

# **ARKANSAS PROFESSIONAL BAIL ASSOCIATION**

Web: [www.arkansasbail.net](http://www.arkansasbail.net)

July 12, 2011

## **BYLAWS**

### **COMPOSITION OF THE ARKANSAS PROFESSIONAL BAIL ASSOCIATION AND OF THE EXECUTIVE BOARD:**

The Arkansas Professional Bail Association shall be composed of those individuals within the state of Arkansas, who are owners of a Bail Bond Company and members in good standing; members in good standing being members who have paid their membership dues for the current year.

#### **1) TIME OF ELECTIONS, MAKE-UP OF EXECUTIVE BOARD:**

All full members in good standing shall elect the members of the Executive Board (except Trustees) at the January meeting of that current year. Trustees are appointed by the President, at that same meeting.

##### **1.1) The Executive Board shall consist of:**

President  
Vice President  
Past President  
Secretary  
Treasure  
Sergeant at Arms  
Six Trustees

1.2) There shall be six (6) trustees appointed by the President after the election, at the January meeting. The trustees shall be members of the Executive Board. Their duties shall include a report at each quarterly meeting of the Executive Board, as to the activities of the Board.

#### **2) NUMBER, TERM ELECTION AND VACANCIES FOR THE EXECUTIVE BOARD:**

The direction and management of the day to day affairs of the Arkansas Professional Bail Association (hereafter referred to as A.P.B.A.) and the control and disposition of its properties and funds shall be vested in the Executive Board which shall consist of eleven (11) members as listed in 1). The term for each shall be one (2) years beginning in January of the current year. The initial

Executive Board shall be elected in January of 1982 and shall serve for two (2) years.

Each Executive Board Member shall serve for this term of office or until his successor is duly elected. A vacancy shall be declared in any seat on the Executive Board upon the death, disability rendering him permanently incapable of participating in the management and affairs of the Association, or the resignation of seat holder. The President shall appoint a member of the A.P.B.A. to fill the vacancy temporality, until the next regular meeting of the Association.

The members of the Executive Board must be over the age of twenty-one (21) and be a Company Owner who is also a Licensed Bondsman for the state of Arkansas, for the current year.

**3) QUARTERLY MEETINGS, SPECIAL MEETINGS, ORDER OF BUSINESS, EMERGENCY MATTERS, QUORUM FOR MEETINGS:**

The quarterly meetings of the A.P.B.A. shall be held on the second Tuesday of January, April, July, and October of each year, beginning in 1982. A Quorum must be present at all quarterly meetings for the business before the A.P.B.A. to be transacted; a quorum being at least six (6) company owners. For any Board, Executive Board, or Special Meetings a simple majority will be considered a quorum.

The purpose of the January meeting shall be to elect the Executive Board members for the current year and transact other business as may lawfully come before the body of the meeting. It shall be the duty of the Secretary of the Association to give at least ten (10) day notice of change of the date for the meeting.

- 3.1) Special meeting of the Executive Board shall be held when the President calls for a meeting and gives each member of the Board twenty four (24) hours notice. An agenda for the meeting shall be prepared by the Secretary and distributed to each member of the Executive Board.
- 3.2) All quarterly meetings and any special meetings called by the President shall follow Roberts Rules of Order. The Sergeant at Arms shall serve as Parliamentarian for all meetings, as conducted by Roberts Rules of Order.
- 3.3) The President may declare that any important information or any legislative action that requires the attention of the Association by deemed an Emergency and set a date for an Executive Board meeting.

3.4) A majority of the Executive Board shall constitute a Quorum for the transaction of business at all meetings convened according to these bylaws. No business shall be conducted by the Board unless a quorum is present. The act of the majority of the Board present at a meeting at which a quorum is present shall be considered the act of the Board.

**4) REMOVAL OF EXECUTIVE BOARD MEMBERS AND BOARD DISAGREEMENTS; UNEXCUSED ABSENCES, LEAVE OF ABSENCE, RESIGNATION:**

Unexcused Absences from three (3) meetings shall constitute a resignation. The Executive Board shall notify the absent member and replace him or her with a nomination from the President, presented for the Executive Board's approval at the next regular meeting.

