

# OHIO STATE COUNCIL

(EIN: 23-7211961)



## BY-LAWS

REVISION 10

Mark Siracusa, State Deputy  
Ohio State Council  
2021-2023

Approved Date: 5/22/2021

**BY LAWS FOR STATE COUNCIL**

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## BYLAWS

### ARTICLE I- NAME

#### Section A.

This organization shall be known as the Ohio State Council, Knights of Columbus, and shall be subject to, and governed by, the Constitution and Laws enacted by, and under the authority of the Supreme Council of the Knights of Columbus.

### ARTICLE II – MEMBERSHIP AND CREDENTIALS

#### Section A – Membership

1. The State Council shall consist of the Grand Knight and a Past Grand Knight, actually residing in the state or jurisdiction, from each subordinate council in good standing, and State officers, and ex-officio, 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 forfeit such right, and his nearest predecessor actually residing in the state shall be entitled thereto. If there is more than one Past Grand Knight, the council shall elect one to represent it at the State Convention. A council having no Past Grand Knight may elect any 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 for its representative in the State Council.
2. Past State Deputies, other than the last living Past State Deputy, and District Deputies shall be permitted the privileges of membership in the State Council, but without the right to vote therein.
3. Chairmen of standing committees of said State Council in a number not to exceed twelve (12), who are not otherwise members of said State Council, are permitted the privileges of membership in said State Council with a right to speak on questions pertaining to all the functions of their committees, but without the right to vote therein.
4. The State officers enumerated and selected pursuant to Article IV, Section A of these bylaws shall be members of the State Council.

#### Section B. – Credentials

1. The Financial Secretary of each council in the state shall prepare and certify three (3) copies of credentials of delegates on forms furnished by the State Secretary and shall forward two (2) copies to the Convention Registration Chairman at least four (4) weeks before State Council Meeting and shall deliver one (1) copy to each delegate or his alternate.
2. The delegates or, in their absence, the alternates shall present same to the Convention Registration Desk at the time of registration, to be delivered to the State Secretary.
3. The delegates must present their current third-degree membership card to be admitted to any business session.

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### **Section C. – Roll Call of Delegates**

The State Secretary shall prepare a roll of the names of all delegates and alternates on the credentials presented to him prior to the calling to order of the meeting of the State Council and said roll shall be the roll of said State Council until the committee on Credentials Report has been submitted, and the permanent roll has been determined by the action of the state council on said report.

### **Section D. – Hearing Before the Committee on Credentials**

In case of a contest on the credentials of any representative or alternate, one (1) member on each side may appear and present evidence and arguments before the committee. Each shall be allowed five (5) minutes for arguments, except by permission of the committee.

### **Section E. – Councils Failing To Pay Assessments Not Entitled To Representation**

Councils in arrears to the State or Supreme Councils for duly levied assessments shall be reported by the State Secretary to the Credentials Committee at the Annual Meeting. Unless the council delegates can offer satisfactory proof of payment, the Credential Committee shall recommend that the delegation not be seated for the Annual Meeting.

## **ARTICLE III – MEETINGS**

### **Section A.**

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 the enactment of such rules and regulations as may be consistent with the charter and laws of the Supreme Council. No Law, Rule or Regulation adopted by a State Council shall become operative until approved by the Supreme Council Board of Directors.
2. A quorum shall be no less than the equivalent of all the councils in the State of Ohio, less the inactive councils, and less councils who are delinquent in state per capita. The number of councils in good standing shall be divided by three revealing the number of delegates required for the quorum.
3. The Supreme Knight may call a special session of State Council, by and with the consent of a majority of the Supreme Officers.

### **Section B. – Manner Conducted, Whom Admitted**

All official business sessions of the State Council shall be conducted in the third section and shall be open to all Third-Degree members in good standing.

### **Section C. – Time and Place**

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The State Council shall fix the date and place of the meeting for the succeeding year; upon its failure to do so, the State officers shall fix the date and place. If for any reason it becomes impossible to hold it at the time or place announced, the State Secretary will send written notice to all councils of the change, at least sixty (60) days prior thereto. The State Deputy will appoint the next year's Convention Chairman at the Annual Meeting.

### **Section D. – Session Committees**

The Sessional Committees of the State Council shall be; Resolutions, Audit, Credentials, Assistant Wardens, Elections/Tellers, Good of the Order, Annual Meeting Minutes, and Bylaws.

