

# Texas Paint Horse Club, Inc. – By-Laws & Rules

Revised: September 2015

*These are the By-Laws and Rules of the Texas Paint Horse Club as approved by a two-thirds majority written vote of the TPHC Members in attendance at the annual general membership meeting in Fort Worth, Texas on December 21, 2012, Year End Award Rules Amended by the Board of Directors per Article VII, September 2015.*

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## **BY-LAWS**

### **ARTICLE I – Title, Objectives, Location, and Corporate Seal**

**Section 1. Title.** This corporation shall be known as the Texas Paint Horse Club, Inc., and shall, at all times, be operated and conducted as a not-for-profit C corporation in accordance with the laws of the state of Texas, providing for such organizations and by which it shall acquire all such rights as granted to corporations of this kind. The official abbreviation shall be TPHC.

**Section 2. Objectives.** The purpose of this club shall be to promote and stimulate interest in the Paint horse by encouraging breeding for conformation, ability and color; by promoting interest in the Paint horse as a breed; by sponsoring and/or encouraging Paint horse classes in all horse shows, pleasure and trail riding, racing and all other activities of the same nature; by encouraging good horsemanship and good sportsmanship and by educating the public about the qualities of the Paint horse and the American Paint Horse Association.

**Section 3. Place of Business.** The principal place of business shall cover the area of Texas, but its members may be residents of any state, territory, province or country and business may be carried on at any place convenient to such members, or officials as may be participating. The principal place of business shall be the address of the current corresponding secretary, but the business of the club may be conducted at any location established by the Board of Directors.

**Section 4. Corporate Seal.** The seal of the corporation shall be in the charge of the corresponding secretary.

### **ARTICLE II – Members**

**Section 1.** Members of the club shall be admitted, retained, suspended and expelled in accordance with such rules and regulations as the members may, from time to time, adopt. Each member in good standing shall be entitled to one vote on all matters governed by the vote of the membership. In all matters governed by the vote of the members, each member in good standing shall be entitled to one vote. Exception: In the election of TPHC directors, only members in good standing of the current year shall be entitled to vote.

**Section 2.** The regular annual meeting of the membership shall be held at such time and place as may be fixed by resolution of the Board of Directors. Notice of the annual meeting shall be mailed or emailed to the membership at least ten (10) days in advance of that meeting.

**Section 3.** Special meetings of the members may be held at such time and place as may be designated in the notice, whenever called in writing by the direction of the president or by a majority of the Board of Directors, or by notice signed by not less than twenty percent (20%) of the members then in good standing. Notice of each meeting indicating briefly the subject or objects thereof shall be given in the same manner as provided with respect to notice of annual meetings.

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**Section 4.** At any meeting of the members held in accordance with the foregoing provisions as to notice, the members attending such meeting shall constitute a quorum of the members for all purposes unless the representation of a larger number should be required by law. In that case the representation so required shall constitute a quorum. Absentee or vote by proxy is not allowed in the annual membership meeting or any special membership meeting.

**Section 5.** Any officer of the club may call the meeting of the members to order and may act as chairman of such meeting, precedence being given as follows: president, vice-president, recording secretary, treasurer, corresponding secretary. The recording secretary of the club shall act as secretary of the club of all meetings of the members, but in his or her absence the acting chairperson may appoint any person to act as the secretary of the meeting.

**Section 6.** Whenever in these By-Laws the term member or members shall be used, unless otherwise specified, it shall mean a member(s) in good standing having the right to vote. A member in good standing is defined as a member currently free of disciplinary restrictions. (See GR-070.)

## **ARTICLE III – Directors**

**Section 1.** The business and property of the club shall be managed and controlled by the Board of Directors hereinafter created and empowered. Members of the Board of Directors may succeed themselves in office, but each person must be elected and reelected individually. Only one member from a family may serve on the Board of Directors at one time. Members of a family shall include a spouse, or common-law spouse as recognized by the state of Texas, mother, father, son, daughter, brother, sister, grandchild, legal ward, in-laws (father, mother, brother, sister, son, daughter), stepchild, half brother or half sister.

### **Election of Directors**

**A.** The club shall have **at least seven (7) and no more than (13)** elected directors..

**B.** Beginning with the election of directors in the year 1999, approximately one-third (1/3) of the directors will be elected annually, in groups of **four (4), four (4), and five (5)**, if applicable. Elected directors shall hold office for a term of three consecutive years and until their successors are elected and have qualified.

**C.** Each membership in good standing, whose membership fee has been postmarked no later than June 30th of the year the election is conducted, shall receive a ballot and be entitled to one vote.

**D.** A Nominating Committee, which must be comprised of directors, shall be appointed by the president and publicly announced. If possible, a portion or all of this committee shall consist of directors-at-large, (past presidents) or directors of three or more years of the Texas Paint Horse Club. The committee shall consist of no less than three (3) or more than five (5) members. The current president shall serve as chairman, or shall designate the chairman of this committee.

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1. Recommendations from nominating committee members must be submitted to the whole Nominating Committee date of no later than September 1 of the election year.
  2. To be eligible, each individual nominated and/or elected to serve, shall be a bona fide resident of the state of Texas, and a current TPHC member in good standing.
  3. There may be only one director/alternate nominated or elected per TPHC membership as outlined herein in Article III, Section 1.
  4. Individual nominations for directors from current TPHC members, must be forwarded to the Nominating Committee date of no later than September 1 of the election year.
  5. The Nominating Committee shall prepare a ballot using its own nominations, individual self-nominations and qualified recommendations from the members' director nomination ballots. The number of nominees on the ballot is not to exceed twice that of available positions, plus space for write-ins. Ballots must be returned according to director election proceedings.
  6. After October 1, of the election year, the Nominating Committee shall mail the ballot to each qualified member in good standing. Ballots must be returned to the Nominating Committee or its designated auditor, postmarked no later than November 1, (allowing a 30 day grace period) to be counted.
- E.** The nominee(s) receiving the highest number of votes on the ballot will be named to the available director(s) positions. The individual receiving the next highest number of votes, (if said individual has received a minimum number of ten (10) votes in the election) will be named the "first" voting alternate, to serve for one (1) year. The individual receiving the next highest number of votes, (if said individual has received a minimum number of ten (10) votes in the election) will be named as the "second" voting alternate, to serve for one (1) year.
1. When there are less nominees on the ballot than needed for the director position(s), the president may appoint those position(s). Write-ins may be considered.
  2. Alternates will be appointed to standing committees with full voting privileges therein, but would only have director voting privileges in the absence of a current director.
- F.** In addition to the directors so elected, all past presidents of the club shall be and become lifetime directors-at-large. Directors-at-large may be appointed to a standing committee(s), with full voting privileges therein, but would have no voting privileges on the Board. The TPHC Board of Directors for the coming year must be determined at the regular year end meeting, of the current year. Directors shall take office upon adjournment of the outgoing directors at the regular December Board of Directors meeting.
- Section 2.** In case of any vacancy in the Board of Directors by death, resignation or any other cause, the president shall appoint a successor to serve the remainder of the unexpired term. The president shall, if applicable, appoint a successor from the list of alternates.

