

— 2017 —
**STATUTORY
AMENDMENTS**


Approved at Grand Lodge Convention
in Reno, Nevada
Tuesday, July 18, 2017

IMPORTANT!!

*(Keep this pamphlet to use with the 2016 Annotated Statutes until
the 2017 edition of the Annotated Statutes is received at the Lodge.)*

THESE STATUTES WERE AMENDED TUESDAY, JULY 18, 2017, BY LODGE REPRESENTATIVES AND GRAND LODGE MEMBERS ASSEMBLED AT THE GRAND LODGE SESSION IN RENO, NEVADA, AND AUTOMATICALLY TOOK EFFECT AS WORDED HERE AT 12:01 A.M. ON AUGUST 18, 2017, IN ALL LODGES.

(Lined-out words are deleted, and underlined words are added.)

 **VOTED**

**Benevolent and Protective
ORDER OF ELKS
of the United States of America**



— STATUTORY AMENDMENTS —

Resolution
2017-01

► **AMENDED Section 2.010 of the Laws of the Order to read as follows:**

Section 2.010. Only the rituals prepared by the Ritualistic Committee of the Grand Lodge and approved by the Grand Lodge shall be used in opening and closing a Lodge meeting, initiation of candidates, installation of Lodge Officers and institution of a new Lodge. Local Lodges may, through their By-Laws, adopt alternative rituals approved by the Grand Lodge for the opening and closing of the Lodge ~~and initiation of candidates.~~

Resolution
2017-02

► **AMENDED Section 3.080 of the Laws of the Order to read as follows:**

Section 3.080. Nominations for offices to be filled at the annual election in Lodges shall be made in the order in which they appear in Section 2 of Article VII of the Constitution of the Order at any regular meeting of the Lodge on or after the 1st day of January if meetings are held monthly, or after the 1st day of February ...

► **AMENDED Section 3.090 of the Laws of the Order to read as follows:**

Section 3.090. The annual election shall be held at the monthly regular meeting in February if held monthly and at the second regular meeting in February by each Lodge holding regular semi-monthly meetings, and at the third regular meeting in February by each Lodge holding weekly meetings or tri-monthly meetings, and by a new Lodge as soon as instituted.

► **AMENDED Section 15.070 of the Laws of the Order to read as follows:**

Section 15.070. Lodges shall meet in regular session at least once a month, but may meet twice a month, three times a month, four times a month, or weekly, as provided in the Lodge By-Laws. The Lodge By-Laws may designate any three months of the year, except the months of February, March, and April, in which only one regular meeting is required to be held.

Resolution
2017-06

► **AMENDED Section 13.021 (c) of the Laws of the Order to read as follows:**

Section 13.021. The Activities Committee shall be charged with the following: ...

(c) ~~Preparing, supervising, and conducting~~ Promoting, supporting and overseeing programs for the youth of the community, ~~such as The Antlers of the Benevolent and Protective Order of Elks,~~ and implementing all youth programs of the Lodge, the State Association, and the Grand Lodge.

Resolution
2017-07

► **ADDED paragraph to end of Section 16.041 of the Laws of the Order to read as follows:**

Section 16.041. ... Any suspension imposed under this Section by a Member's home Lodge shall be applicable to and enforced by all Lodges of the Order, subject to the rights of appeal of the Member suspended as set forth herein. The Lodge Secretary shall make a notation of the suspension on the suspended Member's membership card. Upon the expiration of the suspension the Lodge Secretary shall issue to the Member a new membership card without reference to the suspension.

Resolution
2017-08

► **AMENDED Section 9.170 of the Laws of the Order to read as follows:**

Section 9.170. 2nd ¶: Upon such final adjudication, the Grand Exalted Ruler may appoint three Trustees who shall be authorized and empowered to take all necessary actions and execute all required instruments to receive, hold, conserve, manage, sell or encumber, mortgage, borrow against or sell the Lodge property, as they may deem necessary, retaining the proceeds therefrom, until such time as said Lodge may be reinstated or a new Charter granted in the same community.

