



# **Bylaw of Colorado Knights of Columbus State Council**

**Adopted:** May 6, 1996

**Amended:** April 28, 1997, May 4, 1998, May 3, 1999, April 26, 2003 & April 28, 2012

## **Bylaws of Colorado State Council Knights of Columbus**

### **Article I – Jurisdiction**

This body shall be known as the Colorado State Council of the Knights of Columbus, to be composed of all subordinate councils within the State of Colorado.

### **Article II - Laws**

This State Council may enact and enforce any laws for the good of the Order in this jurisdiction not in conflict with the constitution and bylaws of the Supreme Council.

### **Article III – Conventions**

**Section 1:** The State Council shall be convened annually between the first day of April, to and including the first day of June, in each year by the State Deputy for the election of officers and for the transaction of such business and enactment of such rules and regulations as may be consistent with the Charter and Laws of the Supreme Council; but no law, rule, or regulation adopted by the State Council shall become operative until approved by the Supreme Board of Directors. The State Council shall fix the Convention date for the succeeding year; upon failure to do so, the elected State Officers shall fix the date.

**Section 2:** The annual State Convention shall be sponsored by the Elected State Officers beginning in the year 2002, at a location which they shall determine at least (2) two years prior to such convention. Councils are encouraged to propose a location to the State Officers not less than three (3) years in advance. Councils submitting such a proposal must be willing to provide staff and points of contact (POC's).

**Section 3:** The proceeds derived from the State Conventions shall be applied to the State Council's Operating account.

### **Article IV – Membership/Officers**

**Section 1:** The State Council shall consist of the Grand Knight and a Past Grand Knight actually residing in the jurisdiction of Colorado, from each subordinate council in good standing and the State Officers ex-officio and the last living Past State Deputy, provided, however, that when the last living Past State Deputy is actually residing in another state or jurisdiction, he shall thereby forever forfeit such right and his nearest predecessor actually residing in this jurisdiction shall be entitled thereto. If there be more than one Past Grand Knight, the subordinate council shall elect the one to represent it in the State Convention. A council having no Past Grand Knight may elect one of its third degree members in good standing in lieu thereof, as a representative of said council in the State Council. Each subordinate council shall elect alternates, from among its third degree members living in Colorado, for its representatives in the State Council. Such elections shall be held not later than the first regular meeting in March of each year.

**Section 2:** Past State Deputies, other than the last living Past State Deputy, District Deputies and all Coordinators, Programs and Membership Directors, shall be permitted the privilege of membership in the State Council, but without the right to vote therein. Chairmen of committees, who are not otherwise members of the State Council, may be permitted to speak on questions pertaining to functions of their particular committees, but without the right to vote therein.

**Section 3:** Insurance members only shall be eligible to the office of State Deputy, as representatives to the Supreme Council for insurance membership and as alternates for representatives for the insurance membership, but this requirement shall not apply to State Deputies or Past State Deputies who are ineligible for insurance in the Order and which ineligibility shall appear upon the records of the Supreme Office; provided that the right of the State Deputy or Past State Deputy who is an associate member to vote shall be limited as in the case of representatives of the associated membership as provided by Chapter I, Section 4 of the Supreme Council Laws.

**Section 4:** During January of each year, the State Deputy may submit to the subordinate councils of this jurisdiction a resolution to provide that upon its adoption by a majority of the councils, any council in this jurisdiction may be represented at the succeeding meeting of the State Council by the Grand Knight, or in his absence, a duly elected Past Grand Knight or by the alternate of one of them, who shall be entitled to two votes on any matter coming before the meeting. If the State Deputy does not submit such resolution to the subordinate councils of this jurisdiction on or before February 1<sup>st</sup>, the State Secretary shall do so upon request in writing from the Grand Knights of ten percent of councils, but not less than two councils. If the resolution is adopted by a majority of the councils within the jurisdiction, on or before March 31<sup>st</sup>, it shall be in effect at the next meeting of the State Council. In cases where the resolution is passed, the expenses of only one representative from each council shall be paid out of the State Council funds.

