

Constitution and Bylaws

The Fort Worth Magicians Club Inc.

Revision 2014



Ren Clark IBM Ring 15
Bruce Chadwick SAM Assembly 138

CONSTITUTION

ARTICLE I

NAME

The name of the Corporation is **The Fort Worth Magicians Club, Inc.**

ARTICLE II

NONPROFIT CORPORATION

The Corporation is a nonprofit Corporation organized under the Texas Non-Profit Corporation Act.

ARTICLE III

DURATION

The period of the Corporation is perpetual.

ARTICLE IV

PURPOSES

The purposes for which the Corporation is organized are to have and to exercise all the rights and powers conferred on non -profit Corporations under the Texas Non-Profit Corporation Act, as such law is now in effect or may at any time hereafter be amended.

ARTICLE V

INITIAL REGISTERED OFFICE AND AGENT

The street address of the initial registered office of the Corporation is 305 Crestwood Drive, Fort Worth, Texas 76107 and the name of its initial registered agent at such address is A. Renrick Clark.

ARTICLE VI

BOARD OF TRUSTEES

The number of Trustees constituting the initial board of Trustees of the Corporation is three, and the names and addresses of the persons who are to serve as the initial Trustees are:

Renrick Clark
305 Crestwood Drive
Fort Worth, Texas 76107

Wilbur Kattner
308 Crown Road
Willow Park, Texas 76087

Robert O. Utter
4101 Hildring Drive West
Fort Worth, Texas 76109

ARTICLE VII

The name and address of the incorporator is:

Mack Ed Swindle
Gandy Michener Swindle
Witaker & Pratt
301 Commerce Street
3500 City Center
Fort Worth, Texas 76102-5802

ARTICLE VIII

PROSCRIBED ACTIVITIES

No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its members, Trustees, Officers, or other private persons, except that the Corporation are authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article IV hereof.

No substantial part of the activities of the Corporation are the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Notwithstanding any other provision of these articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a Corporation exempt from Federal Income tax under section 501 (c) (3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a Corporation, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law).

ARTICLE IX

DISSOLUTION

The property and assets of the Corporation are irrevocably dedicated to the purpose as described in Article IV. Upon the dissolution of the Corporation, the Board of Trustees shall, after paying or making provision for the payment of all of the liabilities of the Corporation, dispose of all the assets of the Corporation exclusively for the purposes of the Corporation in such manner, or to such organization or organizations organized and operated exclusively for non-profit purposes as shall at the time qualify as an exempt organization or organizations under section 501 (c) (3) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue Law), as the Board of Trustees shall determine.

ARTICLE X

AMENDMENTS TO CONSTITUTION AND BYLAWS

The Constitution and Bylaws may be amended from time to time as provided in the Texas Non-Profit Corporation Act; provided, however, that no amendment are made which shall alter the exclusive non-profit purposes set forth in Article IV herein, or would cause any pecuniary benefit to inure to any Trustee, incorporator, donor or donors or to any Officer or individual.

BYLAWS

Section 1

NAME

1.01 The Fort Worth Magicians Club, Inc. may hereafter be referred to as the "Club" or "Corporation."

1.02 The Fort Worth Magicians Club may meet concurrently with, and yet is independent from, the Ren Clark Ring 15 of the International Brotherhood of Magicians.

1.03 The Fort Worth Magicians Club may meet concurrently with, and yet is independent from, the Bruce Chadwick Assembly 138 of the Society of American Magicians.

1.04 The Fort Worth Magicians Club may meet concurrently with, and yet is independent from, the Dallas/Fort Worth Chapter of the Fellowship of Christian Magicians.

1.05 The Fort Worth Magicians Club may host an annual convention for, and yet is independent from, the Texas Association of Magicians.

Section 2

OBJECTIVES

2.01 The Club normally hosts a Monthly Club Meeting to partially fulfill Club objectives.

2.02 To associate together and to organize activities of individuals interested in the practice, advancement and promotion of the Art of Magic.

2.03 To cooperate with other magician's clubs to further the Art of Magic.

2.04 To promote harmony in the magical arts.

2.05 To conduct educational programs and activities to benefit Club members to increase their skills and knowledge regarding the Art of Magic.

2.06 To be aware of correct personal interaction with any members of our audience, particularly children.

2.07 To perform at least one public magic show each fiscal year.

2.08 To cooperate with and support the joint ethics statement of the International Brotherhood of Magicians and the Society of American Magicians:

- Oppose the willful exposure to the public of any principles of the Art of Magic or the method employed in any magic effect or illusion.
- Display ethical behavior in the presentation of magic to the public and in our conduct as magicians, including not interfering with or jeopardizing the performance of another magician, either through personal intervention or the unauthorized use of another's creation.

- Recognize and respect for rights of the creators, inventors, authors and owners of magic concepts, presentations, effect and literature, and their rights to have exclusive use of, or to grant permission for the use of by others of such creations.
- Discourage false and misleading statements in the advertising of effects and literature merchandise or actions pertaining to the magical arts.
- Discourage advertisement in magical publication for any magical apparatus, effect, literature of other materials for which the advertiser does not have commercial rights.
- Promote the humane treatment and care of livestock used in magical performances.

