

CONSTITUTION AND BY-LAWS
Of the
ASSOCIATED SECURITY SERVICES AND INVESTIGATORS
OF THE STATE OF TEXAS

ASSIST
As amended March 24, 2006

ARTICLE I. NAME

SEC. 1 The official name of the Association shall be the Associated Security Services and Investigators of the State of Texas, Incorporated, a non-profit 501-C6 Corporation incorporated in the State of Texas and hereinafter referred to as the Association or ASSIST.

Offices of the Association shall be located in Austin, Texas and/or in such localities as may be determined by the Board of Directors.

ARTICLE II – PURPOSES, OBJECTIVES, and MISSION

The purposes and objectives of this Association shall be:

- SEC. 1 (A) To promote and encourage high standards, conduct and ethics of the security profession by means of study, discussion, and education regarding business activities and responsibilities.
- (B) To foster research and distribution of knowledge of the security profession among its membership, the general public, and to broaden public understanding of the security profession.
- (C) To foster, promote, maintain and encourage the civic, social, and economic welfare of the security profession and to support our system of free competitive enterprise and individual acceptance of responsibility.
- (D) To cooperate with Federal, State, and Local Government authorities for the good of the community and the security profession.
- (E) To cooperate with the scientific and educational institutions in matters of interest to the security profession.
- (F) To acquire, preserve, and disseminate data and valuable information relative to the functions and accomplishments of this Association and its members.

- (G) To cooperate with local, regional and national associations with common interest in the welfare of the security profession.
- (H) To undertake such other functions consistent with the By-laws that will advance the efficiency of the Association's members.

SEC. 2 The Association shall never form or enter into any agreement, understanding, combination, or any other form of action designed to limit production, fix prices, suppress competition, nor in any other manner restrain or monopolize trade or commerce, nor shall the Association engage in any act or acts which might be in contravention of law or good business practices.

SEC. 3 Mission - **ASSIST** is committed to the enhancement of security services for Texas citizens. We are dedicated to promoting and safeguarding high-standards of services in the security profession through quality training programs for licensees, managers, and security officers; championing of appropriate legislative and continuous improvement initiatives; and promoting and sustaining constructive dialogue among security professionals in Texas.

ARTICLE III - MEMBERSHIP

SEC. 1 Voting Membership Qualification: Membership in the Association shall be composed primarily of those licensed by or registered with the Texas Private Security Bureau or those who have been voting members of ASSIST and are no longer licensed or registered and are recommended for continued voting membership by their Regional President. Those requiring such licensing or registration must be in good standing with the Bureau.

Voting Membership: Regular Voting Membership in the Association shall be available to any eligible individual, partnership, firm or corporation engaged in the business as required to have a license governed by the Texas Private Security Board. Each Bureau licensee shall be allowed three regular members.

Regular voting memberships will be designated at the time of application as individual or corporate.

An individual membership shall be retained by the member until it expires. Corporate memberships shall be transferable by the licensee upon the termination or separation of the member. The terminated or separated member may convert to an individual membership by paying the prorated amount due for the remainder of the unexpired membership period. Life Voting Memberships may be conferred upon any individual upon the recommendation of the Board of Directors and approval of three-fourths of the members present and voting at the Annual Meeting of the Association. Life membership shall be granted only to individuals who have made outstanding contributions to the Association. Life members shall not be expected to pay dues or assessments.

SEC. 2

Non-Voting Membership Qualifications: Membership in the Association Shall be comprised of these individuals who have an interest in the security and investigations profession and do not hold a voting or lifetime membership. The following membership classes shall have no vote and are not eligible to hold office in the Association:

(A) Associate Non-Voting Member: An Associate Non-Voting Membership shall be available to management and supervisory personnel employed by a Regular Voting Member.

(B) Associate Vendor Membership: An Associate Vendor Membership shall be available to any individual, partnership, firm or corporation who is not engaged directly in a business governed by the Texas Private Security Bureau, but who may supply any services, products, or equipment to any membership category.

(C) Associate Employee Membership: Associate Employee Memberships shall be available to security officers and private investigators who otherwise do not qualify as Associate Non-Voting Members.

(D) Affiliated Membership: Affiliate Memberships shall be available to educators and government officials who have a special interest in the security or private investigative profession and also to individuals engaged in the security profession but who earn less than 50% of their income as a result of this endeavor.