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**Section 3.** A director or alternate must not miss two (2) consecutive or more than four (4) director's meetings per twelve (12) month period, and must answer roll call at the time it is taken to assure a record of their attendance. Failing to do this, the director or alternate shall be replaced after having missed two consecutive or four (4) meetings.

**Section 4.** The regular annual meeting of the Board of Directors shall be held at such time and place as may be fixed by resolution of the Board of Directors, prior to the annual membership meeting. No notice shall be required for any such regular meeting of the Board. The Board, by rule, may provide for other regular meetings at stated times and places, of which, no notice shall be required. Absentee or vote by proxy is not allowed in any TPHC meeting.

**Section 5.** Special meetings of the Board of Directors shall be held whenever called by direction of the president, or by two-thirds of the directors in office at that time. The recording secretary shall give notice of each special meeting by mailing or telephoning the same to each director at least ten (10) days before the meeting, but such notice may be waived by any director. Unless otherwise indicated in the notice thereof, any and all business may be transacted at a special meeting. Any business may be transacted at any meeting at which every director may be present, even if the meeting was called without any notice.

**Section 6.** A majority of the number of directors, (normally four out of seven) shall constitute a quorum for the legal transaction of business, but if at any meeting of the Board there be less than a quorum present, a majority of those present may adjourn the meeting from time to time until a quorum shall be present.

**Section 7.** At meetings of the Board of Directors, business shall be transacted in such order as the Board may determine.

**Section 8.** At the regular year end meeting of the Board of Directors, the Board shall proceed to the nomination of officers of the club for the coming year.

### **Section 9.**

a) The Board of Directors shall have the power and authority to make, amend, repeal and enforce such rules and regulations, not contrary to law, or the Certificate of Incorporation, or these By-Laws and Rules, as they may deem expedient concerning the conduct, management, and activities of the club.

b) All members of the Board of Directors shall be governed by the Code of Ethics included in the APHA Organizational Handbook. All powers of the TPHC Board of Directors, except the power to change these By-Laws, be and the same are hereby vested, in the Board of Directors. The Board of Directors shall be responsible for interpreting and deciding all questions or ambiguities that may arise in connection with the meaning, intent or purpose of any by-law, rule, regulation or other TPHC document.

**Section 10.** All actions of the Board of Directors with the exception of disciplinary actions resulting from hearings, are subject to revision or amendment by the members at any TPHC regular or

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special meeting of the membership provided that written notice of any intention to revise or amend has been mailed or emailed to the membership at least ten (10) days in advance of that meeting.

**Section 11.** The Board of Directors from time to time, may create and empower other committees general or special.

**Section 12.** No director of the TPHC shall be liable to the TPHC or its members for monetary damages for an act or omission in such director's capacity as a director of the club, except that this Article shall not eliminate or limit the liability of a director of the TPHC for:

- a) A breach of such director's duty of loyalty to the TPHC or its members;
- b) An act or omission not in good faith or that involves intentional misconduct or a knowing violation of the law;
- c) 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; or
- d) An act or omission for which the liability of a director is expressly provided for by statute.

**Section 13.** Any repeal or amendment of this Article by the members of the TPHC shall be prospective only, and shall not adversely affect any limitation on the personal liability of a director of the TPHC existing at the time of such repeal or amendment. Anything herein to the contrary notwithstanding, if the Texas Miscellaneous Corporation Laws Act is amended, after approval by the members of this Article, to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director of the TPHC shall be eliminated or limited to the fullest extent permitted by the Texas Miscellaneous Corporation Laws Act, as so amended from time to time.

### **ARTICLE IV – Executive Committee**

The Texas Paint Horse Club, Inc., unlike the American Paint Horse Association, did not create an Executive Committee to manage the day to day business of the club. The daily business of the TPHC is handled by its elected officers and directors.

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## **ARTICLE V – Officers and Duties**

**Section 1. Officers.** The officers of the club shall be the president, **president elect**, vice president, treasurer, secretary (or recording secretary and corresponding secretary), or secretary-treasurer and such other officers as may be authorized from time to time by the Board of Directors.

### **Section 2. Eligibility of Officers.**

a) Only members of the Board of Directors shall be eligible to serve as officers of the club. Exception: The recording secretary and treasurer need not be a member of the Board of Directors. Officer candidates must have served on the Board of Directors for at least **three** years to be eligible for the position of president, and a minimum of two (2) years to be eligible for the position of **president elect** and vice-president. Officers shall be elected by the current Board of Directors, each for a term of one year and until the selection and qualification of his or her successor except the President (whose terms is two years **with an option of being elected for 1 additional year to train the president elect**)

b) The current Board of Directors shall consist of all incumbent directors, and all directors elected at the regular November Board of Directors meeting, for the coming fiscal year, (January 1 through December 31) and shall, thereafter, call a meeting and proceed to the election of its officers for the coming year at the regular Board of Directors annual meeting that is held in December.

### **Section 3. Election of Officers.**

a) The officers of the club shall be elected by majority vote by the incoming Board of Directors, as outlined herein in Article V, Section 2. b).

b) The president shall appoint and publicly announce a Nominating Committee, which must be comprised of elected directors of the election year. The Board of Directors shall submit nominations for officers to the Nominating Committee by the regular November Board of Directors meeting. If possible, a portion or all of this committee shall consist of directors-at-large, (past presidents) of the Texas Paint Horse Club. The committee shall consist of no less than three (3) or more than five (5) members. The current president shall serve as chairman, or shall designate the chairman of this committee.

c) New officers shall take office upon the adjournment of the outgoing officers at the regular December Board of Directors meeting and shall be presented to the membership at the annual awards banquet in January. The annual meeting of the Board is held in December of the election year. No officer may serve on the Board in excess of seven consecutive years.

**Section 4. Term:** The officers of the club shall hold office for a period of one (1) year and until their successors are elected and have qualified.

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## **Section 5. Duties.**

**A. President.** The president or "chairman" shall be the chief executive officer of the club and shall preside at all Board of Directors and membership meetings. The president shall see that the By-Laws, Rules and Regulations of the club are enforced and shall perform all other duties that may be prescribed from time to time by the Board of Directors. The outgoing, or incumbent president will be responsible for the annual awards banquet and formal public installation of the new incoming Board of Directors. The office of president may only be held for a maximum of two (2) consecutive terms of two consecutive years by any one director. The president may appoint a parliamentarian to assist in the performance of the duties outlined in Robert's Rules of Order, Article X. Paragraph 58.

