

SAMPLE

ARTICLES OF INCORPORATION

THE UNDERSIGNED, ACTING AS INCORPORATOR(S) PURSUANT TO CHAPTER 617, FLORIDA STATUTES, ADOPT(S) THE FOLLOWING ARTICLES OF INCORPORATION:

ARTICLE I  
NAME

THE NAME OF THE CORPORATION SHALL BE \_\_\_\_\_

ARTICLE II  
PRINCIPAL PLACE OF BUSINESS AND MAILING ADDRESS

THE PRINCIPAL PLACE OF BUSINESS IS \_\_\_\_\_  
AND THE MAILING ADDRESS IS \_\_\_\_\_

ARTICLE III  
PURPOSES

FOR GOD AND COUNTRY WE ASSOCIATE OURSELVES TOGETHER FOR THE FOLLOWING PURPOSES:

TO UPHOLD AND DEFEND THE CONSTITUTION OF THE UNITED STATES OF AMERICAN; TO MAINTAIN LAW AND ORDER; TO FOSTER AND PERPETUATE A ONE HUNDRED PERCENT AMERICANISM; TO PRESERVE THE MEMORIES AND INCIDENTS OF OUR ASSOCIATION IN THE GREAT WARS; TO INCULCATE A SENSE OF INDIVIDUAL OBLIGATION TO THE COMMUNITY, STATE AND NATION; TO COMBAT THE AUTOCRACY OF BOTH THE CLASSES AND THE MASSES; TO MAKE RIGHT THE MASTER OF MIGHT; TO PROMOTE PEACE AND GOODWILL ON EARTH; TO SAFEGUARD AND TRANSMIT TO POSTERITY THE PRINCIPLES OF JUSTICE, FREEDOM AND DEMOCRACY; TO CONSECRATE AND SANCTIFY OUR COMRADESHIP BY OUR DEVOTION TO MUTUAL HELPFULNESS.

ARTICLE IV  
MANNER OF ELECTION OF DIRECTORS

DIRECTORS OF THE CORPORATION ARE MEMBERS OF THE EXECUTIVE COMMITTEE. A NOMINATING COMMITTEE SHALL BE APPOINTED BY THE EXECUTIVE COMMITTEE, CONSISTING OF A MINIMUM OF THREE (3) MEMBERS: SHALL SELECT CANDIDATES FOR ELECTIVE OFFICES IN THE POST; SHALL PRESENT THE NAMES OF THE CANDIDATES TO THE POST AT THE LAST REGULAR MEETING PRIOR TO THE ELECTION MEETING. ALL ELECTIVE OFFICERS OF THE POST AND MEMBERS OF THE EXECUTIVE COMMITTEE SHALL BE ELECTED ANNUALLY AT A REGULAR MEETING IN THE MONTH OF MAY AND BE INSTALLED IN THE REGULAR MEETING OF JUNE. AT THE MEETING OF THE ELECTION, ANY ADDITIONAL NOMINATIONS MAY BE MADE FROM THE FLOOR BY ANY MEMBER OF THE POST IN

**JULY 31, 1984; DECEMBER 20, 1989 TO JANUARY 31, 1990; AUGUST 2, 1990 TO THE CESSATION OF HOSTILITIES AS DETERMINED BY THE GOVERNMENT OF THE UNITED STATES; ALL DATES INCLUSIVE, OR WHO, BEING A CITIZEN OF THE UNITED STATES AT THE TIME OF ENTRY THEREIN, SERVED ON ACTIVE DUTY IN THE ARMED FORCES OF ANY OF THE GOVERNMENTS ASSOCIATED WITH THE UNITED STATES DURING ANY OF SAID PERIODS; PROVIDED, HOWEVER, THAT SUCH SERVICE SHALL HAVE BEEN TERMINATED BY HONORABLE DISCHARGE OR HONORABLE SEPARATION, OR CONTINUED HONORABLY AFTER ANY SAID PERIODS; PROVIDED FURTHER, THAT NO PERSON SHALL BE ENTITLED TO MEMBERSHIP WHO, BEING IN SUCH SERVICE SUBJECTS HIMSELF TO MILITARY DISCIPLINE OR UNQUALIFIED SERVICE.**

**SECTION 2. THERE SHALL BE NO FORM OR CLASS OF MEMBERSHIP EXCEPT AN ACTIVE MEMBERSHIP, AND DUES SHALL BE PAID ANNUALLY OR FOR LIFE.**

**SECTION 3. NO PERSON, WHO HAS BEEN EXPELLED BY ANY POST OF THE AMERICAN LEGION SHALL BE ADMITTED TO THIS POST, WITHOUT CONSENT OF THE EXPELLING POST, EXCEPT THAT WHERE SUCH CONSENT HAS BEEN ASKED FOR AND DENIED BY SUCH POST, HE MAY THEN APPEAL TO THE EXECUTIVE COMMITTEE OF THE DEPARTMENT OF THE EXPELLING POST FOR PERMISSION TO BE ADMITTED TO MEMBERSHIP IN THIS POST, AND SHALL BE INELIGIBLE FOR MEMBERSHIP UNTIL SUCH PERMISSION IS GRANTED.**