(E) Lifetime Honorary Membership: An Honorary Membership may be conferred upon any individual upon the recommendations of the Board of Directors and approval of three-fourths of the members present and voting at the annual meeting of the Association. Honorary membership shall be granted only to individuals who have made outstanding contributions to the security profession or the Association. Honorary members shall not be expected to pay dues or assessments.

SEC. 3 Membership Procedures: Acceptance for membership in the Association in all categories shall be by the Board of Directors. Applications, accompanied by payment of dues, shall be submitted to the Board of Directors in writing or on the ASSIST website.

SEC. 4 Removal: Members of any classification may be removed from membership by the Board of Directors for cause by two-thirds vote of those present. For any cause other than non payment of dues, removal shall occur only after the member to be removed has been given reasonable opportunity for defense (through the Grievance Committee procedure), and such member, if removed, may appeal the decision of the Board to the Annual Meeting of the Association, providing that notice of intent to appeal is provided to the President and/or Secretary at least ten (10) days in advance of the meeting.

SEC. 5 Reinstatement: A former member desiring a continuous membership record may be reinstated on showing proof of qualifications and paying all dues in arrears. If, however, a continuous membership record is not desired, the member may be reinstated on showing proof of qualification and paying current year's dues in full.

SEC. 6 Resignation: Any member may resign by filing a written resignation with the President and/or Secretary, but such resignation shall not relieve the member so resigning of the obligation to pay any dues or other charges theretofore accrued and unpaid.

ARTICLE IV - ORGANIZATION RELATIONSHIPS

SEC. 1 Local Associations: Local Associations shall be known as Regions of ASSIST following approval by the State Association's Board of Directors. The By-Laws of these regions must be consistent with the State By-Laws and approved by the Board of Directors.

SEC. 2 National Association: A relationship determined by the Board of Directors shall be maintained with the industry related national associations.

ARTICLE V - DUES

SEC. 1 Establishment of Dues: Dues and admission fees, if any, for all classes of membership shall be established by the Board of Directors. Dues shall become due and payable January 1st of each calendar year. Dues notices will be sent to all members on or about November 1st for the following year.

SEC. 2 Delinquency and Cancellation: Any member of the Association who is delinquent in dues for a period of thirty (30) days from the time dues become due shall be notified of such delinquency and suspended from further services. If payment of dues is not made within the next succeeding thirty (30) days, the delinquent member shall be dropped from the rolls and thereupon forfeit all rights and privileges of membership, unless such is waived by affirmative action of the Board of Directors at the request of the member. Those members paying their dues after this deadline will be charged a \$25 delinquency fee.

SEC. 3 Refunds: No dues shall be refunded to any member whose membership terminates for any reason.

SEC. 4 Prorating: Those Voting Members joining the Association for the first time After July 1st and before December 31st are eligible to pay one-half (1/2) of the applicable dues the current year.

The conversion from a corporate regular voting membership to individual voting membership shall be eligible for proration on a quarterly basis.

ARTICLE VI - CONVENTIONS AND MEETINGS OF MEMBERS AND VOTING

SEC. 1 Conventions: Conventions and/or Meetings of the Association shall be held at such place as may be determined by the Board of Directors. The Annual Convention shall be held on or about the first weekend in October of each calendar year

SEC. 2 Special Meetings: Special meetings of the Association may be called by the Board of Directors at any time; or shall be called by the President upon the receipt of a written request by twenty-five (25) regular members, within thirty (30) days after the filing of such request with the Secretary or President. The business to be transacted at any special meeting shall be stated in the notice thereof, and no other business may be considered at that time.

SEC. 3 Regional Meetings: Regional Meetings of the Association may be held at such time and place as shall be approved by the Board of Directors.

SEC. 4 Notice of Meetings. Written notice of any meeting of the Association shall be mailed or emailed to the last known address of each member not less than twenty (20) days before the date of the meeting. Such notice shall also be placed on the ASSIST Website no less than twenty (20) days before the date of the meeting.

