



BY-LAWS & RULES
OF THE
CALIFORNIA
DEMOCRATIC
PARTY

November 2009



CALIFORNIA DEMOCRATIC PARTY STATE CENTRAL COMMITTEE BY-LAWS

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1 **CALIFORNIA DEMOCRATIC PARTY**
2 **STATE CENTRAL COMMITTEE BY-LAWS**
3 (amended 11/2009, printed 11/2009)
4
5

6 **ARTICLE I: NAME AND PURPOSE**
7 _____

8 **Section 1. NAME**
9

10 The name of this organization shall be the CALIFORNIA DEMOCRATIC PARTY. Its
11 governing body shall be the DEMOCRATIC STATE CENTRAL COMMITTEE (This
12 Committee).
13

14 **Section 2. PURPOSE**
15

- 16 a. All persons registered as Democrats, pursuant to the laws of the State of California,
17 are members of the California Democratic Party and are entitled to participate in the
18 official organization of the California Democratic Party as provided by the laws of
19 the State and these By-Laws.
20
21 b. These By-Laws shall govern the organization, operation and functions of that
22 political party known as the California Democratic Party (The Party) and the
23 Democratic State Central Committee (This Committee).
24
25 c. This Committee shall elect state officers of the Party and members of the
26 Democratic National Committee, shall adopt a State Party platform in gubernatorial
27 years and may adopt a proposed national platform in presidential election years,
28 shall conduct campaigns for the party and its candidates for public office, shall
29 appoint committees and employ staff as deemed desirable, and shall conduct such
30 other business as the policy and program of the Party may require.
31
32 d. This Committee may endorse partisan primary elections and may take positions on
33 ballot measures.
34

35 **Section 3. REGIONS**
36

37 This Committee shall be divided into Regions. Regions shall be defined by A.D. boundaries
38 and are subject to redistricting by the Organizational Development Committee for approval
39 by This Committee or its Executive Board (See also Article III, Section 4.) and shall,
40 beginning with the next reapportionment after 2001, be comprised of an equal number of
41 Assembly Districts.
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44 **ARTICLE II: MEMBERSHIP**
45 _____

46 **Section 1. MEMBERSHIP**
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- 48 a. The Committee shall consist of:
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- (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) 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.
- (8) 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.

b. Membership shall terminate, subject to renewal, every two years and shall extend from the convening of the first regular meeting of this Committee in the odd numbered year to the convening of the first regular meeting held in the next odd-numbered year, with vacancies occurring during this period filled in accordance with the provisions of Section 9 of this Article.

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

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

Section 2. PUBLIC OFFICE MEMBERS

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

- (1) Governor
- (2) Lieutenant Governor
- (3) Treasurer
- (4) Controller

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- (5) Attorney General
- (6) Secretary of State
- (7) Insurance Commissioner
- (8) Superintendent of Public Instruction, as per Article II, Section 6
- (9) Members of the State Board of Equalization
- (10) Members of the State Legislature
- (11) Members of the United States Senate and the House of Representatives from California.

- b. Any Democrat who is elected or otherwise designated to hold an office named in subdivision (a) of this section and whose term of office extends beyond January of the next odd-numbered year shall be a member of This Committee for the two-year period commencing at the first regular meeting of that year. Any Democrat who is elected in a special election shall serve the remainder of the term.
- c. Any Democrat who is elected or otherwise designated to hold an office named in subdivision (a) of this section during the two-year period commencing in January of the odd-numbered year shall be a member of This Committee upon election or designation for the remainder of the two-year period.
- d. In the case of an office named in subdivision (a) of this section to which a Democrat has not been selected at the most recent general election in which a nomination for that office was made, the Democratic Party nominee at the most recent primary election shall be a member of This Committee during the two-year period commencing at the first regular meeting of an odd-numbered year or until such time during that period that a Democrat is elected or designated to hold that office.
- e. In the case of an office named in subdivision (a) of this section for which a special election was held and no Democrat was elected, the highest vote-getting Democrat shall be a member of This Committee during the remainder of the two year term, unless the prior nominee for this office is still a member of This Committee by virtue of having been nominated to that office.
- f. In the case of an office named in subdivision (a) for which subdivisions (b), (c), and (d) are all inapplicable, one member shall be appointed as follows:
 - (1) If a state legislative office is involved, by appointment of a voter who resides in the district in question by the relevant County Central Committee of the Party. The relevant County Central Committee is determined as follows:
 - (a) If the district is situated wholly within a single county, the County Central Committee for the county in which the district is situated;

1 (b) If the vacancy occurs in a district comprising two or more counties
2 and is caused by disqualification or death, the County Central
3 Committee for the county in which the disqualified, deceased or
4 resigned member resided;

5
6 (c) If the vacancy occurs in a district comprising two or more counties
7 and is not caused by disqualification or death, the County Central
8 Committee for the county in which the non-Democratic legislator or
9 the most recent non-Democratic nominee for the office in question
10 resides.