Section 3

OFFICES

3.01 The principal offices of the Corporation in the State of Texas are located in the City of Fort Worth, County of Tarrant. The Corporation may have such other offices, either within or without the State of Texas, as the Executive Committee may determine or as the affairs of the Corporation may require from time to time.

3.02 The Corporation has and continuously maintains in the State of Texas a registered office, and a registered agent whose office is identical with such registered office, as required by the State of Texas Non-Profit Corporation Act. The registered office may be, but need not be, identical with the principal office of the Corporation in the State of Texas. The address of the registered agent and office may be changed from time to time by the Executive Committee.

Section 4

FISCAL YEAR

4.01 The fiscal year of the Corporation begins on the first day of January and ends on the last day of December.

Section 5

EXECUTIVE COMMITTEE

5.01 Officers of the Corporation comprise the Executive Committee and include the President, Immediate Past President, Executive Vice President and Program Chairman, Secretary, Treasurer, Sergeant at Arms, Vice President and Editor of the Flashpaper, Vice President and Webmaster, Historian, three or more Members at Large, and three Trustees.

5.02 Officers hold Executive Committee Meetings to manage and conduct the business affairs of the Corporation. Executive Committee Meetings are held separately from Monthly Club Meetings so that the art and performance of magic is the main focus at Monthly Club Meetings. However business may be conducted at Monthly Club Meetings when necessary, such as voting for elections and business matters that require the attention of the entire Club.

5.03 An Annual Business and Planning Meeting of the Executive Committee is held within thirty days after the installation of the new Officers at a time and place selected by the new President. All Officers are strongly encouraged to attend this meeting. At this meeting, at least the following three topics are discussed:

5.03a Each officer's role and responsibilities are discussed as described in the Bylaws so that all officers have a clear understanding of their duties and responsibilities.

5.03b The President and Treasurer provide a tentative budget for the new fiscal year. After discussion and general agreement, the Executive Committee votes to approve the budget.

5.03c After hearing the recommendations of the Executive Vice-President and Program Chairman, the Executive Committee tentatively plans the main core activities for the year's Monthly Club Meetings. At any future Executive Committee Meeting or Special Executive Committee Meeting, the Executive Committee can change the activities and programs scheduled for any Monthly Club Meeting.

5.04 Regular Executive Committee Meetings are held monthly at or near the Monthly Club Meeting location. However the Executive Committee may decide to hold its monthly meeting at an alternate time, date, or location, including electronically, provided notice of said meeting is made to membership of the Club as per 5.07

5.05 Additional meetings of the Executive Committee named Special Executive Committee Meetings can be called by the President or any two Trustees, provided notice of said meetings is made to the membership of the Club as per 5.07.

5.06 The Executive Committee can decide not to meet during a particular month, provided notice is made to the membership of the Club as per 5.07.

5.07 The time and place for all Executive Committee Meetings is announced to the entire membership of the Club at least seven days in advance of each meeting, normally via the Club's FLASHPAPER monthly Club newsletter and the Club's Internet website. Notice can also be delivered personally, by telephone, US Mail, email, other electronic means of communication, or any combination thereof. If mailed, a notice is deemed delivered when deposited in the US Mail and postmarked at least seven days prior to the scheduled meeting.

5.08 Six members of the Executive Committee in attendance at an Executive Committee Meeting constitute a quorum for the transaction of business. One of the six present must be the President or a Vice President.

5.09 The decisions of a majority of the members of the Executive Committee at an Executive Committee Meeting at which there is a quorum present is the act of the Executive Committee, unless the law or these Bylaws necessitate a greater number of members for the action.

5.10 Executive Committee Officers do not receive salaries or other compensation for their services, but can be reimbursed for any expenses incurred on behalf of the Corporation, as agreed upon by a majority vote at any Executive Committee Meeting.

5.11 The Executive Committee can act without a meeting if consent in writing setting forth the action is agreed to by the majority of the Officers of the Club.

5.12 Any member in good standing (12.02) can attend Executive Committee Meetings.

5.13 Unless otherwise dictated in these Bylaws, parliamentary authority for all business of the Club is Robert's Rules of Order as newly revised.

Section 6

ELECTIONS

6.01 Before the conclusion of the September Executive Committee Meeting, the President shall appoint a Nominating Committee to seek out members in good standing (12.02) to serve as Officers of the Corporation (5.01) for the next fiscal year. The Nominating Committee then reports its recommendations to the general membership at the November Monthly Club Meeting. Other recommendations can be made from the floor during the November and December Monthly Club Meetings.

6.02 Officers of the Corporation are elected by a majority vote of the Active and Honorary Life members in good standing (12.02) at the December Monthly Club Meeting. All nominees receiving a majority of all votes cast are declared elected. If Officers are not elected at the December meeting, the election is held as soon as possible.

