



BY-LAWS & RULES
OF THE
CALIFORNIA
DEMOCRATIC
PARTY

December 2013



CALIFORNIA DEMOCRATIC PARTY STATE CENTRAL COMMITTEE BY-LAWS

(amended 11/2013, printed 12/2013)

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CALIFORNIA DEMOCRATIC PARTY
STATE CENTRAL COMMITTEE BY-LAWS
(amended **11/2013**, printed 12/2013)

ARTICLE I: NAME AND PURPOSE

Section 1. NAME

The name of this organization shall be the CALIFORNIA DEMOCRATIC PARTY. Its governing body shall be the DEMOCRATIC STATE CENTRAL COMMITTEE (This Committee).

Section 2. PURPOSE

- a. All persons who disclose a preference for the Democratic Party on their voter registration card, pursuant to the laws of the State of California, are members of the California Democratic Party and are entitled to participate in the official organization of the California Democratic Party as provided by the laws of the State and these By-Laws.
- b. These By-Laws shall govern the organization, operation and functions of that political party known as the California Democratic Party (the Party) and the Democratic State Central Committee (This Committee).
- c. This Committee shall elect state officers of the Party and members of the Democratic National Committee, shall adopt a State Party platform in gubernatorial years and may adopt a proposed national platform in presidential election years, shall conduct campaigns for the party and its candidates for public office, shall appoint committees and employ staff as deemed desirable, and shall conduct such other business as the policy and program of the Party may require.
- d. This Committee may endorse partisan primary elections and may take positions on ballot measures.

Section 3. TERMS

- a. All references in these By-Laws to "Democrat" or "registered Democrat" shall mean a voter who disclosed a preference for the Democratic Party on their voter registration card. All references in these By-Laws to "Decline-to-state" shall mean a voter who disclosed no preference for a political party on their voter registration card.
- b. All references to "nominee" shall refer to that registered Democrat in a voter-nominated election who received the highest number of votes in the general election. Should there be no registered Democrat among the "top-two" in the general election, "nominee" shall refer to that registered Democrat who received the highest number of votes in the top-two open primary.
- c. All references to "partisan primary" shall refer to mean voter-nominated top-two

open primary.

Section 4. REGIONS

This Committee shall be divided into Regions. Regions shall be defined by A.D. boundaries and are subject to redistricting by the Organizational Development Committee for approval by This Committee or its Executive Board (See also Article III, Section 4.) and shall, beginning with the next reapportionment after 2001, be comprised of an equal number of Assembly Districts. Notwithstanding the previous language in this section, the Organizational Development Committee, in order to facilitate This Committee's operations, organizing and electoral activity, shall have the power to divide up to two of these Regions into two separate Regions each, for a total of four Regions consisting of a lesser number of Assembly Districts than the remaining Regions; provided, however, no Region may consist of fewer than two Assembly Districts.

ARTICLE II: MEMBERSHIP

Section 1. MEMBERSHIP

a. The Committee shall consist of:

- (1) One member for each elective public office named in Section 2a of this Article.
- (2) Members appointed pursuant to Section 3 of this Article.
- (3) Members elected by County Central Committees of the Party pursuant to Section 4 of this Article.
- (4) Members elected by Assembly District Election Meetings pursuant to Section 5 of this Article.
- (5) National Committee members of the Party.
- (6) The immediate past state officers of This Committee.
- (7) Officers of This Committee while serving their term of office.
- (8) Four (4) officers of the California Democratic Council. These shall consist of the State President and three (3) other officers, as determined by the California Democratic Council.
- (9) Four (4) officers of the California Young Democrats. These shall consist of the State President and three (3) other officers, as determined by the California Young Democrats.
- (10) Chair of each Statewide Organization Chartered by This Committee pursuant to Article X and the Guidelines Re: Chartered Organizations adopted by the Rules Committee of This Committee.

1
2 b. Membership shall terminate, subject to renewal, every two years and shall extend
3 from the convening of the first regular meeting of this Committee in the odd
4 numbered year to the convening of the first regular meeting held in the next
5 odd-numbered year, with vacancies occurring during this period filled in accordance
6 with the provisions of Section 10 of this Article.
7

8 c. There shall be no dual memberships. The membership of any Democrat who is
9 elected or otherwise designated to hold an office named in subdivision (a) of this
10 section who resigns or is removed shall terminate upon selection of their
11 replacement. A member who becomes eligible for membership on some other
12 grounds during his or her two-year term shall inform the State Chair of the eligibility
13 and identify the position which he or she wishes to represent.
14

15 d. All members of This Committee must be duly registered members of the
16 Democratic Party of California.
17

18 **Section 2. PUBLIC OFFICE MEMBERS**
19

20 a. For purposes of this Section, the following public officers shall be referenced:
21

22 (1) Governor
23

24 (2) Lieutenant Governor
25

26 (3) Treasurer
27

28 (4) Controller
29

30 (5) Attorney General
31

32 (6) Secretary of State
33

34 (7) Insurance Commissioner
35

36 (8) Superintendent of Public Instruction, as per Article II, Section 6
37

38 (9) Members of the State Board of Equalization
39

40 (10) Members of the State Legislature
41

42 (11) Members of the United States Senate and the House of Representatives from
43 California.
44

45 b. Any Democrat who is elected or otherwise designated to hold an office named in
46 subdivision (a) of this section and whose term of office extends beyond January of
47 the next odd-numbered year shall be a member of This Committee for the two-year
48 period commencing at the first regular meeting of that year. Any Democrat who is
49 elected in a special election shall serve the remainder of the term.
50

- 1 c. Any Democrat who is elected or otherwise designated to hold an office named in
2 subdivision (a) of this section during the two-year period commencing in January of
3 the odd-numbered year shall be a member of This Committee upon election or
4 designation for the remainder of the two-year period.
5
- 6 d. In the case of an office named in subdivision (a) of this section to which a Democrat
7 has not been selected at the most recent general election in which a nomination for
8 that office was made, the Democratic Party nominee at the most recent primary
9 election shall be a member of This Committee during the two-year period
10 commencing at the first regular meeting of an odd-numbered year or until such time
11 during that period that a Democrat is elected or designated to hold that office.
12
- 13 e. In the case of an office named in subdivision (a) of this section for which a special
14 election was held and no Democrat was elected, the highest vote-getting Democrat
15 shall be a member of This Committee during the remainder of the two year term,
16 unless the prior nominee for this office is still a member of This Committee by
17 virtue of having been nominated to that office.
18
- 19 f. In the case of an office named in subdivision (a) for which subdivisions (b), (c), and
20 (d) are all inapplicable, one member shall be appointed as follows:
21
- 22 (1) If a state legislative office is involved, by appointment of a voter who resides
23 in the district in question by the relevant County Central Committee of the
24 Party. The relevant County Central Committee is determined as follows:
25
- 26 (a) If the district is situated wholly within a single county, the County
27 Central Committee for the county in which the district is situated;
28
- 29 (b) If the vacancy occurs in a district comprising two or more counties
30 and is caused by disqualification or death, the County Central
31 Committee for the county in which the disqualified, deceased or
32 resigned member resided;
33
- 34 (c) If the vacancy occurs in a district comprising two or more counties
35 and is not caused by disqualification or death, the County Central
36 Committee for the county in which the non-Democratic legislator, or
37 the highest vote-receiving non-Democratic candidate in the most
38 recent election for the office in question, resides.
39
- 40 (2) If the office of the U.S. Senate or any of the statewide offices named in
41 subdivision (a) of this section is involved, by appointment by the Executive
42 Board of This Committee.
43
- 44 (3) If the office of a member of the United States House of Representatives is
45 involved, by appointment by the Executive Board of This Committee of a
46 voter who resides within the Congressional District to be represented.
47
- 48 g. Any member of This Committee whose membership is held pursuant to subdivision
49 (b), (c), or (d) of this Section shall be known as a "Public Office Member."
50

1 **Section 3.** **APPOINTED MEMBERS**

- 2
- 3 a. Each member identified in Section 2b or 2c of this Article shall be entitled to appoint
- 4 six members, at least three of whom shall be of the opposite sex; except that
- 5 members elected to Congress and the State Assembly shall be entitled to appoint
- 6 five members, at least three of whom shall be of the opposite sex.
- 7
- 8 b. Each member identified in Section 2d or 2e of this Article shall be entitled to appoint
- 9 three members, at least two of whom shall be of the opposite sex; except that
- 10 nominee members for Congress and the State Assembly shall appoint two members,
- 11 at least one of whom shall be of the opposite sex.
- 12
- 13 c. Appointment of members to This Committee shall be made in writing in the form
- 14 prescribed by the Secretary of This Committee, signed by the appointing member
- 15 and delivered to the State Chair of the Party. Appointees shall serve at the pleasure
- 16 of the appointing member. Delivery of notification of appointment to This
- 17 Committee shall be made no later than February 7 following the General Election,
- 18 or next business day if date falls on state holiday or weekend, in order to be
- 19 eligible to vote at the next meeting of This Committee, except in the case of a special
- 20 election not certified by Feb 7, delivery of notification of appointment to This
- 21 Committee shall be made not later than fourteen (14) days after certification of the
- 22 election, or next business day if date falls on state holiday or weekend.
- 23
- 24 d. Beginning January 1st, 2010, appointments made by nominees for, officials
- 25 elected to, and others designated to hold the offices of Member of the State
- 26 Assembly, Member of the State Senate, and Member of the House of
- 27 Representatives from California must be such that at the time of their appointment
- 28 at least half of that appointing authority's appointments are held by persons who
- 29 are registered to vote in the same legislative district as the appointing authority
- 30 represents.
- 31

32 **Section 4.** **MEMBERS ELECTED BY COUNTY CENTRAL COMMITTEES**

- 33
- 34 a. Each County Central Committee of the Party shall elect, from its own members as
- 35 defined by its by-laws, representatives who shall serve at the pleasure of the County
- 36 Central Committee to This Committee as follows: four members as base
- 37 representation, plus one member for each 10,000 registered Democrats or fraction
- 38 thereof.
- 39
- 40 b. The number of registered Democrats shall be as of the most recent report of
- 41 registration to the Secretary of State. The Secretary of This Committee shall secure
- 42 the registration totals received by the Secretary of State seven days prior to the
- 43 General Election, and shall forthwith notify the respective County and District
- 44 Committees of the Party registrations and the allocation of members to be elected
- 45 under provisions of the Elections Code.
- 46
- 47 c. Elections shall be held by January 31 following the regular general statewide
- 48 election. Those committees that reorganize in January shall elect their
- 49 representatives to This Committee at their organizational meetings.
- 50

- 1 d. Persons elected as members shall be divided as equally as possible between men and
2 women and shall be members of the County Central Committee as of the date of the
3 first regular meeting of This Committee.
4
- 5 e. In order for the representative to be eligible to vote at the next meeting of This
6 Committee, no later than February 7 of an odd-numbered year, or next business day
7 if date falls on state holiday or weekend, the County Chair shall notify the State
8 Chair of the Party in writing signed by him or her of the names and addresses of the
9 persons elected to membership of This Committee. Those committees which
10 reorganize in January shall make this notification within three days of the elections
11 held pursuant to subsection (c).
12
- 13 f. County Central Committees may provide for the election of their allocation of
14 membership on an at-large basis or by Supervisorial or Assembly Districts, or by
15 any combination thereof.
16

17 **Section 5. MEMBERS ELECTED BY ASSEMBLY DISTRICT ELECTION**
18 **MEETINGS**
19

- 20 a. Each Assembly District Election Meeting, as provided in Article VI of these
21 By-Laws, shall elect twelve of its members as members of This Committee.
22
- 23 b. Persons elected as members shall be as equally divided as possible between men and
24 women. In the event less than six of one sex should be candidates for election as
25 representatives to This Committee, they shall be deemed automatically elected, with
26 the balance of the delegation being of the other sex.
27

28 **Section 6. STATEWIDE NON-PARTISAN OFFICES**
29

30 The highest vote-getting candidate for a Statewide Non-Partisan office registered as a
31 Democrat, at the time of the close of filing, shall be a member of This Committee. If
32 elected, such candidate shall be entitled to appoint six members of This Committee, at least
33 three of whom must be of the opposite sex. If not elected, such candidate shall be entitled to
34 appoint three members of This Committee, at least two of whom must be of the opposite
35 sex. In the case of an office for which the above does not apply, one member shall be
36 appointed by the Executive Board of This Committee to fill the appointor's position.
37

38 **Section 7. NOTIFICATION OF APPOINTMENT OR ELECTION**
39

- 40 a. The Chair of This Committee shall notify each person appointed or elected as a
41 member of This Committee:
42
- 43 (1) That he or she is a member of This Committee;
44
- 45 (2) Of the date, time and place of the first regular meeting of This Committee;
46
- 47 (3) That the meeting may be attended either in person or by proxy;
48
- 49 (4) That every proxy shall be filed in the office of the State Chair no later than 5
50 p.m. of the day preceding the meeting of This Committee;

(5) The proxy shall be in writing signed by the member under penalty of perjury.

b. The Chair of This Committee shall enclose, with each notification of appointment or election, one proxy form.

c. The Chair of This Committee shall provide all members with appropriate notice and forms of proxy prior to each special meeting of This Committee.

Section 8. QUALIFICATION FOR MEMBERSHIP

A person is eligible for membership on This Committee only if such person is registered as affiliated with the Party at the time of election or appointment.

Section 9. REMOVAL FROM MEMBERSHIP

a. Any member who has failed to pay the prescribed dues as provided in section 11 of this Article shall not be credentialed to attend any meeting of This Committee until such time as he or she has satisfied his or her dues obligation by payment or waiver. Authority to hear and decided such issues rests in the Credentials Committee; provided, however, that denial of a dues waiver may be appealed to the Statewide Officers of This Committee by the affected member.

b. This Committee may remove any member if, during his/her term of membership, such member affiliates with or registers as a member of another party; publicly avows preference for another party; publicly advocates that the voters should not vote for the endorsed candidate of This Party for any office; or who publicly gives support to or avows a preference for a candidate nominated by another party.

c. Removal of a member may be effected in the following manner:

(1) At least three (3) members of the Executive Board or thirty (30) members of This Committee must sign and submit to the Secretary of This Committee a written statement of charges containing the grounds for removal.