- SEC. 5 Voting: At all meetings of the Association each regular voting member shall have one (1) vote and may take part in person only. Unless otherwise specifically provided by these By-laws, a majority vote of those regular voting members present and voting shall govern. Only regular voting members in good standing shall be eligible to vote.
- SEC. 6 Voting by Mail: Proposals to be offered to the regular voting members for a mail vote, excluding election ballots, shall be approved by the Board of Directors. On any mail vote, a response of no less than twenty percent (20%) of all regular members casting a ballot shall constitute a valid action and a majority of those voting shall determine the action.
- SEC. 7 Quorum of Members: At an annual or special meeting of members, a quorum shall consist of those regular voting members present and no less than 51% of State Officers.
- SEC. 8 Cancellation of Meeting: The Board of Directors may cancel any Annual or Special Meeting for cause. In the event of cancellation of the Annual Meeting, the Secretary shall mail or email to the membership the written report of the Nominating Committee, allowing (15) days for filing of additional nominations endorsed by any ten (10) members in writing. Thirty (30) days thereafter, a mail ballot of regular members shall be conducted to elect officers and directors and the Secretary shall verify their election.
- SEC. 9 Rules of Order: The meetings and proceedings of the Association shall be regulated and controlled according to ROBERTS RULES OF ORDER (Revised) for parliamentary procedure, except as may be otherwise provided by these By-laws.

ARTICLE VII -OFFICERS

- SEC. 1 The state officers elected by the membership of this Association shall be a President, Executive Vice President, Vice President, Treasurer, Secretary, and Regional Coordinator, all to be elected at the Annual Meeting of the Association on legislative session years and to serve until their successors have been duly elected and assume office.
- The local regional officers elected by the membership of this Association shall be elected in the month proceeding the Annual Meeting of the Association on legislative session years and to serve until their successors have been duly elected and assume office.
- SEC. 2 Officer elected by the Board of Directors: The office of Past President may be filled only by the immediate Past President at the discretion of the Board of Directors at their first called Board meeting.

SEC. 3 Qualifications for State Office: Any regular voting member in good standing for at least twelve consecutive months shall be eligible for nomination and election to any state elective office.

SEC. 4 Nomination and Election of Officers: The Nominating Committee's slate of officers shall be mailed or emailed and posted on the Assist Website to the membership by August 1st in advance of the annual meeting. Any person so nominated shall have given his/her prior consent to nomination and election as any officer. Additional nominations may be made from the floor for any office except the office of President.

SEC. 5 Term of Office: Each elected state officer shall take office immediately upon installation and shall serve for a term of two (2) years or until his/her successor is duly elected and qualified. Each elected state officer shall serve as a member of the Board of Directors.

Each elected local regional officer shall take office immediately upon installation and shall serve a term of two (2) years or until his/her successor is duly elected and qualified. The President of each local region shall serve as a member of the Board of Directors.

SEC. 6 Vacancies - Removal: Vacancies in any elective office may be filled for the balance of the term thereof by the Board of Directors at any regular or special meeting. The Board of Directors, at its discretion, by a two-thirds vote of all its members present, may remove any officer from office for cause.

ARTICLE VIII - DUTIES OF OFFICERS

SEC. 1 PRESIDENT: The President shall be the chief executive officer of the Association and shall have supervision, direction, and control of the business and affairs of the Association. The President shall initialize each Agenda and the State Conventions Agenda for any and all state meetings that include the Board of Directors or ASSIST Members. The President shall meet with as many regions as necessary during the term, but not less than one visit annually to each region. The President shall encourage the Board of Directors, ASSIST Members and the Security Profession to continually improve the security profession and be pro-active at all times. The President shall be responsible for promoting the goodwill of the Association and maintaining a favorable liaison with the Texas Private Security Bureau. The President shall preside at all state meetings and shall be a non-voting member of all standing committees and appointed committees, and shall have such other powers and duties as may be prescribed by the Board of Directors or by the By-Laws.

SEC. 2 EXECUTIVE VICE PRESIDENT: The Executive Vice President shall succeed to the Presidency in the event of death, resignation, or permanent incapacity of the President. He/She shall co-chair the Legislative Committee. The Executive Vice President shall perform other duties as are assigned by the Board of Directors.

SEC. 3 VICE PRESIDENT: There shall be one (1) Vice President who shall be responsible for parliamentary procedures at all meetings. The Vice President shall chair the Convention Committee. The Vice President shall co-chair the Legislative Committee. The Vice President will coordinate the convention at the State level. The Vice President shall perform other duties as are assigned by the Board of Directors.

