

**TEXAS ASSOCIATION
OF
PROPERTY AND EVIDENCE INVENTORY TECHNICIANS
CONSTITUTION**

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CONSTITUTION

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ARTICLE I GENERAL

Section 1 Name

- 1.1 This organization shall be known as the Texas Association of Property and Evidence Inventory Technicians (TAPEIT) and is hereinafter referred to in this document as TAPEIT or Association.

Section 2 Purpose

- 2.1 The purpose of this organization is to:
 - 2.1.1 Bring people who are actively engaged in the management of property and evidence into an organized body so that the profession may be standardized and effectively managed.
 - 2.1.2 Promote professional education, laws, rules and guidelines for maintaining integrity, chain of custody and disposal of property and evidence.
 - 2.1.3 Encourage improvement in the management of property and evidence management.
 - 2.1.4 Keep its members appraising of the latest techniques and discoveries in the handling of evidence;
 - 2.1.5 Employ the collective knowledge of the profession to advance the handling and management of property and evidence.
 - 2.1.6 Use the collective knowledge of this association to promote changes in the law of the state of Texas to benefit the victims we serve.
 - 2.1.7 Inspire a just pride in the profession, and by their united efforts, reduce the time a department must retain property and evidence.
 - 2.1.8 Make the work of the property and evidence technicians of the State of Texas' various law enforcement agencies more effective.

ARTICLE II ORGANIZATION

Section 1 General

- 1.1 The Association is a not-for-profit organization formed under the laws of the United States of America and the State of Texas. It is individual memberships unless otherwise noted.

Section 2 Membership

- 2.1 The membership of this organization shall be open to those people of good character who meet its membership requirements as set forth in Article I of the Bylaws.
- 2.2 Except as otherwise provided, the right to hold an elected office in the Association is a privilege of the Active Member category only.

Section 3 Board of Officers

- 3.1 The elected officers shall consist of the following:
 - 3.1.1 A President who shall advance from the position of President-elect.
 - 3.1.2 A President-elect, First Vice-President, Second Vice-President, Sergeant at Arms, Secretary and Treasurer who shall be elected by the eligible voting membership of TAPEIT in accordance with the requirements of Article IV, Section 3 of the Bylaws;
 - 3.1.3 A Webmaster and Historian shall be appointed by the President and approved by the Board of Directors. The Editor, Webmaster, and Historian are non-voting positions

Section 4 Board of Directors

- 4.1 There shall be six (6) Directors Positions of two-year terms.
 - 4.1.1 Three (3) of the six (6) positions shall be elected on odd years and the remaining three (3) positions in even years.

Section 5 Association Office

- 5.1 There shall be an Association office. The office will be located at the business address or personal address of the current Secretary. All letterhead, correspondence, promotional material, conference literature, etc., shall reflect the current address.

ARTICLE III VOTING

Section 1 Voting Rights

- 1.1 Except as may be restricted in Section 2 of this Article, the following members have the right to vote within the General Membership meeting in any circumstance involving a change to TAPEIT's Constitution and/or Bylaws and in any such other issues brought before the General Membership.
 - 1.1.1 Members in the "Active Member" category as defined in Article I of the Bylaws.
 - 1.1.2 Members in any category except "Corporate Members" who have been given the designation of "Life Member" status.
- 1.2 Members of the Board of Directors, except as noted in Article I, Section 3.1.3 of the Constitution, may vote on matters brought before the Board, except as may be restricted in Section 2 of this Article.

Section 2 Voting Restrictions

- 2.1 Members shall not vote on any matter that may pose a conflict of interest resulting in a benefit to the individual and/or the individual's employer, or relatives.
- 2.2 The right to vote on matters brought before the Board of Directors is restricted to members of the Board of Directors, except:
 - 2.2.1 As otherwise noted in Article I, Section 3.1.3 of the Constitution.
 - 2.2.2 Members of the Board who have been suspended from their duties in accordance with the provisions of Article VI of the Bylaws shall not have the right to vote on any matters brought before the Board.

ARTICLE IV AUTHORITY

Section 1 Membership Quorum

- 1.1 All authority derives from the voting membership of the Association.
- 1.2 The voting membership of the Association represents the quorum at one or more General Membership meetings held during the Association's Annual Conference. As such, the Quorum wields the full power of the Association.
- 1.3 A two-thirds affirmative vote of the quorum is required to amend this Constitution and the Bylaws. This authority may not be delegated to the Officers or any other entity, except as noted in Section 1.2.1 of Article V of this Constitution.

Section 2 Board of Officers

- 2.1 The Officers shall have authority to carry out its duties.
- 2.2 The Officers shall have the authority to perform all functions and do those acts that are not specifically reserved in this Article to be performed by others.
- 2.3 The President shall have specific authority to:
 - 2.3.1 Carry out the duties of the President;
 - 2.3.2 Incur reasonable and proper personal expense in the conduct of Association business subject to reimbursement by the Association;
 - 2.3.3 Authorize reimbursement of reasonable and proper personal expenses by others in the conduct of Association business;
 - 2.3.4 Poll or call into session the Board of Directors or any other committee of the Association;
 - 2.3.5 Require, enforce and rule in matters of parliamentary procedure.
- 2.4 The President-elect, First Vice-President, Second Vice-President, Sergeant at Arms, Secretary, Treasurer, Webmaster, and Historian shall have the authority to carry out their duties.