(2) The Secretary of This Committee, upon receipt of the statement of charges, must send to the accused member by timely registered mail, a copy of the statement of charges and a letter stating: that the accused member may either resign or have a hearing before the officers of This Committee named in Article III, Section 2 that at such hearing, the accused member shall be afforded an opportunity to respond to the statement of charges and to confront the witnesses against such member; and that such member may be represented by counsel at such hearing.

(3) If the accused member does not resign, the Secretary of This Committee shall send a copy of the statement of charges to all officers of This Committee along with a notice of the hearing date.

(4) At the hearing the officers shall examine the statement of charges brought against the accused member. The accused member shall be afforded an

1 opportunity to respond to the charges, to confront any witnesses against such
2 members, and may be represented by counsel if desired. Such hearing shall
3 be conducted in such fashion as to afford the accused member due process of
4 law. After such hearing, a sanction shall be imposed where appropriate.
5 Except for a violation of the provision of Article II, Section 9 (b) which
6 prohibits publicly giving support to or avowing a preference for a candidate
7 nominated by another party, the sanction shall be removal from membership.
8 Where the member has been found to have violated the prohibition on
9 publicly giving support to or avowing a preference for a candidate
10 nominated by another party, the sanction shall be removal from membership
11 and a bar from reappointment or reelection to membership in This
12 Committee, as defined in Article II, Section 1(b), immediately following the
13 term during which the sanction of removal was imposed. For example, if the
14 violation occurred in October 2008 and the sanction was imposed in
15 December 2008, the removed member would be barred from renewed
16 membership until after the convening of the annual meeting of This
17 Committee in 2011; however, if the violation occurred in January 2009 and
18 the sanction was imposed after the seating of members at the annual regular
19 meeting of This Committee in 2009, the member would be barred from
20 renewed membership until after the convening of the annual regular meeting
21 of This Committee in 2013. Any finding of a violation, and the imposition of
22 an appropriate sanction for that violation, shall require a vote of not less than
23 two-thirds of the officers present and voting.
24

- 25 (5) Should the accused member's term expire after the charge is filed, but prior
26 to the completion of the hearing process and should the accused member,
27 during such pendency of the charges, be reelected or reappointed to This
28 Committee, the processing of the charges shall continue and the fact that the
29 violation occurred during a previous term shall not bar the imposition of an
30 appropriate sanction.
31

32 **Section 10. VACANCIES**
33

- 34 a. A vacancy on This Committee shall be deemed to exist in the event of the
35 appointment or election to membership of an ineligible person or whenever any
36 member dies, resigns or is removed, becomes incapacitated to act, is removed from
37 membership pursuant to Section 9 of this Article, resigns from public office per
38 section 2a of this Article, ceases to be a Central Committee county resident, assumes
39 membership through other means, or ceases to be a member of the Party.
40
41 b. Vacancies shall be filled as follows:
42
43 (1) Should a member appointed to membership pursuant to Section 3 of this
44 Article cease to be a member for any reason specified in subdivision (a) of
45 this Section, the vacancy shall be filled not less than three days preceding the
46 next meeting of This Committee by the original appointing member. The
47 original appointing member shall notify in writing the State Chair of the
48 Party of all appointments made pursuant to this subdivision. If the original
49 appointing person is no longer a member of This Committee or does not
50 wish to fill the vacancy, the State Chair of This Committee shall do so.

(2) Should a member elected to membership by a County Central Committee cease to be a member for any reason specified in subdivision (a) of this Section, notice shall be given to the County Central Committee by This Committee as soon as possible after occurrence of the vacancy, and the County Central Committee shall fill the vacancy at its next meeting following the notification. The County Committee Chair shall notify in writing the State Chair of the Party of the election held pursuant to this subdivision.

(3) Should a member elected to membership by an Assembly District Election Meeting cease to be a member for any reason specified in subdivision (a) of this Section, then the vacancy shall be filled by the person of the gender necessary to maintain, achieve or improve equal division as between men and women who received the next most number of votes at the relevant Assembly District Election Meeting. In the event that this method does not provide a person to fill the vacancy, then the current Assembly District Representative to the Executive Board shall call a public meeting of the remaining members of This Committee resident in the Assembly District, who shall fill the vacancy with a registered Democrat resident in the Assembly District who is the gender necessary to maintain, achieve or improve equal division as between men and women. This meeting shall be called with at least 10 days notice to the members of This Committee resident in the Assembly District. Once the vacancy is filled, the Assembly District Representative to the Executive Board shall notify, in writing, State Chair of the Party of the selection made pursuant to this subdivision.

Section 11. DUES

- a. Dues shall be paid by This Committee's members. The Executive Board shall establish the time and manner by which these dues shall be paid before the next scheduled meeting of This Committee.
- b. Any member who fails to pay the prescribed dues may be removed from This Committee in the manner prescribed in Section 9 of this Article, except that payment of dues shall not be obligatory for any member to whom it constitutes an economic hardship.
- c. The name of any elected or appointed member who, without cause, fails to pay the prescribed dues shall be forwarded to the appointing member or the chair of the electing body before the initiation of removal proceedings.

ARTICLE III: OFFICERS

Section 1. STATEWIDE OFFICERS

- a. The statewide officers of This Committee shall be a State Chair, a male Vice Chair, a female Vice Chair, a Secretary and a Controller.

- b. All statewide officers shall be elected to four year terms.
- c. The Vice Chair of the opposite sex as the Chair shall be designated the First Vice Chair.
- d. A prerequisite for candidacy to a statewide office is that a candidate be a member of This Committee by the time the election takes place.
- e. The Executive Board shall have the power to compensate the State Chair. Any decrease in compensation shall not take effect until the next election of the State Chair, except upon two-thirds vote of the Executive Board.

Section 2. DESCRIPTION OF DUTIES

- a. The State Chair shall be the chief executive officer and the official voice of This Committee, shall carry out the policies and purposes, and shall pursue its interests to the best of his/her abilities.
- b. The First Vice Chair shall assist the Chair in the performance of the duties of that office. To the extent necessary, the First Vice Chair shall exercise the powers of the Chair in the event of the Chair's absence. In the event that the office of Chair is vacated, the First Vice Chair succeeds to the office of Chair until a new Chair has been selected as provided in Section 5a below. The First Vice Chair shall be responsible for organizational maintenance and development consistent with the policies of the State Chair and This Committee.
- c. The Second Vice Chair shall assist the State Chair in the performance of the duties of that office. The Second Vice Chair shall be responsible for organizational maintenance and development consistent with the policies of the State Chair and This Committee. In the event of a vacancy in both the office of the Chair and the First Vice Chair, the Second Vice Chair succeeds to the office of Chair until a new Chair has been selected as provided in Section 5a below.
- d. The Secretary shall maintain all records of This Committee, shall serve all required notices, shall discharge such other duties as pertain to this office, and shall turn over at the end of his/her term of office all records and documents associated with the office of Secretary to This Committee, except as may be otherwise noted herein.
- e. The Controller shall have access to the financial records maintained by This Committee, shall prepare and deliver at each Executive Board meeting a report on the financial affairs of This Committee, shall serve as Chair of the Finance Committee, and shall turn over at the end of his/her term all records and documents associated with the office of Controller to This Committee.

Section 3. ELECTION OF STATEWIDE OFFICERS

- a. The Statewide officers shall be elected to their four-year terms at the first meeting of This Committee held immediately following the conclusion of a presidential election year. The election for Officers shall take place as set forth on the agenda mailed to the members.

- 1
- 2 b. All statewide officers shall be elected by the entire membership of This Committee.
- 3
- 4 c. A candidate for any statewide office shall file a notice of intent-to-run for that office
- 5 which must be received by the Secretary of the Party by 5p.m. of the day which is
- 6 sixteen (16) calendar days prior to the opening of credentialing for the
- 7 Convention. No withdrawals shall be allowed after that date. Should the
- 8 incumbent officeholder fail to file the notice of intent to run by that date, then the
- 9 filing deadline shall be extended to the day which is nine (9) days prior to the
- 10 opening of credentialing for the Convention. No withdrawals shall be allowed
- 11 after that date.
- 12
- 13 d. Following the close of nominations for officers, no additional nominations shall be
- 14 permitted, except for an office for which no person has been nominated prior to the
- 15 close of nominations or for which all persons nominated have withdrawn.
- 16
- 17 e. No vote for any person shall be counted unless the person has been duly nominated
- 18 for, and has accepted that nomination for the office for which such vote is cast.
- 19
- 20 f. In the event only one person is nominated for any office and such person accepts the
- 21 nomination, the Secretary of the meeting shall be directed to cast a unanimous ballot
- 22 for such candidate at the time of the election.
- 23
- 24 g. In the event no candidate receives a majority vote on the 1st ballot, a runoff election
- 25 (2nd ballot) shall be held between the two persons receiving the largest number of
- 26 votes actually cast for all candidates who have been duly nominated for and
- 27 accepted the nomination for the office involved.
- 28

29 **Section 4. REGIONAL DIRECTORS**

30

- 31 a. There shall be 16-25 Regional Directors of This Committee who, with its Statewide
- 32 officers, shall constitute the State Officers of the California Democratic Party.
- 33
- 34 b. Regional Directors shall be elected for two year terms on Saturday of the first
- 35 Convention of This Committee held in odd numbered years. Regional Directors
- 36 shall be elected at Regional Caucuses, each comprised of all members of This
- 37 Committee resident in the respective regions.
- 38
- 39 c. Elections of Regional Directors shall be governed by the provisions set forth in
- 40 Article III, Section 3, subsections c.-g.
- 41
- 42 d. The Regional Directors shall assist the statewide officers in the maintenance and
- 43 development of the Party organization within their respective regions. They are
- 44 responsible for developing, assisting, and coordinating the County Central
- 45 Committees, Clubs & other Democratic organizations within their region, and shall
- 46 convene a regional meeting of the members of This Committee in the region with
- 47 sufficient time for input, or timely resolutions, prior to each meeting of This
- 48 Committee or its Executive Board.
- 49

- 1 e. A candidate for Regional Director must be a member of This Committee, and may
2 only file for Regional Director position of the State Party Region in which he/she
3 is registered to vote. Should a Regional Director re-register outside of his/her
4 Region during his/her term of office, he/she shall be assumed to have vacated the
5 office.
6

7 **Section 5. VACANCIES**
8

- 9 a. In the event that any statewide office shall become vacant, the vacancy shall be filled
10 on a temporary basis by the Executive Board of This Committee and a new election
11 for that office shall be held at the next State Convention of This Committee. The
12 person elected by the Convention shall serve the remainder of the four year term of
13 that office. The election shall be held consistent with the provisions found in Section
14 3 above.
15

- 16 b. In the event that any Regional Directorship shall become vacant the Chair of This
17 Committee may appoint one member of This Committee resident in the Region to
18 serve as interim Regional Director and one member of This Committee
19 (hereinafter “facilitator”), who shall cause to be convened and shall conduct a
20 meeting of the current members of This Committee resident in the relevant
21 Region, who were also members at the time the vacancy occurred, to fill the
22 vacancy, subject to the following provisions:
23

- 24 (1) At least thirty (30) days written notice of the existence of the vacancy and
25 of the time and place of the meeting to fill the vacancy shall be given to
26 each voting participant. The Chair of This Committee shall effectuate this
27 notice.
28
- 29 (2) Subject to the above notice requirement, this meeting shall occur at either
30 the next regional meeting which is scheduled to be held prior to the next
31 meeting of This Committee or its Executive Board, or at the annual
32 Convention of This Committee, whichever occurs first. Upon written
33 request from a member of This Committee resident in the affected region,
34 the Chair may consider and allow an alternative date to hasten the filling
35 of the vacancy, provided the above notice requirement is adhered to.
36
- 37 (3) In the event that such a vacancy occurs after the Executive Board meeting
38 prior to the first Convention of This Committee held in odd numbered
39 years, it shall be the Chair of This Committee’s sole discretion on whether
40 or not to convene a meeting to elect a replacement.
41
- 42 (4) A candidate to fill the vacancy in the office of Regional Director may not
43 serve as the facilitator of the meeting and must be a member of This
44 Committee and registered to vote in the State Party Region in which the
45 vacancy occurred.
46
- 47 (5) In order to run for said office a candidate must file a notice of intent to run
48 by 5pm ten days prior to the date of the meeting.
49

- 1 (6) Voting shall be by signed written ballot, the results of which shall be read
2 off as though it were a roll call vote.
3
4 (7) Proxy voting shall be permitted as provided for at meetings of This
5 Committee.
6
7 (8) Once received by the facilitator, a ballot may not be retracted, rescinded,
8 or otherwise changed and shall be counted in the totals.
9
10 (9) All ballots shall be read aloud noting the name of the voter and their
11 choice for Regional Director, and shall be counted toward the totals, if
12 received by the facilitator prior to the beginning of the roll call vote. Any
13 ballot received after the beginning of the roll call vote shall not be
14 counted.
15
16 (10) The participation of a majority of the eligible members of This Committee
17 credentialed as delegates at the meeting, either in person, or by proxy,
18 shall constitute a quorum. In the absence of such quorum no election shall
19 take place and the vacancy shall be filled either by the Executive Board of
20 This Committee, or by the members of This Committee resident in the
21 relevant Region at the next meeting of This Committee, whichever occurs
22 first.
23
24 (11) The person elected must be from the same region as the person who
25 vacated the given office, and he/she shall serve the remainder of the two-
26 year term of that office.
27
28 (12) The Rules Committee shall promulgate rules for the conduct of the
29 meeting.
30

31 **Section 6. REMOVAL OF OFFICERS**

32
33 An officer of this organization may be removed from office for misconduct or neglect of
34 duty in office by the following procedures:
35

- 36 a. Any member of This Committee (hereafter, the Filer) may file a Statement of
37 Charges to remove an Officer of this Committee (hereafter, the Accused Officer),
38 being no more than 200 words, with the Secretary. If the Accused Officer is the
39 Secretary of This Committee, all responsibilities of the Secretary with regard to this
40 Section shall be carried out by the State Chair.
41
42 b. The Secretary, within seven (7) days of the receipt of the Statement of Charges, shall
43 send to the Accused Officer by registered mail a copy of the Statement of Charges
44 and a letter stating that the Accused Officer may either resign or file an Answer to
45 the Statement, in not more than 200 words. Such Answer must be received by the
46 Secretary within ten (10) days of the date that the Secretary mailed the Statement of
47 Charges.
48
49 c. The Secretary, within seven (7) days following receipt of the Answer or the deadline
50 for receipt of the Answer, shall issue to the Filer a Petition, which shall include the

Statement of Charges and the Answer. If, within sixty (60) days of the date of the mailing by the Secretary of the Petition, the Filer returns to the Secretary the Petition with the names and signatures of 20 (twenty) current Executive Board members, an item for Removal of Officer shall be placed on the agenda of the next regular Executive Board meeting held at least seventeen (17) days after the submission of such Petition by the Filer to the Secretary. Written notice of this agenda item must be mailed to the Executive Board no less than ten (10) days prior to the Executive Board meeting.

d. At said next regular meeting of the Executive Board, the item shall be the first item of business after the final credentials report. The Accused Officer may be removed by two-thirds (2/3) vote of all members present and voting, provided there is present and voting at least 33-1/3 percent of the membership of the Executive Board.

e. If the motion for removal of the Accused Officer is defeated, then no such motion to remove the Accused Officer on substantially the same charges shall be in order for the remainder of the Accused Officer's term. It shall be the sole discretion of the Chair to determine whether any new statement of charges is substantially the same as the previous statement. If the Chair is the Accused Officer, this responsibility shall be that of the Secretary.