### **Robert's Rules of Order, Article X. Paragraph 58**

The president duties are generally as follows: To open the session at the time at which the assembly is to meet, by taking the chair and calling the members to order; to announce the business before the assembly in the order in which it is to be acted upon; to recognize members entitled to the floor; to state and to put to vote all questions which are regularly moved, or necessarily arise in the course of the proceedings, and to announce the result of the vote; to protect the assembly from annoyance from evidently frivolous or dilatory motions by refusing to recognize them; to assist in the expediting of business in every way compatible with the rights of the members, as by allowing brief remarks when undebatable motions are pending, if advisable; to restrain the members when engaged in debate, within the rules of order; to enforce on all occasions the observance of order and decorum among the members, deciding all questions of order (subject to an appeal to the assembly by any two members) unless when in doubt he prefers to submit the question for the decision of the assembly; to inform the assembly, when necessary, or when referred to for the purpose, on a point of order or practice pertinent to pending business; to authenticate, by his signature, when necessary, all the acts, orders and proceedings of the assembly declaring its will and in all things obeying its commands. In case of fire, riot or very serious disorder, or other great emergency, the chair has the right and the duty to declare the assembly adjourned to some other time (and place if necessary), if it is impracticable to take a vote, or in his or her opinion, dangerous to delay for a vote. If a member of the assembly, the president is entitled to vote when the vote is by ballot, and in all other cases where the vote would change the result. Thus, in a case where a "majority" vote is necessary and the president's vote thrown with the minority would prevent the adoption of the question (motion), the president can cast his vote; so, also, he can vote with the minority when it will produce a tie vote and thus cause the motion to fail; but he cannot vote twice, first to make a tie, and then to give the casting vote. (Note: The president can vote to make a tie, or to break a tie.)



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**B. Vice President.** In the absence of the president, the vice president shall have the power and shall perform the duties of the president and such other duties as may be prescribed by the Board of Directors.

### **C. Secretary.**

a) The recording secretary shall be responsible for the safekeeping of the Corporate Book and all TPHC documents and records. The recording secretary shall make a report of his or her office to the Board of Directors upon demand; attend and keep minutes for all regular and special director and/or general membership meetings; provide copies of the minutes to all directors within ten (10) days of each meeting; serve as the club's historian, and perform all other such duties as may be prescribed by the Board of Directors from time to time.

### **Robert's Rules of Order, Article X, Paragraph 59**

The secretary is the recording officer of the assembly and the custodian of its records except such as are specifically assigned to others, as the treasurer's books. In addition to keeping the records of the society and the minutes of the meetings, it is the duty of the secretary to keep a register, or roll, of the members and to call the roll when required; to notify officers, committees, and delegates of their appointment and to furnish committees with all papers referred to them, and delegates with credentials; and to sign with the president all orders on the treasurer authorized by the society, unless otherwise specified in the by-laws. The secretary should also keep one book in which the constitution, by-laws, rules of order, and standing rules should all be written, (the corporate book), leaving every other page blank; and whenever an amendment is made to any of them, in addition to being recorded in the minutes it should be immediately entered on the page opposite to the article amended, with a reference, in red ink, to the date and page of the minutes where it is recorded. The secretary should be positioned near the president at every meeting and keep a record of the proceedings, stating what was done and not what was said, unless it is to be published. When a committee is appointed, the secretary should hand the names of the committee, and all papers referred to it, to the chairman of the committee, or some other of its members. The secretary should endorse on the reports of the committees the date of their reception, and what further action was taken upon them, and preserve them among the records for which the secretary is responsible.

b) The corresponding secretary shall be responsible to the president for the operation and management of the club and shall personally handle the correspondence of the club, including, but not limited to forwarding a list of new officers to the APHA on January 1st, and a written authorization from the Board of Directors listing themselves as the TPHC's "Registered Agent of Service" to the Texas Secretary of State, Corporate Division-Austin; compile, forward and cause to be paid to the APHA, all pertinent show applications; and fees; judges contracts and horse show facility contracts. The written contracts of the club shall be executed on behalf of the club by the

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president or the vice president, and attested by the corresponding secretary and the corporate seal. A copy of each contract shall be forwarded to the recording secretary to be retained on file in the Corporate Book. All correspondence becomes a permanent record of the club and shall be retained by the recording secretary. In addition to the aforementioned duties, it is the corresponding secretary's duty to send out proper notices of all called meetings, and of other meetings when necessary and to conduct the correspondence of the society, (including all correspondence pertaining to disciplinary hearings) except as otherwise provided. The secretary should, previous to each meeting, for the use of the chairman (president) make out an (agenda) order of business, showing in their exact order what is necessarily to come before the assembly and should have a list of all standing committees as well as the By-Laws of the organization and a copy of Roberts Rules of Order. (Roberts Rules of Order, Article X, Paragraph 58.)

### **D. Treasurer.**

**a) Mission Statement.** The Texas Paint Horse Club, Inc. is a business and must be operated and treated like a business. The treasurer must provide the membership with good financial information. The Texas Paint Horse Club, Inc. is an incorporated business and by law, must provide the club's financial information to any member making a request. The treasurer is responsible for properly reporting the club's operation to the government, the club and the American Paint Horse Association. The treasurer must strictly adhere to all club, state, federal and APHA rules, procedures and guidelines. (From APHA Regional Club Committee's Rules and Guidelines 10/23/02)

**b) Management.** The treasurer will be directly responsible to the president for the proper management of all monies and property of the club and will prescribe the necessary record keeping to meet the requirements of the state, federal government and the TPHC. The treasurer will promptly pay, upon demand, all APHA Show applications, liability insurance, franchise fees and quarterly taxes and cause an annual audit by a licensed auditing firm, if so voted on by thirty-three percent (33%) of the members in good standing, or by a majority of the directors. A copy of the audit will be distributed to the officers of the club within ten (10) days of receipt of same from the auditor. The treasurer shall receive all organization funds and keep said funds in a repository that has been approved by the Board of Directors. The treasurer shall keep faithful records of all receipts and expenditures, and shall disburse organization funds on checks requiring the signatures of two current officers of the corporation.

**c) Treasurer's Report.** The treasurer shall return a treasurer's report at the first Board of Directors meeting following the close of the club year and at each club meeting. The treasurer shall submit quarterly reports detailing expenses and income to the Board of Directors. The treasurer shall, pending approval from the Board of Directors, contract a licensed and bonded corporate income tax specialist to prepare the club's annual income tax return, prepare all 1099 Forms for judges and other contract labor, pay all franchise fees and contract the corporation's annual liability insurance. The treasurer shall have an annual budget prepared, and shall forward profit and loss statements on each approved TPHC horse show and activity to the recording secretary within ten (10) days from the date of the event or activity.

**d) Safety Deposit Box.** Certificates of deposit or other valuable documents may only be stored in a safety deposit box in the name of the Texas Paint Horse Club. Signatures of at least two officers are required to open the deposit box. The location of any and all documents must always be on

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record with the recording secretary, and if money is involved, every financial statement must reflect its existence.

**e) Financial Reports.** The financial reports not only provide a historical document for the club's records, but are a necessary tool for tracking the club's financial health. The Texas Paint Horse Club, Inc. is a business and must be treated that way. Financial reports or statements must be prepared in accordance with generally accepted accounting principles (GAP) and include a balance sheet comprised of assets, liabilities and members' equity; a cash flow statement which is a reconciliation of the club's cash from one year to the next and an income statement. The TPHC uses the "cash basis" method of accounting.

**Section 6.** The written contracts of the club shall be executed on behalf of the club by the president, or the vice president, attested by the corresponding secretary and the corporate seal.

**Section 7. Vacancies.** All vacancies of the officers of the club, except where provided elsewhere, shall be filled by and from the Board of Directors for the unexpired term and those so appointed, shall serve until the election and acceptance of their duly qualified successors.

