

**BYLAWS OF THE GOVERNMENT LAW SECTION
OF THE SOUTH CAROLINA BAR**

ARTICLE I

Name and Purpose

Section 1. This Section shall be known as the Government Law Section of the South Carolina Bar.

Section 2. The purpose of this Section shall be to promote, by appropriate means, the objects of the South Carolina Bar and to improve the art and techniques of government law in the State of South Carolina; to provide information and further the education of members; to further the improvement and the development of legislation pertaining to state and local governments; and to simplify and improve the administrative and judicial procedures in the field of government law.

ARTICLE II

Membership

Section 1. Each member of the Section shall pay to the South Carolina Bar annual Section dues of \$15.00. The Council, at any regular meeting, may change the annual Section dues to the extent determined necessary: provided that any such change in Section dues, after approval by the Board of Governors or the House of Delegates of the South Carolina Bar, shall be published in as early an issue of The South Carolina Bar News as shall be practicable. Any member of the South Carolina Bar upon request and upon payment of dues for the current year shall be enrolled as a member of this Section. Thereafter, said dues shall be paid in advance each year, beginning on the January 1st next succeeding each enrollment. Any member of this Section whose annual dues shall be more than six (6) months past due shall thereupon cease to be a member of this Section. Members so enrolled and whose dues are so paid shall constitute the membership of this Section. Anyone becoming a new member after November 1st of any year shall, upon payment of one (1) full year's dues be credited as paid through December 31st of the following year.

Section 2. Voting privileges of the floor at any meeting of the Section shall be limited to Section members in good standing as of thirty (30) days prior to the opening day of that meeting, as determined by the official membership list, as certified to the Section Secretary, by the Executive Director, such official list to be open for inspection at any meeting for which it is certified.

Section 3. Affiliate memberships without voting privileges shall be available to any unit of government, including a municipality, county or state agency, board, commission, authority, special service district, or special purpose district and any other county or state

political subdivision. Any unit of government, upon becoming a participating member shall pay such annual dues as may be established from time to time by the Council. The Council may provide for a minimum amount of dues and also take into account a graduated dues schedule based upon the annual budget of the governmental unit. A participating member shall receive such benefits as shall be determined by the Council.

ARTICLE III

Officers and Council

Section 1. The officers of this Section shall be a Chairman, a Chairman-Elect, a Vice-Chairman and a Secretary.

Section 2. There shall be a Council, the membership of which shall consist of the Chairman, Chairman-Elect, Vice Chairman, Secretary, the Immediate Past Chairman, and the Section Delegate, together with six (6) "general members" to be elected by the Section as hereinafter provided.

Section 3. The Chairman-Elect, Vice-Chairman, and Secretary shall be nominated and elected, in manner hereinafter provided, at the annual meeting of this Section, to hold office for a term beginning July 1 and continuing for two years and until their successors shall have been elected and qualified.

Section 4. Each general member of the Council shall serve a term of three (3) years, beginning July 1. The terms of the general members shall be staggered so that two (2) members are elected at the annual meeting.

Section 5. Any vacancy existing in membership on the Council shall be filled by the Council until the next annual meeting at which time the membership shall elect a replacement member. Such replacement member shall serve only to the end of the term to which his predecessor was elected.

Section 6. No person shall serve as a member of the Council for more than two (2) consecutive terms of three (3) years, excluding any partial term of office which he may have been selected to complete.

Section 7. If any elected member of the Council shall fail to attend three (3) successive meetings of the Council, and such failure has not been excused for cause by the Chairman or the majority vote of the Council, the Chairman may by letter to all Council members declare such member to have automatically resigned and he shall be replaced for his unexpired term as provided in Section 5 of this Article.

Section 8. At the end of the term of office to which he was elected, the Chairman-Elect shall automatically assume the office of Chairman, and thereupon the Immediately

Retiring Chairman shall become and remain a member of the Council for the ensuing two (2) year period.

ARTICLE IV

Nomination and Election

Section 1. No later than November 15th of each year, the Council shall meet and nominate such Officers, Council Members, and Section Delegate as are scheduled to be elected by the members at the next annual meeting. The nominations proposed shall be by the concurring vote of not less than a majority of the members of the Council, and shall be published not later than the December issue of the South Carolina Bar News, or otherwise mailed or communicated to the membership in December and shall be notice of the membership of the Section of such nomination. The nominations may be communicated to the membership through U.S. mail, email, posting to the Website generally accessible to the membership, or any other method permissible under the South Carolina Bar rules and policies.

Section 2. In each even numbered year there shall be included in the nominations, as aforesaid, a nominee for Section Delegate to the House of Delegates, for a two-year term, beginning July 1. Any Section Delegate to the House of Delegates may be elected to succeed himself.

Section 3. No later than February 15th preceding the annual meeting not less than ten members of the Section in good standing may file by registered mail with the Chairman of the Section a nominating petition, which may be in parts, duly signed, with the signatures and printed names and addresses, making nominations for one or more of the offices of Chairman-Elect, Vice-Chairman, Secretary, such Council members as are due to be elected, and, in even numbered years, the Section Delegate to the House of Delegates. All such petitions shall be accompanied with the written consent of any person so nominated. Nominations shall be considered closed on February 16th of each year.

