



***BYLAWS OF THE
SOUTH CAROLINA SECTION
OF THE
AMERICAN CHEMICAL SOCIETY**

**BYLAW I
Name**

This organization shall be known as the South Carolina Section (hereinafter referred to as the "Section") of the AMERICAN CHEMICAL SOCIETY (hereinafter referred to as the "SOCIETY").

**BYLAW II
Objects**

Sec. 1. The objects of the Section shall be the same as those of the SOCIETY as stated in the Charter and Constitution of the SOCIETY.

Sec. 2. Nothing in these bylaws shall be inconsistent with the Charter, Constitution, and Bylaws of the SOCIETY.

**BYLAW III
Territory**

The territory of the Section shall be that assigned to it by the SOCIETY.

**BYLAW IV
Members and Affiliates**

Sec. 1. The rolls of the Section shall include those members and Society Affiliates of the SOCIETY residing within the territory of the Section, provided that exceptions to this rule shall be made in conformity with the Constitution and Bylaws of the SOCIETY.

***Effective May 13, 2013.** Approved, as amended, by the Committee on Constitution and Bylaws, acting for the Council of the AMERICAN CHEMICAL SOCIETY. (C&B: bylaws@acs.org; www.acs.org/bulletin5)

Sec. 2. The Section may have Local Section Affiliates as authorized by the Constitution and Bylaws of the SOCIETY. A Local Section Affiliate shall retain affiliate status only so long as payment is made of annual dues prescribed by the Executive Committee in accordance with the provisions of the Bylaws of the SOCIETY.

Sec. 3. Members and affiliates shall have such rights and privileges as are accorded them by the Constitution and Bylaws of the SOCIETY.

Sec. 4. A Society Affiliate or a Local Section Affiliate may not vote for or hold an elective position or vote on Articles of Incorporation or bylaws of the Section. A Society Affiliate may not serve as a voting member of the Executive Committee; a Local Section Affiliate may not serve as a member of the Executive Committee. Society Affiliates may be appointed as Committee Chairs and may serve on the Executive Committee in a non-voting capacity.

BYLAW V **Officers, Executive Committee, and Councilors**

Sec. 1. The officers of the Section shall be MEMBERS of the SOCIETY and the Section shall consist of the Chair, Chair-Elect, Secretary, and Treasurer. The Secretary and Treasurer positions may be held by the same person. The officers of the Section shall be elected by the members, shall take office on January 1, and shall hold office for one year or until their successors qualify. Upon completion of the Chair's term of office, the Chair-Elect shall succeed to the office of Chair.

Sec. 2.

- a. The Section shall have Councilors and Alternate Councilors as provided in the Constitution and Bylaws of the SOCIETY. They shall be elected from the MEMBERS of the Section for three-year terms.
- b. The Section's Councilor(s) and Alternate Councilor(s) shall carry out those duties assigned to them by the Constitution and Bylaws of the SOCIETY.
- c. The Executive Committee shall designate any Councilors to be disqualified under SOCIETY Bylaw provisions for reallocation of Councilors among the Local Sections, except however that the person shall remain a voting Councilor until the expiration of that existing term.
- d. Any vacancy in the position of Councilor or Alternate Councilor shall be filled for the remainder of the unexpired term at the time of the next annual election. The vacancy may be filled until the next annual election by appointment by the Executive Committee.

Sec. 3. The Executive Committee shall consist of the officers of the Section, the Immediate Past Chair, the Councilors, and the Alternate Councilors.

Sec. 4. The duties of the officers shall be such as usually pertain to their offices, together with those required by the Constitution and Bylaws of the SOCIETY, and such other duties as may be assigned to them from time to time by the Executive Committee.

- a. The duties of the Chair shall be to preside at meetings of the Executive Committee, to carry into effect the decisions and recommendations of that Committee, to preside at business meetings of the Section, to appoint all committees, and to carry out all those duties required by the Constitution and Bylaws of the SOCIETY. In the absence of the Chair, the duties of the office shall devolve upon the Chair-Elect.
- b. The Chair-Elect shall assume the duties of the Section Chair whenever the absence of that officer or other emergency makes such action necessary. The term of office for the Chair-Elect shall be one year, after which time the Chair-Elect shall succeed to the Chair. To fill a vacancy in the office of Chair occurring during the term of office as Chair-Elect, the Chair-Elect shall serve as Chair *pro tempore*.
- c. The duties of the Secretary shall be to keep a record of the proceedings of the Section and of the Executive Committee, to maintain a list of members and affiliates, to send to members and affiliates such notices as the business of the Section may require, to submit a report to the Section at its annual meeting in the spring, and to carry out the duties required by the Constitution and Bylaws of the SOCIETY and elsewhere in these bylaws. The Secretary shall assume the duties of the Chair whenever the absence of that officer and of the Chair-Elect or other emergency makes such action necessary. The term of office shall be for one year; reelection is permissible.
- d. The Treasurer shall have charge of the funds of the Section, keep an accurate record of all receipts and disbursements, receive dues, and make those disbursements approved by the Executive Committee. The Treasurer shall render an account of all transactions and of the financial condition of the Section to the Executive Committee at times set by the Committee, and shall submit such reports as are required by the Constitution and Bylaws of the SOCIETY. The term of office shall be for one year; reelection is permissible.

