

**BYLAWS  
OF  
THE SOCIETY OF AMERICAN MAGICIANS ASSEMBLY NO. 112  
Also known as  
THE MOUNT DIABLO ASSEMBLY OF THE SOCIETY OF AMERICAN MAGICIANS**

**Adopted May 12, 2004, Amended April 18, 2012**

**GLOSSARY**

**Assembly quorum:** A quorum consists of 25% of the voting members as of the March meeting of each year. The quorum shall be recalculated each March.

**Board of Directors quorum:** A quorum consists of a majority of Board members.

**ARTICLE I**

**NAME**

The name of this Assembly is: The Society of American Magicians Assembly No. 112.  
It is also known as: The Mount Diablo Assembly of The Society of American Magicians.

**ARTICLE II**

**ORGANIZATIONAL STRUCTURE**

**Section 1.** Assembly No. 112 is a local assembly of the international organization named The Society of American Magicians.

**Section 2.** These Bylaws are subject to and subsidiary to the Constitution and Bylaws of The Society of American Magicians.

**Section 3.** The Assembly may vote to override the decision of the Board of Directors.

**ARTICLE III**

**PURPOSE**

The purpose of this Assembly is to promote communication within the fellowship of Magicians, to encourage the development of Magic as an art, and to enhance the image of Magic as an art within the community at large.

**ARTICLE IV**

**MEMBERSHIP**

**Section 1. Member.** Any person who is seriously interested in Magic as an art is eligible to apply for Assembly membership. All members of this Assembly shall also be members of The Society of American Magicians.

**Section 2. Classes of Membership.** There shall be the following classes of members:

- (a). Assembly members.** Those individuals eighteen years of age or older who have been accepted for membership as described below. They are entitled to all benefits and privileges of the Assembly, including the right to attend all Assembly functions, to vote, to hold office, and to serve on committees. Proxy voting is not allowed. Absentee voting shall only be allowed in election of officers.
- (b). Junior Assembly members.** Those individuals ages fourteen through seventeen who have been accepted for membership as described below. Junior members do not have the right to vote, hold office, or serve on committees, but are entitled to all other benefits and privileges of the Assembly.
- (c). Young members.** Those individuals ages 7 through 17 who have been accepted for membership as described below. Young members do not have the right to vote, hold office, or serve on committees, but are entitled to all other benefits and privileges of the Assembly. Young members shall remain under the sponsorship of the individuals initiating the application as described below, until they have attained the age of fourteen, at which time they may choose to become Junior Assembly Members.
- (d). Household members.** Those individuals who reside at the same address as an Assembly Member or Junior Assembly Member, and who have been accepted for Membership as described below. They shall have the same rights as the member upon which this membership is contingent.
- (e). Honorary members.** Those individuals who have made a substantial contribution to the progress and advancement of the Assembly, The National Society of American Magicians, and/or materially advanced the art of magic. The Board of Directors shall nominate and elect Honorary Members. Honorary Members shall have all the rights and privileges of an Assembly member but shall be exempt from any further payment of Assembly dues.

**Section 3. Application for Membership**

- (a).** Application for membership shall be made on the form provided by the S.A.M. National Council and subject to the requirements indicated on said application form. It shall be completed in full and contain the endorsement of two members in good standing.
- (b).** Upon review by a Board Member and payment of the required fees and dues, the Assembly shall forward the application to S.A.M. National headquarters. While awaiting approval of the National Council, the applicant may attend and participate in Assembly meetings, but may not vote. The applicant shall be considered a full member in good standing upon receipt of an official membership card.
- (c).** Annual membership dues for this Assembly shall be set by the Board of Directors. Membership dues in the Assembly are for the current calendar year. Dues for members who join after the first of the year shall be prorated on a quarterly basis. Renewals are due on January 1. Dues shall be set to cover normal operating expenses of the Assembly, including production and distribution of the Assembly newsletter.
- (d).** The Board of Directors may, under exceptional circumstances, arrange alternate methods of payment of dues.

