

**BY LAWS
OF THE
CANNABIS LAW SECTION
STATE BAR OF NEVADA**

Section 1

IDENTIFICATION

1.1 **NAME**: This Section shall be known as the “Cannabis Law Section, State Bar of Nevada,” and hereinafter shall be designated simply as “the Section”.

1.2 **PURPOSE**: The purpose of the Section is to:

a. enhance the role and skills of the lawyers engaged in the practice of cannabis law through study, collection, development and dissemination of materials on subjects of interest to cannabis and hemp for the Section’s practitioners;

b. assist in the formation, administration and implementation of programs, forums and other cannabis activities for the education of members of the State Bar of Nevada in matters pertaining to cannabis laws and regulations;

c. recognize and discuss means of improving the law and the practice of law in the field of cannabis law; and

d. act upon all matters germane to its purpose as so described or referred to by the Board of Governors.

Section 2

MEMBERSHIP

2.1 **ENROLLMENT**: Any member in good standing with the State Bar, upon request to the Secretary of the Section, shall be enrolled as a member of the Section by the payment of annual Section’s dues.

2.2 **TERM**: The term of membership in the Section shall be for a period of one (1) year, corresponding to the membership year established by payment of State Bar dues.

2.3 **THE MEMBERSHIP**: Members so enrolled and whose dues are paid pursuant to the provisions of this Section shall constitute the membership of the Section.

2.4 **DUES**: Dues for membership in the Section shall be in an amount set by the Section and approved by the Board of Governors, payable upon enrollment and thereafter annually in

advance each year; at the beginning of the State Bar's financial year succeeding each enrollment. Such fees shall be prescribed by the Board of Governors and shall be paid into the treasury of the State Bar along with all other funds generated by this Section, to be used for the purposes of defraying costs and expenses of this Section or such other purposes as the Board of Governors may designate. Within the meaning of this Section, the time intervening between successive annual meetings is deemed to be one (1) year. The initial dues shall be fifty dollars (\$50.00) per year.

25 **DELINQUENCY**: Any member of the Section whose annual dues are more than six (6) months past due shall thereupon cease to be a member of this Section.

26 **MEMBERSHIP**: Members have the following rights:

- a. to attend meetings, including meetings of the Executive Committee.
- b. to vote, upon payment of the appropriate dues.
- c. to hold office.
- d. to participate in all activities of the Section not prohibited or assigned in accordance with the Bylaws.

Section 3

COMMITTEES

The Executive Committee of this Section is authorized to establish, or to empower the Chairperson of the Section to establish such committees as it may deem necessary and desirable to promote effectively the activities of the Section within the jurisdiction of the Section and with the approval of the Board of Governors. In establishing a new committee, the Executive Committee shall state in writing the area of its proposed activities. No action of any Section committee shall be effective until approved by the Executive Committee or by the Section.

Section 4

MEETINGS OF THE MEMBERSHIP

41 **ANNUAL MEETING**: This Section shall hold a meeting at least annually at a place and time to be determined by the Executive Committee.

42 **NOTICE**: Written notice of each meeting specifying the time and place shall be mailed or e-mailed to each member thirty (30) days prior to meeting.

43 **QUORUM**: The members of the Section present at any meeting shall constitute a quorum for the transaction of business.

4.4 **CONTROLLING VOTE**: Action of the Section shall be by majority vote of the members present.

4.5 **VOTING ELIGIBILITY**: Any member of the State Bar and Section whose good standing can be certified by official State Bar records for thirty (30) days prior to the time of voting shall be eligible to vote.

4.6 **AGENDA**: Among the matters of business to be transacted at the annual meeting of the membership shall be the election of Officers and Executive Committee members. The agenda shall consist of other matters as decided by the Chairperson or Executive Committee.

4.7 **ALTERNATE FORMS OF VOTING**: The Executive Committee may direct that a matter be submitted to the members of the Section for a vote by alternate means, including mail or e-mail. In that event, binding action of the Section shall be by a majority of the votes received from members in accordance with rules fixed by the Executive Committee.

Section 5

OFFICERS

5.1 **OFFICERS**: The Officers of the Section shall be the Chairperson, Vice-Chairperson, Secretary, and Treasurer.

5.2 **CHAIRPERSON**: The general membership shall elect the Chairperson by a majority vote at the annual meeting of the section. The Chairperson shall:

- a. preside at all meetings of the Section and of the Executive Committee.
- b. plan and superintend the programs of the Section during that term, subject to the direction and approval of the Executive Committee.
- c. superintend the performance of all duties of the Section.
- d. keep the Executive Committee duly informed and carry out its decisions.
- e. perform such other duties and acts as are necessary and proper to the office or as may be designated by the Executive Committee.
- f. make an annual written report to the Board of Governors which shall be available at the annual meeting of the State Bar.