6.03 A secret ballot is required for the election of an office if there are two or more nominations for that particular office.

6.04 Officers serve for the fiscal year for which they are elected and until their successor is sworn in. All Officers except the Trustees (7.11a) are elected yearly. All Officers except the President can serve back-to-back terms.

6.05 The newly elected Officers are installed at the January Monthly Club Meeting, which traditionally is an Installation Banquet.

6.06 When a vacancy occurs in an elected office, the President shall make an interim appointment immediately, and the appointment shall remain in effect until the next annual election, resignation, recall by a majority vote of the Executive Committee, or termination date of the office.

Section 7

DUTIES OF THE OFFICERS OF THE CORPORATION

7.01 **PRESIDENT:** The principal executive Officer of the Corporation.

7.01a The President generally supervises and controls all the business affairs of the Corporation and normally presides at Executive Committee Meetings.

7.01b Signatory The President signs with the Secretary, or any other proper official for the Corporation authorized by the Executive Committee, any deeds mortgages, bonds, contracts or other instruments authorized by the Executive Committee. The exceptions are cases where the signing and execution thereof are otherwise expressly delegated by the Executive Committee, the Bylaws, or by statute to some other Officer or agent of the Corporation.

7.01c Initial Meeting The President shall schedule and administer an Annual Business and Planning Meeting of the Executive Committee within thirty days after the installation of the new Officers (5.03).

7.01d Bereavement In the event that a Club member becomes deceased, it is the

President's responsibility to have condolences on behalf of the Club extended to the family of the deceased. The President shall also contact the family of the deceased and offer a "Broken Wand" ceremony to be presented at the funeral or memorial service. The ceremony shall be performed by the President or other Club representative. Any appropriate "Broken Wand" ceremony can be used, including ceremonies suggested by the International Brotherhood of Magicians and the Society of American Magicians.

7.01e Other Duties The President in collaboration with the Treasurer shall assist the Trustees in their responsibilities for the filing of all documents required by law. The President shall perform other duties as directed by the Executive Committee.

7.02 **EXECUTIVE VICE PRESIDENT AND PROGRAM CHAIRMAN:** Responsible for administering the programs at Monthly Club Meetings.

7.02a Main Core Activities The Executive Committee shall plan the main core activities for the Monthly Club Meetings of each fiscal year at the Annual Business and Planning Meeting that is held within thirty days after the installation of the new Officers (5.03). At any Executive Committee Meeting, the Executive Committee can change the activities and programs scheduled for any Monthly Club Meeting. It is the Executive Vice President and Program Chairman's duty to line-up presenters for the main core activities of Monthly Club Meetings, schedule the order of agenda for meetings, and emcee or otherwise schedule an emcee for meetings.

7.02b Diverse Programs In addition to the main core activities planned by the Executive Committee for the Monthly Club Meetings at the Annual Business and Planning Meeting (5.03), the Executive Vice President and Program Chairman may schedule additional smaller agenda to cover as wide a range of magic interests of the Club members as reasonable.

7.02c Qualification Demonstrations The Executive Vice President and Program Chairman is responsible for scheduling new member Qualification Demonstrations for presentation at Monthly Club Meetings. The Secretary shall notify the Executive Vice President and Program Chairman when an application to join the club has been received and a Qualification Demonstration at a Monthly Club Meeting needs to be presented (10.05 and 10.06).

7.02d Other Duties The Executive Vice President and Program Chairman shall perform other duties as may be assigned to him by the President or the Executive Committee. In the absence of the President or in the event of the President's inability or refusal to act, the Executive Vice President and Program Chairman shall perform the duties of the President, and when so acting has all the powers of and is subject to all the restrictions placed upon the President.

7.03 **SECRETARY:** Responsible for keeping accurate written records and correspondence related to the business matters of the Club.

7.03a Executive Committee Minutes The Secretary shall provide to each Officer in attendance at Executive Committee Meetings a written copy the minutes of the previous Executive Committee Meeting. The Secretary shall also deliver an electronic copy of the minutes to the Vice President and Editor of the Flashpaper for inclusion in the next issue of the FLASHPAPER monthly club newsletter.

7.03b Dues The Secretary is responsible to notify club members that dues are due and payable in full by the first day of January of each fiscal club year. Notifications should be placed in the FLASHPAPER beginning in November, sent by email, and delivered via verbal announcements at Monthly Club Meetings. Other notifications such as those sent

through US Mail are encouraged. In the event that a member has not paid his dues by the conclusion of the February Monthly Club Meeting, the Secretary shall deliver notice to the member that dues are past due. With this notice shall be a reminder that the Bylaws state that members whose dues are not paid before the first day of March are automatically suspended, and that "Suspended members may not attend Monthly Club Meetings or other Club sponsored meetings and activities" (12.02).