#### **Section 4. Duties and Privileges of Members.**

- (a). It is the duty of every member to exercise an honorable interest in this Assembly, to avoid wrongful use of its name or authority, to regulate conduct toward the Assembly, fellow members, and the public in accordance with the objectives of this organization, and to conform to the oath of The Society of American Magicians.
- (b). Only members in Good Standing of this Assembly have the right to attend all business meetings and meetings of the Board of Directors and to speak before the Board of Directors to voice their opinions and concerns.
- (c). All members shall advise the Secretary of this Assembly of any change of contact information or membership status.
- (d). Only members in good standing shall be eligible to enter and compete in Assembly sponsored competitions, special events, and functions.

#### **Section 5. Member in Good Standing**

A member in good standing is one who's local and national dues have been paid, who has received an S.A.M. membership card, and who is not under suspension or expulsion. Any member whose local or national dues are more than 75 days in arrears shall be dropped from the membership roll of the Assembly. The member may be reinstated upon payment of all delinquent dues and a reinstatement fee as determined by the Board of Directors.

#### **Section 6. Suspension or Expulsion**

- (a). A member shall be automatically suspended for non-payment of dues, as described above. A member may also be suspended or expelled from the Assembly for unbecoming conduct or serious ethical violations. Suspension or expulsion requires a vote of two-thirds of the active membership attending a regularly scheduled and announced Assembly meeting with a quorum in attendance. The member being suspended or expelled for reasons other than non-payment of dues shall be notified in writing not less than 10 days prior to any meeting in which such action will take place. Such notification shall be mailed to the last known address of said member. The member may choose to be self-represented, have a statement of defense read, or to have a person with a written authorization present a defense at the meeting. Notice of suspension or expulsion shall be mailed to the member by Certified Mail, with a return receipt requested.
- (b). Suspended or expelled members shall have their prorated dues returned.

#### **Section 7. Reinstatement**

- (a). Members who have resigned or who have been suspended for non-payment of dues may be reinstated upon payment of dues for current year and a reinstatement fee as determined by the Board of Directors. Members suspended for other causes shall be reinstated automatically upon expiration of the term of suspension.
- (b). Members who have been expelled from the Assembly may not reapply for membership for a period of one year after their expulsion.

## ARTICLE V

### OFFICERS AND BOARD OF DIRECTORS

**Section 1.** The elected officers of this Assembly shall consist of President, First Vice President, Second Vice President, Secretary, Treasurer, and Sergeant-at-Arms. All elected officers shall be members in good standing of this Assembly.

**Section 2.** The management of the affairs of the Assembly shall be entrusted to a Board of Directors, which consists of the elected officers and a Member-at-Large representing the Assembly and appointed by the Board of Directors.

**Section 3.** No officer or member of the Board of Directors shall receive any compensation for any services performed for the Assembly unless approved in advance by the Board of Directors.

## ARTICLE VI

### DUTIES OF THE OFFICERS

**Section 1.** The **President** shall preside at all meetings of the Assembly and have general supervision of the business and affairs of the Assembly, subject to the Action of the Board of Directors. The President shall serve as the Chair of the Board of Directors and preside at all meetings of the Board. The President shall have the authority to approve nonbudgeted expenditures of funds up to \$250 per project. Should the President refuse to approve any legitimate expenditure, the Board of Directors may approve the expenditure by a majority vote provided that a quorum is present.

**Section 2.** The **First Vice President** shall assume and discharge the duties of the President in the absence of, incapacity of, or when called upon by the President. The First Vice President shall assume all other duties and responsibilities as assigned by the President.

**Section 3.** The **Second Vice President** shall assume and discharge the duties of the President in the absence of, incapacity of, the President and First Vice President, or when called upon by the First Vice President in the absence of the President. The Second Vice President shall assume all other duties and responsibilities as assigned by the President, or in the absence of the President, duties and responsibilities as assigned by the First Vice President.

**Section 4.** The **Secretary** shall keep a record of the proceedings of all Assembly business meetings and handle the correspondence for the Assembly.

**Section 5.** The **Treasurer** shall collect all dues, fees, assessments, levies, and fines, and shall keep true and accurate records of the Assembly's finances. The Treasurer shall be given invoices or receipts for all disbursements. The Treasurer shall report monthly to the Board of Directors the Assembly's bank account balances, accounts receivable, and accounts payable, and income and expense items. The Treasurer shall prepare a yearly budget.

**(a).** The Treasurer shall advise the President, Secretary, Sergeant-at-Arms, Editor of the Conjuror, and the National office of all new members of the Assembly.