#### **Article V – Officers – Elections**

**Section 1:** The State Council shall elect by ballot, from the membership at large, a State Deputy, State Secretary, State Treasurer, State Advocate, State Warden, and state representatives and alternates to the Supreme Council Convention. A State Chaplain shall be appointed by the State Officers, with the approval of the Bishop of the dioceses in which he resides. Officers of the State Council shall hold office for a term of one year from and after the 1<sup>st</sup> day of July following their election and until their successor has been elected and qualified.

**Section 2:** The members making a nomination from the floor of the Convention shall present to the State Secretary, in writing, the full and complete name of the nominee, his membership number, post office address, the name, number, and location of his council, and a statement as to whether the nominee is an associate or an insurance member in good standing with his council.

#### **Article VI – Duties of Officers**

**Section 1:** The State Deputy shall be the presiding officer at all meetings of the state Council and shall appoint all committees. He shall have all powers and perform all duties prescribed for him by the laws of the Supreme Council.

**Section 2:** The State Secretary shall keep a true and faithful record of all proceedings of the State Council and meetings of the State Officers and keep an account of the financial affairs of said body. He shall furnish all subordinate councils within the jurisdiction a credential blank for use of delegates to meetings of the State Council by March 1<sup>st</sup> prior to said state meetings. The blank shall be returned to the State Secretary by April 1<sup>st</sup> before the state meeting. From the credentials so returned to him, the State Secretary shall prepare a temporary roll call of the State Council, which shall be the roll call until the report of the committee on credentials is received and adopted. He shall draw all warrants for payment of bills against the State Council and said warrants shall be countersigned by the State Deputy. He shall receive all moneys due the State Council and shall pay over the same to the State Treasurer within 10 days. He shall, within thirty days of the adjournment of the State

Council notify all subordinate councils within the jurisdiction of the State per capita assessment. He shall cause to be printed a report of the proceedings of the meetings of the State Council, the same to be certified to by the State Deputy, and copies thereof shall be furnished to each subordinate council within the jurisdiction. He shall also perform such other duties as may pertain to the office of Secretary and shall be presiding officer when the State Deputy is absent from the State Council hearing.

**Section 3:** The State Treasurer shall receive, take charge of, and deposit all moneys of the State Council in an approved bank or other secure institution of deposit within this jurisdiction, selected and agreed upon by the elected state officers in the name of the State Council. The State Treasurer shall pay all warrants regularly drawn upon him by the State Secretary when countersigned by the State Deputy and no other.

**Section 4:** The State Advocate shall be legal counsel of the State Council and shall represent it in all legal matters.

**Section 5:** The State Warden shall be to the State Council that which the subordinate council warden is to the subordinate council and shall have the charge of all State Council paraphernalia and property.

**Section 6:** The State Chaplain shall be charged with the spiritual affairs of the council and of the jurisdiction in general.

#### **Article VII – Vacancies/Vacancy Appointments**

Appointments to fill vacancies, in any office of the State Council, shall be made for the unexpired term by the State Officers. In case of any vacancy in the office of alternate to the Supreme Council such vacancy shall be filled by the State Officers.

#### **Article VIII – Expenses**

**Section 1:** The State Deputy shall receive, as expenses for the operation of his office, the sum of \$1,100.00 per annum, payable at the rate of \$550.00 semi-annually.

**Section 2:** The State Secretary shall receive, as expenses for the operation of his office, the sum of \$300.00 per annum, payable at the rate of \$150.00 semi-annually.

**Section 1:** The State Treasurer shall receive, as expenses for the operation of his office, the sum of \$200.00 per annum, payable at the rate of \$100.00 semi-annually.

**Section 1:** The State Advocate shall receive, as expenses for the operation of his office, the sum of \$175.00 per annum, payable at the rate of \$87.50 semi-annually.