SEC. 4 TREASURER: The treasurer shall be in charge of the Association funds and financial records, keeping up to date records on all accounts receivables and payables. He/she shall reconcile monthly bank statements, transfer funds to appropriate accounts, receive membership dues received from online payment services, prepare and present financial statements to the State Board, and maintain control over dues notices as per Article V of these By-Laws. Upon receipt of dues, the treasurer shall send membership information to the Membership Services Director on a weekly basis. He/She shall prepare information for year end taxes and send to accountant no later than March 1st, each year. At the end of each fiscal year, the Treasurer shall prepare an annual report.

The Treasurer shall maintain records and distribute funds received for the annual convention paid through the online payment service. At the expiration of the term of office, he/she shall deliver over to his/her successor all books, money, and other property in his/her charge, or in the absence of a successor, he/she shall deliver such properties to the President. An audit may be called for by the Board of Directors. The Treasurer shall perform other duties as are assigned by the Board of Directors.

SEC. 5 SECRETARY: The Secretary shall be responsible for the proper and legal mailing of all notices to members. The Secretary shall see to the proper recording of proceedings of meetings of the Association's Board of Directors and all committees; and carry into execution all orders, votes and resolutions, not otherwise committed. The draft report will be sent to each Board of Director within 14 days of the meetings and 30 days after the meeting a final copy will be sent to each Board of Directors. The secretary shall be prepared to read the minutes from the prior meeting for acceptance. The secretary shall maintain the official minutes of all Board of Directors and Business Meetings. The Secretary shall keep the seal of the Association and perform other duties as assigned by the Board of Directors.

SEC. 6 THE REGIONAL COORDINATOR: Will present to the Board proposed new region locations and assist regional officers in conforming to the standards of the Association, and have the responsibility of overseeing all regions by periodically monitoring attendance, and continuing education for the purpose of improving attendance, and C.E., to assist the Regional Presidents as direct coordinator and liaison in problems they may have or for improvement of the Regions. The Regional Coordinator should attempt to visit each region meeting at least once during the term of election.

SEC. 7 PAST PRESIDENT: The Past President, if elected by the Board of Directors, shall be available for council and advice to the president. He/She shall if needed, Chair any special, high profile committee. He/She shall perform other duties as assigned by the Board of Directors.

ARTICLE IX - BOARD OF DIRECTORS

SEC. 1 Authority and Responsibility: The governing body of this Association shall be the Board of Directors. The Board of Directors shall have supervision, control and direction of the affairs of the Association, its committees and publications and shall determine its policies or changes therein and shall actively prosecute its objectives and supervise the disbursement of its funds. The Board may adopt such rules and regulations for the conduct of its business as shall be deemed advisable.

SEC. 2 Composition: The Board of Directors shall consist of the President, Executive Vice President, Vice President, Treasurer, Secretary, Regional Coordinator, Past President (if elected by the Board of Directors), plus the President from each formally affiliated Local Region or his/her designee.

SEC. 3 Manner of Election and Term: Local Regions will hold elections in the fourth quarter of the legislative session year in order that they be installed and begin serving their two-year term of office.

SEC. 4 Quorum of the Board: At any meeting of the Board of Directors no less than 51% of the members of the Board shall constitute a quorum for the transaction of the business of the Association and any such business thus transacted shall be valid providing it is affirmatively passed upon by a majority of those present.

- SEC. 5 Meetings of the Board: A regular meeting of the Board of Directors shall be held no less than three (3) times during each administrative year at such time and at such place as the Board may prescribe. Notice of all such meetings shall be given to the directors not less than 10 days before the meeting is held. Special meetings of the Board may be called by the President or at the request of any three (3) Directors, by notice mailed, emailed delivered, telephoned, or faxed to each member of the Board of Directors not less than twenty-four (24) hours before the meeting is held.
- SEC. 6 Voting rights of a Director shall not be delegated to another nor exercised by proxy.
- SEC. 7 Voting by Mail: Action taken by mail ballot of the members of the Board of Directors, in which at least a majority of such Directors, in writing, indicate themselves in agreement, shall constitute a valid action of the Board if reported at the next regular meeting of such Board.
- SEC. 8 Absence: Any elected officer or director who shall have been absent from two (2) consecutive regular meetings of the Board of Directors during a single administrative year shall automatically vacate the seat on the Board of Directors and the vacancy shall be filled as provided by the By-laws; however, the Board of Directors shall consider each absence of an elected officer or director as a separate circumstance and may expressly waive such absence by affirmative vote of a majority of its members.
- SEC. 9 Vacancies and Removal: Any vacancy occurring on the Board of Directors shall be filled by the Board of Directors. A director so appointed to fill a vacancy shall serve the unexpired term of his predecessor. The Board of Directors may at its discretion, by affirmative vote of two-thirds of its members present, remove any director for cause.
- SEC. 10 Compensation: The Board of Directors shall not receive any compensation for their services. Reimbursements may be made for actual travel expenses and other expenses, as approved the Board of Directors.

