

BYLAWS

OF

AMERICAN DRUG FREE POWERLIFTING ASSOCIATION

DBA

USA POWERLIFTING



AMERICA'S CHOICE FOR DRUG-FREE STRENGTH SPORT™

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PREAMBLE

USA Powerlifting, formerly known as American Drug Free Powerlifting Association, Inc., is dedicated to the promotion and the support of amateur drug free powerlifting within the United States and its States, Commonwealths, and Territories.

ARTICLE I - ORGANIZATION AND PURPOSE

SECTION 1.1. NAME. The name of the not-for-profit corporation is USA Powerlifting, Inc., hereinafter referred to as the Association or as USA Powerlifting.

SECTION 1.2. OFFICIAL EMBLEM AND SEAL. USA Powerlifting's Official Emblem and Seal shall have inscribed thereon the name of the Association and shall be in such form as may be approved from time to time by the Executive Committee.

SECTION 1.3. PURPOSES. USA Powerlifting is organized and is being operated exclusively to foster national and international amateur drug free powerlifting competition. As part of its purpose of fostering national and international amateur drug free powerlifting, the Association shall have authority to develop, promote, and regulate the sport; to register drug free amateur powerlifting teams/clubs and individuals; to organize officials; to present seminars and instruction for powerlifters and officials; to sanction drug free powerlifting meets; to maintain state, national, American, and international records; and to encourage the growth of the sport of amateur drug free powerlifting. USA Powerlifting is autonomous in governing powerlifting. It independently determines and controls all matters central to such governance, it does not delegate such determination and control, and it is free from outside restraint. It is a member of only one international sports federation that governs a sport included on the program of Olympic Games or the Pan-American Games.

SECTION 1.4. PLACE OF INCORPORATION. USA Powerlifting is incorporated in the state of Alabama and has its principal place of business in the locale in which the President of the Association regularly resides.

SECTION 1.5. USOC RECOGNITION AND PARTICIPATION. USA Powerlifting is authorized to participate in the activities of the United States Olympic Committee ("USOC"), and is the sole national governing body for the sport of powerlifting in the United States of America. USA Powerlifting shall conform all of its actions so as to enable the Association to participate to the maximum extent possible in the competitive and other programs of the USOC and IOC, including the Summer Olympic Games, World Games, and the Pan-American Games. USA Powerlifting is prepared to meet the obligations imposed on a national governing body under 36 U.S.C. § 392.

ARTICLE II - MEMBERSHIP

SECTION 2.1. MEMBERSHIP IN THE ASSOCIATION. Membership in USA Powerlifting is a privilege and creates with it certain obligations and duties. The EC may establish such membership requirements as deem necessary or appropriate. In addition to the requirements stated in these Bylaws, membership in the Association shall be limited to those persons who are "amateur athletes". No privilege of membership shall be available until all membership requirements are satisfied and all dues are paid in full. The membership of the Association consists of two classes:

A. **GROUP MEMBERSHIP.** Group members include state (local sports supervising committee), armed forces, business, college, and other educational groups, and are described below;

1. **State.** State group members are and shall be the recognized powerlifting committees of each of the states of the United States, which conduct annual state championship USA Powerlifting sanctioned meets in the sport of powerlifting sanctioned by USA Powerlifting. Membership in a state powerlifting committee shall be open to all USA Powerlifting registered individuals of that state having an active interest in the sport of drug free powerlifting, and all educational institutions, registered clubs, and other organizations operating within that state having an active interest in the sport of drug free powerlifting.

(a) Bona fide educational institutions and clubs desiring to be State group members must register with the National Association of USA Powerlifting and pay the required annual club registration fee. USA Powerlifting Club Registration is not required in order to receive team awards at any local/state level event in which 'high school' and/or 'collegiate' and their sub-divisions (such as Junior Varsity and Varsity) are the only divisions offered.

(b) A state powerlifting committee chair and any other officers desired by the state powerlifting committee (USA Powerlifting registered lifters within the state) shall be elected every three years by the state powerlifting committee. This three-year election shall be conducted by the National Office prior the state USA Powerlifting championships and shall include a means to include electronic voting for state members. The newly elected chair shall

preside the day following said election.

(c) In the event that there is no state election, the President of USA Powerlifting shall appoint the state powerlifting chair who will represent the state on the NGB and work for the furtherance of the purposes of USA Powerlifting. The state chair may appoint additional officers of the state powerlifting committee as needed.

2. Armed Forces. Armed Forces group members are the United States Army, United States Navy, United States Air Force, the United States Marine Corps, United States Space Force and the United States Coast Guard. (This includes any active USAPL member possessing a Veterans Administration issued identification card, or any State issued license or identification noting Veteran status.)

3. Business. Business group members consist of companies and any business organizations in the United States who have an interest in supporting the development and growth of drug-free powerlifting in the United States.

4. College. College group members consist of those representing one institution and who attend undergraduate or graduate full time and who are not over the age of 25 years and/or those who are its administrators or teachers (or professors) in an undergraduate or graduate school.

5. Other Educational Groups. Educational group members consist of those representing one educational institution either by attendance or by employment that have interest in promoting and/or participating in drug free powerlifting through USA Powerlifting.

B. **INDIVIDUAL MEMBERSHIP**. Individual members include athletes eligible for participation in the sport of powerlifting as defined by USA Powerlifting within these Bylaws and other individuals, such as referees and officials, who have an active interest in the sport of powerlifting. Individual Membership categories are described below;

1. Individual Membership. Membership is open to any individual who is an amateur athlete, coach, trainer, manager, administrator, or official active in powerlifting.

2. Armed Forces. A member of the armed forces is a person serving full-time in the military, including the Navy, Army, Air Force, Marines, Space Force or Coast Guard. (This includes any active USAPL member

possessing a Veterans Administration issued identification card, or any State issued license or identification noting Veteran status.)

3. Collegiate. A collegiate lifter is a full-time student, undergraduate,

or graduate, in good standing (per school requirements), in a two or four year college or university. The student is eligible for collegiate status for four years in a five-year consecutive period, or until reaching the age of 25. The year of eligibility is defined as passage of the National Collegiate competition, whether or not attended.

4. Law Enforcement Officers (LEO) and Firefighters. Law enforcement officers and firefighter members are those individuals employed full time as either a law enforcement officer (federal, state, local, or tribal) or firefighters not including those employed as a paramedic or a member of an ambulance crew.
5. High School. High school members are those male and female individuals who attend high school, which includes grades 9th through 12th and who are not older than 19 years of age.
6. Prison. Prison members include those individuals who are incarcerated in a county, city, state, or federal facility, while participating in a USA Powerlifting competition.
7. Non-Competing. Members who are no longer actual powerlifting competitors are permitted to join the USA Powerlifting. This member must be in good standing. This member is entitled to all the benefits and privileges of a regular member. Noncompeting members will be subjected to all of the rules and procedures like any other member with the exception of drug-testing.
8. Non-United States Citizens. Those citizens with appropriate government documents such as a “green card” shall be permitted to lift at any USA Powerlifting meet and shall be allowed to lift on a National team with the appropriate qualifications.

SECTION 2.2. MEMBERSHIP IN THE NATIONAL GOVERNING BOARD (“NGB”) OF USA POWERLIFTING. The voting membership of the NGB of the Association shall consist of:

- A. **STATE CHAIRS.** One representative from each state committee may vote. The representative shall be the chair of the state powerlifting committee, or the

chair's representative, and shall be designated as a proxy in writing prior to the commencement of the NGB Meeting.