11
12 (2) If the office of the U.S. Senate or any of the statewide offices named in
13 subdivision (a) of this section is involved, by appointment by the Executive
14 Board of This Committee.

15
16 (3) If the office of a member of the United States House of Representatives is
17 involved, by appointment by the Executive Board of This Committee of a
18 voter who resides within the Congressional District to be represented.

19
20 g. Any member of This Committee whose membership is held pursuant to subdivision
21 (b), (c), or (d) of this Section shall be known as a "Public Office Member."
22

23 **Section 3. APPOINTED MEMBERS**

24
25 a. Each member identified in Section 2b or 2c of this Article shall be entitled to appoint
26 six members, at least three of whom shall be of the opposite sex; except that
27 members elected to Congress and the State Assembly shall be entitled to appoint
28 five members, at least three of whom shall be of the opposite sex.
29

30 b. Each member identified in Section 2d or 2e of this Article shall be entitled to appoint
31 three members, at least two of whom shall be of the opposite sex; except that
32 nominee members for Congress and the State Assembly shall appoint two members,
33 at least one of whom shall be of the opposite sex.
34

35 c. Appointment of members to This Committee shall be made in writing in the form
36 prescribed by the Secretary of This Committee, signed by the appointing member
37 and delivered to the State Chair of the Party. Appointees shall serve at the pleasure
38 of the appointing member. Delivery of notification of appointment to This
39 Committee shall be made no later than February 7 following the General Election, in
40 order to be eligible to vote at the next meeting of This Committee, except in the case
41 of a special election not certified by Feb 7, delivery of notification of appointment to
42 This Committee shall be made not later than fourteen (14) days after certification of
43 the election.
44

45 d. Beginning January 1st, 2010, appointments made by nominees for, officials
46 elected to, and others designated to hold the offices of Member of the State
47 Assembly, Member of the State Senate, and Member of the House of
48 Representatives from California must be such that at the time of their appointment
49 at least half of that appointing authority's appointments are held by persons who

1 are registered to vote in the same legislative district as the appointing authority
2 represents.”

3
4
5 **Section 4. MEMBERS ELECTED BY COUNTY CENTRAL COMMITTEES**

- 6
- 7 a. Each County Central Committee of the Party shall elect, from its own members as
- 8 defined by its by-laws, representatives who shall serve at the pleasure of the County
- 9 Central Committee to This Committee as follows: four members as base
- 10 representation, plus one member for each 10,000 registered Democrats or fraction
- 11 thereof.
- 12
- 13 b. The number of registered Democrats shall be as of the most recent report of
- 14 registration to the Secretary of State. The Secretary of This Committee shall secure
- 15 the registration totals received by the Secretary of State seven days prior to the
- 16 General Election, and shall forthwith notify the respective County and District
- 17 Committees of the Party registrations and the allocation of members to be elected
- 18 under provisions of the Elections Code.
- 19
- 20 c. Elections shall be held by January 31 following the regular general statewide
- 21 election. Those committees that reorganize in January shall elect their
- 22 representatives to This Committee at their organizational meetings.
- 23
- 24 d. Persons elected as members shall be divided as equally as possible between men and
- 25 women and shall be members of the County Central Committee as of the date of the
- 26 first regular meeting of This Committee.
- 27
- 28 e. In order for the representative to be eligible to vote at the next meeting of This
- 29 Committee, no later than February 7 of an odd-numbered year, the County Chair
- 30 shall notify the State Chair of the Party in writing signed by him or her of the names
- 31 and addresses of the persons elected to membership of This Committee. Those
- 32 committees which reorganize in January shall make this notification within three
- 33 days of the elections held pursuant to subsection (c).
- 34
- 35 f. County Central Committees may provide for the election of their allocation of
- 36 membership on an at-large basis or by Supervisorial or Assembly Districts, or by
- 37 any combination thereof.

38
39 **Section 5. MEMBERS ELECTED BY ASSEMBLY DISTRICT ELECTION**
40 **MEETINGS**

- 41
- 42 a. Each Assembly District Election Meeting, as provided in Article VI of these
- 43 By-Laws, shall elect twelve of its members as members of This Committee.
- 44
- 45 b. Persons elected as members shall be as equally divided as possible between men and
- 46 women. In the event less than six of one sex should be candidates for election as
- 47 representatives to This Committee, they shall be deemed automatically elected, with
- 48 the balance of the delegation being of the other sex.