## **ARTICLES IV – OFFICERS**

### **Section A.**

1. State Council Shall elect by ballot from the membership at large a State Deputy, State Secretary, State Treasurer, State Advocate and State Warden and representatives and alternates to the Supreme Council.
2. The Immediate Past State Deputy shall be an ex-officio officer of the State Council with voice and vote.
3. A State Chaplain shall be appointed by the State Officers with the consent and approval of the Ordinary of the diocese to which he is assigned.
4. Officers of State Council shall hold office for a term of one (1) year from and after the first day of July following their election, and until their successors have been elected and qualified.

### **Section B. – Eligibility to Hold State Offices**

1. Insurance members only shall be eligible to hold the office of State Deputy as representative to the Supreme Council for the insurance membership, and as alternates for representative for the insurance membership, but this requirement shall not apply to the State Deputy 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 a State Deputy or Past State Deputy who is an associate member to vote shall be limited as in the case of representatives of the associates membership, as provided by Section Five (5) of “Charter Constitution Laws” of the Order.
2. Any Third-Degree member of the Ohio Jurisdiction in good standing is eligible for State Office.

### **Section C. – Duties of State Officers**

The duties of the respective office shall be those provided by the Constitution and Laws of the Knights of Columbus, these bylaws, and such other duties as the State Council may direct.

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### *State Deputy*

The State Deputy shall be the chief executive office of the Order in Ohio and the representative of the Supreme Board of Directors and the Supreme Knight. The State Deputy shall preside at all meetings, which he attends of the State Council. He shall appoint all committees, unless otherwise determined by the State Council, and may appoint special committees between annual sessions when the exigencies of the circumstances demand such. He shall be ex-officio, a member of all committees. He shall set up districts in his jurisdiction and appoint District Deputies therein, subject to the approval of the Supreme Knight, to administer the programs of the Order and State. He shall also perform such other duties required by the laws of the Supreme Council pertaining to State Deputies.

The State Deputy shall approve all invoices to be paid from State Council funds. All State Council checks are to be signed by the State Deputy and one of the two other State Fiscal Officers – State Secretary or State Treasurer. In the case of a prolonged absence of the State Deputy, the State Secretary and State Treasurer may co-sign checks drawn on the State Council. The State Deputy shall make a written report on the condition of the Order within the State of Ohio to the State Council at its Annual Meeting. The State Deputy shall supervise the exemplification of the Knighthood (Third) degree within the State of Ohio.

The State Deputy (or incoming State Deputy) shall prepare, with the assistance of the State Secretary (or incoming State Secretary) and State Treasurer (or incoming State Treasurer), a budget of all revenues and expenses of the Ohio State Council for its fiscal year operation (April 1 to March 31) of the current year. The projected budget will be available to all Delegates attending the annual State Convention along with the Audited Financial Reports. The projected budget shall be presented in a format which itemizes accounts in the same detail as the Audited Financial Reports.

### *State Secretary*

The State Secretary shall act as recorder at the Annual Meeting of the State Council, appointing any necessary assistants. He shall prepare and furnish credential forms for the Annual Meeting to the Grand Knight of each council on or before the 15<sup>th</sup> of March of each year. He shall have the proceedings of the State Convention recorded and furnish written minutes of same to the State Deputy. He shall, in the absence of the State Deputy, call the Annual Meeting to order and preside.

He shall send notices of all assessments to Subordinate Councils. He shall maintain and provide all financial records required by the State Council's outside audit firm. He shall perform such other duties as may be imposed by the State Deputy or the State Council.

### *State Treasurer*

The State Treasure shall be custodian of all funds and securities of the State Council. He shall receive all monies, keep a true and accurate account thereof, and forthwith deposit

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the same. He shall give bond in the amount of fifty thousand dollars (\$50,000) or such additional sum as may be directed by the State Deputy or the State Council. The premium on such bond shall be paid by the State Council. He shall perform such other duties as may be imposed by the State Deputy or the State Council.

### *State Advocate*

The State Advocate shall be the “legal adviser” to the State Council and the State Officers in all matters pertaining to the Order that shall be referred to him. He shall be the Chairman of the Resolutions Committee. He shall perform such other duties as may be imposed by the State Deputy or the State Council.

### *State Warden*

The State Warden shall have charge of all the State Council property and keep the same in proper condition for all State Council Meetings. He shall be Chairman of the Assistant Wardens Committee and instruct his Assistant Wardens, at the State Convention, to make sure that all members are in possession of a current third-degree membership card. He shall perform other duties as the State Deputy, or the State Council requires.

### *State Chaplain*

The State Chaplain shall have supervision over all spiritual matters in connection with the State Council.

### *Employment of Qualified Personnel*

The State Deputy upon the approval of the State Officers shall employ qualified personnel, within the limits of the budget, as are required to expedite the fiscal and general programming of state and subordinate council business.