B. **EXECUTIVE COMMITTEE**. Members of the Executive Committee are elected national officers and non-officers and include: President, Vice-President, Secretary, Treasurer, and seven elected non-officer members of the USA Powerlifting Executive Committee.

C. **MEMBERS AT LARGE**. Each chair of the following committees shall be considered members at large of the NGB: Collegiate, International, Masters, Teenage, Military, Disabled and Women. The seven committees shall exist to represent that membership, which falls in that category. (A second voting representative will be awarded to five states with the highest number of USA Powerlifting registered athletic members during the previous registration period.)

D. **ATHLETES REPRESENTATIVES**. Up to five athletes representatives may be elected to a three-year term to be served on the NGB by the active athletes. Nominations and election will take place so that all registered USA Powerlifting members may participate in this election

E. **EXCLUSIVITY**. To be eligible for a position in the NGB, a member cannot hold a similar position in another powerlifting organization that is not affiliated with USA Powerlifting.

F. **AGE CRITERIA**. All members elected to the NGB must be at least eighteen (18) years of age.

SECTION 2.3. ELIGIBILITY FOR MEMBERSHIP. Eligibility for membership in USA Powerlifting shall be as set forth herein and as specified by the NGB from time to time. Such amendments shall be so amended and noted in the rule book.

SECTION 2.4. APPLICATION. Any individual or group desiring to become a member of USA Powerlifting shall make application to the USA Powerlifting National Office, on the form prescribed by the Executive Committee, specifying the class of membership desired (e.g., regular, high school), and in such detail as the Executive Committee may reasonably require, and shall set forth evidence of 'the eligibility of the applicant for membership in the desired class. The Executive Committee may at its discretion delegate to any person or organization the actual tasks of approving and recording applications and transmitting membership cards.

SECTION 2.5. DUES. Each individual member shall pay dues to USA Powerlifting in an

amount, if any, determined by the NGB and within specialty groups such as high school. The amount may vary from year to year and may vary by category of membership.

ARTICLE III – NATIONAL GOVERNING BOARD (“NGB”)

SECTION 3.1. PURPOSE. The business of USA Powerlifting shall be conducted by the NGB, and between regular meetings of the NGB, by the Executive Committee or the Association or by designated subcommittees.

SECTION 3.2. DUTIES OF THE NGB.

- A. The NGB has jurisdiction and full power and authority over all USA Powerlifting sanctioned competitions.
- B. The NGB may award championship events for not only the year selected, but for one or two additional years, provided that it is not for more than three years in advance. If any championships are awarded at an Executive Committee meeting other than at the annual meeting of the Association, and less than two-thirds of the total Executive Committee is present and in agreement, then a mail vote must be taken of the absent members before any championship awards become final.
- C. The NGB may, by resolution passed by a majority of the NGB, delegate limited specified power and authority to one or more standing committees or to a designated special committee to exercise, to the extent provided in the resolution, the powers and authority of the NGB in the management of the business and affairs of the Association, provided however that no such committee shall have power or authority to amend the certificate of incorporation of the Association, to adopt an agreement of merger or consolidation, or to amend these Bylaws. (See Article IV, 4.6).
- D. The NGB may make any allotments for expenses for athletes and teams participating in international competition with funds appropriated for that purpose.
- E. The NGB may appoint subcommittees, whose members need not be members of the NGB, to manage limited, specific business of the Association.
- F. The NGB approves the officials for international meetings and championships.

G. The NGB coordinates the competition of foreign athletes in drug free powerlifting in the United States and its USA Powerlifting athletes abroad, and no commitment for holding of international competition between athletes of USA Powerlifting and foreign athletes, whether in the U.S. or abroad, can be made without the prior authorization and approval of the NGB.

H. The NGB has the responsibility to ensure that all competitions in drug free powerlifting in the U.S. whether national or local in scope, are conducted according to the rules of competition specified by USA Powerlifting.

I. The NGB must approve by majority vote any competition designated as a National USA Powerlifting Championship.

J. The NGB has the authority to open each meeting by a majority vote of the committee members present, to all coaches, officials, and representatives of any group actually engaged in powerlifting, which shall have a right to speak during the committee meetings with prior approval of the Executive Committee, but shall have no right to vote.

K. The rule governing open meetings shall apply when meeting by conference call, except when the committee is sitting in a quasi-judicial or judicial capacity.

L. Any proposed changes to the USA Powerlifting Rulebook shall be presented to the NGB at the annual meeting for vote prior to adding to or amending the existing Rulebook. The exceptions to this general rule are:

1. Rule changes enacted by the NGB at the prior annual meeting; and changes necessary to correct spelling, grammar, or punctuation.
2. All non-By-Laws proposals that are not addressed and/or voted on at the annual NGB meeting will be discussed and voted on by the Executive Committee (EC) within 60 days of the conclusion of the NGB meeting. Proposals require a simple majority of the EC to pass. In their discussions of these proposals, the EC may engage the person (or people) who submitted the proposal for clarification, to bring up problematic aspects of the proposal, and/or to request that the proposal be amended or withdrawn prior to the vote (similar to how proposals are managed at the NGB meeting). The Secretary of USA Powerlifting will make known the results of the votes to the members of the NGB no later than 60 days after the conclusion of the NGB meeting.

SECTION 3.3. ANNUAL MEETINGS. There shall be an annual meeting of the USA Powerlifting NGB for the election of members of the Executive Committee, for receiving the annual reports of committees, and for the transaction of such other business as may come before it. This meeting shall be held in conjunction with the Open National Championships of USA Powerlifting or at such time as designated by the Executive Committee. There shall be such other meetings of the NGB as may be called pursuant to Section 3.4 below. All published notices of meetings shall set forth the place, date, time, and purposes of the meeting.

SECTION 3.4. SPECIAL MEETINGS. Special meetings of the NGB for any purpose or purposes may be called by the President with one-third approval of the Executive Committee or by a majority vote of the Executive Committee upon notice at such time and place as may be stated in the notice.

SECTION 3.5. VOTING RIGHTS AND REPRESENTATION. The right to vote at a meeting of the NGB shall be limited to the following: The Officers (President, Vice President, Secretary, Treasurer), Members of the Executive Committee (seven elected non-officers), seven Members at Large, five Athletes Representatives, and the State Chairs. No person including any delegate or proxy shall cast more than one vote. Each of the voting membership may proxy their vote in the following manner and under the following conditions:

- A. The proxy must be present at the NGB meeting.
- B. The President of USA Powerlifting must be formally notified by official method indicated in the NGB Notice the name and email of the intended proxy prior to the National Meeting.
- C. A similar or identical bearer letter must be presented to the USA Powerlifting Secretary at the National Meeting for the proxy to receive a vote.
- D. A State Chair shall delegate the proxy to an USA Powerlifting member who is registered for the current year in that state.
- E. A Member at Large must delegate the proxy to either a currently registered member from that state if selected by state membership during the previous year or to a member of the specific committee if selected via specific committee representation.
- F. The proxy may not proxy their vote.
- G. Any proxy must be a member of USA Powerlifting and must be at least eighteen (18) years of age.

SECTION 3.6. VOTING. At a National meeting duly called and held, the NGB members and the official proxies who are in attendance shall decide any agenda items presented by majority vote of the quorum unless otherwise provided for by these Bylaws. Only one vote may be cast by each person. Honorary awards shall be voted on by the NGB a week prior to the NGB meeting via a secure polling system selected by the Secretary of USA Powerlifting.

SECTION 3.7. ORGANIZATION. The President, or in the President's absence, a member of

the Executive Committee, elected by those members of the Executive Committee present, shall act as a chair of that meeting of the NGB. The Secretary of the Association shall act as secretary of all meetings of the NGB, but in the absence of the Secretary, the chair of the meeting may appoint any other person to act as secretary of the meeting.