Sec. 5. Executive Committee

The Executive Committee shall be the governing body of the Section and as such, shall have full power to conduct, manage, and direct the business and affairs of the Section in accordance with the Constitution and Bylaws of the SOCIETY.

BYLAW VI **Manner of Election and Terms of Office**

Sec. 1. Officers, Councilors, and Alternate Councilors shall be elected by a ballot of those eligible to vote. The candidate receiving the largest number of votes for each office shall be declared elected. In case of a tie vote, the Executive Committee, by ballot, shall elect from among the candidates who share the tie vote; the candidate receiving the largest number of votes shall be declared elected.

Sec. 2. The Nominating Committee shall furnish the Secretary of the Section a list of nominees for the various offices by September 1. All prospective candidates shall have been contacted by the Committee and shall have expressed their willingness to serve if elected, prior to nomination by the Committee. Within a week of accepting the nomination, each nominee shall furnish to the Committee Chair a brief biography to be published as a separate document accompanying the ballot.

Sec. 3. The candidates for each office shall be listed in an order to be selected by lot on a ballot to be distributed to each member of the Section by November 1. The ballot shall consist of at least one candidate for each office with provisions for write-in candidates for each office. Write-in names of any qualified MEMBERS shall be valid and counted if the ballot is otherwise properly executed. A paper ballot will be mailed to any member who does not have access to electronic balloting and who makes this request.

Sec. 4. The tabulation of ballots will be completed not later than November 15. The results of the election of officers, Councilor, and Alternate Councilor shall be tabulated and/or verified by the Nominating Committee. The results shall be announced by the Chair at the November or February meeting and also published in the February issue of the Section's newsletter and/or on the Section's website. The results shall also be certified to the Executive Director of the SOCIETY by December 1.

Sec. 5. In accordance with the SOCIETY's Bylaws, balloting procedures should ensure fair balloting that is open to all eligible members, protection against fraudulent balloting, and the timely reporting and archiving of balloting results.

BYLAW VII

Recall of Elected Officials

Sec. 1. The elected officials of the Section (officers or elected Executive Committee members) are subject to recall for neglect of duties or conduct injurious to the SOCIETY. Recall procedures are not applicable to Councilors and Alternate Councilors elected by Local Sections.

Sec. 2. The recall of an official shall be initiated when a signed petition, indicating in writing the specific charges and reasonable substantiating evidence is submitted to the Chair from at least five voting members of the Section. In the event the Chair is the official in question, the Chair-Elect shall receive the petition and shall assume the duties of the Office of Chair with respect to this issue until the issue is resolved.

Sec. 3. The Chair shall, without delay, determine that the petitioners are aware of the gravity of their actions and the procedures to be followed. The Chair shall seek an alternate resolution to the problem and a withdrawal of the petition at this time. In the absence of a resolution to the problem, the Chair shall notify the members of the Executive Committee and call a special meeting within thirty days.

- a. The Executive Committee shall promptly continue the recall process or dismiss the petition as ill-founded or find an alternative solution to the problem. The Chair shall promptly inform the petitioners and the official of the decision of the Executive Committee.

- b. If the proceedings continue, the Chair shall assign the duties of the official to another MEMBER of the Section until the issue is resolved.
- c. If the proceedings continue, the official shall be offered an opportunity to answer the allegations in the petition before the Executive Committee.

Every reasonable effort shall be made to contact the official throughout this procedure. That effort shall include a certified letter to the last known address on the official SOCIETY membership rolls. Upon notification, the official shall have thirty days to make a written response to the allegations. The Executive Committee shall decide whether to proceed after studying the official's response. The Chair shall inform the official and the petitioners of the decision of the Executive Committee.

If no contact with the official can be made after a reasonable effort, the Executive Committee may remove the official in question with a two-thirds (2/3) vote of the remaining members.

- d. If the proceedings continue, the official shall choose one of the following options:
 - (1) The official may resign.
 - (2) The official may request a recall vote in the same manner as the original election, which must be consistent with the Section bylaws. The voting membership shall be informed, through brief written statements prepared by the Executive Committee and the official, of the issues involved with the recall vote. Both statements shall be distributed to the voting membership before the vote is taken.
 - (3) The official may request a hearing and a recall vote by the remaining members of the Executive Committee. A two-thirds (2/3) vote of the remaining members of the Executive Committee shall be required to recall the official.
 - (4) The official may choose not to respond and thus forfeit the position.