**Section 8. Auditing of Accounts.** This club shall conduct its affairs on a calendar year basis, same to begin on January 1 and end on December 31 as outlined herein. An annual commercial auditing of the accounts of the club may be made by a licensed auditing firm or certified public accountant at the close of each calendar year, if requested and approved by a majority vote of the directors or by thirty-three percent (33%) of the members in good standing. Such accountant shall be a disinterested person and not a member of the club.

**Section 9. Surety Bonds.** The recording or corresponding secretary and the treasurer, and all other officers and employees of the club, who may handle any funds of the club shall give a surety bond to be furnished at the expense of the club for the faithful discharge of his or her duties, if so required by the Board of Directors.

## **ARTICLE VI – Parliamentary Authority**

The rules contained in the current edition of Robert's Rules of Order, Newly Revised, shall govern the club in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and any special rules of order the TPHC may adopt.

## **ARTICLE VII – Amendments**

The Board of Directors shall have the power to make, amend and repeal the By-Laws of the club by vote of the majority of the directors at any regular or special meeting of the Board, subject to the superior right of the members. These By-Laws may be amended at any official meeting by an affirmative vote, by written ballot of two thirds of the members present at the meeting. Proposed

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amendments shall be sent in writing to the secretary at least sixty (60) days in advance of the meeting so that they appear in the notice of the annual membership meeting.

## **ARTICLE VIII – Recall**

**Section 1.** Any member of the Board of Directors may be removed from office with or without cause as herein provided. A recall petition(s) demanding the removal of such officer shall be submitted to the corresponding secretary of the association. Such recall petition(s) shall be signed by at least twenty-five percent (25%) of the current members of the club.

**Section 2.** Petition forms shall be provided to any member requesting same following the filing of an affidavit by one or more members with the corresponding secretary stating the name of the director or officer sought to be removed. The recording secretary shall record the name of the member to whom petition forms were issued, the date of such issuance and the number of forms issued, certifying on each form the date and the name of the member to whom it was issued.

**Section 3.** All forms comprising a recall petition shall be assembled and filed with the corresponding secretary within forty-five (45) days after the filing of the affidavit required in Article VIII, Section 2 above. The signature of the petitioners shall be properly notarized.

**Section 4.** In the event that the required number of properly notarized verified signatures to said recall petition are not received by the corresponding secretary within forty-five (45) days of the affidavit filing required in Article VIII, Section 2 above, the corresponding secretary shall notify those members having filed petitions that the recall petition was insufficient and that said insufficiency does not prejudice the filing of a new affidavit for the same purpose.

**Section 5.** Not more than five (5) days following determination by the corresponding secretary that the petition(s) received are sufficient, he or she shall notify in writing, the officer whose removal is sought by such action. This notice shall be delivered in hand or shall be delivered by certified mail. If said officer does not render his or her resignation within seven (7) days of receipt of such notice, the corresponding secretary shall within fifteen (15) days of the aforesaid determination, direct and conduct an election by mail ballot of the members of the club. Said balloting must be completed and returned to the corresponding secretary no less than fifteen (15) days after direction of same.

**Section 6.** The aforesaid ballots shall conform to the following requirements: With respect to each person whose removal is sought, the question shall be submitted, "Shall \_\_\_ be removed from the office of \_\_\_ by recall?" Immediately following each such question shall be printed in the ballot the two (2) propositions in the order set forth: For the recall of (name of person), and Against the recall of (name of person). Immediately to the left of the proposition shall be placed a square in which the member by making a cross mark (X), may vote for either of such propositions.

**Section 7.** Should a majority of votes cast at a recall election be against the removal of the officer or director named on the ballot, such officer, or director shall continue in office for the remainder of his or her term, subject to recall as before. However, no recall petition shall be filed against an

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officer or director within ninety (90) days after such recall petition has failed to remove him or her. If a majority of the votes cast at a recall election be for the removal, he or she shall be deemed removed from office.

## **ARTICLE IX – APHA Regional Club Requirements**

**Section 1.** Only the APHA is empowered to use the term “Association” in its title or name with exception of those clubs who had the term in the title or name prior to the adoption of this rule. The Texas Paint Horse Club, Inc. is classified as an American Paint Horse Association (APHA) Regional Club.

**Section 2.** All charters shall be referred to as regional clubs and shall be under the supervision of the APHA through the Executive Committee and the International, Membership and Regional Club Committee.

**Section 3.** Constitutions, By-Laws and Rules of the TPHC must conform to the state laws of incorporation and be consistent with the APHA By-Laws and Rules by following standard procedures as set forth by the APHA. These standard procedures/rules may be obtained from the Regional Club Coordinator of the APHA. Regional clubs must revise/amend their by-laws and rules as the APHA By-Laws and Rules are revised/amended. Regional clubs must be formed and maintained only for the purpose of advancing and promoting the Paint horse through the ideals of the APHA including good horsemanship and good sportsmanship.

**Section 4.** Regional clubs must have and maintain a minimum of twenty (20) members, ten (10) of whom are members in good standing of the APHA. In no case shall a club be formed that infringes on or that might create an adverse affect on an existent regional club. Regional club by-laws or rules must set forth the following mandatory procedures which must be enforced. Failure to do so may result in the withholding of future show approvals.

1. Hold annual election of officers and directors and submit results by January 1 each year to APHA and to each club member within thirty (30) days of the election. Allow only persons with current membership in the club to vote in elections.
2. Indicate date of regular scheduled annual membership meeting and set forth procedures for notification of members.

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3. Require treasurer to present a financial report at all meetings and prepare an annual budget and/or year-to-date financial report to all members, accounting for all funds generated by the club and special interest groups.
4. Establish rules for year-end point tabulation for year-end awards prior to the point earning period which can not be altered during or after that point earning period has been completed. Allow point accumulation only after club dues have been paid.
5. Once a charter is granted to a regional club, it is automatically renewed yearly, provided the club continues to meet specific requirements and demonstrates a minimal level of activity, including, but not limited to:
  - a. Maintain a membership of twenty (20) members, ten (10) of whom are members of the APHA.
  - b. Submit a list of members and a copy of the club by-laws and/or rules by April 1st of each year.
  - c. Sponsor a minimum of two (2) club approved or APHA approved horse shows each year.

**Section 6.** The APHA's International, Membership and Regional Club Committee shall conduct five (5) year reviews of regional club by-laws, membership and activity levels at their regularly scheduled meetings to assure that the by-laws and rules are current, requirements and activity levels of regional clubs are being met.

**Section 7.** Failure to meet and maintain the specific requirements and minimal activity levels necessary for maintaining a regional club charter may result in the revocation of the club charter by APHA's Executive Committee. Failure to respond to APHA requests for information / corrections within ninety (90) days of the written notice will result in requests for future horse shows being denied until said information has been received and could lead to the club's charter being revoked.

### **ARTICLE X – Special Interest Clubs**

**Section 1.** Any group desiring to form a special interest club (amateur, youth, trail, etc.) shall submit a letter stating the reason and necessity for their formation along with a set of by-laws consistent with APHA and TPHC By-Laws, to the TPHC for approval.

**Section 2.** Special interest clubs must have and maintain a minimum of ten (10) members, five (5) of whom are members in good standing of the APHA.