ARTICLE V BYLAWS AND POLICY MANUALS

Section 1 Bylaws

- 1.1 The Association Bylaws are hereby established.
- 1.2 The Association Bylaws shall further define the requirements of the Constitution and may contain other items of significant importance to the function and operation of the Association. In general, the Bylaws shall not define practices and procedures unless such are of great significance and that failure to follow such practices and procedures would bring harm to the Association.
 - 1.2.1 In the event there is a conflict between the requirements contained in the Constitution and those contained in the Bylaws, the requirements contained in the Constitution shall prevail. Such conflict shall be corrected through an amendment at the next General Membership meeting.
- 1.3 Modification of the Bylaws shall require a majority vote of the Association Quorum. This requirement may not be delegated except as noted below.
 - 1.3.1 Upon making a finding of an unusual circumstance that exists and the delay in correcting it until the next General Membership meeting would bring harm to the Association, the Board of Directors may waive or modify a requirement contained in the Bylaws subject to a requirement that three-fourths (3/4) of the Board shall agree to a finding that the unusual circumstance exists and shall agree to a recommended course of action. Furthermore, the President shall cause to be published in the next possible issue of the Association's official publication the finding of the unusual circumstance and the course of action taken by the Board.
 - 1.3.2 The Constitution and Bylaws Committee may make non-substantive changes to the Bylaws to correct spelling, grammar, punctuation and cross-references when it is obvious the cross-reference is incorrect. The Committee may also correct the numbering of individual sections to maintain proper numerical sequence and to maintain a consistent style and format of section numbering but not to change the relative order of individual sections. Such non-substantive changes shall require the approval and ratification of the Board in accordance with the process.

Section 2 TAPEIT Policy Manual

- 2.1 The TAPEIT Policy Manual is hereby established.
- 2.2 The Policy Manual shall further define the requirements of the Constitution and Bylaws and may define the operating policies, practices and procedures that are essential to the proper conduct of the day-to-day operations of the Association.
 - 2.2.1 In the event there is a conflict between the requirements contained in the Constitution and/or Bylaws, and those contained in the Policy Manual, the requirements contained in the Constitution shall prevail. Such conflict shall be corrected through an amendment as soon as possible.
- 2.3 Modification of the Policy Manual shall require a majority vote of the Association Quorum or the Board. This requirement may not be delegated except as noted below.
 - 2.3.1 Upon making a finding of an unusual circumstance that exists and the delay in correcting it until the next Board meeting would bring harm to the Association, the Board of Officers and Directors may waive or modify a requirement contained in the Policy Manual subject to a requirement that a majority of the Board shall agree to a finding that the unusual circumstance exists and shall agree to a recommended course of action. Furthermore, the President shall cause to be published in the next possible issue of the Association's official publication the finding of the unusual circumstance and the course of action taken by the Board.

Section 3 Annual Conference Manual

- 3.1 The President, under the guidance of the Board of Directors, shall create and maintain an Annual Conference manual.
- 3.2 The Annual Conference Manual shall define the practices and procedures associated with conducting the Association's Annual Conference.
 - 3.2.1 The Annual Conference Manual shall serve as the basis of a Memorandum of Understanding between the Board of Directors and a Host Committee with regard to the division of roles and responsibilities for the successful conduct of the Annual Conference.

- 3.3 The Annual Conference Manual may be amended upon recommendation of the Board of Directors with the approval of a simple a majority of the Board giving due regard to the impact such amendment may have upon an existing Memorandum of Understanding for the scheduled Annual Conference.

Section 4 Other Manuals

- 4.1 The President, under the guidance of the Board or Directors, may create other manuals necessary to conducting the Association's business with the Board's approval.
- 4.2 The purpose of such manuals shall be defined when the manual is created.
- 4.3 The authority to approve the creation and/or modification of each such manual shall be defined by the Board of Directors at the time the manual is created.

ARTICLE VI INDEMNIFICATION

Section1 Indemnification

- 1.1 Every member of the Board of Directors and others as may specified from time to time by the Board of Directors shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred or imposed upon them in connection with any proceeding to which they may be a party, or in which they may become involved, by reason of being or having been a member of the Board of Directors, or other as specified, or any settlement thereof, whether or not the person is a member of the Board of Directors, or other as specified at the time such expenses are incurred, except in such case wherein the of the Board of Directors, or other as specified is adjudged guilty of willful misfeasance or malfeasance in the performance of their duties. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which the indemnified may be entitled.

ARTICLE VII AMENDMENT

Section 1 Requirement

- 1.1 The Association Constitution may only amended by a two-thirds (2/3) affirmative vote of an Annual Conference Quorum in regular session except as provided under Section 1.2 of this Article.
 - 1.1.1 A proposal to amend the Constitution shall be submitted in accordance with the process defined in the Policy Manual.
- 1.2 The Constitution and Bylaws Committee may make non-substantive changes to the Constitution in order to correct spelling, grammar, punctuation and cross-references when it is obvious the cross-reference is incorrect. The Committee may also correct the numbering of individual sections to maintain proper numerical sequence and to maintain a consistent style and format of section numbering but not to change the relative order of individual sections. Such non-substantive changes shall require the approval and ratification of the Board in accordance with the process.

Section 2 Effective Date

- 2.1 Resolutions to amend the Constitution shall become effective upon the adjournment of the Annual Conference at which they were adopted unless the resolution identifies an alternative effective date.
- 2.2 Non-substantive changes, as defined in Section 1.2 of this Article, that are submitted by the Constitution and Bylaws Committee and subsequently approved by the Board of Officers and Directors, shall become effective by ratification by the Board of Officers and Directors.