

**BY-LAWS  
of the  
ROTARY CLUB OF  
FORT WORTH**

(NOTE: In these by-laws, pronouns of the masculine or feminine gender include the other.)

**ARTICLE I  
Board of Directors**

**SECTION 1 - Governing Body**

The governing body of the Rotary Club of Fort Worth shall be the board of directors.

The board of directors shall have the authority to employ an executive director and such staff as may be required. The board of directors may issue written directives and guidelines as necessary to carry out the objectives and policies of the club.

**SECTION 2 - Number of Directors**

The club shall elect annually five directors who shall serve for the following two Rotary years. Said five directors and the five continuing directors, together with the immediate past president and the president and president-elect shall constitute the board of directors for the ensuing year.

**SECTION 3 - Nominating Committee**

Not later than the second club meeting in October each year, the president shall appoint a nominating committee consisting of a chairman and four members, all of whom shall have served at least one term as director, to prepare a ballot for the election of five directors for the succeeding two years. The nominating committee shall meet the following week to select ten qualified

candidates from the membership.

In addition, a member of the club who desires to propose a member for nomination may do so by addressing a letter to the chairman of the nominating committee, signed by the proposer and five other members, setting out the qualifications of the nominee. Said letter must reach the chairman not later than the first club meeting in November. If a nominee thus proposed does not have the qualifications of a candidate for-nomination, as set out in Section 4 of this Article, the proposer shall be notified by the nominating committee that the name of the nominee cannot be included on the ballot.

**SECTION 4 - Qualifications of  
Candidates**

- (1) Must have been a member of the club for at least three years as of July first next;
- (2) Members who have served one term as director cannot qualify for re-election until after a lapse of one year;
- (3) Must have served as committee chairman or committee member;
- (4) Must evidence a serious interest in Rotary and its principles, in the club and its activities, and have a good attendance record;
- (5) Must be able and willing to attend board meetings, inter-club meetings, district conferences, and other Rotary district meetings; and
- (6) Must be able and willing to serve as director chairman and be interested and concerned about all club activities.

Following the selection of qualified

candidates, the nominating committee shall contact each to get their consent to serve if elected. If for any reason a candidate cannot assume the full responsibilities of a director, their name shall not be placed on the ballot for election.

### **SECTION 5 - Election Procedure**

The nominating committee shall report the list of ten qualified candidates to the board of directors, plus any qualified candidates proposed by the membership, not later than the third club meeting in November. Names of nominees shall be placed on the ballot in an order determined by lot by the nominating committee, and ballots shall be mailed to each member by December 1.

Each member of the club shall cast their ballot by voting for five (5) candidates. After voting, a member shall enclose the ballot in an unnumbered envelope inside a numbered envelope, which is addressed to the office. The executive director shall maintain a numbered master list, noting thereon the ballots as received. The unnumbered envelope containing the ballot shall be given to the balloting committee unopened.

Members who have failed to receive their ballots will be furnished duplicate ballots, which must be signed by the members to be valid. The executive director shall check the ballots on the master list with the signed ballots to insure that only one ballot per member is cast. In the event two are received, the original numbered ballot only will be counted.

### **SECTION 6 - Balloting Committee**

A balloting committee, consisting of all members of the current board of directors, shall count the ballots immediately following the close of the election, which will be the second club meeting in December. Only those

ballots will be counted which have been received prior to the close of the second regular club meeting in December. Ballots on which more than five votes are cast shall be voided. The five candidates receiving the highest number of votes shall be declared the elected directors. In the event of a tie vote between the fifth and sixth candidates the balloting committee shall determine by vote among its members which candidate shall be elected.

### **SECTION 7 - Term of Office**

No director shall be elected to serve more than two successive years, with the exception that the president and president-elect, in the event they or either of them is elected at a time when they are outgoing directors, shall continue to serve as directors during their respective terms as president and president-elect and, as hereinbefore provided, shall as immediate past president serve one additional year as a director.