ARTICLE IV: MEETINGS

Section 1. REGULAR MEETINGS

a. The Democratic State Central Committee shall convene a regular meeting each year. The State Chair shall determine the precise dates. The roll of eligible voters at this meeting of This Committee shall consist of those members who have qualified as of February 7, or next business day if date falls on state holiday or weekend, of the year of that meeting. Once qualified as of February 7, or next business day if date falls on state holiday or weekend, one who remains otherwise qualified to maintain their membership on This Committee, shall vote in the district(s) in which they are registered. For the meetings of This Committee, this qualification date shall be a date selected by the Chair of This Committee and publicized on the Party's website that is between sixty (60) and ninety (90) days prior to the State Endorsing Convention.

b. The State Chair shall call This Committee to order at the time set forth in the agenda mailed to each member, and as soon as practicable thereafter shall cause the roll to be called from the list of certified members and proxies. The Officers of This Committee shall serve as the Officers of any meeting of This Committee and the Committees previously appointed by the Chair of This Committee shall serve as the Committees of any meeting of This Committee, as may be deemed necessary by the Chair of This Committee and subject to the right of the Chair to fill any vacancies on said Committees to insure a full complement of members. In the event there is no Chair of This Committee, the First Vice-Chair shall preside and act in his/her stead.

Section 2. SPECIAL MEETINGS

1 This Committee may hold special meetings in any of the following ways: upon call of the
2 State Chair; upon call of the Executive Board; or upon the call of the State Chair within 15
3 days after receipt by the Chair of a written request signed by a majority of the members of
4 This Committee.
5

6 **Section 3. PLACE OF MEETINGS**
7

8 The regular meetings of This Committee shall be held in a suitable location determined by
9 the Executive Board or, if the Executive Board does not meet, by the State Chair of the Party.
10

11 **Section 4. AGENDA**
12

- 13 a. The agenda for all regular meetings shall be determined by the Executive Board of
14 the Party.
15
16 b. Such agenda shall include provisions for adoption of a Party Platform, election of
17 Party officers, election of National Committee Members, adoption of Party
18 By-Laws, and such other matters as may be deemed in the best interest of the Party.
19

20 **Section 5. QUORUM**
21

22 A majority of the credentialed members of the organization represented either in person or
23 by proxy shall constitute a quorum for the transaction of business. If at any regular or special
24 meeting of this organization, or a committee thereof, a quorum is not present, those present
25 may adjourn until a time when a quorum shall be present.
26

27 **Section 6. PROXIES**
28

- 29 a. Members of This Committee may be represented at any meeting of This Committee
30 by proxy. A member may give his/her proxy to a registered member of the
31 California Democratic Party, of the same sex whenever possible, who is not already
32 a member of This Committee subject to the following limitations:
33
34 (1) A member elected by a County Central Committee may only give his/her
35 proxy to a member, as defined by its by-laws, of the same County Central
36 Committee.
37
38 (2) A member elected by an Assembly District Election Meeting may only give
39 his/her proxy to a registered Democrat resident in the same Assembly
40 District.
41
42 (3) A proxy holder shall only vote in the district in which the person for whom
43 he/she is a proxy resides.
44
45 b. Proxies shall be signed by the member under penalty of perjury and shall be in the
46 form prescribed by the Secretary of This Committee.
47
48 c. No proxy shall be recognized unless filed with This Committee prior to the close of
49 registration for a meeting of This Committee.
50

1 d. Revocation or change of proxies shall be recognized by the Credentials Committee
2 only upon a signed and dated, written request made by the member which is
3 submitted by the member either in person, by facsimile transmission, or the original
4 is otherwise delivered to that committee.

5
6 e. No person may hold more than one proxy. Voting by proxy shall not be permitted
7 with respect to standing or special committees of This Committee.
8

9 **Section 7. PARLIAMENTARY PROCEDURES AND VOTING**

10
11 a. In all cases not provided for by law or by these By-Laws, the meeting of this
12 organization shall be governed by ROBERTS RULES OF ORDER.

13
14 b. In order to vote, and have one's vote counted, at any meeting of This Committee, a
15 member must have timely:

16
17 (1) paid their dues to This Committee, or had them waived,

18
19 (2) registered for the meeting, if registration was required,

20
21 (3) obtained their credential prior to the closing of credentialing, if credentials
22 were issued for the meeting, and

23
24 (4) completed and returned to the proper authority any ballot that may be issued.
25

26 c. Unless otherwise noted in these By-Laws or Roberts Rules of Order, any tie
27 elections shall be determined by lot.

28
29 d. When a voice or standing vote is taken at a meeting of This Committee, it shall be
30 the duty of Regional Directors to monitor their delegation to insure that only those
31 eligible are voting.

32
33 e. When a roll call vote is taken, the roll call shall be conducted by the Regional
34 Directors who shall report the vote of their delegation to the Tally Clerk.

35
36 f. On any demand by a member for a roll call vote, the Chair must present the demand
37 to the floor. Upon approval by at least 300 members by a standing vote, the roll shall
38 be called in the manner prescribed in subdivision (d) of this Section.

39
40 g. During any vote, the Chair may cause the floor to be cleared of persons who are not
41 members of This Committee or do not carry a proxy therefrom.
42

43 **Section 8. RESOLUTION PROCEDURES**

44
45 a. Form

46
47 (1) All resolutions must be typed.

48
49 (2) Inducement (e.g., Whereas) clauses shall be limited to three (3) or less, and
50 resolve clauses shall be limited to two (2) or less.

(3) Resolutions must be no longer than one (1) 8-1/2" x 11" typewritten page.

(4) All resolutions must be adopted by a County Central Committee, or a Chartered Democratic organization or sponsored by twenty-five (25) members of This Committee or a majority of the members of This Committee who meet at a Regional Meeting, per Article III, Section 4d.

b. Timely Resolutions

(1) Resolutions must be received by the State Chair of the Party, thirty (30) calendar days prior to a meeting of This Committee, except as provided in subsection (c) below.

(2) Copies of resolutions submitted according to the above procedure shall be mailed by the State Chair of the Party to all members of the Resolutions Committee prior to a meeting of This Committee.

c. Late / Floor Resolutions

(1) Twenty-five (25) copies of each resolution must be provided to the Resolutions Committee by the sponsor(s) of the resolution.

(2) All resolutions to be considered at a meeting of This Committee must be presented for consideration at the Resolutions Committee meeting preceding the general session. In order to be considered at the general session, a late resolution must have the unanimous consent of the Resolutions Committee to be considered and all resolutions must be approved by the Resolutions Committee. Any resolution heard by the Resolutions Committee, failing to obtain approval, may be brought to the floor of a meeting of This Committee with the signatures of three hundred (300) members of This Committee on forms approved by the Resolutions Committee.

(3) All resolutions to be presented from the floor shall be submitted to the Secretary of the Convention for signature verification by 5:00 p.m. on the day before the resolution is presented.

(4) The sponsor of a resolution presented from the floor shall be responsible for providing the Secretary of the Convention with sufficient copies of their resolution for each member of This Committee.

d. Resolutions pending at the close of a Convention of This Committee shall be referred to the Executive Board of This Committee. All such resolutions shall first be presented to the Resolutions Committee for recommendation to the Executive Board. The Resolutions Committee shall recommend: adoption, adoption with amendment, or rejection. Such resolutions shall be presented to the Executive Board for consideration in its original form unless the sponsor agrees to the amendment(s) recommended by the Resolutions Committee.

Section 9. SEATING

Seating at meetings of This Committee shall be organized by Assembly Districts.

ARTICLE V: STANDING COMMITTEES AND SPECIAL COMMITTEES

Section 1. STANDING COMMITTEES

This Committee shall have the following Standing Committees with the duties as set forth herein below: Credentials; Rules; Resolutions; Platform; Affirmative Action; Legislation; Finance; Voter Services; and Organizational Development.

Section 2. CONSOLIDATION OF COMMITTEES

The Chair of This Committee, during his/her tenure, may also consolidate, or if once done, deconsolidate, standing committees as deemed appropriate, subject to ratification by the Executive Board of This Committee.

Section 3. APPOINTMENT OF MEMBERS OF COMMITTEES

Except as set forth hereinbelow, The Chair of This Committee shall appoint from fifteen to twenty-five members of This Committee to each of the Standing Committees mentioned herein. For all Committees without exception, the Chair of This Committee, in making these appointments, shall take into consideration the Party's commitment to non-discrimination, affirmative action, inclusiveness, and diversity including, but not limited to such things as: race, color, creed, national origin, sex, age, religion, ethnic identity, sexual orientation, persons with disabilities as defined by the Americans with Disabilities Act of 1990, economic status. The geographical location of the appointees, including their residence in urban, suburban, or rural communities, shall also guide the Chair of This Committee in making appointments to each Standing Committee.

Section 4. APPOINTMENT OF CO-CHAIRS

The Chair of This Committee shall appoint co-chairs of each Standing Committee from among its members.

Section 5. STANDING COMMITTEE DUTIES AND RESPONSIBILITIES

a. Credentials Committee:

The Credentials Committee shall be comprised of 25-40 members. It shall be the duty of the Credentials Committee to approve the credentials of all persons appointed or elected to This Committee, to present a list of qualified members to the Chair of This Committee as soon as practicable, and to hear certain appeals from decisions of the Compliance Review Commission, as specified in Article XII. The Credentials Committee shall review and approve all proxies in accordance with Section 6 of Article IV of these By-Laws. All challenges of members or proxies shall be referred to the Credentials Committee for resolution

b. Rules Committee:

1 It shall be the duty of the Rules Committee to keep the By-Laws and Rules of This
2 Committee consistent with the aims and policies of This Committee, to propose
3 changes in the rules and By-Laws and special rules when necessary, to adopt
4 guidelines upon recommendation of the Organizational Development Committee for
5 the Chartering of Organizations under Article X of these bylaws, to hear certain
6 appeals from decisions of the Compliance Review Commission as specified in
7 Article XII, and to interpret the rules and By-Laws when called upon by the Chair of
8 This Committee or the Executive Board.

9
10 **c. Resolutions Committee:**

11 It shall be the duty of the Resolutions Committee to review all resolutions proposed
12 to This Committee or the Executive Board in accordance with these By-Laws. The
13 Resolution Committee shall have authority to recommend, reject, or amend all such
14 resolutions prior to referral to This Committee or the Executive Board. The
15 Resolutions Committee shall establish and publish the procedures for the proposition
16 of resolutions that are consistent with these By-Laws.

17
18 **d. Platform Committee:**

19 It shall be the duty of the Platform Committee to hold at least three meetings
20 throughout the state, to have a platform draft available for interested persons on the
21 first day of the meeting of This Committee at which the platform is to be considered,
22 to hold a final hearing during the first day of that meeting, and to present to This
23 Committee for approval a final draft of the platform during the second day of that
24 meeting.

25
26 **e. Finance Committee:**

27 The Finance Committee shall be comprised of 25-30 members. It shall be the duty
28 of the Finance Committee to organize, in cooperation with the officers of This
29 Committee, activities and policies designed to protect and enhance the financial
30 position of the Party; to prepare in cooperation with This Committee, This
31 Committee's operating budget for presentation to the Executive Board; and to
32 review and report to the Executive Board on the budgeting policies of the State
33 Party.

34
35 **f. Affirmative Action Committee:**

36 The Democratic Party has a commitment to diversity and openness in participation.
37 To ensure that commitment, the Affirmative Action Committee shall advise all
38 persons with power of appointment and all electing bodies of the demographics of
39 California Democrats so they may make informed choices in the selection and
40 election of delegates, committee members and staff who are representative of the
41 Democratic Party in gender, ethnicity, creed, age, sexual orientation, economic
42 status, physical ability, and area of residence. It shall be the duty of the Affirmative
43 Action Committee to implement and monitor the goal of affirmative action for
44 selection of:

- 45
46 (1) The delegates to all State Conventions and Conferences;
47
48 (2) The members of all standing committees of the State Central Committee of
49 the California Democratic Party;
50

(3) California delegates to all National Conventions and Conferences;

(4) The staff of the State Party.

g. Legislation Committee:

It shall be the function of the Legislation Committee to propose legislation when needed, in response to the duties and policies of the Party; to maintain a listing of all pending legislation that is of "must" and/or major concern to the Party; and to keep a record of the vote by the Democratic Party legislators on such legislative items. The Legislation Committee shall make recommendations and propose actions regarding such legislation, consistent with guidelines adopted by the Rules committee.

h. Voter Services Committee:

The Voter Services Committee shall be composed of between 50 and 75 members. It shall be the duty of the Voter Services Committee:

(1) To develop a system of grass roots organizing at the precinct level to facilitate active participation of voters in Democratic Party activities;

(2) To coordinate programs to increase Democratic Party voter registration;

(3) To organize new citizen swearing in events;

(4) To organize outreach at college campuses and other sources of potential new Democratic registrants;

(5) To recommend goals and guidelines for the State Party voter contact program, such as an operational plan for an effective vote-by-mail campaign in each special and general election for state and local campaigns;

(6) To develop a plan to increase the percentage of Democratic voters who register for permanent vote-by-mail status.