SECTION 3.8. QUORUM. A quorum present for any meeting for the purpose of conducting business under the provisions of Sections 3.3 and 3.4 shall be 25% of the membership of the NGB.

SECTION 3.9. PROCEDURES. For all meetings of the NGB, the Executive Committee, and subcommittees of the Association, the current Robert's Rules of Order are the general rules of order, except where they are in conflict with the provisions of these Bylaws, and in such cases these Bylaws prevail.

SECTION 3.10. ORDER OF BUSINESS. At all meetings of the NGB the following is the order of business:

- A. Roll call of voting members;
- B. Reading of minutes of previous meeting;
- C. Treasurer's report, including any outside auditor's report;
- D. Report of officers and committees;
- E. Unfinished business;
- F. Action on proposed amendments;
- G. New business; Election of Officers and Executive Committee Members; and
- H. Installation of officers (at annual meeting).

Section 3.11. DATE OF EFFECTIVE NATIONAL GOVERNING BOARD ACTIONS. Motions passed at the annual National Governing Board meeting will go into effect January 1 of the next calendar year. Motions passed at the National Governing Board annual or special meeting with specified implementation dates will go into effect on the implementation date so specified.

SECTION 3.12. ESTABLISH A STANDARD TIME FRAME FOR INVESTING NEWLY ELECTED OFFICERS. Officers and Non-Officer Executive Committee Members will be installed in office the first Monday following the National Governing Board meeting. A transitional period of two weeks shall be offered to transfer information from the outgoing to incoming elected member.

ARTICLE IV - EXECUTIVE COMMITTEE

SECTION 4.1. PURPOSE AND DUTIES. Between meetings of the NGB, full power, management, and control of USA Powerlifting shall reside with the Executive Committee. The Executive Committee shall also provide for the appointment of a qualified outside auditor, who shall audit the books and records of USA Powerlifting when the Executive Committee deems such an audit necessary and if the finances of the Organization permit.

SECTION 4.2. MEMBERSHIP. The Executive Committee of the Association shall include:

- A. The President.
- B. The Vice-President.
- C. The Secretary.
- D. The Treasurer.
- E. The seven (7) elected non-officer members.

These members shall be elected by the NGB from registered USA Powerlifting members in good standing. Executive Committee members are selected without regard to race, color, religion, national origin, or sex, except that there should be reasonable representation of both males and females. The officers must not also be officers of any other amateur sports organization recognized by the USOC.

SECTION 4.3. MEETINGS. Between annual meetings of the NGB, the Executive Committee shall conduct the business of the Association. Meetings of the Executive Committee shall be held at the time and place designated in the notice of meeting whenever called by the President or by vote of two-thirds of the members of the Executive Committee, or by vote of one-fourth of the NGB members. Notice of the time and place of a special meeting shall be given to each member of the Executive Committee by the Secretary, or in the Secretary's absence, any other member of the Executive Committee, by word, email, or method deemed appropriate given a reasonable time prior to the special meeting, and where practicable, ten (10) days prior to the meeting. Such notice shall specify the purpose of the meeting.

SECTION 4.4. QUORUM. For the purpose of conducting business under the provisions of Sections 4.1 and 4.3, a quorum shall consist of 2/3 of the Executive Committee.

SECTION 4.5. ACTION WITHOUT MEETING. Nothing contained in these Bylaws shall be deemed to restrict the power of the Executive Committee or any committee designated pursuant to Section 4.6 to take any action required or permitted to be taken by them, without meeting, if consent in writing setting forth the action so taken shall be signed by a majority of the committee members. Alternatively, the Executive Committee or any committee designated pursuant to Section 4.6 may take action by use of a conference call, provided that all committee members have been notified in advance, of the intention to carry out such conference, and that a quorum is included in the conference.

SECTION 4.6. OPERATING COMMITTEES STANDING COMMITTEES.

A. **APPOINTMENT OF OPERATING COMMITTEES.** The Executive Committee shall appoint each committee chair. The rules governing open meetings (see Section 3.2 (J) and (K) supra) shall apply to all operating committees, except for the Discipline Committee when it is sitting in a quasi-judicial session or judicial session. Reasonable notice of meetings of committees, other than of regular meetings provided for by the rules, shall be given to the committee members. The members of these committees shall be volunteers or shall be recruited or appointed by the Committee Chair. All actions taken by committees shall be recorded in minutes of meetings.

B. **LISTING OF OPERATING COMMITTEES.** The following are the standing committees of USA Powerlifting

Anti-Doping Committee

Bench Press Committee

Coaching Education Committee Collegiate

Committee Disabled Committee Discipline

Committee

Finance Committee

Law and Legislation Committee

Marketing and Publicity Committee

Master's Committee

Military Committee

National Meet Committee

National Teams Committee

Technical Committee

Teenage/Junior Committee

Therapeutic Use Exemption

State Chair Committee

Women's Committee

C. RULES FOR OPERATING COMMITTEES. Each committee may adopt rules for its management not in consistent with these Bylaws or the Rules of USA Powerlifting. All committee chairs shall have a three-year term. No more than seven (7) committee chairpersons shall be elected in a given year.

SECTION 4.7. CONTRACTS. The Executive Committee may authorize any person to enter into any contract or execute and deliver any instrument in the name and on the behalf of USA Powerlifting, and such authority may be general or confined to specific instances as described for the occasion by the Executive Committee. No subcommittee shall have the authority to enter into any contract or agreement, or to execute or deliver any document or instrument for or on behalf of USA Powerlifting, without the approval of the Executive Committee. Members of the Executive Committee shall recuse themselves from voting on contracts or financial matters in general in which they have a direct or indirect financial interest. However, nothing in these Bylaws precludes Members of the Executive Committee from providing necessary service to USA Powerlifting in the normal course of their service as Executive Committee Members, or in order to advance the interests of USA Powerlifting. In awarding all contracts, the Executive Committee shall make findings related to the necessity and propriety of the

contracts and the vendors selected, unless the Executive Committee elects for good cause to waive such requirements.

SECTION 4.8. OFFICERS. The titles of the officers of the Association are: President, Vice-President, Secretary, and Treasurer. Those officers will be elected by the members of the NGB: No person may be elected to more than one Executive Committee position. Each shall serve a term of three years following election.

SECTION 4.9. DUTIES OF OFFICERS. The duties of the officers of the Association are those which are promulgated by the Association, and in addition, are as follows:

- A. **PRESIDENT.** The President shall have the option to preside at all meetings of the NGB and Executive Committee. If he does not preside at the meeting, the highest-level officer who is present at the meeting shall preside. The President shall be an ex officio member of all committees. An additional secretary may be appointed by the USA Powerlifting President, but shall have no vote. The USA Powerlifting President shall be the International Representative of USA Powerlifting, unless the President delegates such duty or duties. Such delegation shall only take place with the approval of the Executive Committee.
- B. **VICE - PRESIDENT.** The powers of the Vice-President shall include, but are not limited to, the following:
 - 1. Responsible for promoting USA Powerlifting and drug free powerlifting.
 - 2. If the President resigns or become incapacitated, the Vice President shall act as President until a replacement is elected.
- C. **SECRETARY.** The Secretary shall make proper arrangements for keeping the records of USA Powerlifting, issuing official notices of all meetings of the Association, and performing such other duties as may be directed by the President. The Secretary shall also serve as the Secretary of the NGB and the Executive Committee.
- D. **TREASURER.** The Treasurer shall receive and account for all funds of the Association and for financial record-keeping.