**Section 3.** All special interest club members must be paid members of the TPHC.

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**Section 4.** The TPHC shall appoint an advisor(s) or a committee to oversee special interest club activities which must be approved by the TPHC Board of Directors.

**Section 5.** The recording secretary must send a copy of the TPHC meeting minutes that reflect a vote of approval of the formation of the TPHC Youth Club and the approved Youth Club's application, signed by the TPHC president, and the Youth Club's completed by-laws and constitution which shall coincide with the AJPHA (American Junior Paint Horse Association) constitution before a Youth Club may be approved.

### **ARTICLE XI – Youth Clubs**

**Section 1.** Any group desiring to form a Texas Youth Paint Horse Club must make application to the Texas Paint Horse Regional Club as to the reason and necessity of its formation, and shall first submit their completed by-laws and constitution for approval to the sponsoring regional club named the Texas Paint Horse Club, Inc. The sponsoring Texas Paint Horse Club is to send to the Youth Coordinator at the APHA office: 1) a copy of the minutes of the TPHC's meeting, reflecting a vote of approval of the formation of the Youth Club; 2) the approved Youth Club's application, signed by the TPHC president, and the Youth Club's completed by-laws and constitution.

**Section 2.** A minimum of ten AJPHA members is necessary to form a Youth Club.

**Section 3.** Youth Club members must be paid up in the Texas Paint Horse Club, either as youth or family members.

**Section 4.** The age limit for Youth Club membership is eighteen (18) years as set forth in paragraph YP-010.A. of the current APHA Rule Book.

**Section 5.** The Youth Club application, by-laws and constitution shall coincide with the AJPHA constitution.

**Section 6.** An advisor or committee approved by the members of the Youth Committee shall be appointed by the TPHC Board of Directors to assist the Youth Club.

**Section 7.** Each Youth Club must conform to all rules of the APHA and TPHC.

### **ARTICLE XII – APHA Racing Affiliates**

The Texas Paint Horse Club, Inc. does not offer any programs for racing, and has not been designated to represent the state's racing interests as an affiliate club.

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## **ARTICLE XIII – Indemnification**

Each director, officer and committeeman of said club shall be indemnified by the club against all cost, expenses and liabilities reasonably incurred by him or her in connection with or resulting from any action, suit or proceeding to which he or she may be made a party by reason of his or her being or having been a director, officer or committeeman of the club, except in relation to matters which shall have been occasioned by the willful misconduct or dishonesty of such officer, director, or committeeman, and as long as the officer, director or committeeman has not broken any TPHC rules or by-laws and was operating with the authority and permission of the Board of Directors, as evidenced in the minutes of a TPHC Board of Director's meeting. The foregoing right of indemnification shall cover amounts paid in settlement of any such action, suit, or proceeding when such settlement appears to be in the best interest of the club. The foregoing rights shall be in addition to any other rights to which such director, officer or committeeman may be entitled to as a matter of law.

## **ARTICLE XIV – Dissolution**

Upon the dissolution of the corporation, the Board of Directors shall, after paying or making a provision for the payment of all the liabilities of the corporation, dispose of all the assets of the corporation in such manner, or to such organization, or organizations organized and operated exclusively for agricultural purposes as shall at the time qualify as an exempt organization or organizations under section 501(c)(5) of the Internal Revenue Code of 1994 (or the corresponding provisions of any future United States Internal Revenue Law), as the Board of Directors shall determine.

## **GENERAL RULES AND REGULATIONS**

### **GR-005 – Standing Committees**

**A.** All standing committees shall consist of not less than three club members in good standing. In making appointments to the committees, the president shall appoint committee members for not less than one year, and not more than three years unless specified. All future appointments to fill vacancies shall be by the president with the advice and consent of the Board of Directors.

**B.** The chairperson and vice chairperson of each committee shall be appointed by the president annually, and a listing of all committee members shall be published in the TPHC club newsletter as soon as possible after the annual meeting. The chairperson shall only vote in case of a tie.

**C.** The president shall appoint members to each standing committee based on his or her own recommendations and recommendations from the Board of Directors. The standing committees shall be:

Amateur Committee  
Rules & By-Laws Committee  
Membership Committee

Youth Committee  
Ways & Means Committee  
Nominating Committee



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**D.** Special committees may be appointed by the president from time to time to attend to special business. These committees serve for the duration of the special problem or until replaced or until the committee is disbanded.

## **E. Standing Committee Responsibilities**

**Section 1.** The **Amateur Committee** shall consist of at least three members, including one duly elected member of the Board of Directors; a chairman, co-chairman and recording secretary. The duties of this committee include, but are not limited to promoting amateur participation. A report will be presented to the Board at each monthly directors meeting.

**Section 2.** The **Rules and By-Laws Committee** shall consist of at least three members, including one duly elected member of the Board of Directors; a chairman, a co-chairman and a recording secretary. This committee may, at its discretion, designate subcommittees to handle all matters pertinent to show and contest matters; investigations of infractions and recommendations to the Board concerning same. The duties of this committee shall include, but are not limited to:

- a. Reviewing, updating, revising and amending the By-Laws in accordance with APHA By-Laws, and in compliance with federal guidelines.
- b. Cause any and all proposed by-laws changes to be published to the membership in accordance with TPHC By-Laws.
- c. The update, revision and amendment of any TPHC General Show and Contest Rules and Regulations.
- d. Inventory all of the club's horse show equipment, and ensure that said equipment is on site at every TPHC show where it is required. Said equipment to include, but is not limited to a timer for cattle and timed events; jumps and standards, poles, barrels, cones and trail equipment necessary to conduct all events in accordance with APHA rules.
- e. Investigate and forward recommendations to the Board, for any infractions of the By-Laws, Rules and/or charges instituted against any TPHC member. The investigative committee will also include four members of the current Board of Directors.
- f. Propose and incorporate, if approved, new classes for the promotion of the American Paint Horse and exhibitors.
- g. Make annual recommendations to the Board as to class order, and any other matter deemed necessary, to promote the well being of TPHC shows and events.

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**Section 3.** The **Membership Committee** shall consist of at least three members, including one duly elected member of the Board of Directors; a chairman, a co-chairman and a recording secretary. This committee may, at its discretion, designate subcommittees to handle all matters pertinent to membership activities, points, newsletter and web site matters and recommendations to the Board concerning same. This committee shall oversee all services to the members, including, but not limited to overseeing the membership list; conducting membership drives; publishing membership applications; overseeing the compilation of club points for year-end awards; publishing the club's quarterly newsletter and the management of the club's internet web site.

**a. Membership.** The duties of this committee will include, but are not limited to compiling and maintaining a current membership list. The membership secretary shall record the minutes of any meeting and shall be responsible for turning dues collected over to the treasurer. This committee shall cause, on the direction of the Board, a membership drive to increase participation and promote the American Paint Horse in Texas.

**b. Points.** The duties of this committee will be to maintain the records of all TPHC points accumulated by the members towards year-end awards, or, following Board approval, to cause these records to be maintained. The duties of this committee will include, but are not limited to compiling and maintaining a current membership list. The membership secretary shall record the minutes of any meeting and shall be responsible for turning any dues collected over to the treasurer. This committee shall cause, on the direction of the Board, a membership drive to increase participation and promote the American Paint Horse in Texas. A report shall be presented to the Board at each monthly directors meeting on points and membership activities, if applicable.