(7) To coordinate training seminars which include instruction on campaign management, issues, and financial reporting requirements;

(8) To make every reasonable effort to assure that with respect to each and every partisan office that there shall be at least one Democratic candidate who has filed, who wishes the Party's endorsement, and who is worthy of consideration for that endorsement as allowed for in Article VIII, Endorsement of Candidates;

(9) To review those non-partisan races in which there was no Democratic candidate in the preceding election to that office and to ensure there shall be at least one Democratic candidate for the next election to that office;

i. Organizational Development Committee:

It shall be the duty of the Organizational Development Committee:

- (1) To recommend to the State Chair local, state and national political strategies, activities, and policies designed to improve the organizational effectiveness of the Party;
- (2) To propose a plan for redistricting of the Regions after each State Reapportionment is adopted;
- (3) To propose guidelines to the Rules Committee, for their consideration and approval, concerning the Chartering of Organizations under Article X of these bylaws; and,
- (4) To recommend to the Executive Board the granting or rejection, of applications for Charter of organizations under Article X of these bylaws pursuant to guidelines adopted by the Rules Committee.

Section 6: ADDITIONAL RESPONSIBILITIES

It shall be the responsibility of the Co-Chairs of those Committees described in section 5 (f), (g), (h), and (i) to:

- a. prepare an Action Plan within three months of their appointment, and annually thereafter, for consideration and adoption by those committees at their next meeting with individual assignments for the members of the committee,
- b. transmit the Action Plan to the Executive Board of This Committee for consideration and adoption, and
- c. make regular reports to the Executive Board on their Committee's activities and progress on the Action Plans.
- d. make annual reports to the State Delegates on their Committee's activities and progress on the Action Plans. This would be made public to the state delegates 14 days before the Convention by listing it on the Party's website.

Section 7: SPECIAL COMMITTEES

The Chair of This Committee may appoint such special committees as he or she deems appropriate.

Section 8: PROCEDURES FOR COMMITTEE PROCEEDINGS

Committee proceedings shall be governed by these bylaws, and when not in conflict therewith, such rules and procedures as may be adopted pursuant to the provisions of these bylaws. Any matter not covered by either these bylaws or said procedures shall be governed by the latest edition of Robert's Rules of Order.

- a. Standing Committees, sub-committees thereof, and/or any of its members, may meet in person, by telephone, or by other means of electronic communication.
- b. In order for a Standing Committee, a sub-committee thereof, or any of its members to meet other than in person, the Chair of This Committee must:
 - (1) After considering the nature of the meeting, make a determination that

1 allowing it to be conducted other than in person does not impose any
2 undue burden, does not fundamentally alter the nature of the proceeding,
3 and that the need for physical presence is not a paramount component of
4 the meeting, so long as each member can speak and be heard by the other
5 members,

6
7 (2) Provide at least seven (7) days notice to all interested persons that
8 proceedings may be conducted other than in person, and

9
10 (3) Provide a means for all other interested persons to likewise attend, at least
11 via "listen/view-only" mode.

12
13 c. Rules allowing for meetings of standing committees and subcommittees other
14 than in person, shall only apply to such meetings that are not concurrent with a
15 Convention or Executive Board meetings of This Committee.
16

17
18 **ARTICLE VI: ASSEMBLY DISTRICTS AND ASSEMBLY DISTRICT**
19 **ELECTION MEETINGS**

20
21 **Section 1. ASSEMBLY DISTRICT ELECTION MEETINGS**

22
23 a. Regular, biennial Assembly District Election Meetings shall be held within each
24 Assembly District in the State:

25
26 (1) The Election Meetings shall be held on the Saturday or Sunday of the
27 weekend immediately prior to the second Monday in January in odd-
28 numbered years, with such meeting beginning no earlier than 10 am nor
29 begin later than 3 pm, with the time for registration to be open for a two
30 hour period.

31
32 (2) Persons eligible to participate shall be all registered Democrats residing in
33 the Assembly District who were eligible to participate as such in the
34 preceding General Election; provided however, that if a person turned 18,
35 or became a United States citizen by virtue of naturalization, after the last
36 day for registration for said election, execution on the day of the Election
37 Meeting of a legally valid voter registration form showing a residence
38 within the Assembly District shall constitute prima facie evidence of
39 eligibility to participate.
40

41 (3) The Convener of the Election Meeting shall be selected by the Regional
42 Director responsible for the Assembly District, no later than September 15
43 of the year prior to the ADEM meeting. Should no person be selected by
44 September 15, the Chair of This Committee shall select a person. The
45 selected Convener must be a registered Democrat and pledge not to seek a
46 DSCC seat nor an Executive Board position from that ADEM.
47

48 (4) The Convener of the Election Meeting may request a variance from the
49 date and time of the Election Meeting as set out in Article VI, section
50 1.a.(1) to another time during the second weekend in January in odd-

1 numbered years, or to allow for the holding of the Election Meeting
2 simultaneously at more than one site in the Assembly District, by filing an
3 application with the State Chair by November 1, or next business day if
4 date falls on state holiday or weekend, of the year preceding the holding of
5 the Election Meeting showing good cause for such a variance. "Good
6 cause" may include the necessity of traveling very long distances or in
7 hazardous weather conditions. The State Chair must reply by November
8 10, or next business day if date falls on state holiday or weekend.
9

10 b. The Convener shall, no later than November 15 of the year preceding the holding of
11 the Election Meeting, or next business day if date falls on state holiday or
12 weekend, notify the Chair of This Committee and the Chair of each County
13 Committee which lies wholly or in part in the district of the date, time, and place of
14 the Election Meeting. Failure to do so by that date shall empower the Chair of This
15 Committee to designate a new Convener who shall provide such notice no later than
16 December 3 of the year preceding the holding of the Election Meeting, or next
17 business day if date falls on state holiday or weekend. The Chair of This
18 Committee shall post this information on the Party's website.
19

20 c. The Convener and the Chair of This Committee, as indicated below, shall make
21 every reasonable effort to make known to all registered Democrats in the District of
22 the date, time, place, and purpose of the Election Meeting, the rules for participation
23 in the Election Meeting, and the filing deadlines and rules for candidates for
24 delegate, by transmitting notice of the Election Meeting no later than December 21
25 of the year preceding the holding of the Election Meeting, or next business day if
26 date falls on state holiday or weekend, to the following persons:
27

28 (1) All members of This Committee residing in the District (to be notified by
29 the Chair of This Committee).
30

31 (2) All members of the County Committee residing in the District (if one or
32 more counties lie wholly within the District, then the notice shall be
33 transmitted to all members of those County Committees) (to be notified by
34 the Convener, to the list of members to be obtained from the Chairs of any
35 County Committees which lie wholly or in part within the Assembly
36 District).
37

38 (3) All attendees of the previous Assembly District Election Meeting (to be
39 notified by the Chair of This Committee).
40

41 d. Proof of compliance with the provisions of the preceding subsection shall create a
42 rebuttable presumption of compliance with Article XIII, sections 3, 5 and 6.
43

44 e. The Convener or his or her designee shall preside at the Election Meeting as chair.
45

46 f. A registration fee for all voting participants, for the purpose of defraying the cost of
47 the Election Meeting, shall be collected. Such fee shall not exceed five dollars
48 (\$5.00). The registration fee shall be waived for those participants who claim
49 economic hardship.
50

- 1 g. A list of names, addresses, e-mail addresses, and phones of all persons attending the
2 Election Meeting as participants shall be forwarded by the Convener to the Chair of
3 This Committee within three days after the Election Meeting is held.
4
- 5 h. Each Election Meeting participant shall be asked, on a form provided by the
6 Secretary of This Committee, to indicate his or her willingness to assume an
7 organizational responsibility for one or more precincts within the district or to
8 assume another specified organizational responsibility for the Party. Copies of a list
9 of the persons so expressing such willingness to assume responsibility and of the
10 responsibility each person is agreed to assume shall be sent by the Convener to the
11 Chair of This Committee and the Chair(s) of the appropriate County Committee(s).
12
- 13 i. The Rules Committee of This Committee shall promulgate procedures governing the
14 conduct of the Election Meeting, including the election of 12 delegates to This
15 Committee as set forth in Article II, Section 5, and one representative to the
16 Executive Board, as set forth in Article VII, Section 2(c), which Rules shall include,
17 for candidates for delegate, a filing fee of \$20 (which may be waived due to hardship
18 and such waiver shall be available as an option online and on all written forms), a
19 filing period 30 days prior to the biennial Assembly District Election Meetings and
20 call for the posting of eligible delegate names (to be updated no less than once per
21 week starting with the opening of the filing period) on the Party's website, along
22 with statements by the candidates, with the proviso that such statements that be no
23 longer 1200 characters and shall not mention the name of any other candidate.
24 Statements shall be published as submitted; no additions, corrections, or other edits
25 shall be made once submitted.
26
- 27 j.
- 28 (1) Upon conclusion of the election conducted pursuant to the previous
29 paragraph, the Convener shall immediately transmit by telephone, fax or e-
30 mail to the Chair of This Committee (or his or her designee) the names and
31 titles of those elected.
32
- 33 (2) Within 72 hours of the conclusion of the election conducted pursuant to
34 the previous paragraph, the Convener shall transmit to the Chair of This
35 Committee various materials as detailed in the procedures governing the
36 conduct of the Election Meeting, including but not limited to the sign in
37 sheet listing the participants in the Election Meeting, the election results,
38 the ballots, a copy of the list of the persons expressing willingness to
39 assume district-level or other responsibilities and of the responsibility each
40 person agreed to assume, and whatever dues are collected at the Election
41 Meeting.
42
- 43 3) Failure by the Convener to return the materials referred to in the previous
44 paragraph shall result in the withholding of that Convener's credential to,
45 or ability to register for, any meeting of This Committee and its Executive
46 Board for the remainder of the term, until such time as the Chair of This
47 Committee certifies that the materials have been returned as required or
48 upon the Chair's finding of good cause, waives same
49
- 50 k. Assembly District Representatives to the State Executive Board.

- (1) An Assembly District Representative to the State Executive Board shall be chosen at each Assembly District Election Meeting from among those persons who will be delegates (resident in the respective Assembly District) to the forthcoming biennial convention of This Committee by virtue of being a member of This Committee pursuant to Article II, Section 2b, 2d, 2e; Article II, Section 3; or Article II, Section 5.
- (2) In the event that an Assembly District has not been represented at two successive meetings of the Executive Board, the Representative shall be subject to removal from the board upon notification of the Regional Director in whose region the Assembly District is contained.
- (3) In the event of a vacancy of the office of Assembly District Representative to the State Executive Board (either by operation of this subsection k or otherwise), the Regional Director for the applicable Assembly District shall call a public meeting of the members of This Committee resident in the Assembly District, who shall fill the vacancy from among those persons enumerated in paragraph (1) of this subsection k. This meeting shall be called with at least 10 days notice to the members of This Committee resident in the Assembly District. For the purpose of this meeting only, a quorum shall be 5 (five) members of This Committee resident in the Assembly District. Once the vacancy is filled, the person who called the meeting to fill the vacancy shall notify, in writing, the State Chair of the Party of the selection made pursuant to this subdivision.

ARTICLE VII: EXECUTIVE BOARD

Section 1. EXECUTIVE BOARD

- a. There shall be an Executive Board of This Committee which shall have all the powers and duties of This Organization when it is not in actual session.

Section 2. EXECUTIVE BOARD MEMBERSHIP

The Executive Board shall consist of the following members of This Committee:

- a. The following public officials:
- (1) All United States Senators;
 - (2) The Governor, Lieutenant Governor, Treasurer, Controller, Attorney General, Secretary of State, Insurance Commissioner, Superintendent of Public Instruction and all members of the Board of Equalization.
 - (3) Two members of the House of Representatives, each of whom shall be selected by the members of the House of Representatives on This Committee;

- (4) Two members of the State Assembly, each of whom shall be selected by the members of the Assembly on This Committee;
 - (5) Two members of the State Senate, each of whom shall be selected by the members of the State Senate on This Committee;
- b. County Committee representatives elected as follows:
 - (1) One County Committee representative shall be elected for each 100,000 registered Democrats or portion thereof resident in the county.
 - (2) County Committee representatives to the Executive Board shall be elected by their respective County Committees at their first regular meeting following This Committee's state convention in an odd-numbered year. Only Democratic State Central Committee Members who hold their membership by virtue of Article II, Section 4 shall be eligible for such election.
 - (3) County Committee representatives shall be divided as equally as possible between men and women.
- c. All Assembly District Representatives.
- d. All National Committee Members of the Party.
- e. All officers and immediate past officers of This Committee.
- f. The President of the California Democratic Council and of the California Young Democrats.
- g. The chair or co-chairs of each Standing Committee of This Committee.
- h. The Chair of each caucus officially recognized by This Committee pursuant to Article IV, Section 10 of these By-Laws.
- i. The Chair of each State-wide Organization Chartered by This Committee pursuant to Article X and the Guidelines Re: Chartered Organizations adopted by the Rules Committee of This Committee

Section 3. EXECUTIVE BOARD ORGANIZATION

The State Chair shall be the Chair of the Executive Board, and the State Secretary shall be the Secretary of the Executive Board.

Section 4. EXECUTIVE BOARD MEETINGS

- a. The Executive Board shall convene in regular meetings at least three times in each calendar year. Such regular meetings shall be held at such time and place as the Executive Board may designate so long as no two consecutive meetings are held in the same county.

1 b. The Executive Board may convene in special meetings in the following manner:

2
3 (1) At the call of the State Chair and at such time and in such place as he or she
4 may designate; or,

5
6 (2) Upon written request, designating the time and place of such special
7 meeting, submitted to the State Chair signed by fifty (50) or more members
8 of the Executive Board.

9
10 c. Notice of the regular and special meetings shall be given by the Secretary. The
11 Secretary shall mail notices to each member of the Executive Board at least ten days
12 prior to the meeting. If, upon good cause, the time is shortened by the Chair of This
13 Committee, upon advice and consent of the remaining Statewide Officers of This
14 Committee, notice must be given at least three days prior to the meeting. Notice of
15 any vote on endorsements of candidates or endorsements of, or opposition to,
16 propositions, initiatives, referendum, or recall, shall be sent at least thirty days
17 prior to the meeting, unless, upon good cause, the Chair of This Committee, upon
18 advice and consent of the remaining Statewide Officers of This Committee,
19 shortens notice to no less than ten days.