SECTION 4.10. SEVEN NON-OFFICER MEMBERS OF THE EXECUTIVE COMMITTEE; DUTIES. Such members shall be elected by the members of the NGB. No person may be elected to more than one Executive Committee position. Each member shall serve for a term of

three years following election. Such members shall have one vote each and shall serve on the Executive Committee. As an Executive Committee member, the non-officer member shall have the duties to manage the business of USA Powerlifting. These non-officer members shall have such other duties as assigned to them by the NGB, by the majority of the Executive Committee, and/or by the President.

SECTION 4.11. VACANCIES. If there is a vacancy during the term of office of any officer or the Executive Committee, with the exception of the Presidency, the Executive Committee shall elect a successor by majority vote.

A. **PROCEDURE FOR FILLING VACANCY.**

1. The pool of nominees running for the vacant office shall include those who designate their interest in writing to the National Office, those appointed or nominated by any member of the NGB, those appointed or nominated by the Executive Committee, or those appointed or nominated by any member of the Association.
2. The position shall remain open for not less than three (3) weeks and no longer than eight (8) weeks.
3. The Executive Committee shall provide notice of such vacancy. An accepted notice may be a notice sent via email to all USA Powerlifting members, a notice posted on the official USA Powerlifting website (www.usapowerlifting.com), and/or a notice posted on another appropriate USA Powerlifting media forum. The notice shall include the following information: the vacant position, a request for nominations, and the deadline for accepting nominations.

B. **TERM OF OFFICE FOR NEWLY-ELECTED OFFICIAL.** The officer or non-officer Executive Committee member elected to fill the vacancy shall serve the remaining term of office of the vacating officer or non-officer until such time when the regular election takes place.

C. **VACANCY OF THE PRESIDENCY; SPECIAL RULES.** If there is a vacancy of the Presidency, the Executive Committee shall elect by majority vote a temporary President as soon as practicable. At the next NGB meeting, the NGB shall take nominations for the Presidency and shall elect the President to serve the remaining term.

D. **SUCCESSION OF OFFICE.** There shall be no established order of succession

to any office. Should the President become incapacitated, the Vice President shall act as interim President per 4.9(b(4)) until such time as the Secretary of the NGB shall call a meeting of the Executive Committee and a successor to the President shall be chosen by the Executive Committee to serve until the next regular election.

SECTION 4.12. SELF-DEALING. No member of the Executive Committee shall vote on, or participate in the consideration of, any matter relating to an outside or pecuniary interest of any kind.

SECTION 4.13. NEPOTISM. The Executive Committee may authorize the hiring of such employees of the organization as are necessary to effectuate the purposes of USA Powerlifting; however, such employees shall not be closely related to a member of the Executive Committee, unless it can be shown that employment is at or below market rates for such employment, or unless there are circumstances justifying a waiver of such circumstances.

SECTION 4.14. PROXY VOTING. The Officers and Executive Committee members may proxy their vote at any NGB meeting, on the condition that the officer or member follows the prescribed rules for the proxy of one's vote as otherwise stated herein.

SECTION 4.15. STAGGERED TERM OF OFFICE. The Officers and Executive Committee shall have staggered terms. To establish the staggered terms, in 1998, the office of the Vice-President and two Executive Committee member positions shall be open for reelection. In 1999, the office of the Secretary/Treasurer (now two separate offices) and two Executive Committee member positions shall be open for reelection. In 2000, the office of the President and two Executive Committee member positions shall be open for reelection. After 2000, the elections of the Officers and Executive Committee members shall be held accordingly so that each officer and member shall have the prescribed three year term.

SECTION 4.16. CONFLICT OF INTEREST. No owner, employee, representative, or agent of an athletic gear manufacturer or distributing company who may directly or indirectly derive profit from the sport of powerlifting shall be permitted to hold an office as an Officer or Executive Committee member.

ARTICLE V - RESIGNATIONS, REMOVALS AND VACANCIES

SECTION 5.1. RESIGNATIONS. Any member of the Executive Committee or any member of any committee may resign at any time by giving written notice of the resignation to

the Executive Committee, the President, the Secretary, and the Treasurer. Any such resignation shall take effect at the time specified therein or if the time is not specified therein, then upon receipt thereof the acceptance of such resignation shall not be necessary to make it effective.

SECTION 5.2. REMOVALS. The Executive Committee may at any meeting thereof by two-thirds (2/3) vote of those present and voting, remove with cause from office any member of any committee and any officer. Any member of the Executive Committee may be removed with cause by 2/3 vote of the members of the NGB.

SECTION 5.3. VACANCIES. Any vacancy in the Executive Committee may be filled by a majority vote of the remaining members of the Executive Committee and subject to the provisions of Article IV, Section 4.11.

ARTICLE VI - DISCIPLINE

SECTION 6.1. THE DISCIPLINARY COMMITTEE - DESIGNATION AND PURPOSE. A Discipline Committee shall handle all problems of discipline brought before it and shall make a report of actions taken or in progress at the National Meeting. This committee shall consist of a chair and four (4) other members. The committee members will be appointed by the Executive Committee on a standing basis. Matters shall be referred to this Committee that have not been resolved by the President through informal means. A Discipline Committee member who has direct or indirect interest in the matter cannot participate in the hearing process and shall have no vote, has a duty to recuse himself or herself from hearing of the matter, but may serve as a witness regarding the matter. The quorum for the Discipline Committee shall be three (3) members. In the event that three members of the Discipline Committee are not available to consider a particular matter, the Executive Committee may appoint one or more temporary members to act in connection with the particular matter only.

SECTION 6.2. SUSPENSION AND EXPULSION.

A. **EXPULSION BY THE EXECUTIVE COMMITTEE.** The Association through the Executive Committee and upon the discovery and determination of the Executive Committee has the right to suspend for a definite or indefinite period of time or to expel by 2/3 vote a member who has contravened any of the Bylaws or rules of the Association or any state or federal criminal law involving moral turpitude (which are those crimes involving lying, cheating, or stealing) and affecting this Association or the integrity of this Association. The Association through the NGB

or the Executive Committee shall have the right to suspend or expel any athlete who has violated the rules of amateurism as specified by the Association in these Bylaws by three-fourths (3/4) vote by the NGB or by the Executive Committee. (Amateur is defined as a person who does not compete in powerlifting for money. A person may be a professional in another sport but as long as they do not win and/or accept money for competing or performing the powerlifts [together or singularly] they shall be considered amateur.)

B. **HEARING BEFORE THE DISCIPLINE COMMITTEE.** Upon the suspension or expulsion of a member by the Executive Committee as described in Section 6.2, (A), such member may request a hearing before the Disciplinary Committee. The Disciplinary Committee shall hear evidence, either written or oral, and as indicated below in C(1-5) and render a recommendation. The recommendation along with the evidence presented shall be presented forthwith to the Executive Committee. If the recommendation finds in favor of the charged party, the Executive Committee shall follow the recommendation of the Disciplinary Committee unless it is clearly demonstrated from the evidence that such a recommendation cannot be supported or is contrary to these Bylaws or the Rules of the Association. If the recommendation finds against the charged party, the charged party may appeal to the Executive Committee pursuant to Section 6.2 (C)(4).

C. **DISCIPLINE COMMITTEE.** The Discipline Committee shall have the power to suspend or expel any member as stated in (A) above and upon any complaint or grievance filed with the President and subsequently transferred to the Disciplinary Committee for adjudication pursuant to Section 6.3. The Disciplinary Committee shall also have the power to create procedures to govern the hearing process as long as such procedures are reviewed and approved by the Association's counsel and are not contrary to these Bylaws.

