

[REVISED: April 29, 2024]

**BY-LAWS
OF
LELS POLICE BENEVOLENT FUND, INC.**

**Article I
NAME**

This organization shall be known as "The LELS Police Benevolent Fund, Inc." (hereafter referred to as the "Benevolent Fund"). Provided, however, the Benevolent Fund may operate under the assumed name of "LELS Benevolent Fund."

**Article II
PURPOSE**

The exclusive purpose of the Benevolent Fund shall be to support and provide financial aid to the members of Law Enforcement Labor Services, Inc., Minnesota public safety professionals and/or their associations or other federally recognized charitable organization(s), and/or cause(s), that qualify as exempt organization(s), and/or cause(s), under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

**Article III
BOARD OF DIRECTORS**

- A. The business of the Benevolent Fund shall be managed by a Board of Directors, hereafter referred to as the "Board."
- B. The Board shall consist of no fewer than five directors. Two directors shall be members of the Board of Directors of Law Enforcement Labor Services, Inc. ("LELS"); one director shall be a LELS business agent employee; one director shall be a non-LELS affiliated person with a law enforcement background (active or retired); and, one director shall be the then current executive director of LELS. Up to two additional directors are authorized at the discretion of the Board and as the need arises.
- C. The Board of Directors of Law Enforcement Labor Services, Inc. shall elect the directors of the LELS Benevolent Fund at a regular meeting of the Board of Directors of LELS.
- D. The offices of Chairperson, Vice-Chairperson, and Secretary/Treasurer shall be established. The offices shall be filled with Board directors. The Chairperson shall be appointed by the President of LELS; the Vice-Chairperson and Secretary/Treasurer shall

be appointed by the Chairperson; the LELS employee shall be determined by the LELS Executive Director; and, the outside member shall be determined by the directors as a whole. The LELS President may not appoint him/herself to an office. A director serving as an officer may resign at any time. A director serving as an officer may be removed only when sufficient cause exists for removal and then only upon unanimous vote of the remaining Board directors.

- E. The Board directors shall serve two-year terms. The two-year terms shall commence at the LELS Annual Meeting on even numbered years. Any vacancies that occur prior to the expiration of the director's two-year term shall be filled by appointment of the president of LELS.
- F. Financial services shall be provided by the Chief Financial Officer of LELS. The CFO may not be a Board director. Financial services include, but are not limited to, maintaining the financials, preparing reports, setting up the funds, and dispersing the funds based upon the direction of this Board and the By-Laws set forth. The CFO shall work with the Board Secretary/Treasurer to assist in carrying out his/her duties.
- G. The Board shall adopt such rules as it may in its discretion consider necessary for the best interests of the Benevolent Fund.
- H. Directors may receive reimbursements for expenses directly related to operating the Fund. These reimbursements may include mileage, lodging, meals, and other miscellaneous and necessary expenses. Directors may also receive stipends, as authorized by the Board, for attendance at regular or special meetings.

ARTICLE IV
RESPONSIBILITIES OF THE OFFICERS

- A. The Chairperson shall:
 - 1. Convene and preside at all meetings.
 - 2. Regularly advise the LELS Board of the Benevolent Fund's activities.
 - 3. Be authorized as one of the two directors who are necessary to sign the checks or drafts of the Benevolent Fund.
- B. The Vice-Chairperson shall:
 - 1. In the event of the absence or inability of the Chairperson to exercise his/her duties, assume all of the rights, privileges, powers, and duties of the Chairperson.
 - 2. Assist and support the Chairperson in his/her duties and perform such duties as directed by the Chairperson.
 - 3. Be authorized as one of the two directors who are necessary to sign the checks or drafts of the Benevolent Fund.
 - 4. Perform such other duties as may be directed by the Chairperson.

C. The Secretary/Treasurer shall:

1. Maintain custody of all books, documents, papers, communications, and records of the Benevolent Fund.
2. Record and transcribe minutes of all meetings of the Benevolent Fund.
3. File and maintain a record of any and all certifications required by any statutes of the United States and/or the State of Minnesota.
4. Deposit, maintain, and account for all funds of the Benevolent Fund in a bank account or accounts in the name "LELS Police Benevolent Fund, Inc."
5. Keep accurate records of all receipts and disbursements of Benevolent Fund funds and render a report of the financial condition of the Benevolent Fund at each meeting.
6. Be authorized as one of the two directors who are necessary to sign the checks or drafts of the Benevolent Fund.
7. Perform such other duties as may be directed by the Chairperson.
8. Consult, work, and cooperate with the CFO to carry-out duties as set forth in these By-Laws.

ARTICLE V
MEETINGS

- A. Board meetings shall be held at least once a year (annual meeting); and at such other times as the Board of Directors may deem appropriate.
- B. The Chairperson shall set the schedule for regular meetings.
- C. Any director may call a special meeting of the Board if he/she deems such a meeting is necessary and in the best interest of the Benevolent Fund.
- D. Written notice of all special meetings, stating the starting time, date, location and purpose, shall be provided to the directors and the CFO at least one week prior to the date of the special meeting. No other business, except that specified in the written notice, shall be discussed or transacted at the special meeting.
- E. Roberts Rules of Order (Revised Edition) shall be the standard for parliamentary procedures at all meetings of the Benevolent Fund, except as expressly authorized by these By-Laws.
- F. A quorum is defined as three directors. A quorum is necessary to transact business at a meeting.
- G. Each Director is entitled to one vote. Voting may be verbal or by electronic means.
- H. The annual meeting of the Board may be held in conjunction with the LELS Annual Meeting.