### **Section D. – Authority**

The officers and members of the State Council shall have the authority to do all things necessary in performing their duties and administering the power provided by the laws of the Order and these bylaws. Any action in conflict with the laws of the Order and these bylaws shall be void.

### **Section E – Vacancies – How Filled**

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 alternated to the Supreme Council, such vacancy shall be filled by an appointment made by the State Deputy. The appointment to fill a vacancy in the office of State Chaplain shall be made with the approval and consent of the Ordinary of the diocese to which he is assigned.



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## ARTICLE V – FINANCES

### Section A. – Assessments, How Made and When Payable

For the purpose of defraying the expenses and obligations of the State Council, there shall be levied against, and annually collected from all Ohio Councils, except College Councils whose membership is comprised of a majority of full-time college students, a per capita assessment based on the number of members of the respective council as of the first day of May of the current year, as shown by the records of the Supreme Secretary. The State Secretary shall obtain from the Supreme Secretary and present to the State Council meeting, a report showing the number of members of each council as of said date.

The per capita assessment for inactive insurance members will be levied at an amount less than that of an active insurance member and when added with the Supreme Council per capita and Catholic Advertising assessments may not exceed but may equal that of the Supreme Council Inactive Insurance Member Rebate.

### Section B

All assessments levied by the State Council shall be due and payable within ninety (90) days after the adjournment of the meeting at which the same are levied. Immediately following the adjournment of the meeting of the State Council, the State Secretary shall send to each Subordinate Council a notice showing the amount of its assessment.

### Section C

All monies owing to the State Council by the Subordinate Councils and members shall be paid to the state by draft, check or money order, payable only to the “Ohio State Council, Knights of Columbus” Immediately upon receipt of any payment, the State Secretary shall make an entry thereof on his records and forward the payment to the State Treasurer.

### Section D

The Secretary of the Ohio State Council of the Knights of Columbus shall credit all payments received from the subordinate Councils on account of “State Per Capita Tax” to the oldest delinquent account of such council.

### Section E

All funds of the State Council shall be deposited by the State Treasurer in a bank or banks to the account of the Ohio State Council, Knights of Columbus. Only such depositories shall be used as shall be first approved and designated by the State Deputy. A detailed listing of all deposits shall be forwarded by the State Treasurer to the State Deputy within thirty (30) days thereof.

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### **Section F. – Officer Expense Reimbursement**

All State Officers shall receive per diem, mileage, and necessary travel expenses when engaged in State Council business.

### **Section G. – Reimbursement**

1. The per diem allowance for all state appointed and/or elected personnel engaged in the business of the Ohio State Council shall be Fifty-Five dollars (\$55) per day on all days required to attend meetings or perform any other duties at the request of the State Deputy.
2. The mileage allowance for all state appointed and/or elected personnel engaged in the business of the Ohio State Council at the request of the State Deputy shall be Fifty-Five cents (55¢) per mile for the round-trip miles between the city of residence and place of duty by the most direct route.
3. The per diem allowance for all delegates to the Annual State Convention shall be Fifty-Five dollars (\$55) per day on all days required to attend official meetings or perform any other duties at the request of the State Deputy.
4. The mileage allowance for all delegates to the Annual State Convention shall be Fifty-Five cents (55¢) per mile for round trip miles between the city of residence and place of convention, by the most direct route. All money for per diem or mileage due delegates to the State Convention will be paid directly to the delegate's home council. No monies will be paid unless the individual roll call cards for each session are properly presented, and all council assessments are paid in full.
5. No member shall receive more than one per diem or mileage allowance for any official event.

### **Section H. – Financial Audit and Review**

The State Council Officers shall cause all financial books and records of the State Council and affiliated units to be audited annually by a certified or chartered public account who shall provide a written opinion on the condition of said State Council and affiliated units. A copy of the written opinion, including financial statements, shall be made a part of State Council's Convention Proceedings.

The State Deputy shall appoint an Audit Committee, consisting of twelve (12) delegates and chair, who will receive and review the report of the State Council's certified accountant as well as the State Council's financial records and report to the Convention delegates as to their findings.

## **ARTICLE VI – ELECTIONS**

### **Section A. – Order of Elections**

Elections of all State Officers shall be by nomination made from the floor by a delegate, State Officer, Past State Deputy, or District Deputy, and by ballot, as herein provided. In the event of a contest, all elections of State Officers shall be by printed ballots prepared by the Election/Tellers Committee. A majority of the ballots cast shall be required to elect an office. In the event there is no contest of an office, the election may be by voice vote.