20
21 **Section 5. EXECUTIVE BOARD VOTING**

22
23 a. Members of the Executive Board may vote in person or by proxy. A person holding
24 the proxy must be a member of This Committee but not a member of the Executive
25 Board; no person may hold more than one proxy. A member of the Executive Board
26 may give his/her proxy to another member of This Committee who is not already a
27 member of the Executive Board subject to the following limitations:

28
29 (1) If the member is a representative of a County Central Committee, such
30 member may designate in writing as his or her proxyholder only a person
31 who is a member or alternate of the same County Committee.

32
33 (2) If the member is an Assembly District Representative, such member may
34 designate in writing as his or her proxyholder only a person who is a member
35 of This Committee resident in the same Assembly District.

36
37 b. Proxies shall be filed in writing with the Secretary of This Committee.

38
39 c. Voting by proxy shall not be permitted with respect to any Standing or Special
40 Committee.

41
42 **Section 6. EXECUTIVE BOARD QUORUM**

43
44 One hundred (100) members of the Executive Board shall constitute a quorum for the
45 transaction of business.

46
47 **Section 7. EXECUTIVE BOARD RESOLUTIONS**

48
49 Submission of resolutions to the Executive Board shall be in accordance with the following
50 procedures:

- a. Resolutions must be received thirty (30) calendar days prior to a meeting of the Executive Board by the State Chair of the Party, except as provided for in subdivision (d) below.
- b. All resolutions must be signed by the author and sponsored by a member of This Committee.
- c. Copies of resolutions submitted according to the above procedures shall be mailed by the State Chair to all members of the Resolutions Committee prior to an Executive Board meeting.
- d. All resolutions must be presented for consideration at the Resolutions Committee meeting preceding the Executive Board general session. Twenty-five (25) copies of any late resolutions must be delivered by the sponsor(s) of the resolution to one of the Co-Chairs of the Resolutions Committee. In order to be considered by the Executive Board, a timely resolution must be approved by the Resolutions Committee and a late resolution must have the unanimous consent of the Resolutions Committee members present to be considered for approval. Any resolution heard by the Committee failing to obtain approval may be considered by the Executive Board with the signatures of one hundred thirty-five (135) credentialed Executive Board members or forty percent (40%) of the entire Executive Board, whichever is fewer. The signatures must be turned in by 9:00 a.m. on the morning of the general session to Party Officers, Resolutions Co-Chairs or staff.
- e. If the resolution is presented from the floor, the sponsor(s) must submit to the Secretary sufficient copies for each member of the Executive Board present.

ARTICLE VIII: ENDORSEMENT OF CANDIDATES FOR PARTISAN AND NONPARTISAN OFFICE, AND ENDORSEMENT AND OPPOSITION TO STATE BALLOT PROPOSITIONS, INITIATIVES, REFERENDUM, AND RECALL

Section 1. GENERAL PROCEDURES

The following general procedures shall govern all endorsement recommendations and endorsement proceedings of This Committee:

- a. The only form of endorsement of a candidate for partisan public office, or position on a State Ballot Proposition, Initiative, Referendum, or Recall, is an "official endorsement" as provided for under these By-Laws. Unless a candidate, or position on a State Ballot Proposition, Initiative, Referendum, or Recall, has received an "official endorsement" all motions of support, recommendation, or other expressions of approval, or disapproval, whether express or implied as pertains to a candidacy for public office, or position on a State Ballot Proposition, Initiative, Referendum, or Recall, no matter how denominated, shall be out of order at any meeting of This

1 Committee, its Executive Board, its Regions, its Assembly District Committees or
2 its Caucuses; provided, however, that nothing herein shall prevent This Committee's
3 Regions, or its Caucuses, from calling on the California Democratic Party to take
4 any action.
5

6 b. Only Democratic candidates for a voter-nominated office who have been endorsed
7 in accordance with the foregoing provisions shall be deemed official candidates of
8 the California Democratic Party and be entitled to the privileges and benefits
9 associated therewith.
10

11 c. To assure the effectiveness of the Democratic Party's endorsing process, This
12 Committee:
13

14 (1) hopes and expects that all of its members will make every reasonable effort
15 to recruit and encourage persons of the highest quality to seek the Party's
16 nomination and endorsement in races for partisan public office;
17

18 (2) hopes and expects that all of its members will make every reasonable effort
19 to see that endorsed candidates receive the Party's nomination and, in due
20 course, are victorious in the general election;
21

22 (3) hopes and expects that all of its members will make every reasonable effort
23 to see that those aspirants for the Party's endorsement who fail to receive that
24 endorsement withdraw as candidates in the Democratic primary and
25 encourage a unified effort on behalf of the endorsed candidates; and
26

27 (4) intends to protect the integrity of its endorsing power by precluding --
28 including through the use of legal process -- other entities from representing
29 themselves as purveyors of an official Democratic Party endorsement.
30

31 d. To assure the effectiveness of the Democratic Party's endorsing process, This
32 Committee is committed to the principle that the Democratic Party as an
33 organization shall speak with one voice with respect to the endorsement of
34 candidates for nomination to partisan public office and non-partisan candidates
35 whose endorsements become the endorsement of This Committee. It is also
36 committed to the principle that This Committee's endorsement process shall be
37 broadly and fairly representative of the various components of the Party.
38

39 e. Any official unit of the California Democratic Party or any County Central
40 Committee which renders an independent, unauthorized endorsement or opposition
41 of a candidate for partisan public office or non-partisan candidates whose
42 endorsements become the endorsement of This Committee, shall forfeit its right to
43 representation on This Committee and the privileges and benefits which may be
44 attached thereto for a period of 12 months from the time it renders such an
45 endorsement, or the remainder of the term of the current State Central Committee,
46 whichever is longer.
47

48 f. This Committee's Regions and Caucuses are constituent parts of This Committee
49 under campaign finance law and have no independent powers of endorsement of

1 candidates for Public Office, nor positions on State Ballot Propositions, Initiatives,
2 Referendum, or Recall.

3
4 g. This Article does not apply to Chartered Organizations as they are specifically
5 intended to be independent of the California Democratic Party and not "affiliated"
6 therewith, as that term is defined by the Bipartisan Campaign Reform Act and other
7 applicable Local, State and Federal laws, rules and regulations.

8
9 h. This Committee shall not in any way support or endorse a candidate who is not a
10 registered Democrat.

11
12 i. This Committee shall not endorse more candidates for an office that the number to
13 be elected for that office.

14
15 j. This Committee shall not endorse candidates for County Central Committee.

16
17 k. This Committee shall not endorse in partisan primary races in districts subject to
18 redistricting unless redistricting has been implemented within ninety (90) days of a
19 duly noticed "endorsing convention" of This Committee.

20
21 **Section 2. PRESIDENT OF THE UNITED STATES**

22
23 a. This Committee is responsible for the fair and just administration of the Delegate
24 Selection Plan for the Democratic National Convention and, accordingly, neither
25 This Committee, Democratic County Central Committees, nor any official unit of
26 the California Democratic Party, including This Committee, its Executive Board, its
27 regions or its Caucuses shall endorse, support or oppose candidates for the President
28 of the United States until the Democratic National Convention has been held.

29
30 b. Individual members of the organizational units identified in subsection (a) of this
31 section are in no way precluded from endorsing delegates to the Democratic
32 National Convention nor a candidate for the Democratic Presidential nomination.
33 The Party office of members making such an endorsement may be indicated in that
34 endorsement for identification purposes only.

35
36 c. Nothing in this Section shall prohibit the neutral provision of benefits, including, but
37 not limited to such things as meeting rooms and table space, to serious and qualified
38 candidates for President or Independent Committees or groups supporting or
39 opposing such a candidate; nor shall it prohibit providing any benefit or support for
40 public policy positions or non-campaign activities of serious and qualified
41 candidates for President, or their administration as may be determined by the Chair
42 of This Committee.

43
44 **Section 3. PARTISAN PUBLIC OFFICES OTHER THAN PRESIDENT**

45
46 a. Endorsement of candidates for any partisan office other than President shall take
47 place during a duly noticed "endorsing convention" of This Committee. (See
48 subsection e. below for an exception to this provision.)
49

- 1 b. This Committee shall make every reasonable effort to assure that with respect to
2 each and every office embraced by the provisions of subsection (a) above there shall
3 be at least one candidate who has filed, who wishes the Party's endorsement, and
4 who is worthy of consideration for that endorsement.
5
- 6 c. Endorsing caucuses of This Committee shall be comprised of all members of This
7 Committee resident and registered to vote in the relevant district. Endorsement
8 caucuses in any given primary race shall be chaired by persons designated by the
9 Chair of This Committee. The Chair of This Committee may also appoint a
10 Parliamentarian who is a member of either the Rules or Credentials Committee of
11 This Committee, and a Secretary for each Endorsing Caucus.
12
- 13 (1) Endorsing caucuses shall be held at places and times during the endorsing
14 convention which are designated by the Chair of This Committee consistent
15 with achieving an orderly, convenient and fair process.
16
- 17 (2) Each candidate entered in a forthcoming Democratic primary, in which a
18 candidate received over fifty percent (50%) of the vote at the pre-endorsing
19 conference, or the pre-endorsing conference was unable to make a
20 recommendation due to the lack of a quorum, and who is subject to the
21 provisions of this section may request to be considered for the Democratic
22 Party endorsement, and may request to appear before the relevant endorsing
23 caucus.
24
- 25 (3) Each candidate seeking the endorsement of the California Democratic Party
26 shall be mailed, or provided via email, a link to a copy of This
27 Committee's most recently adopted Platform, at least ten (10) days prior
28 to the pre-endorsing conference, or in the case of a Special Election the
29 endorsing conference, in the relevant district and shall submit to This
30 Committee a non-reimbursable filing fee in advance of the first level of the
31 process in which his/her name is considered. The filing fee shall be set by
32 the Finance Committee and duly adopted by the Executive Board at least
33 six months prior to the ratification date for endorsement.
34
- 35 (4) Fifty percent plus one of the credentialed members of an endorsing caucus
36 shall constitute a quorum.
37
- 38 (5) Voting at all the endorsing caucuses shall be by signed written ballot, the
39 results of which shall be read off as though it were a roll call vote. Once
40 received by the person chairing the caucus, a ballot, vote-by-mail or
41 otherwise, may not be retracted, rescinded, or otherwise changed and shall
42 be counted in the totals.
43
- 44 (6) Members of an endorsing caucus shall be presented with a "no endorsement"
45 option on all endorsement votes.
46
- 47 (7) No endorsing caucus may endorse more candidates than there are seats for
48 the office in question.
49
- 50 (8) Endorsement of an incumbent candidate seeking reelection shall require a

1 vote of simple majority of the caucus members present and voting;
2 provided, however, that should more than one incumbent be seeking the
3 endorsement of the same caucus, any endorsement shall require sixty
4 percent (60%) vote of those caucus members present and voting.
5 Endorsement of all non-incumbent candidates shall require sixty percent
6 (60%) vote of those caucus members present and voting. In the event This
7 Committee fails to endorse on the first ballot, no further votes shall be
8 taken and the position of This Committee in that race shall be "NO
9 CONSENSUS." A candidate shall be considered an incumbent for the
10 purposes of this section only if the candidate is seeking reelection to the
11 same body in which that candidate currently serves and that candidate
12 currently represents a district within the State of California.
13

14 d. Decisions of endorsing caucuses and the recommendations of pre-endorsing
15 conferences which appear on the consent calendar as provided under Article VIII,
16 Section 3.g.(12), shall be subject to ratification by the full membership of This
17 Committee at a time certain noticed in the printed convention agenda, except with
18 respect to candidates for statewide public office.
19

20 (1) In the case of a statewide public office, This Committee's ratification of the
21 endorsing caucus' decision shall be assumed, since the endorsing caucus is
22 comprised of all members of This Committee. The office of State Board of
23 Equalization shall be considered as a statewide office and shall be voted
24 upon by all members of This Committee.
25

26 (2) Ratification of endorsing caucus decisions on which no objection has been
27 filed under the provisions of (3) below may be achieved by a vote of
28 acclamation on a consent calendar which embraces as many such decisions
29 as deemed appropriate by the Chair of This Committee.
30

31 (3) Formal objection to the ratification of an endorsing caucus decision may
32 only be made after the recommendation of the Endorsing Caucus has been
33 made, as follows:
34

35 If the endorsed candidate received less than two-thirds of the vote at the
36 Endorsing Caucus, formal objection must be signed by at least 300
37 credentialed members of This Committee on a form prescribed by the
38 Secretary issued after the decision of the Endorsing Caucus has been made
39 and filed with the State Chair no later than 11:00 p.m. the evening before the
40 period set aside for ratification votes. In the event a formal objection is filed,
41 each candidate shall be entitled to designate one observer who may be
42 present during the signature verification process.
43

44 If the endorsed candidate received at least two-thirds of the vote at the
45 endorsing caucus, formal objection must be upon written motion by at
46 least ten (10) members of the relevant caucus in the case of an Assembly
47 District or at least twenty (20) members of the relevant caucus in the case
48 of a State Senate or Congressional District, or upon written motion and
49 second by members of a Pre-Primary Endorsement Review Committee.
50 This written motion must be filed with the Secretary of This Committee by

1 8 PM on the day that the endorsing caucuses are held at the endorsing
2 convention. The Pre-Primary Endorsement Review Committee shall be
3 comprised of all members of the Executive Board registered in the
4 relevant district, the statewide officers; the Regional Director(s) of the
5 relevant district, and two (2) Executive Board members, appointed by the
6 Chair of This Committee prior to the start of the Convention, from each of
7 the following committees: Rules, Credentials and Voter Services. If such a
8 motion for formal objection to the ratification of an endorsing caucus
9 decision is so filed with the Secretary by 8 PM the evening before the
10 period set aside for ratification vote, then the relevant Pre-Primary
11 Endorsement Review Committee shall meet at 8 AM the morning prior to
12 the ratification vote. Presentations for the motion by the filer and against
13 the motion by the endorsed candidate shall be no more than five (5)
14 minutes each. Such a motion for formal objection to the ratification of an
15 endorsing caucus decision may be adopted by the relevant committee by a
16 majority of the committee present and voting.
17