53 **VICE-CHAIRPERSON**: The Vice-Chairperson shall be elected in the same manner as the Chairperson and for the same term. The Vice-Chairperson shall aid the Chairperson in the performance of the responsibilities of office in the manner and to the extent the Chairperson may request, and shall perform such further duties and have such further powers as usually pertain to this office, or as may be designated by the Chairperson or the Executive Committee. In case of death, resignation, or disability of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson for the remainder of Chairperson's term or disability, as the case may be. In the event the Chairperson is temporarily unavailable, the Vice-Chairperson shall assume and perform the duties of the Chairperson.

54 **SECRETARY**: The Secretary shall be elected in the same manner as the Chairperson and for the same term. The Secretary shall consult and assist all the officers of the Section; be the liaison between the Section and the State Bar staff regarding the retention and maintenance of books, papers, documents, and other property; keep a true record of the proceedings of all meetings of the Section and of the Executive Committee; and attend generally to the business of the Section as directed by the Chairperson. The Secretary shall maintain the official copies of the Bylaws, Minutes, Membership Rolls, List of Executive Committee Members and Officers of the Executive Committee.

55 **TREASURER**: The Treasurer shall be elected in the same manner as the Chairperson and for the same term. The Treasurer shall monitor all accounts, reports, and other documents prepared as to Section funds, revenues and expenditures, and seek to make certain that all such accounts, reports, and other documents are at all times accurate and correct; report on the Section's present and projected financial condition at each meeting of the Section Executive Committee; advise the Officers and Executive Committee as to the financial impact of any proposed action by the Officers, Executive Committee or Section which, in the judgment of the Treasurer, would have a significant impact on the financial condition of the Section; at least once a year, prepare and submit a projected budget to the Executive Committee for approval or modification at such time as may be expressly fixed by the Executive Committee, which shall be done in a sufficient time to submit to the membership and the State Bar Board of Governors for approval. The Section budget shall be effective only upon approval by the Board of Governors, a copy of which, once approved, shall be maintained by the Treasurer. The Treasurer shall also submit a copy of the Section budget to the Section membership, at the annual meeting, a report on the Section's financial affairs and financial condition; prepare such other recommendations and special reports on financial affairs of the Section as may be requested by the Chairperson of the Section.

5.6 **TERM**: All officers shall serve a one (1) year term on election by secret ballot from among the membership of the Executive Committee at the annual meeting. Officers may be re-elected to the same office more than once but may not serve more than eight (8) consecutive years on the Executive Committee.

Section 6

THE EXECUTIVE COMMITTEE

6.1 POWERS: The Executive Committee shall be vested with the powers and duties necessary for the administration of the affairs of the Section. The policy of the Executive Committee shall be consistent with the policies set by the Board of Governors. It shall especially authorize all committees which entail the payment of money, and shall authorize the expenditure of all monies appropriated by the State Bar for the use or benefit of the Section. It shall not, however, authorize commitments which entail the payment of more money during any fiscal year than the amount appropriated to the Section for the fiscal year. The Executive Committee shall elect the Officers from among its members.

6.2 COMPOSITION: The Executive Committee shall be composed of:

- a. a non-voting “ex officio member.” The most recent past Chairperson shall serve in this position unless there is good cause to depart from the same;
- b. the Officers of the Section, consisting of a Chairperson, Vice Chairperson, Secretary and Treasurer, who shall each serve one-year terms pursuant to Section 5.6 above;

three (3) Members-at-Large, each of whom shall serve three-year terms. The terms of the Members-at-Large shall be staggered, and they may serve two (2) consecutive terms. The time served in filling a vacancy for part of a term of a previously Member-at-Large shall not be included in computing the six-year term limit, nor shall the six-year term limit preclude a former Officer of the Section from serving as a Member-at-Large nor a former Member-at-Large from thereafter serving as an Officer of the Section.

6.3 CONTROLLING VOTE: Action of the Executive Committee shall be by majority vote of those members present. A quorum consisting of a majority of the Executive Committee members shall be required to conduct its business.

6.4 MEETINGS: The Executive Committee shall hold at least four (4) regular meetings each year to dispatch any necessary business, with those meetings being held quarterly in January, May, September, and at the annual meeting as provided for in Section 4.1, or as proximate to those months as practicable. The Chairperson may, and upon request of three (3) members of the Executive Committee, call special meetings of the Executive Committee.