7.03c New Members The Secretary shall assist the Webmaster with the online club membership application process. The Secretary shall notify the Executive Vice President and Program Chairman when an application to join the club has been received so that the officer can schedule the candidate's Qualification Demonstration at a Monthly Club Meeting within three months of the submission date of the Membership Application (10.05 and 10.06). The Secretary shall notify the Sergeant at Arms to prepare a name badge for the candidate.

7.03d Roster The Secretary shall maintain the roster of all members in good standing. At minimum it shall contain the names of Club members, their type of Club membership, phone numbers, email addresses, and other contact information. The Secretary shall have a list of dues paid up members available at each Monthly Club Meeting and Executive Committee meeting. The Secretary shall also provide this list to the Sergeant at Arms so that he can properly monitor admission to the Monthly Club Meeting room.

7.03e Monthly Club Meeting Reports Within seven days after each Monthly Club Meeting, the Secretary is responsible for submitting a written report about the meeting to the Vice President and Editor of the FLASHPAPER for possible inclusion in the next edition of the newsletter, to the International Brotherhood of Magicians on behalf of the Ren Clark IBM Ring 15 for publication in the organization's periodical the LINKING RING, and to the Society of American Magicians on behalf of the Bruce Chadwick SAM Assembly 138 for publication in the organization's periodical M-U-M.

7.03f Records The Secretary is in charge of the official records of the Corporation. All books and records of the Corporation may be inspected by any member of the Executive Committee for any proper purpose at any reasonable time. The Secretary may have other duties as determined by the Executive Committee. As per 15.02, the corporate seal is maintained in the possession of the Secretary.

7.03g Correspondence The Secretary shall maintain the club's official US Mail address. Additionally the Secretary shall maintain the Club's official email address. The Secretary shall respond to all communications in a timely fashion.

7.04 **TREASURER:** Responsible for administering the finances of the Club delineated below or as determined by the Executive Committee and Board of Trustees. The Treasurer should pay particular attention to Section 13 of the Bylaws.

7.04a Operating Account The Treasurer has charge and custody of the Operating Account. Traditionally a checking account, the Treasurer shall make deposits to and disbursements from the account on behalf of the Club. The Executive Committee must review and approve each disbursement before it is made. An additional description of the Operating Account can be found in 13.04.

7.04b Budget The Treasurer shall work with the President to determine a budget at the beginning of each fiscal year and then present the budget to the Executive Committee at the Annual Business and Planning Meeting (5.03). The Executive Committee shall then approve the budget by majority vote. Additionally the Executive Committee can alter or amend the budget by majority vote at the Annual Business and Planning Meeting or at any

Executive Committee Meeting. A balanced budget shall be adopted so that the amount of receipts for a fiscal year will be equal to or greater than the amount of disbursements.

7.04c Financial Reports The Treasurer shall present in writing to each Officer in attendance at Executive Committee Meetings a report that delineates all activity of the Operating Account since taking office, or since the Treasurer's last report. The report shall clearly indicate a comparison between monies spent and amounts budgeted.

7.04d Dues Payments The Treasurer shall monitor the Webmaster's transfer of online dues payments, new member application fees, and other monies to the Operating Account.

7.04e Depositories In a timely fashion, the Treasurer shall deposit all monies in such bank, trust companies, or other depositories as are selected by the Executive Committee or in accordance with provisions of the Bylaws. The Treasurer shall also perform all duties incident to the office of Treasurer as delegated by the Executive Committee.

7.04f Bond and Audit If required by the Executive Committee, the Treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Executive Committee determines. At any time the Executive Committee or the Board of Trustees can audit all club funds and accounts (Section 13).

7.04g Trustees The Treasurer in collaboration with the President assists the Trustees in their responsibility for the filing of all documents required by law. Upon request of the Executive Committee, the Board of Trustees delivers to the Executive Committee via the Treasurer a report in writing delineating the status of Special Funds placed under their custody by the Executive Committee.

7.05 **SERGEANT AT ARMS:** Monitors all persons attending meetings and verifies that they meet the criteria as set forth in Section 14 and 10.01 for attendance.

7.05a Badges The Sergeant at Arms is in charge of the care, upkeep, and handling of all Club name badges and visitor's badges. The officer is responsible to make badges available at all Monthly Club Meetings at least fifteen minutes before each meeting. The officer is responsible to make sure no person is admitted to Monthly Club Meetings without wearing his membership badge or a visitor's badge. The Sergeant at Arms is responsible for keeping Club members from inadvertently taking their badges with them when leaving meetings. The Sergeant at Arms shall oversee the preparation of badges for new members, and verify that new members receive their badges as soon as possible after the presentation of their Qualification Demonstration and acceptance as a member of the Club. The Sergeant at Arms shall remove the name badges of Club members who fail to pay their dues before the beginning of the March Monthly Club Meeting and keep them in hidden reserve. The badge of a dues delinquent member shall be made available once again after he pays his delinquent dues and is thereby returned to member in good standing status.