**c. Web Site and Newsletter.** The duties of this committee will be to promote the Texas Paint Horse Club and to maintain the club's web site and publish the club's quarterly newsletter, which shall contain current point standings, date of monthly meetings, a list of officers and directors, the TPHC's membership application, TPHC's show bills and TPHC Rules and Regulations, in addition to any other material pertinent to the club and required by TPHC By-Laws. The web site shall be owned by the Texas Paint Horse Club and contain any and all information pertinent to the club and to the promotion of the Texas Paint Horse Club, as deemed necessary by the Board of Directors. A report will be presented to the Board at each directors meeting.

**Section 4.** The **Ways and Means Committee** shall consist of at least three members, including one duly elected member of the Board of Directors; a chairman, co-chairman and recording secretary. This committee shall provide recommendations on all fiscal matters. Additional duties include, but are not limited to financial planning, and preparing pro-forma financial reports, which shall serve as the basis for the treasurer's annual budget. This committee shall also be responsible for handling any and all club business concerning scholarships and awards, and may form subcommittees to handle these duties.

**a. Scholarship.** The duties of this committee will include, but are not limited to causing a scholarship application to be posted in the first, second and third quarters of the club's

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quarterly newsletter. This committee shall also cause to be published, the results of the scholarship competition, and the names of the recipients. The committee will maintain all records, verify the information on all scholarship applications, make recommendations and report to the Board of Directors when applicable.

**b. Awards.** The duties of this committee will be, but are not limited to maintaining the records of all year-end awards recipients and ordering approved awards. This committee shall be responsible for causing bids to be taken annually for the various awards approved for individual shows and events. A report will be presented, if applicable, to the Board at each directors meeting. A report will be presented to the Board.

**Section 5.** The **Youth Committee** shall consist of at least three members, including one duly elected member of the Board of Directors; a chairman, co-chairman and a recording secretary. The duties of this committee include, but are not limited to promoting all youth activities, and encouraging participation in youth events. A report will be presented to the Board at each monthly directors meeting.

**Section 6.** The **Nominating Committee** shall consist of no less than three (3) or more than five (5) members. The current president shall serve as chairman, or shall designate the chairman, co-chairman and recording secretary of this committee. The president shall appoint all committee members. If possible, a portion, or all of this committee shall consist of directors-at-large, (past presidents) or directors that have served three or more years of the Texas Paint Horse Club. The duties of this committee will be to compile recommendations for directors and officers for annual elections, and to cause publication of said nominations, to the membership, in accordance with the regulations concerning these elections. A report, if applicable, will be presented to the Board at each directors meeting.

### GR-010 – Proposed Rule Changes

Any TPHC member in good standing, standing committee or the Board of Directors may propose a rule book change. A rule book change is any change to the By-Laws or an addition or deletion to any other rules contained in this rule book. All proposed rule changes must be submitted on the form designated for this purpose and available from the APHA or TPHC. All blanks must be completed and a justification for the proposed change cited. Forms which are incomplete, lacking justification or failing to cite the specific change requested will be returned to the originator. Whenever a rule book change in the rule book is proposed, the rule with the reason and intent for the proposed change should be directed to the TPHC corresponding secretary, with a postmark (postal meter is not acceptable) no later than January 15, so that it may be received and directed in care of the Rules and By-Laws Committee for review. Exception: The Board of Directors will have until September 15th to submit their rule change proposals and approved changes and clarifications from the APHA Convention. The proposed rule book change, legally and properly worded, will be presented for consideration on the agenda of the Board of Directors at their October or November meeting. All approved rule changes or by-laws changes will be posted to the membership for consideration at the next annual general membership meeting. All rules and by-laws that have been voted on and approved by January 1st, as outlined in GR-010, by a majority vote of the members, will stay in force for the entire calendar year with no exceptions.

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## GR-020 – Membership

### Section 1.

a) Whenever, in these By-Laws, the term member or members shall be used, unless otherwise specified, it shall mean a member or members having the right to vote.

b) The membership fee shall be:

**1) Individual including Youth &/or Amateur: \$25.00. Family \$40.00** This membership entitles the individual or family member to one vote to the member family and all rights in TPHC. This membership entitles all horses owned by the immediate family to compete for year-end awards. Immediate family is defined as the spouses and all dependent children aged 18 and under as of the first day of the calendar year. This membership entitles all youth and/or amateur/novice amateurs to all rights and privileges in the TPHC and nominates horse(s) owned by the immediate family for year-end awards in youth and/or amateur/novice amateur classes.

**2) Non-Family: \$40.00.** Entitles one vote to the non-family entity (can be but is not limited to business, partnership, or corporate ownership) and all rights in TPHC. Entitles all horses owned by the non-family entity to compete for year-end awards in open classes.

**3) Life Membership: \$125.00** available as an individual or **\$150.00** for a family or non-family membership as provided above for a one time fee. Exception: A youth may not purchase a life membership. A life membership entitles one vote to the holder of said membership and privileges as set forth in 1) and 2) above.

**Section 2.** The president of the TPHC shall receive a life membership in the club and shall receive all benefits of such membership.

## GR-040 – Responsibility

1. The TPHC will not assume the responsibility of settling civil disputes.

2. No member shall refuse any reasonable request to assist the club, its officers or the standing committees in an investigation. A violation of this rule may be grounds for disciplinary action.

3. In the furtherance of their official duties, all club representatives shall be treated with courtesy, cooperation and respect. No person shall direct any abusive or threatening conduct toward them.

4. All information furnished the club as a basis for any action by the club or any of its officers shall be true and correct.

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5. Accuracy of records and points furnished by the TPHC is warranted only to the extent of using its best efforts in the compilation thereof. For absolute accuracy, independent verification must be obtained and compiled by the horse owner(s) themselves.

6. In all proceedings concerned with or affecting the club, and in all disciplinary actions, the burden of resolving any doubt shall be on the member. The determination, decision or action of the Board of Directors upon all questions shall be final and binding upon all parties. As the owner has the burden of proof, by failure to present evidence concerning any questions to the club or at a hearing scheduled to resolve any question, the owner shall be deemed to have waived his right to later present such evidence to a court of law, if he or she seeks judicial review of the club's action.

7. When an exhibitor, owner or trainer is guilty of unsportsmanlike conduct, such person is subject to disciplinary action by the TPHC, including but not limited to fines or suspension.

### GR-045 – Liability

The TPHC, its officers, directors, members of committees and representatives will attempt to obtain true and complete information in connection with all matters relating to TPHC activities. Except for proven intentional wrongdoing, neither the TPHC nor its officers, directors, members of committees or representatives will be liable in any way, whether in damages or otherwise, for any disciplinary procedure brought against or penalties imposed on any member or any person or for any other activities engaged in, by or on behalf of the Texas Paint Horse Club.