ARTICLE X. - SPECIAL AND STANDING COMMITTEES

- SEC. 1 Nominating Committee: The President shall appoint a Nominating Committee, which shall consist of a chairperson and four (4) regular members. With the approval of the Board of Directors the committee members shall be announced to the membership within five (5) months prior to the Annual Meeting of the legislative year.

The Nominating Committee shall invite nominations from the membership for those offices, which are vacant or about to expire, allowing at least thirty (30) days for nominations. The Nominating Committee shall then nominate candidates who have made an affirmation to duly serve and who have been a regular voting member for a period of twelve (12) consecutive months for the required offices of the Association as provided in these By-law. The committee shall report, in writing, such nominations to the membership at least fifteen (15) days prior to the Annual Meeting. Said nominations shall be voted upon at the Annual Meeting in the legislative year by the regular voting members as these By-laws prescribe.

SEC. 2 Budget and Finance Committee: The Budget and Finance Committee shall consist of the Treasurer and two (2) regular voting members appointed by the President and approved by the Board of Directors. The Treasurer shall serve as Chair. The Committee may perform such duties in connection with the finances and budget of the Association as the Board may determine from time to time.

SEC. 3 Grievance Committee: The President, with the approval of the Board of Directors, shall appoint a Grievance Committee consisting of a chairperson and two (2) regular voting members of the Association.

Any member who shall have a grievance relating to this Association shall submit same, in writing, to the Chairman of the Grievance Committee, describing in detail the grievance involved. The Chairman shall submit same to the Grievance Committee for its findings and recommendations.

All grievances will be acted upon in a timely and expedient manner.

All findings and recommendations of the Grievance Committee shall be submitted to the Board of Directors; the Board of Directors shall take appropriate action.

SEC. 4 Legislative Committee: The Executive Vice President and the Vice President shall Co-Chair the Legislative Committee. The Committee shall keep abreast of all matters and developments pertaining to legislation affecting the Security and Private Investigation profession. They will direct the efforts and energy of all committee members to carry out the legislative initiatives approved by the Board of Directors. The committee shall make regular reports to the Board of Directors during the legislative session.

SEC. 5 Membership Committee: The Regional Coordinator shall chair the Membership Committee, comprised of at least one (1) designee from each locally affiliated region. The Committee shall endeavor to promote membership in the Association.

SEC. 6 Special Committees: The President, with the approval of the Board of Directors, shall appoint such committees, sub-committees or task forces as are necessary and which are not in conflict with other provisions of these By-laws, and the duties of any such committees shall be prescribed by the Board of Directors upon their appointment. It is recommended that the President have a member of the Board of Directors chair each committee

SEC. 7 Safety Group Committee: The President, with approval of the Board of Directors, shall appoint a Safety Group Coordinator to chair the Safety Group Committee. The committee shall consist of the Safety Group Coordinator and two (2) regular voting members approved by the Board of Directors. The committee shall keep abreast of all matters and developments pertaining to security and investigation insurance matters. The committee shall make regular reports to the Board of Directors.

ARTICLE XI – EXECUTIVE DIRECTOR

SEC. 1 Appointment: The Board may retain or employ an Executive Director, whose term and conditions of employment shall be specified by the Board of Directors.

SEC. 2 Authority and Responsibility: The Executive Director shall manage and direct such activities of the Association as prescribed by the Board of Directors and shall be responsible to the Board. The employment of any additional staff members must be approved by the Board of Directors. As Executive Director, he/she shall define the duties of the staff, supervise their performance, establish their titles and delegate those responsibilities of management as shall in his judgment, be in the best interest of the Association.