18 (4) Consideration by This Committee of endorsing caucus decisions to which
19 objection has been filed under (3) above shall occur prior to voting on the
20 ratification of other caucus decisions and shall include the presentation of
21 arguments for and against ratification.
22

23 (5) In the event a majority of the members of This Committee present and
24 voting fail to vote to ratify an endorsing caucus decision to which formal
25 objection has been filed, the endorsing caucus decision shall be considered
26 "vacated".
27

28 (6) The California Democratic Party shall be considered to have made "no
29 endorsement" where a caucus decision has been vacated unless the members
30 of This Committee decide to endorse a substitute candidate.
31

32 (a) Substitute candidates may be nominated from the floor immediately
33 following the vacating of the relevant endorsing caucus.
34

35 (b) Substitute candidates must have been considered for endorsement by
36 the relevant endorsing caucus.
37

38 (c) To become the endorsed candidate of the California Democratic
39 Party, a substitute candidate must receive seventy-five percent (75%)
40 of the vote of the members of This Committee present and voting.
41

42 e. Special Elections:
43

44 (1) In the case of a special election where an endorsement cannot be made at the
45 biennial endorsing convention of the California Democratic Party, the Chair
46 of This Committee shall cause to be convened an endorsing caucus of the
47 members of This Committee resident in the relevant district, shall designate
48 a convenor and shall appoint a Special Elections Appeals Committee. The
49 endorsing caucus shall be comprised of all members of This Committee
50 resident in the district at 5 PM of the day of the Governor's Proclamation of

1 the election. Such caucus shall otherwise proceed in accordance with the
2 relevant procedures provided for in subsection (c) above and its decision
3 shall become the endorsement of This Committee unless, within two (2)
4 days a majority of the statewide officers of This Committee or 20 percent of
5 the members of This Committee resident in the district object in writing to
6 the State Chair. No proxy voting shall be allowed - each member shall be
7 sent a vote-by-mail ballot which shall be read off as though it were a roll call
8 vote. Once received by the designated convenor of the caucus, a ballot may
9 not be retracted, rescinded, or otherwise changed and shall be counted in the
10 totals. Lost ballots may be replaced at the caucus prior to the close of
11 balloting.

12
13 (2) A Special Elections Appeals Committee will make the final determination at
14 a meeting no later than five (5) days after an objection has been filed. This
15 Special Elections Appeal Committee shall be comprised of the statewide
16 officers; the Regional Director(s) of the relevant district, two (2) Executive
17 Board members, appointed by the Chair of This Committee, from each of the
18 following committees: Rules, Credentials and Voter Services.

19
20 (3) The Special Elections Appeals Committee shall allow persons in
21 teleconference meetings to constitute a quorum for any action.
22

23 f. Endorsement is contingent on such candidate successfully filing for their office as
24 "Party Preference: Democratic" and any such failure to do so shall nullify any
25 endorsement. In the event of such nullification, the Chair of This Committee may
26 utilize the process in subsection e. above, causing to be convened an endorsing
27 caucus of the members of This Committee resident in the relevant district as of the
28 close of Candidacy filing for this race.

29
30 g. "Pre-endorsing Conferences" are a public meeting of the Democratic Party and shall
31 be held at the regional level prior to the State endorsing convention, and shall be
32 open to all registered Democrats.

33
34 (1) The time and place of each pre-endorsing conference shall be determined by
35 the State Chair in consultation with the Party's Regional Directors.
36

37 (2) Absentee ballot voting shall be allowed for each office to be voted upon at
38 the pre-endorsing conference provided that the participation of at least five
39 (5) of the eligible members of This Committee as delegates to the pre-
40 endorsing conference, either in person, or by vote-by-mail ballot, shall
41 constitute a quorum. In the absence of such quorum no recommendation for
42 endorsement shall take place; however, the relevant convention endorsing
43 caucus shall consider the race "de novo". The ballot shall consist of a
44 written, signed statement from the eligible voter and shall be recorded as part
45 of the roll call vote if received by the designated Regional Director prior to
46 the beginning of the roll call vote in the designated district. In the event that
47 any Senate District or Congressional District falls into more than one
48 Region, the State Chair shall assign those districts to a single regional
49 pre-endorsement conference for the purposes of making the recommendation

1 set forth in this section, due consideration being given to conflicting
2 conference dates so as to allow for full participation.
3

4 (3) The State Chair shall be responsible for providing each voting participant
5 with notification of the time and place of the relevant pre-endorsing
6 conference. Regional Directors shall be responsible, upon the advice and
7 assistance of the State Chair, for generally publicizing pre-endorsement
8 conferences.
9

10 (4) Each pre-endorsing conference shall be convened by the relevant Regional
11 Director or, in the event that there is no Regional Director available for this
12 purpose or the Regional Director is a candidate for nomination to a partisan
13 public office, by a person designated by the State Chair. The State Chair
14 shall designate a Chair and a Secretary for each Regional pre-endorsing
15 conference.
16

17 (5) Voting participants at each pre-endorsing conference shall be:
18

19 (a) All members of This Committee resident in the district;
20

21 (b) All regular County Committee members resident in the district;
22

23 (c) Designated Assembly District representatives from chartered clubs
24 and organizations.
25

- 26 1. Representatives from each Democratic Club or other
27 Democratic organization chartered by This Committee or
28 by a County Central Committee in the year prior to the pre-
29 endorsing conference, provided the Chair of the Chartering
30 Organization has certified the validity of the Charter, with
31 such representatives allocated as follows: one
32 representative, resident in the Assembly District and duly
33 registered as a member of the Democratic Party of
34 California, for each full (not a fraction thereof) 20 members
35 registered to vote in the Assembly District who are duly
36 registered as members of the Democratic Party of
37 California by October 31 of the year preceding to the State
38 Endorsing Convention, provided that the organization has
39 provided the Regional Director with a roster of names and
40 addresses of its members and potential representatives on a
41 form provided by the secretary of This Committee by a date
42 selected by the Chair of This Committee and publicized on
43 the Party's website that is between eight (80) and one
44 hundred ten (110) days prior to the State Endorsing
45 Convention. Club members who hold dual club
46 memberships may only be counted for representation once.
47 Such representatives must be registered Democrats. In the
48 event a name is listed on two or more rosters, only one
49 name shall be counted and the Regional Director shall first
50 count the name on the roster of the organization which does

1 not deprive another organization of representation, if
2 possible; provided, however, if that is not possible, the
3 name on the roster which was first turned in will be
4 counted unless the individual is listed as a Representative
5 from another organization, in which case the individual
6 shall be counted only on the roster of the organization
7 sought to be represented.
8

9 2. The certifying authority for the representatives referred to
10 in this paragraph shall be the Chair of the chartered
11 organization.
12

13 3. These A.D. representatives may vote only in the districts in
14 which they reside.
15

16 (6) No proxy voting shall be allowed at pre-endorsing conferences. In order to
17 effectuate notice to all potential voters, and to determine and certify
18 eligibility to vote, it shall be the responsibility of each Regional Director,
19 with the assistance of the relevant County Committee Chair(s) and the
20 Executive Board representative from each Assembly District to identify by
21 name all persons who will be eligible voters at his/her regional pre-endorsing
22 conference and to transmit the names of all such voters to the State Chair,
23 along with the Assembly District, Senate District and Congressional District
24 in which each resides by a date selected by the Chair of This Committee and
25 publicized on the Party's website that is between sixty (60) and ninety (90)
26 days prior to the State Endorsing Convention. A roster of the certified
27 eligible voters shall be maintained by that Regional Director and shall be
28 provided to the Chair of This Committee and to each candidate who has
29 requested consideration. In order to be a voting member of a pre-endorsing
30 conference, an individual's membership must have been certified as indicated
31 herein and his/her name must appear, or have had the right to appear, on the
32 certified roster submitted by a date selected by the Chair of This Committee
33 and publicized on the Party's website that is between sixty (60) and ninety
34 (90) days prior to the State Endorsing Convention. Nothing in this section
35 relieves a Democratic Club of its obligation to submit its roster to the
36 Regional Director no later by a date selected by the Chair of This Committee
37 and publicized on the Party's website that is between eighty (80) and one
38 hundred ten (110) days prior to the State Endorsing Convention, as
39 provided hereinabove.
40

41 (7) Each candidate for partisan, non-statewide public office whose jurisdiction
42 extends into, or is included in a given Region, and who commits to filing as
43 "Party Preference: Democratic," shall be permitted to address the relevant
44 pre-endorsing conference or to designate a representative to address said
45 conference.
46

47 (8) Any voting participant may offer for conference consideration the name of a
48 candidate for partisan, non-statewide public office whose jurisdiction
49 extends into, or is included within the given Region, provided the fee
50 referred to in Section 3.c.(3) above has been paid.

- (9) Once the names of candidates for a given office have been thus offered, a single roll call vote, via signed written ballot, in the same form as the vote-by-mail ballot, shall be taken as to the preferences of the eligible voting participants. Once received by the designated Regional Director, a ballot may not be retracted, rescinded, or otherwise changed and shall be counted in the totals. A "no preference" option shall be available at the time of each vote.
- (10) Eligibility to vote with respect to a given office shall be limited to those conference participants resident in the election district in question.
- (11) The Chair of the pre-endorsing conference is responsible for transmitting to the State Chair, in writing, the results of all votes taken within three days of the pre-endorsing conference.
- (12) A candidate's name may be placed on the consent calendar of This Committee's endorsing convention upon receiving a seventy percent (70%) vote at a pre-endorsing conference. The consent calendar shall be approved by a simple majority vote of This Committee. Upon approval of the consent calendar the candidate shall become the endorsed candidate of the Democratic Party. A name may be removed from the consent calendar by at least twenty percent (20%) of the members of This Committee resident and qualified by a date selected by the Chair of This Committee and publicized on the Party's website that is between sixty (60) and ninety (90) days prior to the State Endorsing Convention in the District in question or by at least twenty percent (20%) of the members of This Committee by filing a letter of objection with the State Chair no later than ten (10) days prior to the State Endorsing Convention. If a name is removed from the consent calendar, the By-Laws of This Committee regarding endorsements shall apply.
- h. If a candidate was endorsed in the Primary, that endorsement shall remain in effect for the General Election. Otherwise:
- (1) If there are two Democratic candidates, the State Chair shall call to be convened a district endorsing caucus comprised of all members of This Committee resident in the district at the time of the polls closing on Primary Election night; or in the case of a Statewide race, will put the endorsement before the next Executive Board. Such endorsement proceedings shall otherwise be conducted similar to a Special Election as provided under Article VIII, Section 3.e.
- (2) If there is only one Democrat who advances from the primary, and that candidate had previously (but unsuccessfully) sought the endorsement of the California Democratic Party and complied with the procedures set out in Article VIII, section 3.c.(3) of these By-Laws, that candidate will become the endorsed candidate. Twenty percent (20%) of the members of This Committee resident in the district in question may file a Letter of Objection to cause the endorsement to be considered by the Election Appeals Committee via the process below.

(3) If there is only one Democrat who advances from the primary, but said candidate had not previously sought the endorsement of the California Democratic Party for this office in this election cycle, said candidate, upon timely petition with the Secretary of the Party and accompanied by the appropriate filing fee, shall become the endorsed candidate fifteen (15) days after Secretary of State certification of the Primary Election unless a Letter of Objection is filed with the Secretary of This Committee and sustained by majority vote of the Election Appeals Committee. The deadline for filing the petition and paying the filing fee is within two days of the Secretary of State's certification of the primary results. Once the filing period for submission of a Letter of Objections has passed without the submitted Letter of Objection, or if such Letter is received but the Election Appeals Committee fails to sustain the Letter of Objection, then such candidate shall become the endorsed candidate.

- i. For those races subject to review by the Election Appeals Committee via the filing of a Letter of Objection, within fifteen (15) days after Secretary of State certification of the Primary Election, twenty percent (20%) of the members of This Committee resident in the district in question must sign and file with the Secretary of This Committee a Letter of Objection objecting to the endorsement of a particular candidate.

Said Letter of Objection shall also be served on the candidate in question by the objecting parties by first class mail at the time the Letter of Objection is filed with the Secretary of This Committee. A certificate of service with the Letter of Objection shall be filed with the Secretary of This Committee along with the filing of the Letter of Objection. The Secretary of This Committee shall, upon receipt of said documents, serve a copy of them on the candidate and the members of the Election Appeals Committee within ten (10) days of filing of said objection.

In the event a majority of the Election Appeals Committee objects to the endorsement of that particular candidate, such candidate shall not be the endorsed candidate of the Democratic Party.

- (1) The Elections Appeals Committee will make the final determination at a meeting no later than five (5) days after an objection has been filed. This committee shall be comprised of the statewide officers; the Regional Director(s) of the relevant district (or all Regional Directors in the case of a statewide election), two (2) Executive Board members, appointed by the Chair of This Committee, from each of the following committees: Rules, Credentials and Voter Services.

- (2) A quorum shall be a majority of those persons

- (3) The Elections Appeals Committee may meet by telephone or other means of electronic communication for any action.

- j. In the event a duly noticed "endorsing convention" is not scheduled at least forty-nine (49) days prior to the partisan primary:

(1) For districted races, the Chair of This Committee shall cause to be convened an endorsing caucus of the members of This Committee resident in the each relevant district, may group such districts on a regional basis as necessary and shall designate a convenor. No proxy voting shall be allowed - each member shall be sent a vote-by-mail ballot which shall be read off as though it were a roll call vote. Once received by the designated convenor of the caucus, a ballot may not be retracted, rescinded, or otherwise changed and shall be counted in the totals. Lost ballots may be replaced at the caucus prior to the close of balloting. Each caucus may place on a consent calendar of the Executive Board of This Committee

(a) by a majority vote of those present and voting, the name of an incumbent Democratic Party Candidate for partisan public office, or

(b) by a sixty (60) percent vote of those present and voting, the name of a non-incumbent Democratic Party candidate for partisan public office.

Such consent calendar shall be voted upon by the Executive Board of This Committee in a single motion which may be approved by a majority vote of those present and voting.