7.05b Plenipotentiary The Sergeant at Arms is responsible for greeting at the door all members and guests as they arrive at Monthly Club Meetings. The Sergeant at Arms introduces guests at an appropriate time during Monthly Club Meetings. The Sergeant at Arms maintains a register that contains guest's names, contact information, and delineates their interest in the Club. It is also the officer's responsibility to enforce attendance based upon "members in good standing" (12.02), enforce the Club's visitation policy (10.01), and monitor attendance as it relates to the type of meeting (14.02).

7.05c Recognition As appropriate, within seven days of a Monthly Club Meeting, the Sergeant at Arms shall deliver a note of appreciation via email, phone call, or other method to visitors thanking them for their attendance. As appropriate, the Sergeant at Arms shall

notify potential members that they can apply for club membership on the Club's website. Also within seven days of a Monthly Club Meeting, the Sergeant at Arms shall forward the name and email address of visitors to the Webmaster so that they may be added to the Club's email distribution list, and to the Vice President and Editor of the Flashpaper so that their names can be included in the next edition of the FLASHPAPER.

7.06 VICE PRESIDENT AND EDITOR OF THE FLASHPAPER: Responsible for the publication and distribution to all Club members the monthly Club newsletter called the FLASHPAPER.

7.06a Basic Content The FLASHPAPER shall contain tasteful articles, photos, graphics, and news information related to the Art of Magic. The FLASHPAPER shall include the Flashpaper Dragon Header artwork at the top of the first page of the newsletter, with the Monthly Club Meeting date, time, and place clearly fixed immediately below. The FLASHPAPER shall also include an overview of the upcoming Monthly Club Meeting, an overview of the previous Monthly Club Meeting as appropriate, and a copy of the minutes of the most recent Executive Committee Meeting as provided by the Secretary. Within the pages of each issue, the name, phone number, and email address for each Officer of the Executive Committee shall be listed.

7.06b Dues Notices At least the October, November, December, January, and February issues of the FLASHPAPER shall contain notices that annual Club dues are due on the first day of January.

7.06c New Members and Visitors The names of visitors who attend Monthly Club Meetings shall be listed in the next available edition of the FLASHPAPER. After their membership acceptance into the Club, the names of new members shall also be published in the next available edition of the FLASHPAPER.

7.06d Distribution The newsletter is primarily disbursed electronically. The Vice President and Editor of the Flashpaper in collaboration with the Webmaster shall make the FLASHPAPER available for download from the Club's official website no later than one week prior to Monthly Club Meetings. At least some printed copies of the FLASHPAPER shall also be made available to members at Monthly Club Meetings.

7.07 VICE PRESIDENT AND WEBMASTER: Responsible for the administration of all matters attendant to the Club's Internet website.

7.07a At minimum the website should be updated immediately after every Monthly Club Meeting with the meeting information including date, time, and place about the next Monthly Club and Executive Committee Meeting. If an upcoming meeting or portion thereof has been designated as Closed or Combined (14.02), this should be listed as well.

7.07b The Webmaster shall work with the Vice President and Editor of the Flashpaper to make the FLASHPAPER monthly Club newsletter available through the Club's official website.

7.07c The website may also include and is not limited to information on the history of the Club, provide a listing of the past presidents, provide a calendar of upcoming magic events, provide downloadable copies of the Constitution and Bylaws, list officer contact information, provide downloadable copies of the Club's logo and FLASHPAPER artwork, and provide information on how and when visitors may attend Monthly Club Meetings.

7.07d The Webmaster shall maintain the Club's email database, which is based upon dues paid members. The officer is responsible for sending club email notifications and announcements to dues paid up members.

7.07e The Webmaster shall maintain the online system whereby club members pay annual dues, and new member applications and payments are received. On a timely basis the Webmaster shall transfer any monies received to the Operating Account and immediately notify the Treasurer about said transfers.

7.08 **HISTORIAN:** Collects documents, publications, articles, photographs, newspapers, tapes, videos, DVD's, media, or other items that lend themselves to establishing a record of the Club's corporate memory. The Historian shall verify the proper storage and protection of the archives.

7.09 **IMMEDIATE PAST PRESIDENT:** Works as a liaison to help provide a smooth transition from one fiscal year's Executive Committee administration to the next. He shall help ensure corporate memory and provide counsel regarding business and administration matters.

7.10 **MEMBERS AT LARGE:** Three or more Club members who serve as general representatives from the membership of the Club. They are available to give opinions, provide extra perspectives to the Executive Committee, and function as liaisons between the Club at large and the Executive Committee. The Member at Large position should primarily be reserved for club members who have never served on the Executive Committee so that they can be groomed and trained for future service.

7.11 **BOARD OF TRUSTEES:** Trustees serve as advisors on items and actions pertaining to the corporate memory of the Fort Worth Magicians Club.

7.11a The Club has three Trustees and each Trustee serves for a period of six years. Trustees are elected in the same manner as the other Officers on the Executive Committee at two year staggered intervals. Vacancies in the Board of Trustees are filled in the same manner as vacancies among other elected Officers (6.06).