## **ARTICLE II OFFICERS**

### **SECTION 1 - Election of Officers**

The board of directors, together with the directors-elect, shall meet within one week after such election, and shall elect from their number a president-elect, two vice presidents, a secretary, a treasurer, and a sergeant-at-arms to serve for the ensuing Rotary year. No officer shall be elected to succession. The only office to which an outgoing member of the board of directors is eligible for election is that of president-elect. The outgoing members of the board of directors are authorized to participate in the election of incoming officers and the position of president-elect. The president-elect shall be a director of the club pursuant to the provisions of Article I, Section 7 hereof, but shall not be an officer of the club while holding the status of president-elect.

The president-elect shall automatically become president at the conclusion of the term as president-elect.

## **SECTION 2 - Vacancies**

- (a) A vacancy in the board of directors or any office shall be filled by a vote of the remaining members of the board.
- (b) A vacancy in the position of any officer-elect or director-elect shall be filled by a vote of the remaining members of the board of directors and remaining members of the board of directors-elect.

## **ARTICLE III Duties of Officers**

### **SECTION 1 - President**

It shall be the duty of the president to preside at meetings of the club and board of directors and to perform such other duties as ordinarily pertain to the office of president.

### **SECTION 2 - President-Elect**

The president-elect, although not an officer of the club while holding such status, shall have the duty to become thoroughly familiar with the functions of the office of president in particular and, in general, with all club offices, committees and activities so as to insure efficient continuity of organization and purpose when the office of president is assumed. The president-elect shall be privileged to attend all committee meetings, but unless otherwise appointed as a member, shall have neither voice nor vote.

### **SECTION 3 - Vice Presidents**

It shall be the duty of any one of the vice presidents, whom the president may designate, to preside at the meetings of the

club and the board of directors in the absence of the president, and they shall perform other duties generally pertaining to the office.

### **SECTION 4 - Secretary**

It shall be the responsibility of the secretary to keep the records of membership; record the attendance at meetings; send out notices of meetings of the club, board, and committee; record and preserve the minutes of such meetings; make the required reports to Rotary International including the semiannual reports of membership, which shall be made to the General Secretary of Rotary International on January 1 and July 1 of each year; prorated reports to the General Secretary on October 1 and April 1 of each active and honorary member who has been elected to membership in the club since the start of the July or January semi-annual reporting period; reports of changes in membership, which shall be made to the General Secretary of Rotary International; and monthly reports of attendance at the club meetings which shall be made to the district governor immediately following the last meeting of the month; collect and remit to Rotary International subscriptions to *The Rotarian*; and perform such other duties as usually pertain to his office. These duties shall normally be performed by the executive director.

### **SECTION 5 - Treasurer**

It shall be the responsibility of the treasurer to have custody of all funds, accounting for same to the board of directors quarterly and at any other time upon demand by the board of directors, and to perform such other duties as pertain to the office. Upon retirement from office, the treasurer shall turn over to the incoming treasurer or to the president all funds, books of accounts, or any other club property.

**SECTION 6 - Sergeant-at-Arms**

The duties of the sergeant-at-arms shall be such as are usually prescribed for such office, and such other duties as may be prescribed by the president or board of directors.

**SECTION 7 - Executive Director**

Under the direction of the board of directors and the supervision of the president, it shall be the duty of the executive director to manage the club office and perform such club duties as directed by the board of directors and/or the president.

**ARTICLE IV  
Meetings**

**SECTION 1 - Membership Meetings**

The regular weekly meetings of this club shall be held as follows: Each Friday in the month at 12:15 p.m., provided that in an emergency, or for good cause, the board of directors may

- (a) change the regular meeting of any week to a different day of the same week or to a different hour of the regular day, or
- (b) cancel the regular meeting of any week because it falls on a legal holiday, or because of the death of the club president, or an epidemic or a disaster affecting the entire community.

Due notice of any such changes in or canceling of the regular meeting shall be given to all members of the club.

**SECTION 2 - Quorum of Membership**

One-third of the membership shall constitute a quorum at regular meetings of this club.