**SECTION 4. ANY MEMBER OF THIS POST MAY BE REPRIMANDED, SUSPENDED OR EXPELLED BY A TWO-THIRDS VOTE OF THE MEMBERS PRESENT FOR ANY VIOLATION OF THE BY-LAWS OF THIS POST, OR ITS CONSTITUTION, OR FOR CONDUCT IMPROPER AND PREJUDICIAL TO THE WELFARE OF THE POST OR THE AMERICAN LEGION, IN ACCORDANCE WITH THIS POST'S CONSTITUTION AND BY-LAWS.**

**SECTION 5. MEMBERSHIP CAN BE TRANSFERRED FROM ONE POST TO ANOTHER IN ACCORDANCE WITH THE CONSTITUTION AND BY-LAWS OF THE AMERICAN LEGION AND THIS POST.**

## **ARTICLE IX FINANCES**

**REVENUES OF THIS POST SHALL BE DERIVED FROM MEMBERSHIP OR INITIATION FEES, FROM ANNUAL MEMBERSHIP DUES AND FROM SUCH SOURCES AS MAY BE APPROVED BY THE EXECUTIVE COMMITTEE. EXPENDITURES SHALL BE IN ACCORDANCE WITH POST CONSTITUTION AND BY-LAWS.**

## **ARTICLE X SUBORDINATION AND AUTHORITY**

**THIS POST IS SUBJECT TO THE CONSTITUTION AND BY-LAWS OF THE AMERICAN LEGION, DEPARTMENT OF FLORIDA, PO Box 547936, ORLANDO, FLORIDA 32854-7936.**

GOOD STANDING. A MEMBER OF THE POST SHALL NOT BE ELECTED TO MORE THAN ONE OFFICE AT ANY POST ELECTION. ELECTION SHALL BE BY BALLOT, AND THE COMMANDER SHALL APPOINT THREE (3) TELLERS WHO SHALL SUPERVISE THE BALLOTING. A MAJORITY OF ALL BALLOTS CAST SHALL BE NECESSARY TO ELECT. IN CASE NO MAJORITY IS OBTAINED, BALLOTING SHALL BE ON THE TWO (2) RECEIVING THE LARGEST NUMBER OF VOTES TO BE DECLARED ELECTED. WHERE THERE ARE MORE THAN ONE (1) TO BE ELECTED FOR AN OFFICE OR POSITION TO BE OCCUPIED BY SEVERAL IN THE SAME GROUP, THOSE RECEIVING THE LARGEST NUMBER OF VOTES SHALL BE DECLARED ELECTED.

**ARTICLE V**  
**LIMITATION OF CORPORATE POWERS**

THE CORPORATE POWERS OF THIS CORPORATION ARE AS PROVIDED IN SECTION 617.0302, FLORIDA STATUTES.

**ARTICLE VI**  
**INITIAL REGISTERED AGENT AND STREET ADDRESS**

THE NAME AND ADDRESS OF THE INITIAL REGISTERED AGENT IS

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**ARTICLE VII**  
**INCORPORATORS**

THE NAMES AND STREET ADDRESSES OF THE INCORPORATORS FOR THESE ARTICLES OF INCORPORATION ARE:

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**ARTICLE VIII**  
**MEMBERSHIP**

**SECTION 1. ABSTRACTED FROM THE CONSTITUTION OF THE AMERICAN LEGION:**  
**ANY PERSON SHALL BE ELIGIBLE FOR MEMBERSHIP IN THE AMERICAN LEGION WHO WAS A MEMBER OF THE ARMY, NAVY, MARINE CORPS, COAST GUARD, OR AIR FORCE OF THE UNITED STATES AND ASSIGNED TO ACTIVE DUTY AT SOME TIME DURING ANY OF THE FOLLOWING PERIODS: APRIL 6, 1917, TO NOVEMBER 11, 1918; DECEMBER 7, 1941 TO DECEMBER 31, 1946; JUNE 25, 1950 TO JANUARY 31, 1955; ~~DECEMBER 22, 1961~~ TO MAY 7, 1975; AUGUST 24, 1982 TO**

*Feb. 28*

**ARTICLE XI**

THE EFFECTIVE DATE OF INCORPORATION SHALL BE \_\_\_\_\_.

THE UNDERSIGNED INCORPORATOR HAS EXECUTED THESE ARTICLES OF INCORPORATION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_\_. BY MY SIGNATURE BELOW, I HEREBY ACCEPT DESIGNATION AS REGISTERED AGENT.

SIGNATURE OF INCORPORATOR: \_\_\_\_\_

\_\_\_\_\_  
(NAME PRINTED)