1. **Notification.** Before exercising its power under this article, the Discipline Committee shall notify in writing the person, persons, or group charged with any infringement or infraction of rules, Bylaws, or good conduct, and afford the person, persons or group, a fair and impartial hearing by mail or in person as determined by the Discipline Committee. The hearing shall take place no sooner than thirty days nor later than sixty days after the mailing date of this notification. Said notification shall be sent by certified mail without the necessity of requiring a return receipt.

2. Response Due. The respondent or charged party will have fifteen days from mail of notice to file their answer to the specific charges; and if the answer to the specific charges, together with a letter of intent to attend the hearing mailed by the charged party by certified mail, is not received at least five days prior to the hearing, a default will be deemed. Charged party may petition the Disciplinary Committee or additional time in which to submit their answer. Nothing under this article will work as a default if the party appears at the said hearing.

3. Representation. The charged party has the right to a representative of their choosing.

4. Hearing. Once the matter is set for hearing, the matter will proceed to hearing on the scheduled date before the Discipline Committee. If the matter is resolved against the charged party, said party will have the right to appeal to the Executive Committee by giving written notice not later than fifteen days from the date of the adjudication of the Discipline Committee. If such written notice is not received within the prescribed time period, the appeal shall be waived, and the decision of the Discipline Committee shall stand as the final decision of USA Powerlifting. The charged party may request an oral hearing; however, the Executive Committee retains the power and discretion to review the appeal on the evidence submitted and such oral hearing is therefore discretionary. The oral hearing must be approved by two-thirds (2/3) vote of the Executive Committee.

5. Appeal. Any appeal shall be perfected by sending a letter of notice of appeal within fifteen calendar days from the date of adjudication to the Executive Committee of USA Powerlifting. Upon appeal, if a hearing is approved by the Executive Committee, the hearing will be held within the same time frame and under the same rules as herein prescribed for the original trial after the Executive Committee notifies the respondent or charged party as to the hearing date, time, and place.

6. Attendance Bar. A suspended member may not participate in or attend any official USA Powerlifting meetings with the exception of being a personal coach or a spectator.

D. APPLICATION FOR REINSTATEMENT. On application for reinstatement to

the Association by any person suspended or expelled, said application shall give in detail the reasons advanced for reinstatement, whereupon the Association may reinstate that person, and shall be forwarded to the Discipline Committee for review, if applicable under the Bylaws.

SECTION 6.3. INTERNAL GRIEVANCE PROCEDURE AND ARBITRATION.

- A. Any member of USA Powerlifting may file a written grievance with the Secretary pertaining to any matter within the cognizance of the Association and/or alleging a violation of any provision of these Bylaws or the Rules of USA Powerlifting.
- B. Any grievance or complaint shall be signed before a Notary Public and under oath and shall allege with particularity the nature of the grievance and/or each claimed violation of the aforementioned documents by reference to specific sections thereof, stating in concise language how, when, and where the alleged violation occurred. The factual allegations shall be set forth in numbered paragraphs, each paragraph containing a single factual allegation.
- C. Upon receipt of a grievance or complaint, the Secretary shall refer it to the President. Every effort will be made by the President to resolve the grievance or complaint through informal means within sixty days from the date of receipt of the grievance at the National Office (or by the President).
- D. In the event that the member filing the grievance or complaint is not satisfied with the resolution of the matter reached by informal methods or the sixty day time period has expired, the member may request a hearing, whereupon the Executive Committee shall promptly appoint at least three members of the Discipline Committee, none of whom shall have an interest in the subject matter, or the appearance of an interest in the subject matter, of the grievance or complaint to hear evidence, make findings of fact, and adjudicate the issues raised.
- E. At any hearing pursuant to (C) and (D) above, all interested parties shall have the right to representation by representatives of their own choosing, to present evidence in support or in opposition to the grievance or complaint, to cross-examine witnesses, and to present such factual or legal claims as will support their positions. A summarized record of the proceedings shall be made by the hearing panel. The rules of evidence shall not be strictly enforced. The hearing panel shall expeditiously conduct the hearing and report its findings of fact and conclusions to the Executive Committee and all interested parties.

F. Fair notice and an opportunity for a hearing in accord with the procedure outlined in Section 6.2 (C) shall be accorded to any member, before the Association declares such individual ineligible to participate, in any capacity, in any USA Powerlifting sanctioned powerlifting competition.

G. The Discipline Committee shall recommend action, including legal action, against anyone who has competed in, won titles in or set records in a sanctioned USA Powerlifting meet while not being a member of USA Powerlifting or falsely claims to be a member. The action shall be for fraud, loss of revenue, legal fees, and other suits as may be proper and appropriate. Trophies, titles, records, etc. falsely won in such manner shall be reclaimed from said person and awarded to the proper individual(s). The same applies to any team, club, or organization that falsely claims to be an USA Powerlifting registered team and is not.

H. Upon receipt of such recommendations from the Disciplinary Committee, the Executive Committee shall call an Executive Committee meeting, present the Disciplinary Committee recommendations, engage in deliberation, and then reach a majority decision.

ARTICLE VII - SANCTIONS OF COMPETITIONS

SECTION 7.1. JURISDICTION. All USA Powerlifting competitions must be sanctioned by the Association. The sanction number must be published on the entry form materials. Anyone not obtaining an USA Powerlifting sanction for a meet claiming to be an USA Powerlifting event, will be denied an USA Powerlifting sanction for a period of not less than 12 months from the date of the fraudulent meet. (See Article XII, Sec. 12.3). All Sanctioning shall comply with the sanctioning regulations governing "national governing bodies" promulgated by the United States Olympic Committee.

SECTION 7.2. REQUIREMENTS. Sanctions are issued, withheld, or withdrawn in accord with the following regulations:

A. Sanctions issued to one organization or individual(s) cannot be transferred by the organization or individual(s) to another organization or individual(s). Any sanction so transferred shall be void for all purposes, and the National Office is empowered to deny further sanctions to any organization violating this provision.

B. No further sanction will be given to any organization or individual(s) who has failed to fulfill expense obligations to athletes or to give awards as stated on

its entry blank or who does not follow the rules of USA Powerlifting. The foregoing sentence shall be stated on every sanction granted.

C. All meet sanction applications must be signed by the state chair and sent to the National Office for the signature of the President where they will be recorded in the National Office.

D. The following clause will appear on all sanction application forms and as well on all forms upon which official sanctions are granted: "In granting this sanction, it is understood and agreed that USA Powerlifting shall be free from any liabilities or claims for damages arising by reason of injuries to anyone during the conduct of this meet."

SECTION 7.3. CONDITION. All games, meetings, benefits, exhibitions or entertainment of any kind where sanction is required according to Section 7.1 are subject to the following conditions:

A. An athlete's entry will be not accepted, nor will the athlete be allowed to compete or exhibit at any event unless registered as provided in Article VIII.

B. Announcements and entry blanks of sanctioned events must state that all participants must be registered prior to participation.

C. The registration number of each competitor should accompany the entry blank and the athlete's affiliation must be displayed before or after the competitor's name on the program.

D. Entry blanks, advertising and the program should bear conspicuously the statement: "Held under the sanction of USA Powerlifting," and bear the sanction number.

E. All organizations which have received sanction for any contest where prizes are stated on entry forms, shall be required to send to the national office, before the date of the contests, a copy of the entry blank.

F. All amateur athletes, coaches, trainers, managers, administrators, and officials must have an equal opportunity to participate in amateur athletic competition, without discrimination of the basis of race, color, religion, age, sex, or national origin.