**Section 1:** The State Warden, State Chaplain, and Immediate Past State Deputy shall each receive, as expense for the operation of their office, the sum of \$150.00 per annum, payable at the rate of \$75.00 semi-annually.

## **Article IX – Amendments**

Amendments to these bylaws or repeal of any part hereof, shall only be made by a two-thirds vote of all members of the State Council present at a regular meeting. Amendments to these bylaws may only be submitted by the Elected State Officers or a subordinate council by resolution. All proposed bylaws changes submitted by a subordinate council must be approved by the council and signed by the Grand Knight and Recorder of the council and received by the State Deputy and State Advocate not less than sixty days before the opening of the convention of the State Council. All proposed bylaws changes shall be distributed by the State Advocate through the US Mail and postmarked not less than thirty days prior to the opening of the convention.

## **Article X – Budget**

**Section 1:** The revenue of the State Council shall be derived as follows: At the regular meeting of the State Council shall levy a state per capita assessment upon all members within the jurisdiction with the exception of all honorary life and disabled members of the Colorado jurisdiction who will be exempt from payment of further state per capita tax. All per capita assessments made by the State Council shall be due and payable in two equal installments within ninety (90) days after the first day of January and the first day of July of the same year following the state convention. Assessments shall be based on the membership record in the Supreme Council on January 1 and July 1, and the State Secretary shall send to each council due notice thereof. A subordinate council failing to pay said assessment, as aforesaid, shall not be entitled to representation in the State.

**Section 2:** New councils will be exempt from the state per capita tax and any other State Council imposed fee for a period of two (2) assessment periods from the date of charter. This is effective for all councils chartered after July 1, 1997.

**Section 3:** In addition to the state per capita tax, the sum of \$20.00 (\$40.00 annually) per council will be billed with the per capita tax at each billing for the purpose of funding the Colorado State Council's news letter (Knights' Call).

**Section 4:** In the event that funds come into possession of the State Council that are not included in the anticipated revenues on which the budget is based, those funds shall be deposited in the Emergency Fund for use by the Elected State Officers under the same conditions and for the same purposes as those moneys allocated to that fund in the approved budget.

**Section 5:** The Colorado State Council shall use Colorado Knights of Columbus Charities, Inc. for funding of all of its charitable contributions. Source of these funds include, but are not limited to, funds remaining in the General Account in excess of \$25,000 on June 30th of any year, net annual proceeds from the Country Store, Pennies from Heaven, and income from other State Council fundraisers. This fund will be used only for charities of the State Council. The disbursement of these funds will require a two thirds vote of the Elected State Officers including the Immediate Past State Deputy.

Those funds in reserve on June 30 of any year, in excess of \$25,000, be transferred to the Colorado Knights of Columbus Charities, Inc. for the purpose of the Church Restoration and divided among the three dioceses based upon the percent of the Knight of Columbus members in each diocese at the fiscal year end of June 30th; with 100% of the funds becoming an endowment fund with only the interest being available for expenditures, with the approval of the Bishop, the elected

State Officers and the Immediate Past State Deputy. This endowment interest will be available only as matching funds on a one-to-one basis.

**Section 6:** The Keep Christ in Christmas Program, Degree Team accounts and Knights Call shall carry a balance from year-to-year and funds in these accounts will be used only for their intended purposes.

**Section 7:** The budget developed and approved, in compliance with Article XI, Section 1.C, is binding upon the Elected State Officers for the year. Spending, donating, or allocation of dollars in excess of the approved budget amount requires a two thirds positive vote of the elected State Officers and only may be made to the extent that current year operating income exceeds the current year budget.

