

BYLAWS
SAMPLE @ COUNCIL & BOARDS/COMMITTEES

.....

BYLAWS of the
_____(Name)_____ Church of God, _____(city)_____, _____(state)_____.

PREAMBLE ... (A statement of purpose)

These bylaws will govern the business activities of the Association (corporation, if incorporated) known as the _____ Church of God, located at _____ Street, _____, and _____, in _____ county.
We, members of the _____ Church of God, have assembled in order to establish a regular method for conducting the business of this Association (corporation, incorporated) under the laws of the State of _____, and in order to provide for a Board of Directors, which may lawfully represent us in the transaction of the business of this church.

ARTICLE I: IDENTIFICATION ... (Legal name & who affiliated with)

SECTION 1. The name of this Association (corporation, if incorporated) shall be the _____ Church of God, hereinafter referred to as the "church."

SECTION 2. The post-office address of the principal office of the Church is: _____.

SECTION 3. We, as a local church body, acknowledge our identity and affiliation with the General Assembly of the Church of God in _____, whose national offices are located in Anderson, Indiana.

ARTICLE II: PURPOSE

SECTION 1. The purpose of this Association (corporation, if incorporated) (as organized under these bylaws) is to promote and propagate the Gospel of Jesus Christ, whose teachings, beliefs, and doctrines are founded upon the Bible. To win the lost to Jesus Christ, teach and disciple believers, worship & glorify God, and become servants in the Church, Community and World.

SECTION 2. The purpose of these bylaws is to provide for the legal business aspect of the church's work and matters of church program as outlined in this document and in harmony with the church purpose defined in the preceding Section. Lawful purposes for this church shall include, the holding of real estate, the collecting and disbursing of money, and the appointing and directing agencies necessary for the fulfillment of the church's overall purpose.

ARTICLE III: MEMBERSHIP ...

(A definition of membership in the Association or Corporation)

SECTION 1. For the purpose of worship, the membership shall consist of all persons who have an individual Christian relationship with Jesus Christ – regardless of age- who may desire to worship with this local congregation.

SECTION 2. The members of this Association (corporation, if incorporated), who shall have the right to vote in its business meeting must meet the following conditions except as hereinafter provided:

- a. They shall be sixteen (16) years of age or older.
- b. They shall have worshiped regularly in this Church for a period of, at least, six (6) months preceding any election.
- c. They must claim to be in possession of a personal experience of salvation.
- d. They must be in harmony with the general purpose, standards, doctrines, and beliefs as held by the _____ Church of God and the general Church body defined in Article I, Section 1.

SECTION 3. All persons shall be regarded as voting members of this Association (Corporation, if incorporated), upon their declaration of eligibility as defined by Section 2 above. This declaration shall be by means of registering with the secretary prior to the meeting. This list of voting members shall be subject to the approval by the Association (Corporation, if incorporated) and incorporated into the minutes.

SECTION 4. The Association (Corporation, if incorporated) may, by a three-fourths majority business session vote, waive the provision in Section 2 concerning six (6) months previous church attendance and membership.

SECTION 5. The right of any person to voting membership may be challenged during any business meeting by any other member. In such a case, the right of voting membership shall be determined by a three-fourths majority vote of the members present and voting.

SECTION 6. The rules governing membership herein shall apply to the business organization only and shall not affect, in any way, standing of members in fellowship of the church.

ARTICLE IV: OFFICERS (INCORPORATION IS STRONGLY RECOMMENDED)

(Please refer to State law)...(recommended no less than three (3) ... President, Secretary, Treasurer)

SECTION 1. The officers of this Association (corporation) shall consist of a President, Vice-President, Secretary, and Treasurer. All officers shall serve one-year terms of office. In no event, may any officer serve more than five consecutive terms – he/she must stand down for a period of one year before again being nominated.