(b). The Treasurer shall maintain an up-to-date list of current members.

(c). At the end of the term, the Treasurer shall submit all books, records, and papers to the Board of Directors.

**Section 6.** The **Sergeant-at-Arms** shall be responsible for monitoring the attendance and maintaining order at Assembly meetings. The Sergeant-at-Arms may provide name badges for members, and a sign-up sheet for guests may be provided. The Sergeant-at-Arms shall identify suspended or expelled members, bring them to the attention of the President, and request them to leave. The Sergeant-at-Arms shall also ensure that no non-Magicians are present at closed meetings where the secrets of Magic are discussed.

## ARTICLE VII

### DUTIES OF THE BOARD OF DIRECTORS

**Section 1.** The Board of Directors is empowered to conduct business on behalf of the Assembly. It is the intent of the Board of Directors to hold monthly business meetings at a time and place determined by the Board. Business meetings are open to all members. The Board of Directors shall approve all nonbudgeted commitment of funds between \$250 and \$1,000 per project. Commitments of funds in excess of \$1,000 per project shall be approved by the Assembly.

**Section 2.** For the conduct of Board business a quorum shall be present.

**Section 3.** The Board of Directors may appoint special Committees to assist the Board with management of the Assembly.

**Section 4.** The Board of Directors shall vote on the budget at the February meeting. The budget shall be made available to members in good standing upon request. The Board of Directors shall have authority to modify the budget at any time.

**Section 5.** The Board of Directors may appoint Delegates to National Council meetings.

## ARTICLE VIII

### NOMINATIONS

**Section 1.** The Board of Directors shall appoint a Nominating Committee.

**Section 2.** Nominations for each office shall be completed by the October Assembly meeting and published in the newsletter prior to the November meeting of the Assembly. The only requirement for a member's name to be placed in nomination is that the member be in good standing.

## ARTICLE IX

### ELECTIONS AND TERMS OF OFFICE

**Section 1.** Election of officers shall take place at the November Assembly meeting. Voting for contested offices shall be by secret ballot (in person or by absentee), and the candidate receiving the highest number of votes shall be the winner. Voting for uncontested offices shall be by either secret ballot or voice vote of the members. In the

event of a tie, the winner shall be chosen by picking cards from a deck, highest card winning (Ace high, deuce low, clubs low, then hearts, spades, and diamonds high).

**Section 2.** Each elected officer shall serve a term of office beginning January 1 following the election and extending through December 31 of that year.

## **ARTICLE X**

### **VACANCIES**

Should any Officer not be able to complete the term, or should a vacancy occur for any reason, the Board of Directors, by majority vote, may appoint a member of the Assembly to fill the vacancy for the remainder of the term. Vacancies shall be filled as follows: President filled by First Vice President, First Vice President filled by Second Vice President; and Second Vice President, Secretary, Treasurer, and Sergeant-at-Arms filled by appointment. The Board of Directors may also choose to leave the office vacant if it is not deemed essential to conducting the affairs of the Assembly.

## **ARTICLE XI**

### **MEETINGS**

**Section 1.** It is the intent of the Assembly to have a meeting once a month.

**Section 2.** For the conduct of Assembly business a quorum shall be present.

**Section 3.** This Assembly encourages the presence of guests at all open meetings. The Board of Directors shall establish a guest policy stating the conditions under which nonmembers of this Assembly may attend meetings and functions.

## **ARTICLE XII**

### **PARLIAMENTARY AUTHORITY**

The Rules of Order of this Assembly shall be governed by these Bylaws, or by the current edition of *Robert's Rules of Order Newly Revised* when not in conflict with these Bylaws.

## **ARTICLE XIII**

### **AMENDMENT OF BYLAWS**

**Section 1.** These Bylaws can be amended at any regular meeting of the Assembly by a two-thirds vote, providing a quorum is present, and provided that the amendment has been submitted in writing at the previous regular meeting and has been published in the Assembly newsletter at least thirty days before the vote is taken.

**Section 2.** Proposed changes in the Bylaws that are cosmetic in nature (for example, corrections of spelling, grammar or punctuation, stylistic changes to increase clarity, or elimination of sexist language), and that are not substantive (that is, making no changes in rules or procedures), may be approved by the Board of Directors in lieu of the amendment procedure in Section 1.