### **Article XI – Committees**

**Section 1:** Standing Committees

- A. The Financial Secretaries Chairman’s primary duties will be to render assistance throughout the year to each Financial Secretary of the jurisdiction in carrying on, in a uniform and expeditious manner, the duties of the office. He can be most beneficial in rendering much needed assistance, counsel, and guidance to newly appointed Financial Secretaries.
- B. The Colorado State Council shall have an Advisory Committee composed of all Past State Deputies of the Colorado jurisdiction. The committee shall meet annually, or at the call of the State Deputy, for the purpose of advising him on important business matters concerning the State Council.
- C. The Colorado State Council shall have a permanent Budget and Finance Committee. Such committee is to be composed of the State Deputy, State Secretary, State Treasurer and two other members to be named by the State Deputy. This committee shall analyze the expenditures of the State Council for the ensuing year, prepare a budget based on these examinations and recommend the assessment of per capita tax to cover the planned expenditures. This committee is to report directly to the State Council at the annual convention.

**Section 2:** Convention Committees

For each annual meeting of the State Council, the State Deputy shall appoint the following committees, each consisting of three or more delegates; together with any special committees which, in the discretion of the State Deputy, are necessary to carry on the business of the State Council.

- |                          |                      |
|--------------------------|----------------------|
| A. Resolutions           | G. Audit and Finance |
| B. Credentials           | H. Greetings         |
| C. Mileage and Per Diem  | I. Election Judges   |
| D. Good of the Order     | J. Tellers           |
| E. Warden and Assistants | K. Ways and Means    |
| F. Guards                |                      |

**Section 3:** The State Deputy shall be, an ex-officio, voting member of all committees.

## **Article XII**

The State Secretary and State Treasurer shall, before entering upon the duties of their respective offices, furnish bond in an approved surety company in an amount equal to the sum of not less than 50 percent of the total annual receipts, as may be determined by the State Deputy, State Advocate, and State Warden for the faithful performance of their duties as Secretary and Treasurer and as security for the funds of the State Council coming into their custody and control. Said bonds shall be deposited with the State Deputy within thirty days from the date the State Secretary and State Treasurer assume their respective offices. The State Council shall pay any premiums required for the bonding.

## **Article XIII – Order of Business**

Order of Business for the State Council, unless otherwise provided by the State Deputy shall be:

Call to Order

Opening Ode

Prayer

Pledge of Allegiance

Report of Committee on Credentials

Communications

Report of State Officers

(a) State Deputy      (b) State Secretary      (c) State Treasurer      (d) State Chaplain

(e) State Advocate      (f) State Warden      (g) Immediate PSD

(h) Report on previous Supreme Convention

(i) District Deputies-each District Deputy's oral report not to exceed three minutes

(j) State Program & Membership Coordinators and Directors & Executive Secretary

(k) Reports of Committees

Unfinished Business

New Business

Report of Past State Deputies

Election of Officers and Representatives

(a) Regular State Officers      (b) Representatives and Alternates to Supreme Council

Prayer

Adjournment

## **Article XIV – Miscellaneous**

**Section 1:** All meetings of the State Council shall be in the Third Section and the State Warden shall determine that all members and guests in attendance are in possession of a paid-up membership card. Duly qualified third degree members may be admitted as guests without the privileges accorded delegates, by consent of the delegates present and voting.

**Section 2:** All District Deputies, State Program, and Membership Coordinators, Executive Secretary, program directors, membership directors, and Past State Deputies within the jurisdiction shall be entitled to the privilege of the floor in the State Council meeting, but with no vote. However, the most recent living Past State Deputy shall have a vote at all council meetings. All District Deputies, State Program and Membership Coordinators, Executive Secretary, Program Directors, membership Directors and Past State Deputies residing in the jurisdiction shall be reimbursed for their expenses in the same amount of delegates to the State Council meetings.

**Section 3:** All resolutions submitted for the consideration of the Annual State Convention shall be in the hands of the State Advocate at least sixty days prior to the State Convention including those submitted by the subordinate councils and those submitted by the Elected State Officers. (Said resolutions, submitted by a subordinate council shall be submitted over the signatures of the Grand Knight and the Recording Secretary of the submitting council, showing date of first reading and the date of second reading, and passage by the council. Resolutions will be distributed by the State Advocate through the US Mail postmarked not less than thirty days prior to the opening of the convention.) All resolutions, except bylaw revisions, require a majority vote of the convention for approval. At times, under extenuating circumstances and at the discretion of the State Advocate, resolutions other than those following the above procedure may be presented directly to the resolutions committee and/or the floor of the convention. These, if presented, shall require a two thirds majority vote for ratification.