SECTION 2. The President of the Association (Corporation) shall be appointed to office by a majority vote of the Church Council, as hereinafter defined. The President shall then select a Vice President, a Secretary, and a Treasurer of the Association (Corporation) and such officers, once selected, shall also serve as the Finance Committee for the Church as further defined in Article VI.

ARTICLE V: CHURCH COUNCIL ...

(Proper name & responsibility of the Governing Body)

SECTION 1. The Church council shall be composed of a minimum of five (5) members. The congregation shall elect four of the members, and the fifth member shall be the Pastor of the congregation. Each member, excluding the Pastor, shall be referred to as a Deacon or Deaconess as described in the Bible (I Tim. 3:8-12; Phil 1:1). Other and further members may be added to the Church council by using a 1 to 20 ratio of new members of the board to the congregation-at-large.

SECTION 2. The officers of the Church council shall consist of a Chairman, a Vice-Chairman, and a Secretary. The Senior Pastor of the congregation, by virtue of his/her spiritual responsibility to God over the Church, shall serve as Chairman. The Vice-Chairman shall be chosen from among the members of the Church council, and will be elected by a majority vote of such council at its first meeting following the Annual Church Business Meeting. He/she shall act as Chairman of the Council in the event that the Pastor is absent or unable to function in his/her capacity as Chairman. He/she shall be the Chairman of the Finance Committee. In the event of the resignation of the Senior Pastor, the Vice Chairman will act as the Chairman of the council appointed Pulpit Committee. The Secretary shall be chosen by a majority vote of the Church council at their first regular meeting following the Annual Church Business Meeting.

SECTION 3. The duties of the Council shall be as follows: **A.)** Monitor, evaluate, and govern all ministries of the Church; **B.)** Evaluate the merits of a problem or suggestion presented in writing to the Council by any member of the Church; **C.)** Choose, from among its members, the Chairpersons of the following Boards/Committees: 1. Program and Outreach Board/Committee; 2. Finance Board/Committee; 3. Christian Education Board/Committee; 5. Building and Grounds Board/Committee; **D.)** When a pastoral change occurs, or, when the need arises, the Council shall appoint two (2) to serve with the Vice Chairman on the Pulpit Committee for the Church. The members of the congregation must ratify the Pulpit Committee appointments; **E.)** In case of a vacancy on the Council, Council members may appoint a replacement for the remainder of the un-expired term by a majority of the remaining membership.

SECTION 4. The Church Council shall meet, at least, once per calendar quarter.

ARTICLE VI: BOARDS/COMMITTEES

... (A working, descriptive structure) (NOTE: Titles and responsibilities will vary per local congregation)

SECTION 1. Program and Outreach Board/Committee. The Program and Outreach Committee shall consist of, at least, three members and shall have responsibilities for the following areas: Revivals & Evangelism; Operation of Church Office; Visitation Program & Outreach; Church Social Life; Church calendar; Advertising; Music; Communion preparation.

SECTION 2. Finance Board/Committee. The members of the Finance Committee shall also be the officers of the Association (Corporation), and shall perform all necessary and proper duties and functions required by state law. It is, specifically, desired that this committee shall fulfill the functions normally performed by a Board of Directors within the meaning of the _____ State Code relating to not-for-profit organizations (Corporations). In addition, the Finance Committee shall have the following other responsibilities: 1.) Budgeting. They shall be responsible for developing an operating budget for the church each year. At least one member from each of the four major committees shall serve on this Budget Committee. The budget will be presented to the Church for approval at the Annual Church Business Meeting; 2.) Accounting and

Banking procedures; 3.) Budget control; 4.) Supervision of purchasing; 5.) Increase of Church stewardship; 6.) Tax records; 7.) Ownership and transfer of all real property. It shall be responsible for safeguarding the real estate property owned by the Church in the manner recommended by the General Assembly of the Church of God which meets annually in Anderson, Indiana; 8.) Evaluate for merit the Pastor's salary, housing, fringe benefits, performance, and similar considerations annually when the Church budget is being prepared.