Any member of the Executive Board may give his (or her) proxy in writing to another Board member in lieu of attendance.

4.1) For sufficient reasons, such as illness or a vacation, a member of the Executive Board may request a leave of absence. It must be presented in writing at a regular Board meeting before the time the member will be absent.

4.2) A written resignation shall be acted upon at the next regular meeting of the Executive Board or by acceptance by the President.

4.3) All Board disagreements shall be resolved by a two-thirds vote by the quorum present at a regularly scheduled Executive Board meeting, unless the President calls a special meeting. If there is not a two-thirds vote, the President of the A.P.B.A. shall make a final judgment.

**5) DUES AND ELECTION OF THE OFFICERS OF THE ARKANSAS PROFESSIONAL BAIL ASSOCIATION:**

In order to participate in any election, said company shall pay his or her annual dues of \$350.00 per company per year. All dues will be fully earned with no prorating or refunds. This gives each company 1 vote per office. When paying membership dues, a copy of the sole proprietorship, partnership, or corporate officers that is currently on file with the APBBLB must be provided to the APBA office. All company owners must have dues paid in full six months prior to any election or general business meeting if they wish to cast a vote. Any Company Owner or Corporate Officer may give his Proxy Vote to a licensed agent under their company, for any election or meeting, by submitting it in writing before the schedule meeting. The Proxy must be signed, dated, and notarized to be valid.

5.1) Each agent who completes the required beginning and continuing education requirements will be an Associate member with the A.P.B.A. at their option. The Associate Member may participate in any quarterly meetings and may serve on special committees at the will of the President. An Associate member has no vote in elections or general business.

5.2) Officers of the Arkansas Professional Bail Association shall be as follows:

President  
Vice President  
Past President  
Secretary  
Treasurer  
Sergeant at Arms

The A.P.B.A. shall elect the officers at the January meeting of the current year. Nominations will be accepted from the floor. The officers so elected shall hold office for a period of two years, from the time being elected until the election on their successors the following election year. Any company owner who is currently appointed to the Arkansas Professional Bail Bond Licensing Board will not be eligible to serve as an officer with the A.P.B.A.

**6) DUTIES OF ELECTED MEMBERS OF THE BOARD:**

The President, or in his absence, the Vice President, shall call meetings to order, and shall act as chairman of such meetings; in the absence of the Secretary the chairman may appoint any person present to act as secretary of that meeting.

***THE PRINCIPAL DUTIES OF THE OFFICERS ARE AS FOLLOWS:***

6.1) **PRESIDENT** - The President shall preside at all meetings of the A.P.B.A. He (or she) shall be the Chief Executive Officer of the A.P.B.A. and subject to the control of the Executive Board. He shall have general charge and supervision of the administration of the A.P.B.A. He shall see that all orders are put into effect. He shall sign and execute all legal documents and instruments in the name of the A.P.B.A. The President shall submit to the A.P.B.A. plans and suggestions for the work of the Association, shall direct its general correspondence, and shall present his recommendations in each case to the Executive Board for decisions. He shall submit a report to the Executive Board of all activities and business affairs of the A.P.B.A. Executive Board. He shall be reimbursed up to \$250.00 per month expenses for performance of his duties subject to

approval by the Executive Board. Any additional expense shall be voted on by general membership at quarterly meetings.