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Supreme Delegates and Alternates shall be selected as follows:

- A. The State Deputy and the Immediate Past State Deputy, in the absence of the Immediate Past State Deputy, his nearest predecessor who reside in Ohio, shall be Supreme Delegates by virtue of their office.
- B. The entire Convention shall nominate and elect all other Supreme Delegates and Alternates.

### Section B. – Election/Tellers Committee

Twelve (12) Election/Tellers Committee members shall be appointed by the State Deputy. They shall inspect the ballot box, supplied by the State Warden, individually, prior to the election and in front of all delegates. The box shall then be locked by the Chairman. They shall stand next to the ballot box and verify each delegate as he ballots. After the balloting, the Committee shall retire to a secure room, provided for such purposes and count the ballots. They shall report the result directly to the Presiding Officer who shall announce the results to the assembled Convention Delegates. Ballots shall be destroyed immediately upon the certification of the selection by the State Secretary.

### Section C. – Disputes and Ties

All questions arising as to the validity of any ballot shall be finally determined by the majority vote of the Election/Tellers Committee. In the event of a tie vote, a decision may be reached by lot, and agreed to by the interested candidates.

### Section D. –Manner of Balloting

The State Secretary shall call from the permanent roll as approved by the State Council and amended, the names of those entitled to vote, and as each name is called in council number order, that delegate will step forward to be verified and deposit his ballot in that ballot box, heretofore provided for such purpose.

## ARTICLE VII -CONDUCT OF BUSINESS

### Section A. – Rules of Order

The rules contained in the current edition of Robert’s Rules of Order Newly Revised shall govern the State Council in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the State Council may adopt.

## ARTICLE VIII –RULES OF ORDER

### Section A. – Privilege of the Floor

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None but delegates, Officers of the State Council, District Deputies, and Past State Deputies shall be entitled to the floor except by permission of the Chair.

### **Section B. – Discussion on a Motion**

Discussion on any motion will be limited to five (5) minutes per speaker, three speakers per side of the motion, recognized by the Chair, at designated area with microphones for accurately recording the discussion.

When recognized by the Chair, the speaker shall state his name, his Council's name and number and shall be entitled to the floor for purposes of addressing the matter under consideration. The Chair may permit an additional two (2) speakers per side. Each member is allowed to address any matter under consideration only once.

### **Section C. – Resolutions**

Resolutions regarding matters other any Bylaw Amendments, shall be presented to the State Secretary at least thirty (30) days prior to the Annual Convention. It must be submitted on Council Letterhead paper (8½" x 11") and be typewritten. The resolution must show the date the resolution was approved by the council and be sign by the Grand Knight attesting to the council vote. The State Deputy, State Officers, Subordinate Councils and Standing Committees of the State Council may present resolutions in the same manner set forth herein. Only resolutions submitted in the prescribed form will be recognized for presentation to the Resolutions Committee. The Resolution Committee shall review and make a recommendation on each properly submitted resolution to the State Convention. A majority vote is necessary for approval. Resolutions for Bylaw Amendments shall be presented in the same manner except they must be presented to the State Secretary at least sixty (60) days prior to the Annual Convention and required a two-third (2/3) vote to pass. Copies of all properly submitted resolutions to be voted upon shall be provided to all delegates upon registration at the State Convention.

### **Section E. – Quorum**

A quorum shall be no less than the equivalent of all of the councils in the State of Ohio, less the inactive councils, and less councils who are delinquent in state per capita. The number of councils in good standing shall be divided by three revealing the number of delegates required for the quorum.

## **ARTICLE IX – EFFECTIVE DATE –ADMENDMENT TO BYLAWS**

### **Section A**

These bylaws shall take effect upon approval by The Supreme Board of Directors.

### **Section B**

The bylaws may be amended at any regular meeting of the State Council by a two-thirds (2/3) vote, provided that the amendment has been submitted, in writing, to the State

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Secretary at least sixty (60) days prior to the State Meeting. Each Grand Knight shall be furnished with a copy of proposed bylaw amendments at least thirty (30) days prior to the State meeting.

### Section C

Any amendment to these bylaws shall not take effect until approved by the Supreme Board of Directors

1. Approved by Supreme Council Board of Directors - 1995
2. Approved by Supreme Board of Directors - 1998
3. Approved by Supreme Board of Directors - February 2002
4. Approved by Supreme Board of Directors - October 2002
5. Approved by Supreme Board of Directors - January 2004
6. Approved by Supreme Board of Directors - August 2009
7. Approved by Supreme Board of Directors – August 2011
8. Approved by Supreme Board of Directors – August 2015
9. Approved by Supreme Board of Directors – August 2019
10. Approved by Supreme Board of Directors – August 2021