**SECTION 3 - Board of Director Meetings**

Regular meetings of the board of directors shall normally be held semi-monthly at a time and place to be fixed by said board. Special meetings may be called by the president whenever deemed necessary, or upon the request of two members of the board. Due notice shall be given of such special meetings. Members of the Board of Directors, or any committee thereof, may participate in and hold a meeting of the Board of Directors, or any committee thereof, by means of telephone conference or similar communications equipment by which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this section shall constitute presence in person at such meeting.

**SECTION 4 - Quorum of Directors**

A majority of the board members shall constitute a quorum of the board of directors.

**SECTION 5 - Method of Voting**

The business of this club shall be transacted by via voce vote except the election of directors, which shall be by ballot.

**ARTICLE V - Fees and Dues**

**SECTION 1 - Membership Fee**

The board of directors, at the time the budget is adopted, shall fix the admission fee at a sum not exceeding \$350.00 and such fee

shall be paid before any applicant can qualify as a member of the club.

## **SECTION 2 - Dues**

The board of directors shall fix the annual membership dues at a sum not exceeding \$1260.00, payable semi-annually on the first days of July and January. This amount shall include all meal costs for the year. Any sums due Rotary International or District 5790, such as per capita assessments and cost of the member's subscription to The *Rotarian* magazine, shall be included in the membership dues.

In the event a meal plan member resigns or membership is otherwise terminated, no refund of dues or meals payments previously paid will be made. If a meal plan member dies, upon the request of the heirs or legal representative of the estate, the unused portion of the part of dues attributable to payment of meals, shall be refunded to the heirs or the estate.

In the event a replacement member from the company or business of a member who had elected the meal plan is admitted to the membership in the club, such member shall derive the benefit from the former meal plan member's payment of meals.

Meal tickets under the meal plan program are not transferable and shall be used only by meal plan members.

## **SECTION 3 - Non-payment of Dues - Termination**

Any member who fails to pay dues within thirty (30) days of the prescribed date shall be

notified in writing of such delinquency by the secretary at the member's last known address. If the dues remain unpaid sixty (60) days after the prescribed date and at least ten (10) days have passed from the date of notification, the member shall automatically be terminated. The member may be reinstated within thirty (30) days after such termination upon application, coupled with payment of any and all indebtedness to the club and a \$100.00 reinstatement fee. Without reinstatement, such person may again become a member of the club only after payment of any and all indebtedness to the club and proposal and election as in the case of a new member.

## **ARTICLE VI Committees**

### **SECTION 1 - Avenues of Service**

The president shall, subject to the approval of the board of directors, appoint from the membership of the board, a director for each of the following avenues of service:

Club Service  
Vocational Service  
Community Service  
International Service

### **SECTION 2 - Chairmen**

The president, with the assistance of the directors for each avenue of service, shall designate the committees and appoint a chairman of each of the committees required to accomplish the objectives of the avenues of service.

### **SECTION 3 - Members**

Each committee chairman, with the advice of the president and the appointed director for the avenue of service, shall appoint an appropriate number of members to the committee. Where feasible and

practicable, in the appointment of club committees, there should be provision for continuity of membership by appointing one or more members for a second term. No member shall be eligible to serve on the same committee for more than three successive years.

#### **SECTION 4 - Purpose**

Each committee shall transact such business as is delegated to it by the president and the director for the avenue of service.

#### **SECTION 5 - Ex-Officio Member**

The president shall be an ex-officio member of all committees and, as such, shall have all the privileges of membership thereon.

### **ARTICLE VII Duties of Director-Chairmen**

#### **SECTION 1 - Club Service**

The president and the director appointed for club service shall devise and carry into effect plans which will guide and assist the members of the club in discharging their responsibilities in matters relating to internal activities of the club and supervise and coordinate the work of all committees that may be appointed on particular phases of club service. Among the several committees appointed to carry out these activities shall be a classification and membership committee and a Rotary Information committee.