SECTION 3. Christian Education Board/Committee. The Christian Education Committee shall consist of, at least, three members and, subsequently, shall be responsible for the following: 1.) Operation of the Sunday school and Christian Education programs; 2.) Discipleship training; 3.) Youth Ministries; 4.) All other specialized educational programs or ministries; and all training of teachers, leaders, helpers of Christian Education programs.

SECTION 4. Building and Grounds Board/Committee (note: some referred to as Trustees). The Building & Grounds Committee shall consist of, at least, three members of the Church and shall have the duty of overseeing the following: 1.) Cleaning of the Church/facility; 2.) Maintenance and repair of Church facility; 3.) Refurbishing, remodeling, and expansion of buildings; 4.) Church parking; 5.) Church equipment, including musical instruments; 6.) Miscellaneous equipment.

SECTION 5. Nominating Board/Committee. The Pastor will submit four names to the Church, from which two shall be elected to serve with the Pastor as the Nominating Committee.

ARTICLE VII: CHURCH PASTOR RELATIONSHIP

(The matters of selection, call, discipline & termination of pastoral staff)

SECTION 1. Pastoral Leadership. The Pastor shall be the called leader of the congregation. As such, he/she shall assume full responsibility for the direction of leadership from the church in close cooperation with the Church Council. His/her role is that of earned leadership. The Pastor shall be an ex-officio member of all Boards and Committees of the Church and shall be notified in advance of all meetings whether or not he/she is able to attend.

SECTION 2. Selection and Call of a Pastor. In the event the Church is without the services of a regular Pastor, the Church Council shall appoint a Pulpit Committee, consisting of three persons, and the Vice-Chairman of said council shall preside. Such Committees shall have the following responsibilities: A.) The Committee shall be responsible for insuring conduct of regular services during the period when the Church is without Pastoral leadership; B.) The Committee shall investigate the availability of prospective Pastors and study their qualifications as to character, leadership abilities, experience, ministerial recognition, and status. It may seek the guidance of a counseling minister selected by the Church. It shall consult the State Office of the General Assembly of the Church of God for information and certification of ministerial standing before submitting the name of any prospective minister to the Church for a vote; C.) When the Pulpit Committee has reached agreement on a prospective Pastor, a special business meeting of the congregation shall be called. The Committee shall submit the name of one prospective minister and give a description of his/her qualifications; D.) The Committee shall submit the name of only one prospective minister at any one meeting for consideration and possible election by the congregation. In the event such candidate does not receive as much as a three-fourths majority vote of the members present and voting, the Committee shall proceed to select the name of another prospective minister for presentation. This order of procedure shall be followed until a Pastor is duly called and elected; E.) A clearly written agreement shall be reached with the Pastor regarding responsibilities and duties prior to actual employment commencing. The written agreement shall include salary, stipends, allowances, vacations, and any and all other matters customarily considered in any standard employment agreement.

SECTION 3. Retention or Removal of a Pastor. A.) If one-fourth or more of the regular members of the congregation object to the continued leadership of a Pastor, they may present their objections, in writing, to the Church Council where such objections shall be carefully studied. If no solution to the problem is reached, the Council shall bring the matter to the congregation, being responsible to properly call and conduct the meeting in keeping with the Bylaws. The decision of the congregation shall be final; B.) The decision to remove a Pastor from his/her office shall require a majority vote of the members present and voting. If the vote is for removal, a minimum of thirty (30) days shall be allowed for termination of the pastorate, unless there has been a defection of character resulting in a loss or recognized ministerial status. In such case, the removal shall be immediate and the Church shall have no further financial obligation to said Pastor; C.) Should the Pastor feel inclined to terminate his/her leadership, he/she shall present his/her resignation in writing to the Church Council, which, in turn, shall present the Pastor's resignation to the Church in the proper manner. The resignation should provide for a minimum of thirty days before vacating the pastorate, unless other arrangements are worked out to the satisfaction of both the Church and the Pastor.

