Convention. A detachment is NOT in good standing if this report is not received. (Rev 2023)
- B. Any time throughout the year, were a change in any officer(s) position, that new officer(s) must be sworn in accordance with NAP and a new ROI form must be submitted for those positions that changed.

Section 945. Suspension and Revocation of Charter

- A. **Basis.** The charter of a detachment may be suspended or revoked for:

1. The persistent failure to maintain a minimum of fifteen members in good standing;
2. The persistent failure to forward promptly funds due to the national body;
3. Acts and conduct bringing the MCL into public disrespect;
4. Willful violation of NBL and NAP;
5. Violation of federal, state, or municipal laws or ordinances; or
 - a. Failure to obtain an EIN from the IRS within six (6) months of chartering and maintain an active status under IRS Code 501(c)(4).
 - b. Failure to incorporate within one (1) year of chartering.
6. Other activities detrimental to the good name of the MCL.

B. Authority

1. The suspension or revocation of charters may be directed by a department board of trustees and/or the National BOT.
2. A charter being “suspended” should be for a specific amount of time issued by the department or National Board of Trustees. Upon satisfying the suspending entity that the reason for the suspension has been corrected, that department or National Board of Trustees can remove the suspension. The detachment is then in “good standing.”
3. A charter that has been revoked, can only be re-chartered by the National BOT.
4. In the case of Section 945 §A., 1. through 6., shall be implemented in accordance with the provisions of the NBL and NAP.

Section 950. Voluntary Surrender of Charter. The charter of a detachment may be voluntarily surrendered for such reasons as may be determined by the detachment. Upon a determination that it is no longer practical to maintain the detachment, the detachment board of trustees shall immediately notify its jurisdictional department, or if a jurisdictional department is nonexistent, the Division National Vice Commandant in writing of its intent to dissolve and surrender its charter. The NAP will govern the process.

Section 955. Employment Identification Number [EIN] and Incorporation

- A. **EIN.** Each detachment in addition to its incorporation, shall obtain and maintain its own EIN under IRS Code 501(c)(4), within sixty days from the charter date.
- B. **Incorporation.** Detachments which engage in services or business in their respective state or commonwealth either for profit or non-profit, or which use the name of the

MCL will be incorporated within one year from the charter date unless their state or commonwealth requires incorporation to be completed within a shorter time period.

Section 960. Parliamentary Authority. Each detachment shall use the current edition of *Roberts Rule of Order Newly Revised* which shall govern in all cases to which they are applicable and in which they are not in conflict with the NBL and NAP, department bylaws, and any special rules of order National may adopt. In the event of a conflict, the ruling authority is the NBL, then the NAP, then RRNR.

Section 965. Contracting Authority. No detachment officer, committee chairperson, or other member of any detachment shall enter into or sign any contract or agreement for the purpose of binding the detachment without first submitting such contract or agreement to the detachment board of trustees. All documents shall be forwarded to the entire detachment board of trustees for approval, amendments, or rejections.

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NATIONAL BYLAWS
ARTICLE X
Subsidiary Organizations

Section 1000. Authority

- A. All subsidiary organizations which function and operate directly or indirectly under the Congressional Charter and name of the MCL are subject to the authority, supervision, direction, control, and discipline of the MCL.
- B. Such organizations and groups will:
1. Adopt bylaws compatible and consistent with the bylaws and administrative procedures of the MCL.
 2. Incorporating.
 - a. If said incorporation identifies themselves by name with the Marine Corps League and acknowledges their accountability to the Marine Corps League, they shall incorporate if not already done so, or
 - b. If such organizations and groups do not identify themselves by name with the Marine Corps League and acknowledge their accountability to the Marine Corps League, said corporation shall immediately amend their incorporation and submit the proposed amended incorporation to the National Judge Advocate of the Marine Corps League for review, consideration, and approval.
 - c. If a subsidiary or subordinate organization should have any complaints, grievances and/or charges against a Marine Corps League member, detachment, or department, they must follow their appropriate chain of command that will refer it to the Marine Corps League for adjudication. It must be referred in writing via certified mail to the National Judge Advocate for appropriate action.