**Section 4:** The State Secretary shall have a report of the State Council meeting reproduced prior to and shall distribute that report (proceedings) at the Organizational Meeting following the said State Council meeting. One copy of said report shall be furnished to each Elected State Officer, past State Deputy and subordinate council.

**Section 5:** The State Deputy, upon notification by any subordinate council, of the death of a present or former State Officer, District Deputy or State Committee Chairman, shall notify the State Chaplain and the subordinate council's Chaplain who will arrange to have offered five masses for the repose of the immortal soul of the deceased.

**Section 6:** The reports of the State Secretary and State Treasurer to the State Council meeting will be presented as interim reports and audited by the Audit and Finance Committee as such. The aforementioned officers will then close their books officially as of June 30 of each year and final audit report be given as of that time by the Audit and Finance Committee, to reflect all transactions as of the close of the Council year. The proceedings of the annual State Convention shall contain an addendum to the State Treasurer's Report of the year-end audit referred to above including budgetary comparisons. The State Secretary's report shall contain total income and expenses figures, number of councils in the jurisdiction (both active and inactive), listings of all councils showing total number of members for whom per capita was billed; and the amounts of per capita tax billed to each council, for both the semi-annual periods falling in that particular council year.

**Section 7:** Subordinate councils within the Colorado jurisdiction shall obtain and thereafter maintain liability insurance for accidents occurring during local council functions, while hosting of major degrees or any other State Council event hosted. The State Deputy, at his discretion, may require proof of insurance.

**Section 8:** The elected State Officers shall retain an outside auditor, who shall be a charter or certified public accountant, and shall be charged with auditing the financial books and records of the State Secretary and State Treasurer including those of the Colorado State Council and all affiliated units as of June 30 of each year. Based on the audit, the auditor shall provide a written opinion on the condition of the Colorado State Council and affiliated units. This auditing firm will be responsible for submitting Forms 990 and other required legal tax and Internal Revenue Service forms on behalf of the State Council and the Knights of Columbus Charities, Inc. as identified in Article XVIII. The retention of an outside auditing firm in no way lessens the fiduciary responsibilities of the State Officers.



### **Article XV – Financial Secretaries**

The subordinate councils of Colorado are urged to send their Financial Secretaries to the annual State Convention, as ex-officio representatives, with no voting power, and with the respective subordinate councils paying their expenses in the same amount paid to the regular delegates by the State Council. Provisions shall also be made for a meeting time and place at all State Conventions not later than the Saturday prior to the business session and the Chairman of this Financial Secretaries Committee shall be accorded the privilege of the convention floor to report on the Financial Secretaries meeting.

### **Article XVI – Council Chaplains**

The subordinate councils of the Colorado jurisdiction are urged to send their council chaplains to the State Convention as ex-officio representatives with no voting power, but with the privileges of the floor, with the respective subordinate councils reimbursing all legitimate expenses.

### **Article XVII – State Chaplain**

The chaplain of the Colorado State Council of the Knights of Columbus, at the time of the Supreme Convention, shall be sent to the Supreme Convention each year with all legitimate expenses attendant thereto paid by the State Council as provided for in the annual budget.

### **Article XVIII – Charities Fund**

The Colorado Knights of Columbus Charities Fund, Inc., while identifying with and reporting annually to the Colorado State Council of the Knights of Columbus, will function autonomously as dictated by its Articles of Incorporation and bylaws. Said Articles of Incorporation and bylaws are to be subject to amendment as indicated therein at any regular meeting of the State Council.

### **Article XIX – Christopher Fund**

The Colorado State Council, through the Colorado Knights of Columbus Charities Fund, Inc., will participate in the Christopher Matching Fund Program as adopted by resolution No. 23 at the 1992 Supreme Council meeting. The details of administering this account are contained in the bylaws of the Colorado Knights of Columbus Charities Fund, Inc.