SEC. 3 Duties: At the request of the Board of Directors, he/she may supplement and assist officers and established committees in their assigned objectives and may serve as an ex-officio member of committees without voting.

SEC. 4 Legal Counsel: The Association may retain a General Counsel for consultation in connection with activities and problems of the Association. Terms and conditions of employment shall be specified by the Board of Directors.

ARTICLE XII – FINANCE

SEC. 1 Fiscal Period: The fiscal period of the Association shall be prescribed by the Budget and Finance Committee with the approval of the Board of Directors.

SEC. 2 Bonding: Trust and surety bonds shall be furnished for the President, Treasurer and such other officers or employees of the Association as the Board of Directors shall direct. The amount of such bond shall be determined by the Board of Directors and the cost paid by the Association.

SEC. 3 Budget: With recommendation of the Budget and Finance Committee, the Board of Directors shall adopt, in advance of the next fiscal period, an annual operating budget covering all activities of the Association. The Treasurer shall furnish the membership at the convention following the end of each annual fiscal period a financial report for the year just completed.

SEC. 4 Audit: The accounts of the Association may be audited by a Public Accountant who shall be appointed by the President with the approval of the Board of Directors and who shall provide a report to the Board of Directors.

SEC. 5 Assessments: All assessments shall be on a voluntary basis.

ARTICLE XIII – DISSOLUTION

SEC. 1 In the event three-fourths (3/4ths) of the voting members in good standing of this Association shall vote to dissolve this Association, then and in that event the Association shall be forthwith dissolved.

SEC. 2 In the event of dissolution as above provided, the assets of this Association shall be liquidated by the Treasurer or such other person as may be appointed by the President, and funds from such liquidation shall be disbursed (after all outstanding debts have been paid) to the existing local regions; each local region shall receive equal portions of the funds available to be distributed to each current voting member.

ARTICLE XIV – AMENDMENTS

SEC. 1 These By-Laws may be amended or replaced by a two-thirds vote of the regular voting members at any meeting of the Association duly called and/or regularly held. Amendments may be proposed by the Board of Directors on its own initiative, or upon petition of any twenty-five (25) regular voting members addressed to the Board. All such proposed amendments shall be presented by the Board to the membership with or without recommendation.



ASSOCIATED SECURITY SERVICES & INVESTIGATORS OF THE STATE OF TEXAS, INC.

BOARD OF DIRECTORS

President: Dave Scepanski
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(915) 751-6811

Executive Vice President: Bob Burt
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(713) 944-6210

Vice President: Dave Parker
vpresident@assistexas.org
(713) 229-0200

State Secretary: Jaime Ochoa
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(956) 544-4726

State Treasurer: Susan Griswold
treasurer@assistexas.org
(281) 970-7768

Regions Coordinator:
Kathy McReynolds
regionscoordinator@assistexas.org
(817) 335-3046

Past President: Walt Roberts
pastpresident@assistexas.org
(469) 533-3211

REGIONAL PRESIDENTS

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El Paso Region
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Gulf Coast Region
Ruben Amaya
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North Texas Region
Bob Kenney
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Rio Grande Valley Region
Dan B. Flores
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South Texas Alamo Region
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By-Laws adopted on this 24th day of March 2006

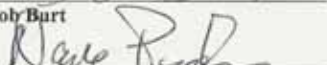
President


Dave Scepanski


Executive Vice President


Bob Burt


Vice President


Dave Parker

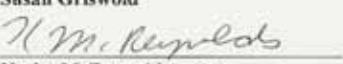
Secretary


Jaime Ochoa


Treasurer


Susan Griswold

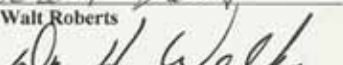
Regional Coordinator


Kathy McReynolds


Past President


Walt Roberts

Central Texas Region President


Dan Walker

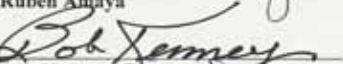
El Paso Region President


Ben W. Bradford


Gulf Coast Region President


Ruben Amaya

North Texas Region President


Bob Kenney

Rio Grande Valley Region President


Dan Flores

South Texas Alamo Region President


Pete LaBonte