If the Lodge is reinstated or a new Charter is granted for a Lodge or Lodges with jurisdiction including a portion of the same jurisdiction of the former Lodge, said Trustees, upon order of the Grand Exalted Ruler, shall transfer and deliver the title to all assets of the Lodge to the Lodge so reinstated or to the new Lodge or Lodges to which a Charter or Charters have been granted, in such proportions as determined by a majority of the Board of Grand Trustees with the approval of the Grand Exalted Ruler, and the three Trustees shall execute and deliver any and all necessary and proper deeds and instruments with the approval of the Grand Exalted Ruler endorsed thereon to vest full and complete title in the Lodge entitled thereto.

Resolution
2017-09

► **AMENDED Section 14.310 of the Laws of the Order to read as follows:**

Section 14.310. A Lodge may, ~~in its By-Laws,~~ provide in its By-Laws for the remission waiver of the Lodge dues of any Member who is sick or in distress, and may further provide for the remit waiver of the dues, initiation fees or reinstatement fees of a any Applicant or Member who is serving as a member on active duty in a branch of the Armed Forces of the United States, or who has separated from active duty during the preceding twenty-four months by virtue of retirement or the receipt of an Honorable Discharge.

~~A Lodge may, in its By-Laws, provide for the waiver of the initiation fee and dues of any applicant who is a member of the Armed Forces on active duty and who meets the criteria stated in the preceding paragraph, and the Lodge may thereafter remit dues for those who continue to qualify under the preceding paragraph.~~

► **AMENDED sub-paragraphs (l) & (m) of Section 16.050 of the Laws of the Order to read as follows:**

Section 16.050. A Lodge, whether incorporated or not, or any corporation, ...

(l) The proposal read on the floor of the Lodge was mailed to each Member of the Lodge at least ten (10) days prior to the date of the regular or special meeting at which it will be voted upon, and

(m) That at the regular or special meeting the proposal was adopted by at least a favorable vote from two-thirds of the Members present.

Resolution
2017-10

► **AMENDED Section 15.070 of the Laws of the Order to read as follows:**

Section 15.070. 2nd ¶: The Grand Exalted Ruler or the District Deputy may grant a dispensation to omit or reschedule a regular meeting except during the month of February. A regular meeting may be rescheduled upon five days' notice to all Members of the Lodge. ...

Resolution
2017-11

► **ADDED sub-paragraph (h) to Section 12.060 of the Laws of the Order to read as follows:**

Section 12.060. The Treasurer of the Lodge shall: ...

(h) Notify the Board of Trustees (or Board of Directors as may be applicable) when the unappropriated cash in his possession exceeds such amount as shall be set forth in the Lodge By-Laws.

Resolution
2017-13

► **AMENDED sub-paragraphs (b) & (f) of Section 12.060 of the Laws of the Order to read as follows:**

Section 12.060. The Treasurer of the Lodge shall: ...

(b) Pay all approved bills against the Lodge on vouchers signed by the Exalted Ruler and Secretary. The Lodge By-Laws may provide for payment of recurring bills after approval of the Board without obtaining Lodge prior approval. The Payment shall be reported at the next Lodge meeting. The Lodge Treasurer shall be the only Member of the Lodge authorized to make "electronic fund transfers" or payments by debit card to vendors for the payment of any bills referenced herein.

(f) Sign all checks unless the By-Laws also provide for a member of the Board of Trustees (or Board of Directors as may be applicable) or a chair officer designated by the Treasurer and approved by the Lodge to sign. The Trustee or designated officer shall give bond in the same amount as required of the Treasurer. A Lodge may authorize the Treasurer to establish and replenish a checking account, not to exceed ~~\$2,000.00~~ \$5,000.00, for the sole purpose of paying for Club supplies and inventory. With the approval of the supervising and managing body of the Club, the Treasurer may authorize another Officer or the Club Manager to be a signer on this account only. Should the By-Laws require more than one signature, the additional signatories shall not be permitted to be an immediate family member of the first signatory. ...

Resolution
2017-14

► **AMENDED Section 8.090 of the Laws of the Order to read as follows:**

Section 8.090. 2nd ¶: The Presiding Justice shall have the power to issue subpoenas and other process to compel attendance of witnesses and the production of evidence. Either party shall be entitled to subpoenas to compel attendance at the trial of any witnesses residing within a 50-mile radius of the Lodge or within its' jurisdiction, whichever is greater. ~~the jurisdiction of the Lodge.~~ Subpoenas must be issued by the Presiding Justice and shall be personally served upon a witness. Any Member not a party to the case may serve a subpoena. Willful disobedience by a Member of any order or process issued by the Presiding Justice or Local Forum shall constitute a contempt of the Local Forum punishable, at the discretion of the Local Forum, by a suspension for not more than three months.