(2) The name of any candidate may be removed from the consent calendar by a majority of the members of the Executive Board resident in the district involved, or by any thirty (30) members of the Executive Board, by filing a letter of objection with the State Chair no later than ten (10) days before the Executive Board meeting at which the consent calendar is to be considered.

(3) For each name removed from the consent calendar, a separate vote shall be taken by the Executive Board, which may, by a majority vote of those present and voting, ratify the pre-endorsing conference recommendation for endorsement. In the event of ratification, the recommendation shall become the endorsement of This Committee. Failure to ratify a recommendation shall result in no endorsement in that race.

(4) The Executive Board may also vote upon endorsement of a candidate for Statewide office; with a majority vote of those present and voting required for the endorsement of an incumbent Democratic candidate, or with sixty (60) percent vote of those present and voting, for the endorsement of a non-incumbent Democratic candidate.

Section 4. NONPARTISAN OFFICES

a. Endorsement of candidates for all local nonpartisan offices (defined here as all nonpartisan offices whose jurisdictions do not extend across county lines) shall be the exclusive responsibility of the relevant Democratic County Central Committee.

b. A Democratic candidate for nonpartisan office who has been endorsed by his/her County Central Committee shall also be considered to be the endorsed candidate of

1 the California Democratic Party and shall be entitled to such privileges and benefits
2 as may be attached thereto provided that: (1) The endorsing provisions of the
3 relevant County Central Committee by-laws have been reviewed and approved by
4 This Committee as consistent with its own By-Laws and with the fundamental rules
5 of fairness to which the California Democratic Party is committed; and (2) A
6 Democratic candidate who has been denied endorsement does not successfully argue
7 before This Committee that there has been a significant violation of the endorsing
8 provisions of the relevant County Central Committee when it rendered its
9 endorsement. Any claim of by-laws violation must be filed with the State Party
10 Chair within five (5) days of County Committee endorsement. A 2/3 vote shall be
11 necessary to uphold the violation claim.
12

13 c. In order for the endorsement of the County Central Committees to become the
14 official endorsements of the California Democratic Party, the following must be met:
15

16 (1) A Democratic County Central Committee endorsement shall be extended
17 only to registered Democrats.
18

19 (2) Endorsement shall not be given to more candidates than there are seats open
20 for the office in question.
21

22 (3) All endorsements shall be made in accordance with the Committee By-Laws
23 provisions duly adopted at least six months prior to making such an
24 endorsement.
25

26 (4) No vote on endorsement shall be taken by secret ballot.
27

28 d. A County Central Committee's by-laws may provide that the Committee shall not
29 endorse candidates for any or all offices embraced by subsection (a) above, and/or
30 may provide for a "No Endorsement" decision with respect to any or all such offices.
31

32 e. A County Central Committee's by-laws may provide that voting rights with respect
33 to its endorsements shall extend to Associate/Alternate Members and/or to all
34 members of This Committee resident in the county.
35

36 f. This Committee shall be responsible for endorsing candidates in any race for
37 nonpartisan office not identified in subsection a. above. In the event an endorsed
38 candidate of This Committee for any such race is not in any runoff which may
39 occur, the Executive Board of This Committee, at its next regularly scheduled
40 meeting after the Primary Election, may endorse any registered Democrat by a sixty
41 percent (60%) vote of those present and voting. In the case of nonpartisan offices
42 which are not statewide but embrace all or part of two or more counties, This
43 Committee shall delegate its endorsing power to a specially organized body
44 including Democratic County Central Committee members resident in the election
45 district. It shall be the responsibility of the State Chair, in consultation with the
46 relevant County Committee Chairs to determine the manner in which that delegated
47 power is to be implemented (e.g., to determine the voting rights of Associate
48 members of the relevant County Committees, whether and how endorsing votes may
49 be weighted to take into account the distribution of the district population among the
50 affected counties, etc.)

- 1
2 g. To the extent permissible, the position of a Democratic County Central Committee
3 on a local proposition being put before the voters within its jurisdiction may be
4 communicated in informational material distributed with the California Democratic
5 Party's mailing permit so long as the following conditions obtain:
6
7 (1) the County Committee position has been duly adopted in accordance with
8 the Committee by-laws reviewed and approved by This Committee;
9
10 (2) the material does not express the endorsement of a candidate for local
11 nonpartisan office who is not also an endorsed candidate of the California
12 Democratic Party under subsection (b) above;
13
14 h. The County Committee position shall be the position of This Committee unless an
15 objection is filed with the State Party Chair which:
16
17 (1) is signed by at least one-half of the members of This Committee resident in
18 the relevant county, and
19
20 (2) is submitted within five days of the adoption of the County Central
21 Committee position.
22
23 i. This Committee hopes and expects that every County Central Committee shall make
24 every reasonable effort:
25
26 (1) to see that at least one qualified, registered Democrat is a candidate for each
27 local nonpartisan office within its endorsing jurisdiction;
28
29 (2) to raise funds sufficient to provide significant support to endorsed candidates
30 needing and wishing support;
31
32 (3) to persuade Democrats running against endorsed candidates to withdraw
33 from their races and to extend their support to those carrying the
34 endorsement;
35
36 (4) to protect the integrity of its endorsement power by precluding -- including
37 through the use of legal process -- other entries from representing
38 themselves as purveyors of an official Democratic Party endorsement.
39

40 **Section 5. STATE BALLOT PROPOSITIONS, INITIATIVES, REFERENDUM, OR**
41 **RECALL**
42

- 43 a. Resolutions to endorse or oppose any state ballot proposition, initiative, or
44 referendum and resolutions to support or remain neutral in a recall election, shall
45 require sixty percent (60%) majority for approval by the Executive Board.
46
47 b. The vote on such resolutions concerning state ballot propositions, initiative, or
48 referendum and resolutions to support or remain neutral in a recall election shall be
49 taken up at the regularly scheduled meeting of This Committee or its Executive
50 Board immediately preceding the recall or statewide election involved.

c. This Committee shall oppose the recall of any public office member registered as a Democrat mentioned in Article II, Section 3 of these By-Laws unless, within ten (10) days from the date of qualification of the recall petition, a resolution is presented to the Secretary of This Committee proposing that This Committee either support or remain neutral on the recall signed by either:

(1) a majority of the members of This Committee resident in the district effected, or,

(2) a majority of the State Officers of This Committee.

d. In the event such a resolution proposing that This Committee either support or remain neutral on a recall petition of any public office member registered as a Democrat mentioned in Article II, Section 3 of these By-Laws is presented to the Secretary of This Committee, and no meeting of This Committee or its Executive Board is scheduled within thirty (30) days prior to the recall election, the Chair of This Committee shall call a special meeting of the Executive Board of This Committee no later than thirty (30) days prior to the recall election to consider the resolution. Failure to adopt the proposed resolution shall result in opposition to the recall.

ARTICLE IX: ELECTION OF DEMOCRATIC NATIONAL COMMITTEE MEMBERS

Section 1. ELECTION BY EXECUTIVE BOARD

The members of the California Delegation to the Democratic National Committee shall be elected by the Executive Board of This Committee.

Section 2. NOTICE

Notice of such election shall be given to all members of This Committee at least thirty days prior to the meeting at which the election is to take place and as provided in Article XIII of the By-Laws and Rules of the California Democratic Party.

Section 3. NUMBER

The number of members elected shall correspond to the number of votes apportioned to California by the Democratic National Committee.

Section 4. ELIGIBILITY AND NOMINATION

The name of any individual registered to vote as a Democrat in the State of California may be placed in nomination by a member of the Executive Board. One-half (1/2) of the delegation shall be male and one-half (1/2) shall be female, unless an odd number of members is to be elected, in which case a variation of one shall be permitted. In the event of a tie vote, the winner shall be determined by lot.

1 **Section 5. DETERMINING ELECTION**

2

3 Except as may be required by Section 4 above, the candidate(s) with the most votes shall be
4 elected.

5

6 **Section 6. VACANCIES**

7

8 Vacancies in the delegation shall be filled in the same manner as specified herein above.

9 Only persons of the same sex as the person whose vacancy is being filled may be a

10 candidate for membership of the Democratic National Committee. In the filling of

11 vacancies, it is the intent of these By-Laws to maintain equal division of the delegation

12 between males & females except as allowed by Section 4 above.

13

14 **Section 7. TERM OF OFFICE**

15

16 The term of office of a member of the Democratic National Committee shall be four (4)

17 years. Persons elected to fill a vacancy shall complete the term of the person whose vacancy

18 has been filled.

19

20

21 **ARTICLE X: CHARTERS**

22

23 **Section 1. AUTHORITY**

24

25 This Committee shall have the authority to charter organizations, as specifically set forth
26 herein, which include in any part of their name the name of the Democratic Party, and,
27 directly or indirectly solicit funds in the State of California for any purpose whatsoever
28 under the representation, either express or implied, that the funds are being solicited for the
29 use of the Democratic Party.

30

31 **Section 2. GRANTING**

32

33 a. This Committee may only charter organizations having as their objective the
34 advancement of the Democratic Party.

35

36 b. Chartered Organizations are intended to be independent of the California
37 Democratic Party and not "affiliated" therewith, as that term is defined by the
38 Bipartisan Campaign Reform Act and other applicable Local, State and Federal
39 laws, rules and regulations. This Committee shall not engage in any activities that
40 directly or indirectly establish, finance, maintain, or control any organization
41 chartered under this Article.

42

43 c. Any Charter which has been granted by This Committee shall be effective from the
44 date said charter was granted until the second meeting of the Executive Board held
45 following the regular election of Statewide officers of This Committee in the year
46 immediately following the conclusion of a Presidential election year, or, until
47 revoked for cause as set forth herein.

48

49 d. Charter shall only be granted upon recommendation of the Organizational
50 Development Committee pursuant to guidelines adopted by the Rules Committee.

1
2 **Section 3. DENIAL AND REVOCATION**
3

4 a. This Committee shall have the power and authority to deny or revoke a charter of
5 any organization, for cause by majority vote. Cause for denial or revocation shall
6 include:
7

- 8 (1) Having less than thirty (30) members in the geographical area from which
9 the organization draws its membership,
10
11 (2) Failing to grant membership to any registered Democrats resident in the
12 geographical area from which the organization draws its membership who
13 seeks to join,
14
15 (3) The knowing enrollment of a person registered as anything other than a
16 member of the Democratic Party as a voting member of the organization,
17
18 (4) The endorsement of a non-Democrat for elective office,
19
20 (5) The endorsement of any candidate for public office running against an
21 endorsed candidate of This Committee, by any organization granted a
22 Charter by This Committee after the adoption of this Article X on July 31,
23 2005, (NOTE: This Committee previously granted a Charter to the
24 California Democratic Council in 1952, prior to This Committee's authority
25 to endorse candidates and prior to the adoption of the Chartering rules
26 contained herein, and the California Democratic Council is specifically
27 exempted from this possible grounds for revocation of Charter),
28
29 (6) Transferring of organization's assets, including funds, from the
30 organization's accounts to a non-Democrat running for elective office or
31 his/her controlled committee(s),
32
33 (7) Acting in violation of Local, State or Federal laws or regulations, and/or,
34
35 (8) A finding of fact having been made by This Committee that the organization
36 has failed to act in, and/or has acted in a manner adverse or detrimental to,
37 the best interests of the Democratic Party.
38

39 b. No organization's charter may be revoked for cause without sixty (60) days written
40 notice of grounds of revocation having been mailed to the Chair of the organization
41 in question, and the rights of response before This Committee having been granted
42 to said organization's designated representative. For purposes of this section the
43 Chair shall mean the last person designated in writing to This Committee as Chair.
44

45 c. The Charters of geographically based organizations shall be automatically revoked
46 on December 31 of the calendar year that the passage of any reapportionment law
47 altering the boundaries of that organization's defined district boundary becomes
48 final.
49

1 **Section 4. APPLICATION REQUIREMENTS**

2
3 All organizations desiring to be chartered by This Committee shall make application for
4 such charter in writing. The application shall be on a form provided by the Secretary of This
5 Committee and shall contain such information as may be required by the Rules Committee.
6
7

8 **Article XI: SPECIAL GROUP CAUCUSES**

9
10 **Section 1. DEFINITION**

11
12 A caucus is a statewide organization:

- 13
14 a. Which is a constituent part of This Committee, governed by its decisions, and
15 may not take official positions on legislation, resolutions, or other matters, which
16 are contrary to positions taken by This Committee, but may call on This
17 Committee to take action.
18
19 b. Consisting of Caucus Sponsors, who are members of the Caucus and of This
20 Committee, constituting at least one percent (1%) of the full membership of This
21 Committee,
22
23 c. Which extends membership and full voting rights to all registered Democrats who
24 meet the membership requirements of such Caucus,
25
26 d. Which has been found to be in compliance with the requirements noted herein and
27 has also been found to meet the Guidelines for Certification for Re-Certification
28 of Caucuses referred to below, based on a review of the application and
29 investigation by the Rules Committee, whose findings shall be conclusive unless
30 reversed by a majority of the Executive Board,
31
32 e. Which has been considered for certification by the Rules Committee and has been
33 certified by the Executive Board of This Committee in order to carry out the
34 Purposes noted herein,
35
36 f. Whose Chair is a member of This Committee, and by virtue of the Caucus being
37 certified, shall be a member of the Executive Board of This Committee, and
38
39 g. If not initially certified prior to 1/1/10, the Caucus' Sponsors are DSCC members,
40 who represent a common identity, demographic or interest which is historically or
41 currently under-represented in Democratic Party affairs and cannot adequately be
42 represented in Democratic Party affairs by a current caucus or chartered
43 organization, and which has provided a reasonable explanation, determined to
44 have been supported by clear and convincing evidence, as to why Chartering as a
45 Statewide Organization under Article X of these Bylaws, would not be a more
46 appropriate course of action
47

48 **Section 2. PURPOSE**

49
50 The purpose of a caucus is to:

- a. Participate in the policy decisions of the Party, by, among other things, proposing Resolutions to the Resolutions Committee, Legislation to the Legislation Committee, bylaw amendments to the Rules Committee, or other such proposals to other Standing Committees, or to the Chair of This Committee, as may be necessary to carry out its goals and objectives. No Caucus may take independent positions on such matters which are contrary to the positions of This Committee, provided, however, that nothing herein shall prevent This Committee's Regions, or its Caucuses from calling on the California Democratic Party to take any action;
- b. Encourage participation, within the Caucus' community of interest, in the outreach programs of the Party, including such things as This Committee's Voter Registration and Get Out the Vote activities;
- c. Promulgate and implement a Statement of Purpose and Intended Activity, aimed at expanding and strengthening the Party, subject to approval by the Rules Committee; and,
- d. Make the Party more welcoming and more relevant to members of the public, the electorate, and This Committee, who identify with the goals of the Caucus.