G. **PLEASE TAKE NOTICE:** NO meet director, or any other person, has the ANY authority, apparent or otherwise, to bind USA Powerlifting to any written or oral

contract regarding the hosting and producing of a USA Powerlifting sanctioned competition. Every meet director who is awarded a USA Powerlifting meet sanction must make all the arrangements for the meet, personally or through an appropriate entity not associated with USA Powerlifting, enter into any necessary contract, and must determine the dates of the event, its location, equipment, and personnel. Meet directors act as **independent contractors** and NOT as agents, representatives, or employees of USA Powerlifting. USA Powerlifting shall not and cannot be a party to any contract(s) made to host or produce these competitions.

USA Powerlifting may produce its own competitions and act as its own meet director, however, only the President may sign any contract or enter into a contract, oral or written, to host or produce the competition, and therefore, only the President may bind USA Powerlifting. Additionally, the President, under those circumstances, may act as a binding agent and officer of USA Powerlifting ONLY after an Executive Committee majority vote and approval to so act providing permission and authority to the President to execute and enter into such contract

Unless USA Powerlifting is acting as the meet director, USA Powerlifting does not share in the profits and losses its sanctioned meets generate.

The following clause will appear on all sanction application forms: **“In applying for this sanction and producing and hosting this event, I am acting as an independent contractor and NOT as an agent, representative, or employee of USA Powerlifting. I am solely responsible and liable, financial and otherwise, for any contracts, oral or written, made to produce and host this competition. I have not acted, and I will not purport to act on behalf of USA Powerlifting. I will not bind or attempt to bind USA Powerlifting to any contract, oral and/or written, as I know that I have no authority or permission to do so.”**

SECTION 7.4. REQUESTS FOR SANCTION OF INTERNATIONAL EVENTS. The Association through the Executive Committee will promptly review every request submitted by an organization or person for a sanction to hold an international competition in the U.S. or to sponsor U.S. athletes to compete in international powerlifting competitions outside of the U.S. Such requests shall be submitted directly to USA Powerlifting Secretary. The Executive Committee shall determine whether to grant the sanction requested. All international competitions must be sanctioned by USA Powerlifting, if hosted in the U.S.

SECTION 7.5. WITHDRAWALS OF SANCTIONS.

A. **TIMING.** Once awarded, a meet sanction may be removed at any time up

to the actual commencement of the first competitive lift of the contest. The contest as an USA Powerlifting event will not commence, if sanction has been removed.

B. **RESPONSIBILITY.** The presiding official who approved the meet sanction has the responsibility for its removal, but officers and the Executive Committee may also do so. Thus, for state championships, the state chair, the President (or designate), or the Executive Committee may remove the sanction. For national championships, the USA Powerlifting President (or designee) may remove the sanction.

C. **CAUSES FOR SANCTION REMOVAL.** The sanctions for removal shall include, but are not limited to, the following:

1. Failure on the part of the meet promoter to provide facilities and/or financial arrangements as specified in the bid for the meet.
2. Failure on the part of the meet promoter to provide facilities for the contest in accord with the rules for powerlifting as specified by USA Powerlifting.
3. Failure to comply with USA Powerlifting rules in promoting meets (See USA Powerlifting Rulebook).

D. **INTENTION OF SECTION.** The provision of this section for sanction removal is not intended as a license to disrupt contests in which every effort has been made to comply with the commitments and rules. Rather, the threat of sanction removal is intended to enable the ranking official to force compliance by the meet director. Removal of sanction is considered to be the last resort.

E. **APPEAL.**

1. When the sanction has been removed ninety days or more in advance of the day of the contest, the meet director may appeal to the next higher official, who upon hearing evidence, may reverse the decision.
2. The appeal of the decision of the President regarding national contests must be heard by the Executive Committee.
3. Since the appeal of sanction removal may not always be possible prior to the actual contest date, the meet may be rescheduled and re-

sanctioned, if there is a reversal of sanction removal after the contest date.

ARTICLE VIII - REGISTRATION/REPRESENTATION

SECTION 8.1. GENERAL. USA Powerlifting registration is required of all athletes, officials, coaches, and referees participating in USA Powerlifting sanctioned events, subject to rules and limitations, as imposed by the Association. Only USA Powerlifting members who are American citizens or non-citizens who hold appropriate government resident documentation may compete in, win, and hold titles for and records in state, regional, national or international USA Powerlifting sanctioned meets. Non-citizens without resident documentation may compete in all other meets and will be limited to setting local or meet records; non-citizens without resident documentation may not hold American or national records in any division (Collegiate, Teenage, Open, Masters, High School, Junior), nor may they set world records as a representative of the United States.

SECTION 8.2. REGISTRATION.

- A. **DURATION.** Registration annually will cover the period of January 1 through December 31. All registrations on or after November 1 of each year shall be valid until December 31 of the following year. Registration for the following year will be available beginning November 1.
- B. **THE PROCEDURE OF REGISTRATION.**
 - 1. Application forms for registration, obtained from the national office, must be fully completed and signed by each applicant for membership.
 - 2. The application is submitted to the national office for approval and must be accompanied by the yearly membership fee.
 - 3. If the application is approved, a membership card will be issued showing the applicant's name, USA Powerlifting number, the state of residence as indicated by the applicant's address, the birth date and the date of expiration of registration. A space on the front of the membership card shall be provided for writing the club affiliation
- C. **FEE.** Application fee amounts will be determined by the NGB. (See Article II, Section 2.5) Of this application fee, funds set by the NGB will be reimbursed to the state chair.

SECTION 8.3. REPRESENTATION.

A. THE FOLLOWING RULES APPLY TO ALL REGISTERED ATHLETES:

1. A registered athlete may change registration at any time within the membership year to another state. (See Article X, Transfers, Section 10.2)
2. A registered athlete will not be allowed to change registration to another USA Powerlifting team/club during the registration year. (See Article X, Transfers, Section 10.1)
3. To compete as a representative of a team/club, educational institution or other organization which the athlete seeks to represent, that organization must be a member in good standing of the Association.
4. An athlete may represent a team/club or organization which is located in a state other than the athlete's state of residence.
5. A team/club may compete in the state championships in that state in which the team is registered via their mailing address.
6. During a state or regional championship, only team/club members who are registered in the specific state hosting that championship may participate as team/club members.

B. STUDENTS.

1. A full time student at a collegiate or university educational institution may be considered as a resident of the place of such institution during the period of attendance at such institution.
2. An out-of-state college/university student may only participate in one state meet per registration year. If the state championship is held during the school year, that student has the option of participating in the state championship of the college/ university or of competing in the state championship of permanent residency.
3. The collegiate/university team must be registered with USA Powerlifting in order to participate as a team in USA Powerlifting sanctioned competition.

4. Any student of a collegiate or university educational institution which is a member of a state of the Association may represent both the institution and USA Powerlifting registered team or club to which the student belongs. Any points scored by such athletes, however, shall count for the athletic organization, club or educational institution for which they are actually registered in USA Powerlifting.
5. Full time undergraduate or graduate college/university students in good standing, wishing to compete in the Collegiate National Championships, must verify that they are a full-time student in good standing via a notarized statement from the college or university registrar. See Article II, Section 2.1, (B)(3)
6. The Collegiate National Championship is restricted to those full-time under-graduate and graduate students not over the age of 25 years. [(See Article II, Section 2.1, (B)(3)]
7. High School students must be full time students in good standing not over the age of 19 years.

C. **UNATTACHED.**

1. An unattached competitor, that is, one who does not represent a team/club, educational institution or other organization must be registered.
2. Regular assignment of members of the armed forces of the U.S. in the territory of any state will permit the said member to consider said territory as their residence during such assignment.