ARTICLE VI
FINANCIAL AND CHARITABLE ACTIVITY LIMITATIONS

- A. To facilitate accomplishing the purpose set forth in Article II, the Benevolent Fund shall establish a dedicated fund at a financial institution in the name "LELS Police Benevolent Fund, Inc." (Hereafter referred to as "Benevolent Fund"). Funds in the charitable account may be withdrawn for only two purposes: 1) to make a contribution to the members or estates of eligible recipients, or 2) to pay expenses directly related to operating the Fund.
- B. Eligible recipients of distributed funds are limited to either (1) the family/survivor or beneficiary as recognized by law and set up at the time the fund is created for an individual public safety professional; including, licensed peace officers, firefighters and dispatchers or (2) a fundraising account as set forth and approved by the family/survivor and/or beneficiary as set forth by law.
- C. A Benevolent Fund account designated for a particular recipient shall be closed two years after inception. Any monies not distributed and beyond the actual costs to operate the Benevolent Fund will be donated to the MN Law Enforcement Memorial Association (LEMA).
- D. No part of the net earnings of the Benevolent Fund shall inure to the benefit of, or be distributable to the directors, except that the corporation 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.
- E. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation 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 corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation 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 a corporation, 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.

ARTICLE VII
DISSOLUTION

- A. In the event the Benevolent Fund is disbanded, or the benevolent fund account is dissolved for any other reason, then all funds contained in the benevolent fund account must be contributed to the Law Enforcement Memorial Association of Minnesota or other federally recognized law enforcement charitable organization(s) that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

- B. Further, upon dissolution of the Benevolent Fund, all 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 corporation 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.

ARTICLE VIII
AMENDMENTS


Amendments or changes to these By-Laws must be approved by at least two-thirds of the Board.

These By-Laws are dated effective the 29th day of April, 2024.



Chairperson

ATTEST:

By: 

Secretary/Treasurer

**BY-LAWS
OF
LELS POLICE BENEVOLENT FUND, INC.**

AMENDED ADDENDUM 1

Fiscal Agent Fund

PURPOSE:

The purpose of a Fiscal Agent Fund is to provide a fiscal repository for eligible recipients of the LELS Police Benevolent Fund, Inc. (“Benevolent Fund”).

FUNDING:

This project will be directed and controlled by the Benevolent Fund. Funding for a Fiscal Agent Fund will come from funds and donations specifically raised for the benefit of an eligible recipient.

DEFINITIONS:

Eligible recipients are the families of LELS members, licensed and non-licensed, who die in the line of duty, and the families of other Minnesota public safety professionals, regardless of their union membership, who die in the line of duty. In addition, eligible recipients shall include members of LELS and/or the family members of the LELS member or other Minnesota public safety professional who are in need of financial aid and support as a result of circumstances that occurred while the member was acting in the line of duty as determined by the Benevolent Fund Board.

Death-in-the-line-of-duty is a death that occurs while the individual was performing a public safety-related function, either on or off duty, and while the individual was an active, employed member of a public safety organization. For all Minnesota public safety professionals who die in the line of duty, the “heart and lung” rule applies. (A heart or lung related death occurring within 48 hours of a direct criminal act or accident and while the officer was acting in the course and scope of their duties.)

Family includes Spouse or Parent(s), and minor child(ren).

SCOPE:

In the event a death occurs, the Benevolent Fund Board will determine whether the circumstances of the death qualify as a death-in-the-line-of-duty. In addition, the Benevolent Fund Board will determine whether the circumstances involving the member of LELS or other

Minnesota public safety professional while acting in the line of duty, requires financial aid and support to the member and/or their family. If so determined, the Benevolent Fund Board will vote to approve being the Fiscal Agent.

All funds, monies and donations will be recorded and placed in the designated Fiscal Agent Fund. Fiscal Agent Funds will be disbursed by check or electronic fund transfer to the eligible recipient(s), and in accordance with law and these By-Laws and/or Addendum.

The Board may consider special needs that do not fit the definition of a death-in-the-line-of-duty or other circumstances while acting in the line of duty as determined by the Benevolent Fund Board. A written request must be submitted to the Benevolent Fund Board. A discussion and affirmative vote must take place before a Fiscal Agent Fund is authorized. Special circumstances include, but are not limited to the following:

- Serious illness or injury of a full-dues paying LELS member
- Off duty death of a full-dues paying LELS member
- Illness or injury to an immediate family member of a full-dues paying LELS member

DURATION:

Once a benefit fund/account is created, the fund/account will be operative for a period of up to (2) two years from its inception. Extension of the two-year time limit may be authorized with the approval of the Board.

This Addendum is effective the 29th day of April, 2024.



Chairperson

ATTEST:

By: 

Secretary/Treasurer