Section 3. GUIDELINES FOR CERTIFICATION, RE-CERTIFICATION, AND DECERTIFICATION OF CAUCUSES

The Rules Committee shall promulgate Guidelines for Certification, Re-Certification, and Decertification of Caucuses which shall include the process and conditions necessary to certify, re-certify, or decertify a caucus.

Section 4. CERTIFICATION / RE-CERTIFICATION

Certification, and re-certification, shall be subject to the following provisions:

- a. Form of Application – All organizations desiring to be certified, or re-certified, by This Committee as a caucus shall make application for such certification in writing on a form obtained from the Secretary of This Committee.
- b. Submission of Application – Application for Caucus Certification, or Re-certification must be submitted to the Rules Committee of This Committee within thirty (30) days after the first meeting of the Convention of This Committee in the year in which the Caucus is intended to be re-certified or initially certified. No application submitted outside that time-frame shall be considered.
- c. Contents of Application – The application shall contain such information as may be required by the Rules Committee.
- d. Finding of Compliance with Guidelines Required – A specific finding of compliance with the Guidelines for Certification, Re-Certification, and Decertification of Caucuses by the Executive Board of This Committee, after recommendation by the Rules Committee, is required to certify or re-certify a

caucus. In the event the Rules Committee should make a finding of non-compliance with the Guidelines, it shall report a recommendation to reject the Caucus' application for Certification or Re-Certification, specifically noting the grounds and basis for its decision. A majority of the Executive Board of This Committee may, in its discretion, remand to the Rules Committee for reconsideration any recommendation to reject an application for Certification. A majority of the Executive Board of This Committee may, in its discretion, overturn such recommendation, but only if the Executive Board first makes specific findings that the Rules Committee was incorrect in each of its findings that formed the basis of the Rules Committee's recommendation to reject, or that all such defects have been remedied.

Section 5. TERM OF CERTIFICATION

Official Certification of a Caucus shall extend through the second meeting of the Executive Board of This Committee held following the:

- a. Next regular general election, or until revoked for cause as set forth herein, for all initial certifications, and,
- b. Next regular general Presidential election, or until revoked for cause as set forth herein, for all re-certifications.

Section 6. DECERTIFICATION

After notice and an opportunity to be heard, and upon a finding by the Rules Committee that a certified caucus has failed to maintain compliance with the above, the Executive Board of This Committee may decertify a Caucus by majority vote. In the event the Rules Committee should make a finding of non-compliance with the Guidelines, it shall report a recommendation to de-certify the Caucus specifically noting the grounds and basis for its decision. Such recommendation may only be overturned by the Executive Board of This Committee, by majority vote, but only if the Executive Board makes specific findings that the Rules Committee was incorrect in each of its findings that formed the basis of the Rules Committee's recommendation to decertify, or that all such defects have been remedied.

Section 7. RECOGNITION OF HISTORICAL IMPORTANCE

This Committee recognizes that the African American, Asian Pacific Islander, Chicano Latino, Labor, LGBT, and Women's Caucuses were the original six caucuses certified pursuant to the definition contained in the 1985-7, or prior, Bylaws, defining a caucus as "ethnic minority members or other broad elements of the membership" and as such recognizes the historical significance in maintaining their existence.

ARTICLE XII: COMPLIANCE REVIEW COMMISSION

Section 1. COMPOSITION AND QUORUM

The Compliance Review Commission shall be composed of three (3) members of the Standing Committee on Credentials and three (3) members of the Standing Committee on Rules, as designated by the Chair of This Committee. A quorum shall be a majority of those persons. The Compliance Review Commission may meet by telephone or other means of electronic communication.

Section 2. JURISDICTION

- a. The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under Article II (Membership); Article VI (Assembly Districts and Assembly District Election Meetings); Article VII (Executive Board), Article VIII (Endorsements, etc.), Article X (Charters), Article XI (Special Group Caucuses) and Article XIII (General Policies). The Compliance Review Commission shall have jurisdiction to hear and decide any challenge that is initiated before the 42nd day prior to any meeting of This Committee or its Executive Board.
- b. Challenges to the credentials of members initiated after the 42nd day prior to any meeting of This Committee or its Executive Board shall be processed by the Credentials Committee.
- c. All other challenges initiated after the 42nd day prior to any meeting of This Committee or its Executive Board may either be heard and decided by the Compliance Review Commission or referred to either the Standing Committee on Credentials or the Standing Committee on Rules in the discretion of the Compliance Review Commission.
- d. Challenges arising under Article VIII shall only be heard by the Compliance Review Commission if the challenge was made when the plenary session of This Committee was not in session.
- e. During the period 120 days prior to any Primary or General Partisan Election, the Compliance Review Commission may, upon written request by the Chair of This Committee, issue an Order of Temporary Suspension of Charter, for a period of thirty days, of any charter issued by This Committee, for alleged violation of any of the above provisions, provided the request of the Chair of This Committee for suspension sets forth in writing the reasons therefore, and said request is served on the Chair of the Organization in question at his/her last known address of record on file with This Committee, the Secretary of This Committee, and the Chairs of the Rules, Credentials, and Organizational Development Committees of This Committee. In the event of the issuance of an Order of Temporary Suspension of Charter, the Compliance Review Commission shall also issue an Order to Show Cause why the suspension should not become permanent and request written

argument thereon be submitted to the Secretary of This Committee within ten days, after which the Compliance Review Commission may take action under Section 5 herein, including the issuance of an Order of Revocation of Charter or rescission of the Order of Temporary Suspension of Charter.

Section 3. STANDING

Any party to a challenge must be adversely affected to bring the challenge.

Section 4. CHALLENGES

All challenges must be commenced by the filing of a written challenge with the Secretary of This Committee, with copies served on the Chair of This Committee, as well as the appointing person, and the chair of the relevant organization, where applicable no later than seven (7) calendar days after the alleged violation occurred. Upon a showing of good cause, sustained by unanimous vote, the Compliance Review Commission may waive this requirement.

Section 5. POWERS

The Compliance Review Commission shall have the power and authority to take such actions as are necessary to provide a fair and just remedy including, but not limited to, the holding of new elections.

Section 6. APPEAL

- a. All appeals must be received by the Secretary of This Committee, with copies to the Chair of This Committee, within twelve (12) days of the decision of the Compliance Review Commission. Upon receipt of an appeal, the Secretary shall notify the members of the Compliance Review Commission, the Chair of This Committee, and the prevailing parties of the receipt of an appeal. All responses shall be filed with the Secretary of This Committee with copies to the Chair of This Committee, the members of the Compliance Review Commission and the appellants, within 12 days of receipt of the appeal by the Secretary of This Committee.
- b. The filing of an appeal shall not stay any decision of the Compliance Review Commission.
- c. With respect to challenges to the credentials of a member of This Committee or its Executive Board, appeal of an order of the Compliance Review Commission shall be to the Credentials Committee of This Committee.
- d. Appeals of all orders not affecting the credentials of a member of This Committee or its Executive Board shall be to the Rules Committee of This Committee.

ARTICLE XIII: GENERAL POLICIES

Section 1. PUBLIC MEETINGS

All public meetings at all levels of the Democratic Party shall be open to all members of the Democratic Party regardless of race, color, creed, national origin, sex, age, religion, ethnic identity, sexual orientation, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status. Accordingly, the scheduling of Democratic Party affairs at all levels shall consider the presence of any religious minorities of significant numbers of concentration whose level of participation would be affected.

Section 2. TESTS AND OATHS

No test for membership in, nor any oaths of loyalty to, the Democratic Party shall be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination on the grounds of race, color, creed, national origin, sex, age, religion, ethnic identity, sexual orientation, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status.

Section 3. NOTICE OF AGENDAS AND MEETINGS

The time, place and agendas of all public meetings of the Democratic Party on all levels shall be publicized fully and in such manner as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons.

Section 4. REGISTRATION

The Democratic Party, on all levels, should support the broadest possible registration without discrimination on grounds of race, color, creed, national origin, sex, age, religion, ethnic identity, sexual orientation, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status.

Section 5. FULL PUBLICATION OF SELECTION PROCEDURES

The Democratic Party shall publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party Officers and representatives on all levels.

Section 6. TIMELY PUBLICATION OF SELECTION PROCEDURES

Publication of these procedures shall be done in such fashion that all prospective and current members of the State Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party Organization.

Section 7. TIMELY PUBLICATION OF SELECTION QUALIFICATIONS

The Democratic Party shall publicize fully and in such a manner as to assure notice to all interested parties a complete description of the legal and practical qualifications of all officers and representatives of the State Democratic Party. Such publication shall be done in timely fashion so that all prospective candidates or applicants for any elected or appointed

1 position within the State Democratic Party will have full and adequate opportunity to
2 compete for office.
3

4 **Section 8. QUALIFICATIONS FOR RIGHT TO VOTE IN PRIMARY**

5
6 No person shall be entitled to vote for a Democratic candidate at a partisan primary election
7 unless he or she is: 1) a registered Democrat, or 2) registered as a Decline-to-State who
8 requests a Democratic ballot, and is recorded as having done so.
9

10 **Section 9. SECRET BALLOT AND VOTER'S RIGHT TO KNOW**

11
12 a. The Democratic Party is committed to:

13
14 (1) the preservation of the right of the voter to a secret, secure, and counted
15 ballot at the first determining step of the delegate selection process and the
16 first level of participation at which an individual Democrat expresses
17 his/her personal and individual preference, and
18

19 (2) the voter's right to know how his/her representatives have voted.
20

21 b. Based upon Resolution of the DNC Rules Committee adopted on June 23, 1994:

22
23 (1) voters at the first determining step of the delegate selection process and
24 first level of participation shall have an absolute right to a secret ballot
25 which is secure and counted when he/she is expressing his/her own
26 personal and individual preference, and
27

28 (2) no vote by secret ballot may be taken at any meeting of any official
29 Democratic Party body beyond the first determining step at which an
30 individual Democrat expresses his/her personal and individual preference
31 on an action that constitutes part of the delegate selection process for the
32 Democratic National Convention.
33

34 c. Based upon Article Nine, Section 12 of the Charter of the Democratic Party of the
35 United States of America, which prohibits secret ballots as an infringement of the
36 voter's right to know how their representatives have voted, except as noted herein
37 above, no vote by secret ballot shall be taken at any meeting of the California
38 Democratic Party, its Assembly District Election Meetings, or its Caucuses.
39

40 d. Any person who has been determined to have been elected on a secret ballot after
41 12/31/01, beyond the first determining step in the delegate selection process, or
42 first level of participation in violation of these rules, shall be denied credentials by
43 the Credentials Committee of This Committee and shall not be recognized or
44 seated by This Committee at any meeting of This Committee, its Executive
45 Board, its Assembly District Election Meetings, or its Caucuses."
46

47 **Section 10. E-MAIL NOTICE**

48
49 a. Publication of any Democratic Party notice via email will be considered valid if:

50
51 (1) The sender and receiver have both consented, in writing, to sending and
52 receiving notice in this manner,
53

- 1 (2) The notice was sent to or from the email address specified when giving
2 consent, or most recent email address specified on a subsequent notice of
3 change of address by sender or receiver, and,
4
5 (3) The obligation to inform and procedure for informing of any change in
6 email address has been specified in writing.
7
8 b. This Committee hereby consents to receive email notice from any member who
9 consents, in the manner provided below, to receive such notice from This
10 Committee from an “@cadem.org” or other domain as specified on This
11 Committee’s website, provided:
12
13 (1) The member holds This Committee harmless should the member fail to
14 open, receive, view or read their incoming emails regularly and therefore
15 not receive actual knowledge of the material contained in the email notice
16 in a timely manner,
17
18 (2) Consent to receive notice from This Committee has been given on forms
19 provided by the Secretary of This Committee,
20
21 (3) Members of This Committee are given the option, in writing, of
22 maintaining the confidentiality of their email address, or making same
23 public, and,
24
25 (4) Notice sent by This Committee contains contact information including
26 physical address, and clearly outlines how the receiver can “opt out” of
27 receiving future notices by email and how to submit a change of email
28 address.
29
30 c. Notice to This Committee of change of email address is to be provided to the
31 Secretary of This Committee, in writing.
32
33 d. The filing via email of a challenge, or response to a challenge, under Article XII
34 shall be deemed consent to receive notice of all matters regarding that challenge,
35 including response, as well as any appeal or response thereto, via email and a
36 waiver of any right to maintain the confidentiality of that email address while said
37 challenge is pending final disposition.”
38
39

40 **ARTICLE XIV: AMENDMENT OF THE BY-LAWS**

41 42 **Section 1. AMENDMENT**

43
44 These By-Laws may be amended at any meeting of This Committee by a majority vote of
45 the entire membership, whether present at a meeting or not, or a two-thirds vote of the
46 credentialed members of This Committee, whichever is less, provided 10 days notice of the
47 text of the amendment has been given to the membership in writing, or by the Executive
48 Board, provided that the Executive Board amends these By-Laws in the following manner:
49

- a. The amendment must be submitted to the Rules Committee and filed with the Secretary at a meeting held no less than thirty days prior to the meeting at which the amendment is to be voted on.
- b. A copy of the amendment shall be sent with the meeting notice to each member of the Executive Board at least ten days in advance of the meeting at which the amendment is to be voted on.
- c. If the Rules Committee fails to approve a proposed amendment, such amendment may be presented from the floor with the consent of a majority of those present.
- d. These By-Laws shall not be amended by the vote of less than a majority of the total number of members of the Executive Board, or two-thirds (2/3) of those members of the Executive Board present and voting at any meeting thereof, whichever is smaller.

Section 2. EFFECTIVE DATE

By-Laws or any amendments thereto shall become effective immediately upon their adoption.