### GR-050 – Release Of Liability

a) The TPHC shall not be responsible for any personal injury, or for loss or damage to property occurring at any TPHC activity. Each owner, exhibitor, handler, or consignor shall indemnify and hold harmless the TPHC, its officers, directors and employees from and against all claims, demands, causes of actions and expenses of every kind, including attorney's fees, arising out of or related in any manner to the acts or omissions of an owner, exhibitor, handler, or consignor, or the actions of any animal under the care, custody or control of the owner, exhibitor, handler or consignor.

b) Presentation of signed entry or consignment forms shall be deemed acceptance of the conditions of this rule. In the event an entry or consignment form is not signed or presented, appearance on the grounds or at the sale ring of any TPHC activity as an exhibitor, handler, member, owner or consignor shall be deemed to be acceptance of the conditions of this rule.

### GR-055 – TPHC Funds

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Any and all fees or monies due the TPHC (in U.S. funds only) are the property of the TPHC upon collection and shall be turned over to the club within thirty (30) days of collection. The officers of such club and/or individuals responsible for the collection and disbursement of such funds shall be personally liable and in addition, subject to the rules pertaining to violations and disciplinary procedures.

## GR-060 – Violations

**Section 1.** Any member may be suspended and denied privileges of the club, and any non-member may be denied the privileges of the club by the Board of Directors for:

- 1) Failure to pay when due, any obligation owing the club including, but not limited to advertising fees from the newsletter or web site, or to an approved show, or for giving a worthless check for membership fees, entry fees, stall fees, office charges, stock charges or any other fees or charges including bank charges for returned checks connected with the exhibition or sale of horses if said obligation is not paid by cash within ten (10) days from the date of the fifteen (15) day written notification as outlined in Section 2.
- 2) Misappropriation of club funds.
- 3) Fraudulently claiming or advertising a TPHC title, award or points.
- 4) Violating the TPHC Constitution, By-Laws, Rules or Regulations.
- 5) Conduct that endangers or may endanger the good order, welfare or credit of the Texas Paint Horse Club.
- 6) Conviction in a court of law for cruelty to animals.
- 7) Conduct unbecoming a member, officer or director of the TPHC.
- 8) Suspension from the APHA.

**Section 2.** Fifteen (15) days before action by the Board, written notice of the account due and the intention to suspend or withhold privileges of the club shall be mailed to such member or non-member. Upon suspension by the recording secretary, the name of the member or non-member may be published in the TPHC newsletter beginning with the next available issue from date of suspension. Any suspension and denial of privileges of the club under this section shall terminate upon full payment of the obligations due the club, unless said suspension was caused for cruelty to animals. If it is determined by a court of law that any officer, director, member or appointed official of the TPHC has misappropriated funds of the club in any manner, that person shall be subject to federal and/or state charges for the offense, and may be suspended, fined, or denied all privileges.

## GR-065 – Fraudulent Practices

No person shall bribe or attempt to bribe an APHA or TPHC representative, APHA approved judge or any other official of an APHA approved event.

## GR-070 – Disciplinary Procedures

**A.** Any member may be disciplined, suspended, fined or expelled from the club, and any member or non-member may be denied any and all privileges of the club whenever it shall have been established by satisfactory evidence that such member or non-member has violated any by-law, rule or regulation of the club.

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**B.** The Rules and By-Laws Committee shall have sole authority to investigate possible or alleged violations and present their findings to the Board for final determination. Any and all complaints must be in writing, signed and dated to be considered and shall become a part of the minutes.

**C. Part I.** When it is determined that there is sufficient cause for a hearing, the person charged with any alleged violation shall be given not less than twenty-one (21) days notice of a time and place for hearing such allegations by the recording secretary, at which time and place he, or she shall have the opportunity, in person, or by counsel, to be heard and to present evidence in his or her own behalf, and to hear and receive evidence offered against him or her. Four members of the Board of Directors shall sit on and participate in the Rules and By-Laws Committee hearing on the matter.

**C. Part II.** The recording secretary shall be present to record all testimony. Testimony may be taken at a hearing via telephone, if the recording secretary has received written notification at least five (5) days prior to the scheduled hearing. This notice should contain the name, address and telephone number of each person who will testify via telephone. This provision is not intended to limit or preclude other appropriate procedures for offering testimony or evidence at hearings.

**D.** No continuance shall be granted unless requested in writing at least seven (7) days prior to the hearing, and good cause is shown. A continuance shall be granted or denied at the sole discretion of the president.

**E.** In regard to any violation, as a part of its disciplinary action, the Board of Directors may revoke participation privileges in all TPHC approved events for determined or indefinite period and/or assess a fine. Failure to comply with the Board's decision may result in additional disciplinary action.

**F.** In the event that a member or non-member, as part of the disciplinary action, is put on probation, that person's conduct and actions with respect to all TPHC activities are subject to strict review during the period of probation. A person who violates a TPHC by-law, rule or regulation while on probation is subject to more severe disciplinary action than might otherwise be the case. A person on probation is not a member in good standing with the TPHC, and may not serve as an officer or director of the TPHC while on probation. A person who is suspended from the APHA is not a member in good standing and may not serve as an officer or director of the TPHC while on probation.

**G.** The decision and action of the Board shall be final and binding on all parties.

**H.** The club has adopted the following provision for the mutual benefit of members, with the intention of reducing the club's litigation expenses, which expenses would ultimately be borne by members and non-members participating in club activities. Every member, by joining the club, or non-member, by purchasing American Paint Horses, or participating in TPHC approved events, does thereby agree as follows:

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- a) If unsuccessful in an attempt to overturn club decisions, actions, rules or regulations, to reimburse the club for its reasonable attorney's fees, court costs and other expenses in defense of such suit; and
  - b) That he or she will not commence any action, whether in law or equity, against the club in any courts other than those federal and state courts located in Tarrant County, Texas.
- I. On or after such time as any person has been suspended, expelled or denied further privileges, etc., the following restrictions shall apply:

That person shall not participate, and shall be ineligible to participate in any TPHC approved event.

### **General Notice Procedure**

Notice required by these Rules and Regulations may be served by delivering a copy of the notice to the person to be served, or his or her attorney, either in person or by registered mail, return receipt requested, postage prepaid, to the last known address as it appears on the club's records, and upon mailing, such notice shall be deemed received by such person when it is deposited in the United States mail.

## **GENERAL SHOW AND CONTEST RULES & REGULATIONS**

Exhibitors, judges and show management are responsible for knowledge of all APHA rules.

### Section 1. Registration Papers.

Proof of registry with the American Paint Horse Association must be shown to the show secretary on each horse, prior to entering a class.

### Section 2. Coggins Test.

A negative Coggins test must be verified by the TPHC show secretary before a horse is allowed to enter and show in any classes. The test must be current within 12 months, in accordance with Texas state law.

### Section 3. Identification.

Amateur and novice amateur exhibitors must present their current APHA identification card to the show secretary for verification when entering a class, and must record this ID number on the TPHC summary sheet.

### Section 4. Ownership.

Ownership other than a personal or family membership, requires a non-family membership. (Example: corporation, partnership.)



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## Section 5. Drug Testing.

Show management reserves the right to drug test horses at random at any time during the show.

## Section 6. Entry Forms.

An entry form must be filled out for each class. A summary sheet must also be filled out for each horse.

