

**BYLAWS FOR THE
CANNABIS LAW SECTION
STATE BAR OF GEORGIA**

ARTICLE I

Identification and Purpose

Section 1: This Section shall be known as the “**Cannabis & Hemp Law Section,**” and shall be hereinafter designated simply as the “**Section.**”

Section 2: The general purpose of the Section shall be the promotion of the objectives of the State Bar of Georgia (hereinafter the “**State Bar**”) within the field of hemp and cannabis law. To that end, the purposes of this Section shall be:

- a. to from time to time conduct programs for the continuing legal education (CLE) of legal practitioners in the field of this Section;
- b. to sponsor nonpartisan educational programs for the lawyers (and the general public) on current issues affecting hemp and cannabis laws and policies, and to foster and maintain learning and provide a public service through the education of attorneys and private citizens;
- c. to provide a forum for members of the profession to consider and discuss the legal issues surrounding the changing legal landscape regarding the regulation of hemp and cannabis in Georgia;
- d. to recognize the interrelationship between hemp and cannabis law and various other areas of law including employment, torts, contracts, criminal, administrative, regulatory, municipal, trusts and estates, real property and constitutional;
- e. to participate in legislative, executive and judicial processes by informing the Section members about issues affecting and relating to the purposes of the Section;
- f. to help support attorneys in their professional endeavors and the personal stresses that come with practicing law in such an unsettled area; and
- g. to sponsor nonpartisan educational programs for (i) rural farmers, (ii) rural businesses, (iii) the attorneys that serve each of the foregoing groups, and (iv) any other underserved populations within the State of Georgia that are operating in hemp and cannabis industry and that are in legal deserts within the State of Georgia.

Upon approval of the Board of the Section, take such further action as may be necessary to present the views of the Section to the appropriate court, executive office or legislative body for consideration.

ARTICLE II

Membership and Dues

Section 1: Each member of this Section shall be a member in good standing of the State Bar. Any member of the State Bar, upon request and payment of annual Section dues, amount to be set by Section leadership and voted on by a quorum, for the current year, shall be enrolled as a member of this Section provided, however, that annual dues shall be no less than the minimum annual dues set by the Board of Governors of the State Bar. Thereafter, such dues shall be paid in advance each year at the time of the payment of dues to the State Bar. Members so enrolled and whose dues are so paid shall constitute the membership of this Section. Any member whose annual dues shall be past due thereupon shall cease to be a member and shall be dropped from the rolls of the Section, subject to reinstatement at any time upon the payment of dues on the current year.

ARTICLE III

Officers

Section 1: The Officers of the Section shall be a Chairperson, a Vice Chairperson, a Secretary, and a Budget Officer all of whom shall be members in good standing of the Section Cannabis Law Section.

- a. **Chairperson.** The Chairperson (or the Vice Chairperson and the Secretary), in the absence of the Chairperson, shall preside at all meetings of the Section. The Chairperson shall appoint the chair and members of all committees of the Section who are to hold office during the term of the Chairperson. The Chairperson shall plan and superintend the programs of the Section during the term of the Chairperson. The Chairperson shall superintend the performance of all activities of the Section.
- b. **Vice Chairperson.** The Vice Chairperson shall aid the Chairperson in the performance of the Chairperson's responsibilities in such manner and to such extent as the Chairperson may request. The Vice Chairperson shall perform such further duties and have such further powers as usually pertain to the office. In case of the death, resignation, or disability of the Chairperson, the Vice Chairperson shall perform the duties of the Chairperson for the remainder of the Chairperson's term or disability, as the case may be.
- c. **Secretary.** The Secretary shall consult with and assist all the officers of the Section in the work of the Section generally, in the manner and to the extent they may request. The Secretary shall be the liaison between the Section and the State Bar of Georgia staff regarding the retention and maintenance of books, papers, documents, and other property pertaining to the work of the Section and in the custody of the State Bar of Georgia. The

Secretary shall keep a true record of the proceedings of all meetings of the Section and of the Board, whether assembled or acting under submission. The Secretary, in conjunction with the Chairperson shall attend generally to the business of the Section.

- d. **Budget Officer.** The Budget Officer, in conjunction with the Chairperson, shall be responsible for the Section's financial requirements. The Budget Officer shall prepare a budget. The Budget Officer shall monitor all accounts of Section funds, revenues, and expenditures.

Section 2: Each Officer shall hold office for a term beginning at the close of the annual meeting of the Section at which they are elected and ending at the close of the next succeeding annual meeting of the Section and until his successor shall have been elected and qualified. If a vacancy shall arise in the office of Chairperson, the Vice Chairperson shall become Chairperson for the unexpired term. If a vacancy shall arise in the office of Chair, the Vice Chairperson shall become Chair for the unexpired term. If a vacancy shall arise in the office of the Chairperson and there then also shall exist a vacancy in the office of Vice Chairperson, the immediate past Chairperson shall appoint a successor Chair for the unexpired term.