Resolution
2017-15

► **AMENDED Section 13.200 of the Laws of the Order to read as follows:**

Section 13.200. Organizations recognized by a Lodge pursuant to Article III, Section 18, paragraph three of the Constitution of the Order, shall comply with the following: ...

Resolution
2017-16

► **AMENDED Section 12.120 of the Laws of the Order to read as follows:**

Section 12.120. The representative to the Grand Lodge shall attend the Annual Session thereof and submit a report to the Lodge not later than the first regular meeting in October. The Lodge shall pay its representative not less than the amount provided for transportation and per diem while necessarily engaged in travel and for each day actually spent in attendance at the Session, as provided in Section 4.240. A Lodge shall give at least 15 days' notice to the Grand Secretary of its intent to send an alternate representative to the Grand Lodge Session.

Resolution
2017-17

► **ADDED Section 15.090 to the Laws of the Order to read as follows:**

Section 15.090. The possession or consumption of alcoholic beverages at any regular or special meeting of a Lodge or at any statutorily required Special Services held within the Lodge is prohibited.

Resolution
2017-18

► AMENDED Chapter 5, Sections 5.010, 5.020, 5.030 & 5.090 of the Laws of the Order to read as follows:

Section 5.010. The revenue of the Order shall be derived from the following sources: ...

~~(c) Revenue of the Elks National Home~~ Elks National Home corporation.

Section 5.020. The funds of the Order shall be classified as follows: ...

~~(b) National Home Fund~~ Elks National Home corporation fund

Section 5.030. The General Fund shall include all the monies of the Order, except the Emergency Charity Fund, ~~National Home Fund,~~ Elks National Home corporation fund, National Memorial and Publication Fund, ...

Section 5.090. The Board of Grand Trustees shall at each Grand Lodge Session present resolutions, to set aside revolving funds for the use of the Grand Exalted Ruler, the Grand Secretary, the Board of Grand Trustees, ~~the maintenance of the Elks National Home~~ and the use of the Elks National Foundation Trustees, so that authorized payments may be made without delay.

► AMENDED Chapter 6, Title & Sections 6.010, 6.020, 6.040, 6.060, 6.070, 6.080, 6.090 & 6.100 of the Laws of the Order –

— CHAPTER 6 —

ELKS NATIONAL HOME CORPORATION

~~**Section 6.010.** Subject to Section 6.100, the Elks National Home & Retirement Center shall be owned and operated by a separate non-stock, non-profit Virginia Corporation to be organized by the Board of Grand Trustees, who are authorized to prepare and file articles of incorporation in a form consistent with applicable Federal and State laws. The Benevolent and Protective Order of Elks of the United States of America shall be the sole member of the Corporation. The Board of Directors of the Corporation shall consist of the duly elected and installed Grand Trustees of the Order, who shall have authority to act in all corporate matters to the full extent allowed by applicable laws. All assets and liabilities shown on the most recently audited financial statements and Form 990 of the Elks National Home, with changes in the ordinary course of business to the date of incorporation, shall be transferred to and vested in the Corporation.~~

~~The Board of Directors shall have supervision and control of the Elks National Home, engage a resident Executive Director and other necessary employees, fix their compensation and adopt rules and regulations for its management, which shall be issued in pamphlet form. It shall designate one of its members as the Home Member to exercise immediate supervision thereof and he shall visit the Home at least once every ninety (90) days and report all actions on his part to the Board for its ratification.~~

~~The Executive Director before entering upon the discharge of his duties shall furnish a surety bond approved by the Chairman of the Board of Directors:~~

– to read as follows:

Section 6.010. An Elks National Home corporation has been established as a separate non-stock, non-profit Virginia Corporation, with the Benevolent and Protective Order of Elks of the United States of America being its sole member.

The assets of the Corporation and all corporate matters are managed and controlled by a Board of Directors which shall consist of the duly elected and installed Grand Trustees of the Order. The Board of Directors shall have authority to act in all corporate matters to the full extent allowed by applicable laws.

NOTE: Sections 6.020 through 6.100, all of which referred to the operation of the Elks National Home, have hereby been repealed and have been deleted in their entirety.