## Section 7. Ring Stewards.

A competent ring steward will be required at all approved shows. Any reputable person may act in the capacity of ring steward who can furnish proof that he is capable through ability or experience and is familiar with the APHA rules.

## Section 8. Year-End Award Qualifications.

- a) **Open Awards.** To be eligible for all TPHC “open” year-end (individual class) awards, the owner of the horse must be a current TPHC member in good standing at the time the points are earned
- b) **Youth and Amateur Awards.** To be eligible for youth, amateur and novice amateur (individual class) year-end awards, the youth, amateur or novice amateur exhibitor must be a member of TPHC at the time the points are won. All youth, amateur and novice amateur year-end awards are based on a one horse, one exhibitor basis, with the exception of Leadline and Walk-Trot classes. The exhibitor-horse combination must be eligible to earn APHA points.
- c) **If the Horse is Sold.** If the horse is sold, the points on the horse will transfer to the new owner, and will continue to accrue when the new owner joins the TPHC, if the new owner is not already a member of the TPHC.
- d) **For Points to Count.** The owner of the horse must become a member of the TPHC before the end of the last class at the TPHC approved show, for the points earned at that show to count. The exhibitor of the horse (if not the owner) need not be a member of the TPHC in open classes for the horse to be eligible for “open” TPHC year-end awards.
- e) **Minimum Point Requirements.** The following minimum requirements must be met in order for a horse, or horse and rider combination to be eligible to receive the TPHC standard year-end championship or reserve championship class awards: All divisions for class champion and reserve class champion shall have a minimum of ten (10) TPHC club points. If the high point horse fails to fulfill the stated club requirement, an award certificate proclaiming that horse as class champion or reserve class champion will be substituted.

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### Section 9. All-Around Open Horse.

The All-Around Open Horse recipient must have earned the most points, overall, at year's end. To qualify for the award, the horse must be shown in halter and three (3) performance events in three (3) different categories on the same day, according to APHA rules. Once qualified, all points earned during the year will count.

### Section 10. All-Around Youth, Amateur and Novice Amateur.

The All-Around Youth, Amateur and Novice Amateur recipient(s) will be those with the most points overall at year's end, according to the current APHA youth and amateur rules. (1 horse/1 exhibitor combination).

### Section 11. Points. Show & Year-End Awards.

Points for year-end awards as well as show all-around awards will be counted on a 6-5-4-3-2-1 basis. Points will be awarded on the basis of the number of entries in a class. (Example: If there are 6 horses in the class, 1st place receives 6 TPHC points; 2nd place receives 5 TPHC points; 3rd place receives 4 TPHC points, etc., down to 6th place receiving 1 TPHC point. If there were only 3 horses in the class, 1st place would receive 3 points; 2nd place 2 points and 3rd place receives one point.) Entries that have been disqualified by a judge (in accordance with the APHA Rule Book) will not receive any TPHC club points. The grand champion at halter will receive 2 points and reserve champion will receive 1 point. Each open all-around horse per show will receive 1 point towards the year-end all-around award.

### Section 12. Ties.

Ties will be broken by using the horse who has won the most first placings, (second placings, etc., if applicable) and if the horses are still tied, thereafter, by the flip of a coin. Duplicate grand class championship year-end awards will be presented if there is a tie for an individual class.

### Section 13. Longe Line and 2 Yr. Old Pleasure

Longe Line and 2 Yr. Old Pleasure will not be offered at TPHC approved shows prior to May 1st each year.

### Section 14. Combining Classes.

Classes may be combined if there is less than a one-point class. The TPHC reserves the right to cancel a class if there are less than three (3) exhibitors, after combining.

### Section 15. All-Day Fees.

If an exhibitor is taking advantage of the all day fees, the horse that is using the fees, may be shown in its corresponding "open" halter class .

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## Section 16. Amateur Halter Classes.

Junior and senior amateur halter will be offered at shows. Junior and senior amateur halter classes will be combined if either class has less than three (3) entries. Junior halter horses are age three years and under. Senior halter horses are age four years and older.

## Section 17. Youth Class Divisions.

- a) Youth class divisions are based on an exhibitor's age as of January 1st of the calendar show year. Youth Lead Line is for exhibitors who are age 8 years of age and younger as of January 1st; Youth Walk-Trot is for exhibitors who are age 11 and younger as of January 1st; the 13 & under classes are for youth exhibitors who are age 13 or younger as of January 1st, and 14-18 denotes classes for youth exhibitors who are age 18 or younger as of January 1st.
- b) Exhibitors in Lead Line may not show in any other riding classes at a show and must be led by an adult who is age 18 or older, in accordance with APHA Rule YP-105. Exhibitors in walk-trot classes may not show in any other youth classes at a show, with the exception of halter and showmanship, (either Walk-Trot Showmanship or 13 and Under Showmanship), in accordance with APHA Rule YP-110.

## Section 18. Equine Care.

Show management will not tolerate any abusive behavior directed against any horse, such as excessive spurring, whipping or jerking on a bit, (in the warm-up arena or elsewhere on the show grounds) or the withholding of food or water. Show management shall expel and remove any exhibitor or spectator that mistreats a horse in such a way as to cause blood to flow from the horse's mouth from an abusive bit, or from the horse's sides from the sharp spurs. Repeat offenders will be suspended from showing in all TPHC approved shows for a period of not less than six (6) months, or until such time as the suspension is lifted by the consensus of the Board of Directors.

## Section 19. Exhibitor Conduct.

Show management shall expel and cause to be removed from the show grounds, any member, exhibitor or spectator who verbally abuses an APHA approved judge that is currently judging a TPHC approved show, or the TPHC horse show secretary or any member of the horse show staff. Any and all repeat offenders will be suspended from showing in all TPHC approved shows for a period of not less than six (6) months, or until such time as the suspension is lifted by the consensus of the Board of Directors.

## Section 20. Judges.

No APHA approved judge may be hired to judge two consecutive years in any TPHC approved shows.

## Section 21. Show Secretary.

The show secretary shall be in charge of all TPHC sponsored shows, as regards to entries being accepted and results being promptly sent to the national office and designated TPHC points keeper. The show secretary shall be appointed, or hired by the Board of Directors. The show

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secretary shall forward all monies collected, and a detailed summary of all income and expenditures on each horse show to the club treasurer.

### Section 22. Working Order.

A working order will be established for exhibitors in all individual classes such as halter, showmanship, cattle events, trail, etc., from exhibitor numbers either drawn at random prior to each class, or from exhibitor numbers that are handed out by the show secretary in random order at the time the exhibitor signs up for a class, at all TPHC approved shows.

### Section 23. Safety Zone.

A safety zone will be established for exhibitors in all classes at all approved shows. The zone will comprise a corridor that is designated either inside or outside of the entrance to the arena. Only horses who are waiting to enter the next class may enter the corridor.

### Section 24. Final Ruling.

The TPHC Board of Directors shall make the final determination on any and all issues concerning these Rules. Members may address the Board of Directors at any meeting, or contact the corresponding secretary and make a written request to be included on the next meeting's agenda.

### Section 25. APHA Rule Book.

For all other rules, regulations, class patterns and any other matter relating to the showing of American Paint Horses, refer to the official APHA Rule Book.