Section 4. All elections shall be by voice vote unless otherwise ordered by motion duly adopted by the Section at the annual meeting at which the election is held. Should there be more than two (2) nominations for any one (1) office, the candidate receiving the highest vote shall be declared elected. If two (2) candidates receive an equal number of the votes cast, the Council in office at the time of the election shall, by majority, declare the winner.

ARTICLE V

Duties of Officers

Section 1. Chairman. The Chairman shall be the chief executive officer of the Section during his term of office and, in the carrying out of his administrative duties, shall make all such appointments to the general committees and be possessed of such authority as is

customarily associated with such office. He shall perform such other duties and acts as usually pertain to his office. The chairman, or successively the Chairman-Elect, or Vice Chairman, in the absence of the Chairman, shall preside at all meetings of the Section and of the Council. He shall formulate and present at the business meeting of the Section at the annual meeting an analysis of the state of the Section together with a message concerning the improvement of the work of the Section and the administration of justice in the field of law encompassed by the Section.

Section 2. Chairman-Elect. Upon the death, resignation, or during the disability of the Chairman, or upon his refusal to act, the Chairman-Elect shall perform the duties of the Chairman for the remainder of the Chairman's term, except in case of the Chairman's disability and only during so much of the terms as the disability continues.

Section 3. Vice-Chairman. Upon the death, resignation, or during the disability of the Chairman and/or Chairman-Elect, or upon their refusal to act, the Vice-Chairman shall perform the duties of the Chairman and/or Chairman-Elect for the remainder of their terms, except in case of disability of the Chairman and/or Chairman-Elect, and then only during so much of the term as the disability continues.

Section 4. Secretary. The Secretary shall be the custodian of all books, papers, documents, and other property of the Section except money. He shall keep a true record of the proceedings of all meetings of the Section and of the Council, whether assembled or acting under submission. With the Chairman, he shall prepare a summary or digest of the proceedings of the Section at its annual meeting. He, in conjunction with the Chairman, as authorized by the Council, shall attend generally to the business of the Section and he shall keep an accurate record of all monies appropriated to and expended for the use of the Section.

Section 5. The Council may authorize such committees as it deems necessary or desirable to carry out the activities and work of the Section, and may terminate any of such committees as circumstances warrant, and may appoint such special committees as herein provided.

ARTICLE VI

Duties and Powers of the Council

Section 1. The Council shall have the general supervision and control of the affairs of the Section, subject to the provisions of the Constitution and Bylaws of the South Carolina Bar and the Bylaws of this Section. It shall authorize all commitments or contracts which shall entail the payment of money, and shall authorize the expenditure of all monies appropriated for the use or benefit of the Section. It shall not, however, authorize commitments or contracts which shall exceed the estimated receipts from dues, sales of Section publications, and appropriations of the Section for such fiscal year;

provided, however, that the balance of the reserve fund credited to the Section shall be available for use by Council.

Section 2. A majority of the Council shall constitute a quorum for the transaction of all business.

Section 3. The Council may authorize the Chairman to appoint committees from Section members to perform such duties and exercise such powers as the Council may direct, subject to the limitations of these Bylaws and the Constitution and Bylaws of the South Carolina Bar.

Section 4. Any action required or permitted to be taken at any meeting of the Council may be taken without meeting if, prior to such action, a written consent or consents thereto have been filed with the Chairman and signed by a majority of the members of the Council and such consent or consents are filed by the Secretary with the proceedings of the Council.

Section 5. The Council shall fill interim vacancies in the office of the Chairman, the Chairman-Elect, the Vice-Chairman, Secretary, Section Delegate and among their own members.

Section 6. The Council shall have complete authority to act on behalf of and to bind the Section on any and all matters arising between the annual meetings of the Section.

ARTICLE VII

Meetings

Section 1. The annual meeting of the Section shall be held during the annual meeting of the South Carolina Bar in the same city or place as such annual meeting of the South Carolina Bar, with such program and order of business as may be arranged by the Council not inconsistent, or in conflict, with any program or directive of the South Carolina Bar.

Section 2. Special meetings of the Section may be called by the Chairman, upon approval of the Council, at such time and place as the Council may determine.

Section 3. The members of the Section present at any meeting shall constitute a quorum for the transaction of business.

Section 4. All binding actions of the Section shall be by a majority vote of the members present.

ARTICLE VIII

Miscellaneous Provisions

Section 1. The fiscal year of the Section shall be the same as that of the South Carolina Bar.

Section 2. All bills incurred by the Section before being forwarded to the Executive Director of the South Carolina Bar for payment, shall be approved by the Council or its designated representative.

Section 3. Any action by this Section pertaining to legislation, or South Carolina Bar policy, or public policy, must be approved by the Board of Governors of the South Carolina Bar before the same becomes effective as the action of the South Carolina Bar. Any resolution adopted or action taken by this Section may on request of the Section be reported by the Chairman of the Section to the Annual Meeting of the South Carolina Bar for the Bar's action thereon.

Section 4. The Chairman shall have the right and responsibility to keep good order and run the meeting of the Section in such a manner as to allow all persons eligible to speak equal opportunity to do so.

ARTICLE IX

Amendments

These Bylaws may be amended at any annual meeting of the Section by a majority vote of the members of the Section present and voting, provided such proposed amendment shall not be inconsistent with the Constitution and Bylaws of the South Carolina Bar. Such amendment, however, will not become effective until it has been approved and ratified by the House of Delegates of the South Carolina Bar.