7.11b Trustees serve as signers on any document requiring a Trustee signature as set forth in this document. The Trustees in collaboration with the President and Treasurer are responsible for filing of all documents required by law.

7.11c Trustees serve as custodians of any funds or documents placed under their custody by the Executive Committee. Financial reports regarding funds placed under custody of the Trustees are available in writing, in a timely fashion, and upon request by the Executive Committee.

7.12 The duties of any Officer can be changed or amended by the Executive Committee for the fiscal year of that officer's election. Permanent changes in Officer duties require Bylaws revision. Officers may be removed from office by a two-thirds majority written vote of all Officers of the Corporation.

Section 8

COMMITTEES

8.01 The President may designate and appoint one or more committees. Committees are only comprised of Active, Honorary Life, and Associate members of the Club in good standing (12.02). No committee has higher authority than the Executive Committee, and the Executive Committee can override any decision, action, or suggestion of any appointed committee. As well, no committee has authority over of the Executive Committee, and no committee except the Executive Committee can repeal the Bylaws or Articles of Incorporation, elect, appoint, or remove any Trustee or other Officer of the Corporation.

Section 9

MEMBERSHIP

- 9.01 The Club has four distinct types of membership: Active, Associate, Junior, and Honorary Life.
- 9.02 Active Member A person eighteen years of age or older, proven active in magic, and who has been accepted by the Club. Active Members may vote, hold office, serve on committees, and enjoy all the activities of the Club.
- 9.03 Associate Member A spouse or professional assistant of an Active Member, and who is eighteen years of age or older, and who has been accepted by the Club. Associate Members do not vote or hold office, but may serve on committees and enjoy all the activities of the Club.
- 9.04 Junior Member A person fourteen years old or older and under eighteen years of age, and who has been accepted by the Club. Upon reaching eighteen years of age, Junior Members automatically become Active Members provided they are dues paid members in good standing. Junior Members do not vote, hold office, or serve on committees, but do enjoy all the activities of the Club.
- 9.05 Honorary Life Member A person who has been an Active Member of the Club for at least 25 consecutive years and who has made an outstanding contribution or contributions to the welfare of the Club, or a person who has significantly contributed to the advancement of the Art of Magic.
- 9.05a Any Active Member of the Club may nominate any eligible Club member for Honorary Life Member status at any regularly scheduled Executive Club Meeting. The Officers present at the Executive Club Meeting shall consider the nomination and if so seconded, then vote by secret ballot. If the nomination receives an affirmative vote of at least two-thirds of those members present, provided that a quorum of members eligible to vote is present, then the Executive Committee recommends to The Fort Worth Magicians Club at its next scheduled Monthly Club Meeting that the committee recommends the member for Honorary Life Member status. Active and Honorary Life members in good standing and in attendance at the Monthly Club Meeting vote by secret ballot. Honorary Life Member status shall be conferred unless the nominee receives three or more negative votes. Honorary Life Members have the benefits of Active Membership without further dues payments.

Section 10

VISITATION AND MEMBERSHIP APPLICATION

- 10.01 Visitors may attend up to three regular Monthly Club Meetings. Thereafter visitors must either apply for membership or cease attendance. After submitting a Membership Application and appropriate dues payment to the Club, visitors may continue to attend Monthly Club Meetings until their membership is either ratified or denied. It is the responsibility of the Sergeant at Arms to keep an attendance record of visitors, enforce the three meeting visitation limit, and ensure that visitors follow the 14.02 protocols regarding Open, Closed, and Combined meetings.

10.02 New member applications and payments are received exclusively online through the club's official website. New member application fees amounts received during January through June are the same as regular yearly club dues amounts. For new membership applications received during the months of July through December, application fee amounts are one-half the yearly club dues amount.

10.03 All applicants must be recommended by at least two Active or Honorary Life Members of the Club who are in good standing.

10.04 Application for membership is an agreement to support the Constitution and Bylaws of the Club.

10.05 Within three months of application for Active and Junior membership, applicants must present a Qualification Demonstration at a regular Monthly Club Meeting. This demonstration is usually a short magic performance, but it may also be some form of other presentation to demonstrate the candidate's interest in magic. The Executive Vice-President and Program Chairman is responsible for scheduling all Qualification Demonstrations.

10.06 Immediately after the conclusion of an applicant's Qualification Demonstration, the candidate shall be escorted from the Monthly Club Meeting area by the Sergeant at Arms or other designated Club representative. The Club shall then discuss the candidate's application and vote on whether to grant membership. If approval is given, the candidate is escorted back into the meeting room and is congratulated. The new member shall be presented with his name badge as soon as possible. In the event that an applicant's membership is not approved, all monies received shall be returned to the applicant.

Section 11

DUTIES AND PRIVILEGES OF MEMBERS

11.01 Club members agree to exercise an interest in the organization, avoid exploitive use of its name or intention, and regulate their conduct toward the organization, fellow members, and the public.