#### **SECTION 2 - Vocational Service**

The president and the director appointed for vocational service shall devise and carry into effect plans which will guide and assist the members of this club in discharging their responsibilities in their vocational relationships and in improving the general standards of practice in their respective vocations and

supervise and coordinate the work of any committees that may be appointed on particular phases of vocational service.

#### **SECTION 3 - Community Service**

The president and the director appointed for community service shall devise and carry into effect plans which will guide and assist the members of this club in discharging their responsibilities in their community relationships and supervise and coordinate the work of any committees that may be appointed on particular phases of community service.

#### **SECTION 4 - International Service**

The president and the director appointed for international service shall devise and carry into effect plans which will guide and assist the members of this club in discharging their responsibilities in matters relating to international service and supervise and coordinate the work of any committees that may be appointed on particular phases of international service.

### **ARTICLE VIII Leave of Absence**

Upon written application to the board of directors setting forth good and sufficient cause, leave of absence may be granted excusing a member from attending the meetings of the club for a specified length of time. This leave of absence prevents the forfeiture of membership for non-attendance, but it does not operate to give the club credit for the member's attendance, and unless the member on leave attends a regular meeting at some other club, the excused must be recorded as absent.

### **ARTICLE IX Finances**

#### **SECTION 1 - Fiscal Year**

The club and fiscal year of this club shall begin each July first and end on the following June thirtieth.

#### **SECTION 2 - Bank(s)**

All funds of the club shall be deposited in some bank(s) to be named by the board of directors.

#### **SECTION 3 - Authorized Signature(s)**

All checks drawn against the deposited funds of the club shall be signed by, or under the authorization of, the treasurer, and shall be countersigned by such other officers or the executive director as the board of directors may designate. A thorough audit by a certified public accountant or other qualified persons shall be made once each year of all the club's financial transactions.

#### **SECTION 4 - Bond**

The person or persons having charge or control of funds shall give bond as may be required by the board of directors for the safe custody of the funds of the club, cost of bond to be borne by the club.

#### **SECTION 5 - Dues**

The collection of members' dues shall be divided into two semi-annual periods extending from July 1 to December 31, and from January 1 to June 30. The payment of per capita dues and magazine subscriptions to Rotary International shall be made on July 1 and January 1 of each year on the basis of the membership of the club on those dates. Magazine subscriptions for members joining during a semi-annual period are payable upon invoice from Rotary International. The per capita assessment by Rotary District 5790 shall be paid prior to each district conference on a date set by the district governor, and on the basis of membership of the club on June

#### **SECTION 6 - Budget**

At the beginning of each fiscal year, the board of directors shall prepare, or cause to be prepared, a budget of estimated income and estimated expenditures for the year, which budget shall include contributions to, and payments pursuant to, such retirement and disability programs as have been, or may be, authorized by the club, and such budget having been agreed to by the board shall stand as the limit of expenditures for the respective purposes, unless otherwise ordered by action of the board.

### **ARTICLE X Election of Members**

#### **SECTION 1 - Active Members**

Any active member of the club in good standing may propose a person for membership in the club by filing out a membership proposal form (in the form as approved by the board of directors), and by filing the same with the secretary. The proposal shall be referred to the classification and membership committee for its findings and recommendations to the board of directors. The board of directors shall review the recommendations of the committee and may sustain or reject the report of the committee, or it may refer the proposal back to the committee for further consideration.

At such time as the board of directors approves the proposal for membership, the president shall notify the proposed member and the proposer. Enclosed with the letter to the proposed member shall be a personal information form to be completed by the proposed member. The letter shall set forth the membership fee and dues, and explain that

the completed personal information form, required fee, dues, and a personal photograph must be in the Rotary office before further action can be taken.

If the proposed member indicates a desire to become a member of the club and submits the required items set forth above, the secretary, at the first regular meeting thereafter, shall give a first reading to the proposal, and notice of this first reading shall be published in the next succeeding issue of the club publication.

If no written protest is received in the Rotary office prior to the next regular weekly meeting of the club, the secretary shall give the proposal its second reading at said meeting, and the proposal shall thereupon be put to a vote of the club. If the proposal is favorably voted on by three-fourths of the members in attendance at said meeting, a quorum being present, the president shall declare the applicant elected to membership.