### **Article XX – Mentally Handicapped Campaign**

**Section 1:** During the month of October of each year the Colorado State Council of the Knights of Columbus will sponsor, as a community activity, a mentally handicapped Campaign to raise funds for the Colorado mentally challenged, handicapped or retarded citizens. The details of administering this program and account are contained in the bylaws of the Colorado Knights of Columbus Charities Fund, Inc.

**Section 2:** Each participating council shall submit a report of this activity together with the net proceeds collected and instructions for distributions of 70% of the net proceeds to the Secretary, Colorado Knights of Columbus Charities Fund, Inc, no later than December 31st of each year. Any participating council's funds not designated for distribution by the following June 30th shall be disbursed by the elected officers of the Colorado State Council in the same manner as the 30% State Council share described in the bylaws of the Colorado Knights of Columbus Charities Fund, Inc. The elected State Officers and the Immediate Past State Deputy shall maintain \$20,000 of the state portion as an emergency level disbursing all current year income. This fund shall be known as the State Mentally Handicapped Fund.

## **Article XXI – Ongoing Programs of the State Council**

**Section 1:** The Colorado Knights of Columbus will facilitate a Keep Christ in Christmas Program based on subordinate council participation under the direction of the State Deputy and the State Council Keep Christ in Christmas Chairman. Funds resulting from this program will be administered in compliance with Article X, Section 5.

**Section 2:** The Colorado State Council, in conjunction with the Colorado Knights of Columbus Charities, Inc., has charitable programs including the “Pennies From Heaven Program”, the “Father McGivney Club”, and the “Perpetual Memorial Society” for charitable purpose. Each is managed in compliance with the bylaws of the Colorado Knights of Columbus Charities Fund, Inc.

## **Article XXII – Council Hosted State Council Events**

**Section 1:** From time-to-time, the delegates assembled may approve certain State Council sanctioned events (softball, bowling, free-throw, golf tournaments) and/or the right to host major degrees. These events are intended for the fraternal benefit of the Knights of Columbus and not intended to be fund-raisers for any subordinate councils. Any subordinate council may bid such an event and may charge reasonable entry fees in compliance with the guidelines of the Colorado State Council for that event.

The bowling tournament shall be held on either the last or second to last weekend in February.

The softball tournament shall be held on either the last or second to last weekend in June.

The golf tournament shall be held on either the last or second to last weekend in July.

The State Free-throw Contest shall be held on either the last or second to last weekend in March.

The State Deputy shall approve the actual date of each event prior to any distribution of information regarding that event.

**Section 2:** The State Council shall develop specific minimum guidelines for hosting athletic events. When bidding to host an athletic event, the council submitting the bid is required to demonstrate how they anticipate meeting said standards.

**Section 3:** Within sixty days following a subordinate council hosted event, financial reports shall be submitted using the forms provided by the State Council to the State Deputy. The reports from each event shall be included in the proceedings of the subsequent State Convention.

## **Article XXIII – Ratification**

These bylaws were duly presented to the Colorado State Council of the Knights of Columbus meeting at its Annual State Convention at Colorado Springs, Colorado on May 6, 1996.

I hereby certify that the above and foregoing bylaws are the bylaws incorporating all changes since the chartering of the Colorado State Council and are the bylaws regularly approved by simple majority of the delegates with voting rights in attendance at the convention in compliance with the previous bylaws.

These by laws were amended by the delegates duly assembled at the 110<sup>th</sup> Annual Convention of the Colorado State Council Knights of Columbus at the 28 April 2012, business session, Embassy Suites Hotel, Loveland, Colorado. They were approved by the Supreme Board of Directors on 20 September 2012.

Attested:

//Signed, jjd, 26 Sep 12//

JAY J. DOHERTY

State Advocate

Colorado Knights of Columbus

Certified:

ROGER G. MULLER

State Deputy

Colorado Knights of Columbus