D. **AFFILIATION.** The competitor may be affiliated with a team/club when registering with USA Powerlifting by writing the name of that team/club on the front of the registration card in ink. No change in affiliation may be made by that competitor during that registration year.

ARTICLE IX - MASTERS CLASSIFICATIONS

SECTION 9.1. CLASSIFICATION. A Master lifter is defined as any lifter forty (40) years or older.

SECTION 9.2. RULES. Competition at the Masters level shall be governed by the rules of

USA Powerlifting.

SECTION 9.3. AGE GROUP CATEGORIES. Established in the USA Powerlifting Technical Rules, for the purposes of competition within USA Powerlifting and for the establishment of records for Masters competition within USA Powerlifting.

ARTICLE X - TRANSFERS OF CLUB OR TEAM AFFILIATION OR STATE MEMBERSHIP

SECTION 10.1. CLUB/TEAM AFFILIATION. A member may only represent one club/team per membership year. A member wishing to change clubs/teams must wait until the January 1 registration date of the following year in order to change club/team affiliation. Until the expiration date of the current registration year, that member must either represent the club listed on the front of USA Powerlifting card or compete in the unattached status.

SECTION 10.2. STATE MEMBERSHIP. A member may only compete in one state championship during the registration year. If a registered member moves to another state, they may use that new state as their residence and be therefore able to compete in that state's championship providing they have not participated in the state championship of the previous state's residency during that registration year.

SECTION 10.3. STATE RESIDENCY. Lifters must show evidence of state residency in order to enter the state championship. Validation of residence is the mailing address listed on USA Powerlifting registration card. In order to apply for a new registration card showing the residency of the new state location, the member must mail the current registration card to the national office along with the new mailing address. Upon receipt of the card and the new residence address, the national office will issue a new registration card for only the remainder of that year, free of charge. (Only one change-of-state procedure is allowed to the lifter at no expense per registration year. From then on, lifters must register with the USA Powerlifting through the national office paying full registration fees.)

ARTICLE XI - TRAVEL

SECTION 11.1. INTERNATIONAL TRAVEL PERMITS.

- A. **INVITATIONS.** All invitations to USA Powerlifting athletes to compete abroad or foreign athletes to compete in the U.S. shall be extended by an athletic governing body by the inviting country.

- B. **NEGOTIATIONS.** All negotiations for the appearance of USA Powerlifting athletes in foreign countries and foreign athletes in the U.S., whether or not such negotiations involve the payment of expenses, shall be carried on between the Association and the corresponding governing body of the country concerned. A violation of the foregoing shall be deemed sufficient cause to refuse a foreign permit to the athlete or team invited, or in the case of a foreign athlete, to refuse to extend an invitation or permit the athlete to compete in the U.S.

ARTICLE XII - DISQUALIFICATION

SECTION 12.1. JURISDICTION. A person shall cease to be eligible to compete or exhibit in open or closed events given or sanctioned by USA Powerlifting while disqualified or under suspension of USA Powerlifting. (See Sanctions, Article VII)

SECTION 12.2. TYPES. A person is disqualified or suspended from competing as an amateur by committing any of the following acts:

- A. Fraud as defined by Section 12.3.
- B. Competing for money as defined by Section 12.4.
- C. Miscellaneous as partially listed in Section 12.5.

SECTION 12.3. FRAUD. Fraud is defined as the falsification of the truth for the purpose of participation in any competition in powerlifting wherein the athlete, coach, manager, or other person has acted with deceit or is guilty of misrepresentation, concealment or a misstatement of fact or intention.

SECTION 12.4. COMPETING FOR MONEY. Competing for money is defined as directly or indirectly receiving pay or financial benefit or other benefit in consideration of or as a reward for participation in any USAPL-sanctioned competition or disposing of prizes from a USAPL-sanctioned competition for personal gain, except for funds donated to compensate the amateur athlete for training and travel reimbursements

SECTION 12.5. MISCELLANEOUS. The following are other means by which an athlete, official, coach, club member, or other person can be disqualified from participation in

USA Powerlifting activities:

A. It shall be within the province of the Discipline Committee to recommend suspension for such time as it may deem proper, any person guilty of unfair dealing in connection with athletic competition, improper conduct, or for violation of the rules of USA Powerlifting. The following among other things shall be considered as unfair dealing and improper conduct:

1. The doing of any act which tends to disturb or obstruct a competition or to bring this association or amateur athletics into disrepute.
2. The misappropriation of USA Powerlifting funds.
3. Anyone who files suit in any court of law in the United States against USA Powerlifting or The American Drug Free Powerlifting Association, or any of their agents, successors, or affiliates, without the express approval of USA Powerlifting.

B. Any member of any club of USA Powerlifting who has incurred indebtedness to the Association shall be suspended by the Association until such indebtedness is liquidated.

C. Any person who shall refuse to appear to testify before either the Executive Committee or the Discipline Committee upon any hearing or to answer any question which said committees shall rule as to be proper shall be liable to suspension or such other discipline as the Committee may determine until the person has been purged of such refusal.

SECTION 12.6. PERSONS OTHER THAN ATHLETES. Any person who assists in causing an athlete to lose their amateur status may be suspended from participating in any capacity in USA Powerlifting.

SECTION 12.7. DEFINITION OF USA POWERLIFTING POWERLIFTING COMPETITION. As used in Article XII, and elsewhere in these Bylaws, a USA Powerlifting powerlifting competition shall include any event in which any or all of the powerlifts (squat, bench press, deadlift) are contested in accordance with USA Powerlifting rules and with these Bylaws.

SECTION 13.1. PERSONS NOT ELIGIBLE. Persons who are disqualified as amateurs for fraud may be indefinitely expelled from competition as amateurs and persons with lifetime suspensions.

SECTION 13.2. ELIGIBILITY. Any individual who competes for money as defined in Section 12.4 hereinabove, regardless of age, may apply for reinstatement to amateur status and may be eligible to participate in amateur competition after one (1) year from the date of the last infraction of amateurism. For doping offenses, any individual who has served a doping suspension for refusal of a drug test, for failure to report for drug testing, or for failure of a doping test.

SECTION 13.3. REINSTATEMENT. The NGB has the authority to reinstate amateur standing to any athlete disqualified as an amateur for reasons other than heretofore mentioned. For doping offenses, the Drug Testing Chairperson shall reinstate the suspended athlete for competing after Section 13.6, Subsection A of these Bylaws is completed. After such completion, the athlete will be removed from the suspended list after the procedure as stated in Section 13.6, Subsection E has been completed.

SECTION 13.4. PROCEDURE REGARDING AMATEUR STATUS REINSTATEMENT. The procedure for reinstatement regarding amateur status is as follows:

- A. The athlete shall submit to the Executive Committee an application in writing, which must be signed and sworn to before a notary public, and must state the particulars that led to the disqualification.
- B. The Executive Committee shall submit a copy of the above application to the chair of the Discipline Committee which adjudicated that particular case. The Discipline Committee shall meet and make its recommendation. The Discipline Committee shall have the power to collect any information or evidence it deems necessary to make its recommendation.
- C. All such applications and the recommendation of the Discipline Committee shall be submitted to the NGB for final action at the next annual meeting of USA Powerlifting.

SECTION 13.5. APPLICATION THROUGH THE NGB. Application for reinstatement to full amateur status can be acted upon only at an annual meeting of the NGB following complete adjudication as set forth in Section 13.4. A majority vote shall be necessary for reinstatement.