6.5 POLL OF EXECUTIVE COMMITTEE: In urgent matters requiring immediate attention, the Chairperson may, and upon request of three (3) members of the Executive Committee, submit in writing to each of the members of the Executive Committee a proposition upon which the Executive Committee may be authorized to act, and the members of the Executive Committee may vote upon the proposition either by written ballot, by telephone or e-mail vote, confirmed in writing which may be accomplished by electronic means, to the Secretary, who shall record the proposition and votes in the matter.

6.6 EXECUTIVE COMMITTEE AUTHORITY: Between meetings of the Section, the Executive Committee shall have full power to perform all acts and functions which the Section itself might perform. Any such action taken by the Executive Committee shall be reported to the Section at its next meeting.

6.7 COMPENSATION OF EXPENSES: No salary or other compensation shall be paid to any member of the Section for performance of services to the Section. However, the members may be reimbursed for such reasonable and necessary telephone, reproduction and other similar out-of-pocket expenses which are incurred as a result of the performance of such services and as are specifically authorized by the Chairperson of the Section or the Executive Committee.

Section 7

SUCCESSION OF OFFICERS AND VACANCIES

71 OFFICERS AND EXECUTIVE COMMITTEE: Between annual meetings of the Section, the Executive Committee may fill vacancies in its own membership, or in the offices of Vice-Chairperson, Secretary, or Treasurer. Members of the Executive Committee and Officers so elected shall serve until the next annual meeting of the Section at which time the membership of the Section shall elect Officers and/or Executive Committee members to fill any unexpired terms existing at the time. The Board of Governors shall approve all appointments.

72 ABSENTEEISM: If any Officer or member of the Executive Committee shall fail to attend two consecutive meetings of the Executive Committee, his office shall be automatically vacated, unless excused upon good cause accepted by members of the Executive Committee.

73 RESIGNATION: Any officer may resign by giving written notice to the Executive Committee.

74 REMOVAL: Upon written notice, the General Membership may remove a member of the Executive Committee by a majority vote.

Section 8

CONTINUING LEGAL EDUCATION PROJECTS

All educational projects of the Section for which CLE credits will be sought must be submitted to the Continuing Legal Education of the State Bar Department for approval. The Continuing Legal Education Department will administer and coordinate all such projects with the Section. Net profits or losses of such projects will be divided in a manner consistent with Board approved policies.

Section 9

LEGISLATION

The Section may draft or propose to support or oppose the adoption of legislation by the Nevada State Legislature. The Section's proposed legislation or position on legislation is consistent with its purpose and (1) relates closely and directly to the administration of justice; (2) involves matters which are not primarily political and as to which evaluation by lawyers would have particular relevance if not related closely and directly to the administration of justice; or (3) comes within the Section's special expertise and jurisdiction. Any proposed legislative position must be adopted by the Section pursuant to this Section and Section 7.10 of the State Bar of Nevada Bylaws. Any committee of this Section, including the Executive Committee, may draft or propose to support or oppose the adoption of legislation by the Nevada State Legislature. Any such draft legislation or proposal must be approved by the Executive Committee of this Section. If the Executive Committee approves the draft legislation or the taking of the position pursuant to these Bylaws, the Executive Committee, by and through the Chair or Vice Chair, must present the draft legislation or legislative position to the Board of Governors of the State Bar of Nevada for review pursuant to Section 7.10 of the State Bar of Nevada Bylaws. No committee of this Section is permitted to present the draft legislation or the proposal to the Board of Governors; only the Executive Committee may do so and only after the draft legislation or proposal is approved by the Executive Committee.

Section 10

ACTION OF THE STATE BAR OF NEVADA

No action of the Section shall be represented or construed as the action of the State Bar of Nevada until the same has been approved by the Board of Governors of the State Bar of Nevada.

Section 11

AMICUS CURIAE BRIEFS

If the Section wishes to enter an amicus curiae appearance, approval must be obtained from the Board of Governors. The request must be in writing and must include a synopsis of the question involved, the posture of the case, the position to be taken in the amicus appearance, and the anticipated cost of appearing amicus curiae including lawyer fees, if any. The question involved must be directly or substantially affect this admission to the practice of law, discipline of members of the bench or bar, the method selecting members of the judiciary or other questions of substantial interest to the State Bar or Section. If the Board of Governors approves the filing of an amicus curiae brief appearance by a committee, the Section will pay any costs for the appearance.

Section 12

AMENDMENT TO BYLAWS

These Bylaws may be amended at any annual meeting of the Section by a majority vote of the members of the Section present and voting, providing such proposed amendment shall first have been approved by a majority of the Executive Committee. They shall become effective upon approval by the Board of Governors, and may be amended or repealed at any time by the Board of Governors on its own motion.

Accepted:

Chairperson