In the event a written protest is filed in the Rotary office prior to the second reading, such second reading shall be deferred until the board of directors acts on the protest.

A written protest duly filed as provided for above shall be considered by the board of directors at any regular or called meeting, and the board shall, upon request, permit any interested party to appear and be heard for or against said protest.

If not exceeding three negative votes are cast by the members of the board in attendance at this regular or special meeting of the board, the proposed member shall be considered duly elected.

Following the proposed member's election to membership as herein provided, the secretary shall notify the proposed member and the proposer of the time and place of the next scheduled Rotary Information

committee, requesting the presence of such proposed member and the proposer. After the proposed member has attended the meeting, the secretary shall issue a membership card to the member and shall report the name to the general secretary of Rotary International.

The member shall be formally introduced as a new member at the regular meeting of the club.

## **SECTION 2 - Honorary Membership**

The name of a proposed new candidate for honorary membership may be submitted by any club member to the board of directors in writing, and the election shall be in the same form and manner as prescribed for an active member, no signed personal information form or referral to the classification and membership committee, however, being required. If elected, membership shall be determined by the board of directors.

## **ARTICLE XI Resolutions and Subscriptions**

### **SECTION 1 - Consideration by Board of Directors**

No resolution or motion to commit this club on any matter shall be considered by the club until it has been considered by the board of directors. Such resolutions or motions, if offered at a club meeting, shall be referred, without discussion, to the board, which after having given consideration to the matter, shall submit its recommendations to the club. Having received the recommendations of the board, the club may then proceed to take such action as may seem proper to the majority.

### **SECTION 2 - Appeal for Subscriptions**

Any appeal for charitable or other subscriptions to be made by the club or its

members as Rotarians shall conform to the procedure prescribed in Section 1 of this article.

**ARTICLE XII  
Foundations**

**SECTION 1 - Authorization**

This club may establish and maintain one or more foundations having objectives in keeping with those provided in Article III of the constitution of this club. Its purposes, powers, governing body, and procedures shall be as approved by the club membership.

**SECTION 2 - Incorporation**

Such foundation shall be incorporated as a charitable corporation under the applicable laws of the State of Texas and all members of the club shall automatically be members of the foundation.

**SECTION 3 - Financing**

Such foundation may accept subscriptions, receive donations, and otherwise raise funds to be used by the foundation in carrying on its work. The funds of the foundation shall not be commingled with the general funds of the club.

**ARTICLE XIII  
Order of Business**

Luncheon  
Meeting called to order  
Invocation  
Song or pledge of allegiance  
Introduction of visiting Rotarians and guests  
Secretary's report  
Committee reports and announcements  
Discussion  
Program

Adjournment

**ARTICLE XIV  
Amendments**

These by-laws may be amended at any regular meeting of the club, a quorum being present, by a two-thirds vote of the members present, provided that notice of any proposed amendment shall have been mailed to each member of the club, or published in the club's publication, at least ten days before such meeting. No amendment or addition to these bylaws which is not in harmony with the club's constitution and the constitution and by-laws of Rotary International, shall be made.

**ARTICLE XV  
Limitation of Liability**

No director of this club, a non-profit corporation, shall be personally liable to the club or its members for monetary damages for an act or omission in the director's capacity as a director, except for (1) a breach of a director's duty of loyalty to the club or its members, (2) an act or omission not in good faith that involves a breach of the director's duty of loyalty to Rotary or its members, intentional misconduct or a knowing violation of the law, (3) a transaction from which a director received an improper benefit, whether or not the benefit resulted from an action taken within the scope of the director's office, (4) an act or omission for which the liability of a director is expressly provided for by statute.