ARTICLE VIII: MEETINGS

SECTION 1. Annual Business Meeting. The regular Annual Business Meeting of the congregation shall be held at the Church building, or some other designated place within the confines of _____ County, _____ (State), on or before the

last day of the _____ (month). At least one week prior to the Annual Business Meeting, the date and time for the forthcoming meeting must be announced publicly during a regular service of the Church and a written notice shall be posted or circulated among the membership at the same time. A quorum for such meeting shall be a simple majority or more of persons qualified to vote under provisions of Article III, Section 2. All elections shall be by secret ballot, such ballots to be counted by two tellers appointed by the Pastor. Absentee ballots shall be permitted in the event of a qualified voting member of the congregation finds it impossible to attend the business meeting due to illness, or some other unavoidable reason. In such case, he/she shall cast an absentee ballot providing he/she has requested it two days prior to such meeting. His/her marked ballot must be sealed in an envelope and given to the Secretary of the corporation before the business meeting. An absentee voter must be an approved voting member as required by these Bylaws. In the event of disagreement concerning procedure of a business meeting, Roberts' Rules of Order shall be followed.

SECTION 2. Special Meetings. Special meetings of the congregation may be called at any time by the Chairman of the Church Council or upon the written request of twenty-five present or more of the Church membership. All such meetings shall be previously announced at regular services of the Church at least one week prior to the special called meeting, stating the purpose of the meeting.

ARTICLE IX: EXPULSIONS

(Procedures for disciplining and removing members)

SECTION 1. Any Council member may be expelled from office by a three-fourths majority vote of the members present and voting at any regular or special business meeting.

SECTION 2. Expulsions may be for conduct deemed unbecoming of a member of the Church of God, or detrimental to the purpose of the Church, for failure of duty, or for other reasons the congregation may deem sufficient grounds for expulsion.

SECTION 3. Once a member of the Council has been expelled from office, the authority of such person in that office ceases at once.

SECTION 4. If a meeting shall be called for the purpose of determining whether or not expulsion should be applied to a member of the Church Council, a notice stating the time, place, and reason for the meeting shall be posted or circulated among the membership at least seven days prior to such meeting. The Secretary, or chairman of the Church Council, shall furnish the person to be expelled a written statement of the charges against him/her at least three days before the notice is posted as set forth above. The person against whom the expulsion action is pending shall have the right to defend himself/herself at such meeting.

ARTICLE X: AMENDMENTS

These Bylaws may be amended by a two-thirds affirmative vote of the recognized members present at any regular or special meeting, provided the suggested amendment shall have been studied by a Committee of not less than three members appointed by the majority Church Council and which proposed amendments shall have been posted or circulated among the membership at least seven days prior to the time of voting thereon.

ARTICLE XI: DISSOLUTION

SECTION 1. In the event of the dissolution of the Association (Corporation), the Board of Directors/Council shall, after paying or making provisions for the payment of all of the liabilities of the Association (Corporation), dispose of all the assets of the Association (Corporation) exclusively for the purposes of the Association (Corporation) in such manner, or to such organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 502 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the Board of Directors/Council shall determine.

Or

The property of the _____ Church of God at _____ (City), _____ (State), shall be deeded to the Trustees of the _____ Church of God at _____ (City), _____ County, _____ (State), and their successors in office, to have and to hold, as long as the _____ Church of God at _____ (City), _____ (State), maintains fellowship and doctrinal unity with the General Assembly of the Church of God located in Anderson, Indiana. If the _____ Church of God at _____ (City), _____ (State), is no longer in fellowship and doctrinal unity with the General Assembly of the Church of God located in Anderson, Indiana, this property shall go to, rest in, and become the property in fee simple, of the _____ State Ministries of the Church of God located in _____ (City), _____ (State), and in consideration of, one dollar (\$1.00), receipt whereof is hereby acknowledged. The Board of Directors/Council shall be recognized as the Ministry Council.