Section 1005. Employment Identification Number [EIN] and Incorporation

- A. **EIN.** Each subsidiary organization group in addition to its incorporation, shall obtain and maintain its own EIN under the MCL's Group Exemption Code "0955" under IRS Code 501c(4), within six months from the charter date. The exception is that the Marine Corps League Foundation must maintain its EIN as a 501c(3). If for any reason any subsidiaries does not maintain good standing with the Fed IRS as determined by the Fed IRS Database, (EOBMF) and receives a letter of Revocation, that subsidiary shall cease to be in Good Standing effective as of that date on the letter or the Fed IRS Database (EOBMF). All operations as a non-profit shall cease and the subsidiary shall not receive any compensation, or voting privileges at National Conferences and Conventions until such time their status is returned to normal status.

(Rev 2021)

B. **Incorporation.** Any of the foregoing which engage in services or business in their respective state or commonwealth either for profit or non-profit, or which use the name of the MCL, will be incorporated within one year from the charter date unless their state or commonwealth requires incorporation to be completed within a shorter time period. If for any reason any subsidiary does not maintain good standing with the State or Commonwealth incorporation as determined by the Secretary of State Database and receives a letter of Revocation, that subsidiary shall cease to be in good standing effective as of the date on the letter or the State or Commonwealth. All operations as a non-profit shall cease and the subsidiary shall not receive any compensation, or voting privileges at National Conferences and Conventions until such time their status is returned to normal status. (Rev 2021)

NATIONAL BYLAWS
ARTICLE XI
National Bylaws Amendments

Section 1100. National Bylaws Amendments. The National Bylaws may be revised, amended, or repealed by a majority vote of the properly registered and approved delegates voting at a National Convention. The proposed revision, amendment, or repeal shall be submitted following the procedures in the Administrative Procedures, **Chapter Ten, Section 10020, Amendments.** (Rev 2021)

Section 1105. Effective Date. Each revision, amendment, or repeal of a provision of the National Bylaws and the Administrative Procedures which is approved at a National Convention and does not provide for an effective date, will become effective upon the close of the convention at which it is approved.

Section 1110. National Bylaws Distribution

- A. The current edition of the National Bylaws of the Marine Corps League along with any published changes shall be posted on the National website for the access and review by all members of the MCL, the National BOT, National Office, Marine Corps League Auxiliary, and the Military Order of the Devil Dogs Kennel. Changes approved at the National Convention each year shall be posted to the website once completed and notice of said posting shall be provided in the issue of "Semper Fi" in the next issue subsequent to the posting on the National website. Such notice shall include instructions on how to access and review the approved changes on the National website. A hard copy of the approved changes may be purchased (printing and mailing cost) by any existing detachment, department, Past National Commandant, member of the National BOT, National Office Marine Corps League Auxiliary, and the Military Order of the Devil Dogs Kennel upon submission of a written request to the NED/COO. Submission instructions, including any applicable deadlines on how to receive a hard copy of the approved changes via U. S. Mail from the NED/COO shall be included in the notification which is placed in "Semper Fi".
- B. Any member of the Marine Corps League may purchase copies of the NBL from the NED/COO.

Section 1115. Clerical Errors.

- A. The National Administrative Review Committee and the NED/COO shall have the authority to identify, and with the advice and consent of the National Bylaws and Administrative Procedures Committee, correct clerical errors in the NBL and the NAP where the error is clearly evident, and the correction shall make no material change to the intent, form, or function of the bylaw(s) or the administrative procedure(s) in question.
- B. Any League member who makes notice of a clerical error that meets the criteria detailed in Section 1115., §A., shall email their respective department judge advocate

the clerical error. The department judge advocate shall confirm the error and ensure the correction is valid before forwarding the recommended change to the NED/COO or reply to the sender with a reason for not forwarding the recommendation. (Rev 2022)

- C. Clerical error changes to these Bylaws meeting the criteria identified by Section 1115., §A., and 1115., §B., are to follow the guidelines of the MCL Style Guide and Glossary contained in the NAP Enclosure (9).

Section 1120. National Administrative Procedures

- A. Changes to the NAP will be approved by the membership by majority vote at a National Convention. Recommendations for changes to the NAP will be covered in that document.
- B. Changes to the NAP may also be approved by the National Board of Trustees by majority vote when it is necessary for the operational needs of the Marine Corps League. These changes to the NAP will be sent immediately to all Divisions National Vice Commandants with directions to be passed to all departments and detachments. Amendments can be proposed to the changes made by the National BOT to the NAP and they must be submitted to the NED/COO no later than 1 August each year.

NATIONAL BYLAWS
ARTICLE XII
Dissolution

Section 1200. Dissolution. Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(4) of the Internal Revenue Code, or corresponding section of any future tax code, or shall be distributed to the federal government, or to a state or local government for a public purpose. Any such assets not disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

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