Sec. 4. The vacancy provisions of these bylaws shall be used to fill a vacancy caused by a recall process. The membership of the Section and the Executive Director of the SOCIETY shall be informed of the results of the recall process and the replacement of the official.

BYLAW VIII **Committees**

Sec. 1. The Executive Committee shall establish such committees as are necessary for the proper operation of the Section.

Sec. 2. The Nominating Committee shall consist of three members appointed by the Chair with the approval of the Executive Committee. Among these members the chair of the Committee will be designated by the Chair of the Section.

BYLAW IX
Meetings

Sec. 1. The Section shall hold regular meetings at places and times designated by the Executive Committee.

Sec. 2. The Section may hold special meetings at the call of the Executive Committee or at the written request of 15 members of the Section. Notices of special meetings shall state the exact nature of the business to be considered, and no other business shall be transacted at such meetings.

Sec. 3. Due notice of all meetings shall be sent to all members and affiliates of the Section. A quorum for transaction of business at a Section meeting shall consist of 15 members of the Section or five percent of the members of the Section, whichever number is smaller. No business shall be transacted in the absence of a quorum.

Sec. 4. The Executive Committee shall meet upon due notice to its members at the call of the Chair or at the request of one or more of the Committee's members. In the absence of a quorum, which shall be a majority of the members of the Executive Committee, called meetings of the Executive Committee shall adjourn to a date specified.

Sec. 5. The most recent edition of *Robert's Rules of Order Newly Revised* shall be the parliamentary authority for all matters not covered in these bylaws or in the SOCIETY'S documents.

BYLAW X
Finances

Sec. 1. The Section may receive donations or bequests made to it, and may expend or invest the same on behalf of the Section. Such expenditures or investments shall be made by the Treasurer of the Section upon authorization by the Executive Committee.

Sec. 2. The Section may raise or collect funds to be expended for local purposes, and may have the entire management and control of such funds insofar as such management and control shall not conflict with any provision of these bylaws or with the Constitution or Bylaws of the SOCIETY.

Sec. 3. The Executive Committee shall have the authority to assess dues or voluntary contributions as provided in the SOCIETY'S Constitution and Bylaws for the various categories of membership.

Sec. 4. An annual audit shall be conducted by two or more disinterested members, appointed by an officer with no authority to disburse funds, and submit a report to the Executive Committee by January 31.

BYLAW XI

Amendments

Sec. 1: A petition to amend the bylaws may be initiated by the Executive Committee, or by petition signed by at least 15 members or three percent of the members of the Section, whichever is larger. If the proposed amendment is approved by the Executive Committee, it shall, if practical, be submitted to the SOCIETY's Committee on Constitution and Bylaws for review. After any required changes are incorporated, and any recommended changes reviewed and accepted or rejected by the Executive Committee or a majority of the petitioners, the Secretary shall distribute the amendment(s) to each member of the Section when notice of the next meeting, or notice of a ballot on the amendment, is provided.

Sec. 2. If a proposed amendment is not approved by a majority of the Executive Committee, and if the petition is signed by at least 15 members or three percent of the members of the Section, whichever is larger, it shall, if practical, be submitted to the SOCIETY's Committee on Constitution and Bylaws for review before being submitted to the membership of the Section. After any required changes are incorporated, and any recommended changes reviewed and accepted or rejected by a majority of the petitioners, the Secretary shall distribute the amendment(s) to each member of the Section when notice of the next meeting, or notice of a ballot on the amendment, is provided.

Sec. 3. At least two-thirds (2/3) of votes cast shall be required to approve the amendment.

Sec. 4. The Secretary shall distribute the outcome of the vote regarding the amendment(s) to the Section members and within one month, shall meet all requirements for submitting the results to the Committee on Constitution and Bylaws.

Sec. 5. Amendments to these bylaws, after adoption by the Section, shall become effective upon approval by the Committee on Constitution and Bylaws, acting for the Council of the SOCIETY, unless a later date is specified.

BYLAW XII

Dissolution of Section

Upon the dissolution of the Local Section, any assets of the Section remaining thereafter shall be conveyed to such organization then existent, within or without the territory of the Local Section, as is dedicated to the perpetuation of objects similar to those of the AMERICAN CHEMICAL SOCIETY, or to the AMERICAN CHEMICAL SOCIETY, so long as whichever organization is selected by the governing body of the Local Section at the time of dissolution shall be exempt under Section 501(c)(3) of the Internal Revenue Code of 1954 as amended or under such successor provision of the Code as may be in effect at the time of the Section's dissolution.