SECTION 13.6. PROCEDURE REGARDING REINSTATEMENT AFTER DOPING OFFENSE. The

procedure for reinstatement is as follows:

- A. The athlete shall submit to the Anti-Doping Chair in writing their desire to compete with USA Powerlifting, which shall be signed before a notary public. The letter shall:
1. Be submitted six (6) months prior to the athlete's stated next competition. Note: The suspended athlete may also notify, in writing and pursuant to these procedures, the Anti-Doping Committee six (6) months prior to the end of the suspension that the athlete is planning to resume competition.
 2. State the desired meet, the date of the meet, the location of the meet, and the meet director's name.
 3. Include current contact information, including home and work address, email address, cellular telephone number, home telephone number, work number.
 4. Include the applicable reinstatement fee as determined by the Anti-Doping Committee, which shall be based upon the cost of the drug test and administrative costs.
- B. The athlete shall be available for out-of-meet testing when the letter is submitted. The athlete's refusal or USA Powerlifting's inability to contact the athlete for drug testing shall be considered a failure to report for testing offense.
- C. The Anti-Doping Chairperson shall update the suspension list when all the criteria are satisfied for reinstatement. The updated list will be distributed to meet directors indicating the lifters eligibility to compete again with USA Powerlifting.
- D. The meet directors are to perform drug testing on all reinstated lifters who appear in the eligible column on the suspension list.
- E. The athlete must be available for testing at the athlete's first meet entered after their suspension term is completed. The athlete's failure to do so will be considered a failure to report for testing offense. A copy of the athlete's chain of custody form shall be submitted to the Anti-Doping Chairperson, at which time, the athlete's name will be removed from the suspension list.

SECTION 14.1. LAW AND LEGISLATION COMMITTEE. The Law and Legislation Committee shall review the existing Bylaws and propose changes to them to make these Bylaws consistent with our current practices and amendments.

- A. This committee shall establish methods and procedures for the effective running of USA Powerlifting, its committees, elections, and officials.
- B. These proposed changes shall be presented in a timely manner to USA Powerlifting president for review prior to being presented and voted upon at the annual national meeting.
- C. The revised and accepted Bylaws shall then be filed and registered by the current USA Powerlifting president, in the state of incorporation as required by law, within thirty days of acceptance.

SECTION 14.2. VOTING. Where not otherwise stated, voting on a particular matter by the NGB or Executive Committee shall be by majority vote.

SECTION 14.3. FISCAL YEAR. The fiscal year of USA Powerlifting shall be determined by resolution of the Executive Committee.

SECTION 14.4. NOTICES AND WAIVERS. Whenever any notice is required by these Bylaws, such notice except as otherwise provided by law, may be given personally, by website, by email, or method deemed appropriate. Any notice given by telegram, cable, or facsimile shall be deemed to have been given when it shall have been delivered for transmission and any notice given by mail shall be deemed to have been given when it shall have been deposited in the U.S. mail with postage prepaid.

Whenever a notice is required to be given by any statute, the certificate of incorporation, or these Bylaws, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the meeting or the time stated therein, shall be deemed equivalent in all respects to such notice.

Notice of annual meetings of the NGB may be satisfied by publications in nationally circulated publications which cover the sport of powerlifting in the U.S.

SECTION 14.5. BOOKS AND RECORDS. USA Powerlifting shall keep complete books and records of account which may be inspected during regular business hours by any member of USA Powerlifting upon reasonable notice to the Secretary of USA Powerlifting.

SECTION 14.6. INDEMNIFICATION.

A. USA Powerlifting shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the Association), by reason of the fact that the person is or was any officer, employee or official representative of USA Powerlifting (or The American Drug Free Powerlifting Association) against expenses, including attorney's fees, judgments, fines and amounts actually and reasonably incurred by the person in connection with such action, suit or proceeding if the person acted in good faith and in a manner they reasonably believed to be in or not opposed to the best interests of USA Powerlifting (or The American Drug Free Powerlifting Association) and with respect to any criminal action or proceedings, had no reasonable cause to believe their conduct was unlawful. The Executive Committee shall determine by two-thirds (2/3) vote whether or not such person acted in good faith and in a manner not opposed to the best interest of USA Powerlifting (or The American Drug Free Powerlifting Association). In a criminal proceeding, if such person is convicted, pleads guilty or *nolo contendere*, USA Powerlifting shall not indemnify' such person for any expenses incurred as result of the prosecution.

The termination of any action, suit or proceeding by judgment, order, or settlement, shall not of itself create a presumption that the person did not act in good faith and in a manner which they reasonably believed to be in or not opposed to the best interests of USA Powerlifting (or The American Drug Free Powerlifting Association) and with respect to any criminal action or proceeding, had reasonable cause to believe that their conduct was lawful.

B. Any indemnification under paragraph A shall be made by the Association only as authorized in the specific case upon a determination that indemnification of the officer, employee or agent is proper in the circumstances because they have met the applicable standards of conduct set forth in paragraph A. Such determination shall be made:

1. By the Executive Committee by a majority vote of a quorum consisting of members who are not parties to such action, suit or proceeding; or
2. By a majority vote of the NGB.

C. The indemnification provided by this Article shall not be deemed

exclusive of any other rights to which the officer, employee, or official representative may be entitled under any By-Law, agreement, vote of the membership, or disinterested directors or otherwise. The indemnification provided by this Article shall continue as to a representative and shall inure to the benefit of the heirs, executors, and administrators of such a person.

D. USA Powerlifting, pursuant to a resolution of the Executive Committee, may purchase and maintain insurance on behalf of any person who is or was an officer, employee, or official representative of USA Powerlifting (or The American Drug Free Powerlifting Association) against any liability asserted against that person, if USA Powerlifting would have the power to indemnify that person against such liability under the provisions of this Article.

SECTION 14.7. COUNSELOR.

A. There may be a counselor who shall act as the chief legal advisor of USA Powerlifting and its officers and be selected by a majority vote of the Executive Committee. The counselor shall have no vote in the capacity as legal advisor but shall be eligible to serve as an Executive Committee member and as a NGB member.

B. The counselor shall be eligible to attend the meetings of the NGB and the Executive Committee and to act in advisory capacity therein, including initiating advice whenever the counselor deems it necessary or on request. The counselor shall be charged with the defense of all claims and demands against USA Powerlifting and the legal protections of its rights and privileges. The counselor may appoint an associate counselor to serve without compensation except in such cases as the Executive Committee may authorize otherwise. The counselor may be reimbursed for expenses and disbursements incurred in the performance of services.

SECTION 14.8. AMENDMENTS.

A. These articles may be amended at the annual meeting of the NGB by a two-thirds vote, provided notice of the proposed amendment has been submitted in writing to the voting members of the committee at least thirty (60) days prior to the meeting.

B. Amendments to these articles must be submitted to the President at least ninety (60) days prior to the meeting for proper review and submittal to the members of the NGB.

C. The other provisions of this section notwithstanding, these articles may be amended at any meeting of the Executive Committee by a two-thirds vote of the members present, provided that any such amendment is deemed by the Executive Committee to be necessary

SECTION 14.9. SAVING CLAUSE. Failure of literal or complete compliance with provisions of the Bylaws in respect to dates and times of notice, or the sending of receipt of the same, or errors in phraseology of notice of proposals, which in the judgment of the members at meetings held, do not cause substantial injury to the rights of members, shall not invalidate the actions or proceedings of the members at any meeting.

SECTION 14.10. DISTRIBUTION OF ASSETS UPON DISSOLUTION. In the event this Association dissolves and its assets are liquidated, after paying necessary winding-up expenses, the remaining assets shall be distributed to one or more non-profit organizations as designated by the Executive Committee at that time.