No officer of this club shall be personally liable to this club or its members for an act or omission in the person's capacity as an officer

of this club, except for an act or omission in which the officer's conduct was not (1) in good faith, (2) exercised with ordinary care, and (3) in a manner the officer reasonably believed to be in the best interest of this club. Neither the amendment nor repeal of this paragraph shall eliminate or reduce the effect of this paragraph in respect of any matter occurring, or any cause of action, suit, or claim that, but for this paragraph, would accrue or arise, prior to such amendment or repeal. If the Texas Non-Profit Corporation Act or the Texas Miscellaneous Corporation Laws Act are hereinafter amended to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director of the club shall be eliminated or limited to the fullest extent permitted by the Texas Non-Profit Corporation Act or the Texas Miscellaneous Corporation Laws Act, as so amended from time to time.

## **ARTICLE XVI**

### **Indemnification of Directors and Officers**

- (a) The club shall indemnify to the extent provided in the following paragraphs, any person who is or was a director, officer, agent, trustee, or employee of the club and any person who serves or served at the club's request as a director, officer, agent, trustee, employee, partner, or trustee of another corporation, or of a partnership, joint venture, trust, or other enterprise. In the event the provisions of indemnification set forth below are more restrictive than the provisions of indemnification allowed by Article 1396-2.22A of the Texas Non-Profit Corporation Act, then such persons named above shall be indemnified to the full extent

permitted by Article 1396-2.22A of the Texas Non-Profit Corporation Act as it may exist from time to time.

- (b) In case of a threatened or pending suit, action, or proceeding (whether civil, criminal, administrative, or investigative) against a person named in paragraph (a) above by reason of such person's holding a position named in such paragraph (a), the club shall indemnify such person if such person satisfies the standard contained in paragraph (c) below for amounts actually and reasonably incurred by such person in connection with the defense or settlement of the suit as expenses (including court costs and attorneys' fees), amounts paid in settlement, judgments, and fines.
- (c) A person named in paragraph (a) above will be indemnified only if it is determined in accordance with Paragraph (d) below that such person (1) acted in good faith in the transaction which is the subject of the suit; and (2) reasonably believed: (a) if acting in his or her official capacity as director, officer, trustee, agent, or employee of the club, that his or her conduct was in the best interests of the club; and (b) in all other cases, that his or her conduct was not opposed to the best interests of the club; and (3) in the case of any criminal proceeding, had no reasonable cause to believe that his or her conduct was unlawful.

The termination of a proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent will not, of itself, create a presumption that such person failed to satisfy the standard contained in this paragraph.

- (d) A determination that the standard of paragraph (c) above has been satisfied must be made: (1) by a majority vote of a quorum consisting of directors who at the time of the vote are not named defendants or respondents in the proceeding; or (2) if such quorum cannot be obtained, by a majority vote of a committee of the board of directors, designated to act in the matter by a majority vote of all directors, consisting solely of two or more directors who at the time of the vote are not named defendants or respondents in the proceeding; or (3) by special legal counsel selected by the board of directors or a committee of the board by vote as set forth in subparagraphs (1) and (2) above, or, if such a quorum cannot be obtained and such a committee cannot be established, by a majority vote of all directors.
- (e) Determination as to reasonableness of expenses must be made in the same manner as the determination that indemnification is permissible, except that if the determination that indemnification is permissible is made by special legal counsel, determination as to reasonableness of expenses must be made in the manner specified by subparagraph (d) (3) above for the selection of special legal counsel.
- (f) The club may reimburse or pay in advance any reasonable expenses (including court costs and attorneys' fees) which may become subject to indemnification under paragraphs (a) through (e) above, but only in accordance with the provisions as stated in paragraph (d) above, and only after the person to receive the payment (i) signs a written affirmation

of his or her good faith belief that he or she has met the standard of conduct necessary for indemnification under paragraph (c) and (ii) undertakes in writing to repay such advances unless it is ultimately determined that such person is entitled to indemnification by the club. The written undertaking required by this paragraph must be an unlimited general obligation of the director but need not be secured. It may be accepted without reference to financial ability to make repayment.

