

# CONSTITUTION OF THE SOUTHWEST BADMINTON ASSOCIATION

---DRAFT - 19SEP2014 ---

Red question, blue add - Tom

## I. NAME

The Association shall be known as the **Southwest** SouthWest Badminton Association, hereinafter referred to as the SWBA or, alternatively, the Association.

## II. OBJECTIVES OBJECTS

The **objectives** objects of the SWBA shall be:

- a. **??**To act as the **governing body** for the sport and recreation of badminton?? in **USA Badminton's** Region 5 (**Arizona, California, Hawaii, New Mexico, Nevada & Utah**). ~~as defined in the By-Laws of the United States Badminton Association (USBA).~~
- b. To encourage the growth and development of badminton in Region 5.
- c. To be affiliated to **USA Badminton (USAB)** ~~the United States Badminton Association (USBA)~~, and uphold the laws of badminton as laid down from time to time by **USAB** ~~the USBA~~.
- d. To promote and organize regional tournaments, championships, and other events deemed desirable.
- e. **To promote local, regional, national and international competition.**
- f. To do all other things considered necessary or desirable for the promotion of the **sport** ~~game~~ of badminton in Region 5, and in the interest of SWBA members.
- g. This organization is organized exclusively for charitable and educational purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code.

## III. CONDITIONS

- a. ~~Notwithstanding any other provision of these articles, the association shall not carry on any other activities not permitted to be carried on (a) by an association exempt from Federal income tax under Section 501 (c) (3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue law) or (b) by a association contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue law).~~  
**No part of the net earnings of the Association shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the Association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II hereof. No substantial part of the activities of the Association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the Association shall not carry on any other activities not permitted to be carried on (a) by an Association exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by an Association, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.**
- b. ~~Upon the dissolution of this association, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code (or corresponding section of any future tax code), or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed by the Court of Common Pleas of the county in which the principal office of the association is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for~~

~~such purposes.~~

Upon the dissolution of the Association, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the Association is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

#### IV. DEFINITIONS

- a. ~~Region 5 shall mean the collective states Arizona, California, Hawaii, Nevada, New Mexico, and Utah.~~
- b. State Association shall mean a properly established association formed to promote badminton for a state in Region 5 ~~of the USBA~~, and which has been recognized as such by ~~USAB~~ ~~the USBA~~ and SWBA.
- c. Club shall mean a badminton club located within the boundaries of a State Association, and recognized as such by the SWBA.
- d. Individuals shall mean ~~USAB~~ ~~the USBA~~ members residing in one of the member states of the SWBA

#### V. MEMBERSHIP

The membership of the SWBA shall consist of ~~USAB~~ ~~the USBA~~ members located in the ~~six~~ states which comprise Region 5. ~~These states are Arizona, California, Hawaii, Nevada, New Mexico, and Utah.~~ The SWBA membership is represented by State Representatives appointed by the several State Associations in Region 5. The SWBA may also admit individuals or club representatives as State Representatives in the absence of a State Association.

#### VI. AMENDMENTS

Amendments to this Constitution or to the By-Laws may be made by ballot vote at any Annual General Meeting or any Special Meeting of the SWBA, provided that a copy of the proposed amendment has been submitted to the Secretary of the SWBA at least twenty one (21) days before such meeting. The Secretary shall forward a copy of all proposed amendments to each Officer and member of the Board of Directors at least fourteen (14) days before the Meeting. An affirmative vote of two-thirds of all ballots cast at the Meeting shall be necessary for the adoption of any amendment.