Section 3: The Chairperson shall preside at all meetings of the Section, appoint appropriate committees of the Section to serve during their term as Chairperson, plan and supervise the program of the Section at its annual meeting, and perform all executive and administrative duties necessary or proper to the organization and functioning of the Section; including any duty as from time to time may be prescribed by the Section or by the State Bar.

Section 4: The Vice Chairperson shall assist the Chairperson and in the absence or disability of the Chairperson, shall perform the duties of the Chairperson.

Section 5: The Secretary shall keep minutes of all meetings of the Section, maintain the permanent records, give notices of meetings and perform such other duties as may be prescribed by the Chairperson.

Section 6: Upon the organization of the Section, the President of the State Bar shall appoint a Chairperson, a Vice Chairperson and a Secretary to serve until the close of the next annual meeting of the State Bar. During the first year of the Section's existence, the President of the State Bar of Georgia shall have the powers of the immediate past Chairperson.

ARTICLE IV

Meetings of the Section

Section 1: An annual meeting of the Section shall be held each year at or about the time and place of the Annual Meeting of the State Bar; the date, time and meeting room to be fixed by the Chairperson.

Section 2: A special meeting of the Section may be called by the Chairperson to be

convened at such time and place and with such program and order of business as may be fixed by the Chairperson.

Section 3: Ten (10) members of the Section present at any meeting shall constitute a quorum for the transaction of business.

Section 4: All action of the Section shall be by a majority vote of the members of the Section present at any properly called meeting at which a quorum is present.

Section 5: At least ten (10) days written notice of the time and place of each meeting of the Section shall be given by mailing same to each member of the Section on the rolls of the Section in the Office of the State Bar at the member's address as the same appears in said office. However, it shall not be required that any such notice be by a specifically separate mailing; the same may be included in other written or printed material which is being distributed by mail to all members of the State Bar or to any part thereof which is inclusive of all of the members of the Section.

ARTICLE V

Executive Committee

Section 1: Between meetings of the Section the Executive Committee of the Section shall consist of the three Officers of the Section and three other members of the Section appointed by the Chairperson, whose term shall be co-existent with that of the Chairperson.

Section 2: The Executive Committee shall have full authority to act for the Section in any way in which the Section itself would be authorized to act and any such action taken by the Executive Committee pursuant to this provision shall be reported to the members of the Section at the next Annual Meeting of the Section.

ARTICLE VI

Elections

Section 1: Prior to each annual meeting of the Section, the Chairperson shall appoint not less than three (3) members of the Section to be a nominating committee which shall nominate one or more members of the Section as qualified to hold each of the offices of the Section for the ensuing terms of office. The report of the nominating committee shall be made to the annual meeting; thereafter, and prior to the election of Officers, any member of the Section present at the annual meeting may nominate any other member of the Section for election to any of the offices.

Section 2: The names of all members of the Section nominated for each office either by nominating committee or from the floor shall be submitted to the annual meeting and ballots shall be cast until there shall be a majority of the members of the Section present favoring the election of a designated member to an office. Voting shall be viva-voce and the nominee for an office with the lowest number of votes in any ballot shall be dropped from consideration on the next succeeding ballot, provided that any annual meeting, by majority vote of the members of the Section present, may require written secret ballots or otherwise modify the procedure governing any election.

ARTICLE VII

Finances

Section 1: Funds of the Section shall be deposited in the treasury of the State Bar of Georgia and shall be disbursed by the treasurer of the State Bar of Georgia to pay bills of the Section, which have been approved, for payment by any Officer of the Section.

Section 2: Funds of the Section shall be expended for such purposes related to the activities of the Section as from time to time shall be authorized by the Section's Executive Committee.

Section 3: Officers and members of the Section shall not be compensated for services thereto.

Section 4: A financial report of the funds of the Section shall be rendered at each annual meeting thereof. This Section shall have the same fiscal year as the State Bar.

ARTICLE VIII

Miscellaneous

Section 1: The Section shall from time to time conduct programs for the continuing education in the world and field of this Section, but shall coordinate its efforts in this regard with the other Sections of the State Bar of Georgia.

Section 2: The Section may from time to time, subject to the Rules, Bylaws and Standing Board Policies of the State Bar, sponsor, promote, study or review proposed legislation. The Section may from time to time report on its legislative activities to the State Bar.

ARTICLE IX

Effective Date and Amendment

Section 1: These Bylaws shall become effective upon approval by the Board of Governors of the State Bar.

Section 2: These Bylaws may be amended by a majority vote of the members of the Section present at any properly called meeting at which a quorum is present and subsequent approval thereof by the Board of Governors of the State Bar.

Signed, sealed and subscribed before the undersigned this the [•] day of [•], 2019.

Witness

CHAIRPERSON

Approved by the Board of Governors the _____ day of _____, 20__.

PRESIDENT

SECRETARY