- (g) The indemnification provided by paragraphs (a) through (e) above will not be exclusive of any other rights to which a person may be entitled by law, bylaw, agreement, vote of disinterested directors, or otherwise.
- (h) The indemnification and advance payment provided by paragraphs (a) through (f) above will continue as to a person who has ceased to hold a position named in paragraph (a) above and will inure to such person's heirs, executors, and administrators.
- (i) The club may purchase and maintain insurance on behalf of any person who holds or has held any position named in paragraph (a) above against any liability incurred by such person in any such position, or arising out of such person's status as such, whether or not the club would have power to indemnify such person against such liability under paragraphs (a) through (g) above.

## **ARTICLE XVII**

### **Charitable Immunity and Limitation of Liability**

- (a) Except as provided in paragraphs (c) and (g) below, in any civil action brought against the club for damages based on an act or omission by the club or its employees or volunteers, the liability of the club shall be limited to money damages in the maximum amount of \$500,000 for each person and \$1,000,000 for each single occurrence of bodily injury or death and \$100,000 for each single occurrence for injury to or destruction of property.
- (b) Except as provided in paragraphs (c) and (g) below, in any civil action brought against an employee of the club for damages based on any act or omission by the employee in the course and scope of his or her employment, the liability of the employee shall be limited to money damages in a maximum amount of \$500,000 for each person and \$1,000,000 for each single occurrence of bodily injury or death and \$100,000 for each single occurrence for injury to or destruction of property.
- (c) In order for the provisions contained in paragraphs (a) and (b) above to apply, the club must have in effect at the time of any act or omission described therein liability insurance coverage in the amount of at least \$500,000 for each person and \$1,000,000 for each single occurrence for death or bodily injury and \$100,000 for each single occurrence for injury to or destruction of property. Such insurance coverage may be provided under a contract of insurance or other plan of insurance authorized by statute.
- (d) Except as provided in paragraphs (f) and (g) below, a volunteer who is serving as an officer, director, or trustee of the club is immune from civil liability for any act or omission resulting in death, damage, or injury if the volunteer was acting in the course and scope of his or her duties or functions as an officer, director, or trustee of the club.
- (e) Except as provided in paragraphs (f) and (g) below, a volunteer who is serving as a direct service volunteer of the club is immune from civil liability for any act or omission resulting in death, damage, or injury if the volunteer was acting in good faith and in the course and scope of his or her functions or duties with the club.
- (f) A volunteer of the club shall be liable to any person for death, damage, or injury to the person or his property if such were proximately caused by any act or omission arising from the operation or use of any motor-driven equipment by the volunteer, but only to the extent insurance coverage is required by Section 1 A of the Texas Motor Vehicle Safety Responsibility Act, and only to the extent of any existing insurance coverage applicable to the act or omission.
- (g) The provisions of this Article shall not apply to any act or omission that is intentional, willfully or wantonly negligent, or done with conscious indifference or reckless disregard for the safety of others.
- (h) As used in paragraphs (a) and (b) above, the term "employee" means any person, including an officer or director, who is in the paid service of the club, but does not include an independent contractor.

- (i) As used in paragraphs (a), (d), (e), and (f) above, the term "volunteer" means any person rendering services for or on behalf of the club who does not receive compensation in excess of reimbursement for expenses incurred, and such term shall include a person serving as a director, officer, trustee, or direct service volunteer.
  
- (j) Neither the amendment nor repeal of this Article shall eliminate or reduce the effect of the provisions of this Article in respect of any matter occurring, or any cause of action, suit, or claim that, but for this Article, would accrue or arise, prior to such amendment or repeal. If any clause or provision of this Article or its application is held to be unconstitutional, such invalidity shall not affect other clauses, provisions, or applications of this Article that can be given effect without the invalid clause or provision and shall not affect or nullify the remainder of this Article or any other clause or provision. If the Texas Civil Practice & Remedies Code is hereinafter amended to further eliminate or limit the personal liability of directors, officers, trustees, employees, or volunteers of the club, then the liability of such persons shall be eliminated or limited to the fullest extent permitted by the Texas Practice & Remedies Code, as so amended from time to time.

Amended May 10, 2002