- 6.2) VICE PRESIDENT - The Vice President shall discharge the duties of the President in the event of the Presidents absence or disability for any cause whatsoever, and shall perform such additional duties as may be prescribed by the Executive Board. He (or she) shall monitor national and state legislative activities that may affect the Bail Bond profession. The Vice Presidents duties shall include promoting membership in the A.P.B.A. The Vice President shall receive no salary, but will be subject to the Presidential expense reimbursement, approved by the Executive Board.
- 6.3) SECRETARY - The Secretary shall have charge of the records and correspondence of the A.P.B.A., under the direction of the President. He (or she) shall give notice of and attend all meetings of the Executive Board. He shall discharge such other duties as are assigned by the President of A.P.B.A.
- 6.4) TREASURER - The Treasurer shall keep account of all monies, credits, and property of A.P.B.A. which shall come into his or her hands, and keep an accurate account of all monies received and discharged. Except as otherwise ordered by the Executive Board, he shall have the custody of all the funds and securities of the A.P.B.A. and shall deposit the same in such banks as the Executive Board shall designate. He shall keep proper records of account and other records showing at all times the amount of the funds and other property belonging to the A.P.B.A., all which records shall be open at all times to the inspection of the Executive Board. He shall also submit a report of the accounts and financial condition of the A.P.B.A. at each quarterly meeting, and at such other times as directed by the Executive Board. The Treasurer shall, under the direction of the Executive Board, disburse all monies and sign all checks and other instruments drawn on or payable from the funds of the association. The treasurer shall also make such transfers and alterations in the securities of the A.P.B.A. as may be ordered by the Executive Board. In general, the Treasure shall perform all the duties which are incident to the office of Treasurer, subject to the direction of the Executive Board, and shall perform such additional duties as may be prescribed from time to time by the Executive Board. In case of absence or disability of the Treasurer, the Executive Board may appoint an Acting Treasurer to perform the duties of the Treasurer during such absence or disability. He shall not be paid a salary but any expense incurred will be reimbursed at the direction of the Executive Board.

- 6.5) SERGEANT AT ARMS - The Sergeant at Arms will serve as parliamentarian at all meetings of the A.P.B.A. He (or she) shall advise the President that a quorum is present and shall maintain order during all meetings of the A.P.B.A.
- 6.6) The President of the A.P.B.A. may appoint such officers and agents in addition to those provided for in these Bylaws, as may be deemed necessary. These appointed officers and agents shall have such authority and perform such duties as shall be prescribed by the Executive Board. All appointive officers and agents shall hold their respective offices or positions at the pleasure of the Executive Board, and may be removed from office or discharged at any time with or without cause, provided that removal without cause shall not prejudice the contract rights, if any of such officers and agents.

**7) VACANCIES, COMMITTEES:**

Whenever a vacancy shall occur in any office of the Executive Board, such vacancy shall be filled by the Executive Board. The new officer shall hold office until his or her successor is elected in the regular January meeting.

- 7.1) The following shall be considered the standing committees of the A.P.B.A.:

The Executive Board  
Legislative  
Finance  
Membership and Grievance  
Internet  
Education Committee

The President shall appoint the members of all standing committees, and the completed committee shall select their own chairman. They shall keep minutes of their meetings and report their activities to the Executive Board from time to time, or when directed by the Executive Board. Appointments to standing committees shall be for the duration of the current year, starting in January (or when the committee was formed) to the following January, or until such time as they are dissolved by the Executive Board. The recommendations of the committees shall be advisory only and recommendations and actions of such committee shall not be binding upon the A.P.B.A. or the Executive Board.

7.2) The President shall appoint such special committee as are deemed necessary by the President or the Executive Board, and will appoint their chairman. The duties of such committees shall be considered advisory only and shall not be binding upon the A.P.B.A. or the Executive Board.

8) **FISCAL YEAR:**

The fiscal year of the A.P.B.A. shall begin on the first day of January in each calendar year and end on the thirty-first day of December of the same calendar year.

9) **AMENDMENTS:**

These Bylaws may be amended by the Executive Board at any meeting of the Executive Board by the affirmative vote of two-thirds majority of the Executive Board, provided that notice of the proposed amendment shall have been given to each voting member in writing or email at least fifteen (15) days prior to such meetings. The bylaws may be changed also at the annual meeting by a two-thirds majority vote of the paid members present of the A.P.B.A.

***Electronic Copy***

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John Mudoon, President

***Signed copy on file***

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Date Signed, August 9, 2011

Revised: 1993  
Revised: 1999  
Revised: 2004  
Revised: 2011