

INSTRUCTION FOR POST INCORPORATION IN THE STATE OF TEXAS

Download and complete TX Sec of State Form 202 – Certificate of Formation – Nonprofit Corporation. Go to https://www.sos.state.tx.us/corp/forms/202_boc.pdf to download form.

1. Article 1. Entity Name and Type – The American Legion, Department of Texas, (Post Name and Post Number).
2. Article 2. Registered Agent and Registered Office – Fill in line C. with either the Post Commander or Post Adjutant’s name and the physical address of the Post. **DO NOT USE A PO BOX AS IT WIL NOT BE ACCEPTED BY THE SEC. OF STATES OFFICE.**
3. Article 3. Management – List the Post Commander, Post Adjutant and 1 other Post Officer.
4. Article 4. Membership – Check box A. the nonprofit corporation shall have members.
5. Article 5 – Purpose.
 - a. First section – As stated in your Post Constitution.
 - b. Supplemental Provision/Information – The Constitution and Bylaws of (Post Name) The American Legion Post (Number). Attach two copies of your approved Post Constitution and Bylaws.
 - c. Organizer – Post Commander or Post Adjutant
 - d. Effectiveness of Filing – Check box A.
 - e. Execution. The individual listed as Organizer signs 2 copies of the completed application.

Once the application is completed.

1. Mail two (2) copies of the completed and signed application to The American Legion, Department of Texas.
2. Include two (2) copies of your Post’s Constitution and Bylaws that have been approved by the Department Executive Committee
3. Enclose a check or money order for \$25.00 made out to the **Secretary of State**
4. The State Commander will complete the required permission letter granting the use of the Name of The American Legion, Department of Texas.
5. The Department Headquarters will submit the completed paperwork to the Secretary of States Office, which normally takes 4 – 6 weeks to complete. Once its returned to the Department Headquarters a copy will be sent to the Post for their records.