SECTION 2. The Board of Directors/Council shall consult with the Sate Office of the Church of God during the process of dissolution.

SECTION 3. Any assets not disposed of as in Section 1 shall be disposed of by the Court of the County in which the principal office of the Corporation is located, exclusively for such purposes as described in Article 1.

ARTICLE XII: INDEMNIFICATION

SECTION 1. General. The Association (Corporation) shall indemnify any person, and his/her heirs and legal representatives, who shall be made a party to, or threatened with, any civil or criminal action, suit or proceeding because he/she is or was a Director, trustee or officer of the Association (Corporation) or because of any of his/her acts or omissions in such capacity taken or not taken, for and in the interest of the Association (Corporation), in good faith and in the exercise of reasonable care. This indemnification is against all liability, and reasonable expenses, including attorneys' fees, actually and necessarily incurred in connection with such action, suit or proceeding, whether actual or threatened, or in connection with any appeal thereof. If a director, trustee or officer in any such action, suit or proceeding is wholly successful, on the merits or otherwise, he/she is entitled to complete indemnification.

The Association (Corporation) may also reimburse to any such director, trustee or officer the amounts (other than amounts paid to the Association (Corporation)) of judgments, fines and penalties resulting from, and the reasonable costs of settlement and expenses, including attorneys' fees, actually incurred and connected therewith, of any such action. Suit or proceeding if a majority of the directors, trustees, officers not involved in the matter of controversy (even if such persons do not constitute a quorum), or a majority vote of the Congregation, finds that such Director, trustee or officer acted in good faith and in the exercise of reasonable care in the performance of his/her duty and that the payment of such judgments, fines or penalties, whether resulting from a plea of nolo-contendere or otherwise, and costs of settlement are in the interests of the Corporation. The fact that an action, suit or proceeding was terminated by judgments, settlement or conviction, or upon a plea of guilty or nolo-contendere or its equivalent, shall not create a presumption that any such director, trustee, or officer did not act in good faith for purposes he/she reasonably believed to be in the best interests of the Association (Corporation). However, no director, trustee or officer shall be indemnified in relation to any matters as to which he/she is adjudged in any such action, suit or proceeding to be liable for negligence or misconduct in the performance of his/her duty to the Association (Corporation). The Association (Corporation) may, in its discretion, advance any expenses to, or at its expense undertake the defense of, any such director, trustee or officer, but any amounts so advanced or spent shall be repaid to the Association (Corporation) by him/her to the extent that he/she is ultimately determined not entitled to indemnification or reimbursement.

SECTION 2. Non-exclusive rights. The rights of indemnification or reimbursement provided in this section do not exclude any other rights to which any director, trustee or officer of the Association (Corporation) or such other Association (Corporation) may be entitled by law or by authorization adopted by a majority vote of the Congregation after notice is duly given.

ARTICLE XIII: PARLIAMENTARY PROCEDURE

SECTION 1. Parliamentary Authority. Robert's Rules of Order, Revised, shall be the parliamentary authority for all matters of procedure of the Corporation.

SECTION 2. Parliamentarian. The Chairman shall appoint an individual knowledgeable in Robert's Rules of Order to act as parliamentarian in all regular and special meeting of the Council and in the Annual. Regular or Special meeting of the Congregation.

ARTICLE XIV: FISCAL YEAR

The fiscal year of the Corporation shall begin on the first day of _____ (month) and shall end on the last day of the following _____ (month).

NOTE:

1. UNLESS PRECLUDED BY LAW, IT IS STRONGLY RECOMMENDED THAT CHURCHES INCORPORATE IN ACCORDANCE WITH RESPECTIVE STATE LAWS.
2. An "Order of Business" is included in some Bylaws but is not necessary as an article of the Bylaws.