11.02 Club members agree to the code of ethics as prescribed in Section 2, Objectives.

11.03 Any Club member may have a copy of the Club's Constitution and Bylaws.

Section 12

DUES

12.01 Money amounts for yearly Club dues for all membership levels are set by the Executive Committee. Yearly dues are payable the first day of January of each fiscal year and are collected exclusively online through the club's official website.

12.02 A "member in good standing" is defined as a member who has paid his membership dues and is not more than two months in arrears in paying his dues. Members whose dues are not paid before the first day of March are automatically suspended. Suspended members may not attend Monthly Club Meetings or other Club sponsored meetings and activities. A member whose dues

are unpaid for less than two years may pay his back dues and thereby be reinstated and retain continuous membership. A member in arrears for two years or more must reapply for membership.

12.03 Beginning no later than October, the Club shall start a campaign to collect membership dues for the following Club year. Notifications can include but not be limited to email notification, reminders on the Club's website, verbal notifications at Monthly Club Meetings, and notifications in the monthly FLASHPAPER Club newsletter.

Section 13

CONTRACTS, CHECKS, DEPOSITS, AND FUNDS

13.01 The Executive Committee may authorize any Officer(s) of the Corporation, or agent(s) to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation. Such authority may be general or confined to specific instances.

13.02 All checks, drafts, and orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation are signed by such Officer or Officers, agent or agents of the Corporation in such manner from time to time as determined by resolution of the Executive Committee. In the absence of such determination by the Executive Committee, such instruments are signed by the Treasurer and counter-signed by the President or a Vice President acting as President of the Corporation.

13.03 The Executive Committee may accept on behalf of the Corporation any contribution, gift, bequest, or devise for the general purposes, or for any special purpose, of the Corporation.

13.04 The Club funds used for the purpose of meeting normal expenses are designated as The Fort Worth Magicians Club Operating Account and is usually administered by the Club's Treasurer. Usually a checking account, this account may not exceed the amount determined by the Executive Committee. Only one signature is required for withdrawals from the Operating Account. Normally all withdrawals are made by the Treasurer, but in cases of emergency, withdrawals may be made by the President or a Trustee as signatories on the account, provided that any withdrawal is promptly reported in writing to the Treasurer. The Executive Committee must review and approve any withdrawals before they are made. No member may commit the Club to any fund disbursement without the approval of the Executive Committee.

13.05 All funds exceeding the limits set by Article 13.04 are put into a financial institution with safety of principle the primary objective. These funds are called Special Funds and are to be set up as follows:

13.05a Educational Account Maintained for the purpose of underwriting educational lectures, materials, and activities relating to the Art of Magic that benefit the Club's members, and increase their magical knowledge. Earnings within these funds within a calendar year are to be spent on Educational activities during the following calendar year unless otherwise directed by the Executive Committee.

13.05b Reserve Account Maintained for the purposes of augmenting any other account. The Executive Committee determines what it deems to be adequate balances in all accounts and any excess is transferred to the Reserve Account.

13.05c Convention Account Maintained for the purpose of underwriting the costs of any convention that the Club votes to sponsor or host.

13.05d Special Convention Account This account is usually a checking account and shall be designated as the Fort Worth Magicians Club Special Convention Fund. It is maintained only during the year or other period of time designated by the Executive Committee in which the Club sponsors the annual convention of the Texas Association of Magicians (TAOM). All TAOM registration fees are deposited in this account and all expenses related to sponsoring an annual convention of the TAOM are paid from this account. The Executive Committee may augment the fund if necessary, or temporarily transfer amounts not needed to an interest bearing account. Withdrawals from the Special Convention Fund require only one of two authorized signatures, either from the Treasurer of the Convention or one of the three Trustees who is placed as a signatory on the account. After all Convention expenses are paid, all funds remaining are transferred to the Convention account, and the checking account is closed.

13.05e Al Levulis Memorial Account Maintained to acknowledge on a yearly basis if warranted, at the January installation of officers meeting, an appropriate gift for the outstanding merit of a member in good standing of the club 25 years of age or younger. The Executive Committee shall decide by vote prior to the January officer installation if the award should be presented, who shall receive the award, and determine the gift to be given.

13.06 The Executive Committee is the final authority in determining who is authorized to deposit and withdraw funds from accounts.

Section 14

MONTHLY CLUB MEETINGS

14.01 The Fort Worth Magicians Club hosts a Monthly Club Meeting at the date, time, and place determined by the Executive Committee.

14.02 Monthly Club Meetings shall be designated as Open, Closed, or Combined.

14.02a Open A Monthly Club Meeting where magical secrets are not revealed. Any Club member in good standing or visitor may attend.

14.02b Closed A Monthly Club Meeting where magical secrets are revealed. Any Club member in good standing may attend. Visitors may attend if they can show proof of membership in a recognized magician's organization. Otherwise visitors must be noted as a practitioner of the art of magic and endorsed as such by one or more Club members in good standing and in attendance with the guest.

14.02c Combined A Monthly Club Meeting that is both Open and Closed. Attendees follow the protocols in 14.02a for the Open portion of the meeting, and the protocols in 14.02b for the Closed portion of the meeting.

14.02d When a meeting or portion thereof is scheduled as a Closed or Combined meeting, this designation is published on the Club's official website. If a designation is not published on the Club's official website, the meeting is Open only.

14.02e Verification of who may attend a Closed meeting or the Closed portion of a Combined meeting is the responsibility of the Sergeant at Arms.

14.03 As per 5.02, Executive Committee Meetings to manage and conduct the business affairs of the Corporation are held separately from Monthly Club Meetings so that the art and performance of

magic is the main focus at Monthly Club Meetings. However business may be conducted at Monthly Club Meetings when necessary, such as voting for elections and business matters that require the attention of the entire Club.

Section 15

SEAL

15.01 The Executive Committee provides a corporate seal bearing the name of the Corporation.

15.02 The corporate seal is maintained in the possession of the Secretary.

Section 16

LOGO

16.01 The Official Logo of the Fort Worth Magicians Club is as follows:



16.02 The purpose of the Official Logo is to provide a consistent and branded pictorial representation of the Fort Worth Magicians Club.

16.03 When a logo to represent the Fort Worth Magicians Club is used in documents, correspondence, communications, newsletters, flyers and other publications generated by the Club or its constituents thereof, only the Official Logo is used, and it shall not be generally altered, redrawn, or modified in appearance or content, except for size.

16.04 The Official Logo may be reproduced and used without permission by any individual, club, group, or organization, on websites and in publications, advertisements, flyers, newsletters, books, periodicals, letterheads; electronic or printed, to favorably reflect, promote, or advertise the Fort Worth Magicians Club, provided the logo is not generally altered, redrawn, or modified in appearance or content, except for size.

16.05 The Executive Committee is the final authority to determine proper use or abuse of the Official Logo.

16.06 The Official Logo is assessable and available for easy download from The Fort Worth Magicians Club official website.

16.07 The Official Logo is Copyright 2013 by the Fort Worth Magicians Club Inc. The smaller logos incorporated into the Official Logo of the Fort Worth Magicians Club titled International Brotherhood

of Magicians and the Society of American Magicians are the intellectual property and copyright of their respective organizations.

Section 17

GRIEVANCE

17.01 A member may be suspended, expelled, or disciplined for unbecoming conduct, breach of Club rules, violations of Section 2 Objectives, or violations of Section 11 Duties and Privileges of Members of Members.

17.01a At any regularly scheduled Executive Committee Meeting, any elected Officer of the Club can submit in writing to the Executive Committee allegations that a member of the Club may have offended the Club. The Executive Committee shall then discuss whether or not the allegations are valid. If the accused is in attendance at the Executive Committee Meeting, the member shall be asked to leave the meeting before the Executive Committee discusses whether or not the allegations are valid.

17.01b The Executive Committee officers in attendance at the Executive Committee Meeting then vote to determine whether the issue should be addressed further. If the majority vote rules in favor of action, a written copy of the charges are delivered to the accused member along with a written notice that he is to appear before the Executive Committee for a hearing at the date, time and place as determined by the Executive Committee. The Officers of the Executive Committee are also given written notice that charges have been filed against the member, and that the member has been asked to appear before the Executive Committee at the date, time and place prescribed.

17.01c If the accused member appears before the Executive Committee at the hearing as requested, the member may defend himself against the allegations. If the issue is resolved, no further action is taken. If the accused member does not appear at the hearing as requested, the Executive Committee shall once again evaluate the allegations. If one or more officers in attendance believe disciplinary action is warranted, the officers in attendance at the hearing vote on whether or not the issue should go before the entire Club membership. If the Executive Committee votes to sustain the charges, the Executive Committee then decides what disciplinary action it will recommend to the Club at a subsequent Monthly Club Meeting.

17.01d At the Monthly Club Meeting chosen, the Club members in good standing and in attendance at the meeting shall hear the allegations, conclusions, and Executive Committee's recommendations for disciplinary action. By a secret vote, the Active and Honorary Life Club members in good standing and in attendance at the meeting determine whether the charges and disciplinary action should be implemented. If the Club votes in favor of the disciplinary action, the disciplinary action is executed.

Section 18

AMENDMENTS TO BYLAWS

18.01 The Bylaws may be amended, changed, and new Bylaws adopted by a majority vote of the elected Officers present at any regular Executive Committee Meeting or Special Executive Committee Meeting.

18.02 At least seven days written notice must be given to the entire membership before intention to amend, change, or adopt new Bylaws at an Executive Committee Meeting.

18.03 The President has the Bylaws reviewed for revision at least every five years from the date of the previous revision or adoption.

Section 19

WAIVER OF NOTICE

19.01 Whenever any notice is required to be given under the provisions of the Texas Non-Profit Act or under the provisions of the Articles of Incorporation or by the Bylaws of the Corporation, waiver therein in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, are deemed equivalent to the giving of such notice.

Witnessed and adopted in January 2014 with seal and signature of its duly authorized Officers.

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