1 **Section 6. STATEWIDE NON-PARTISAN OFFICES**

2
3 The highest vote-getting candidate for a Statewide Non-Partisan office registered as a
4 Democrat, at the time of the close of filing, shall be a member of This Committee. If
5 elected, such candidate shall be entitled to appoint six members of This Committee, at least
6 three of whom must be of the opposite sex. If not elected, such candidate shall be entitled to
7 appoint three members of This Committee, at least two of whom must be of the opposite
8 sex. In the case of an office for which the above does not apply, one member shall be
9 appointed by the Executive Board of This Committee to fill the appointor's position.

10
11 **Section 7. NOTIFICATION OF APPOINTMENT OR ELECTION**

- 12
13 a. The Chair of This Committee shall notify each person appointed or elected as a
14 member of This Committee:
- 15 (1) That he or she is a member of This Committee;
 - 16 (2) Of the date, time and place of the first regular meeting of This Committee;
 - 17 (3) That the meeting may be attended either in person or by proxy;
 - 18 (4) That every proxy shall be filed in the office of the State Chair no later than 5
19 p.m. of the day preceding the meeting of This Committee;
 - 20 (5) The proxy shall be in writing signed by the member under penalty of perjury.
- 21
22 b. The Chair of This Committee shall enclose, with each notification of appointment or
23 election, one proxy form.
- 24
25 c. The Chair of This Committee shall provide all members with appropriate notice and
26 forms of proxy prior to each special meeting of This Committee.

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33 **Section 8. QUALIFICATION FOR MEMBERSHIP**

34
35 A person is eligible for membership on This Committee only if such person is registered as
36 affiliated with the Party at the time of election or appointment.

37
38 **Section 9. REMOVAL FROM MEMBERSHIP**

- 39
40 a. Any member who has failed to pay the prescribed dues as provided in section 11 of
41 this Article shall not be credentialed to attend any meeting of This Committee until
42 such time as he or she has satisfied his or her dues obligation by payment or waiver.
43 Authority to hear and decided such issues rests in the Credentials Committee;
44 provided, however, that denial of a dues waiver may be appealed to the Statewide
45 Officers of This Committee by the affected member.
- 46
47 b. This Committee may remove any member if, during his/her term of membership,
48 such member affiliates with or registers as a member of another party; publicly
49 avows preference for another party; publicly advocates that the voters should not

1 vote for the endorsed candidate of This Party for any office; or who publicly gives
2 support to or avows a preference for a candidate nominated by another party.

3
4 c. Removal of a member may be effected in the following manner:

5
6 (1) At least three (3) members of the Executive Board or thirty (30) members of
7 This Committee must sign and submit to the Secretary of This Committee a
8 written statement of charges containing the grounds for removal.

9
10 (2) The Secretary of This Committee, upon receipt of the statement of charges,
11 must send to the accused member by timely registered mail, a copy of the
12 statement of charges and a letter stating: that the accused member may either
13 resign or have a hearing before the officers of This Committee named in
14 Article III, Section 2 that at such hearing, the accused member shall be
15 afforded an opportunity to respond to the statement of charges and to
16 confront the witnesses against such member; and that such member may be
17 represented by counsel at such hearing.

18
19 (3) If the accused member does not resign, the Secretary of This Committee
20 shall send a copy of the statement of charges to all officers of This
21 Committee along with a notice of the hearing date.

22
23 (4) At the hearing the officers shall examine the statement of charges brought
24 against the accused member. The accused member shall be afforded an
25 opportunity to respond to the charges, to confront any witnesses against such
26 members, and may be represented by counsel if desired. Such hearing shall
27 be conducted in such fashion as to afford the accused member due process of
28 law. After such hearing, a sanction shall be imposed where appropriate.
29 Except for a violation of the provision of Article II, Section 9 (b) which
30 prohibits publicly giving support to or avowing a preference for a candidate
31 nominated by another party, the sanction shall be removal from membership.
32 Where the member has been found to have violated the prohibition on
33 publicly giving support to or avowing a preference for a candidate
34 nominated by another party, the sanction shall be removal from membership
35 and a bar from reappointment or reelection to membership in This
36 Committee, as defined in Article II, Section 1(b), immediately following the
37 term during which the sanction of removal was imposed. For example, if the
38 violation occurred in October 2008 and the sanction was imposed in
39 December 2008, the removed member would be barred from renewed
40 membership until after the convening of the annual meeting of This
41 Committee in 2011; however, if the violation occurred in January 2009 and
42 the sanction was imposed after the seating of members at the annual regular
43 meeting of This Committee in 2009, the member would be barred from
44 renewed membership until after the convening of the annual regular meeting
45 of This Committee in 2013. Any finding of a violation, and the imposition of
46 an appropriate sanction for that violation, shall require a vote of not less than
47 two-thirds of the officers present and voting.

48
49 (5) Should the accused member's term expire after the charge is filed, but prior
50 to the completion of the hearing process and should the accused member,

1 during such pendency of the charges, be reelected or reappointed to This
2 Committee, the processing of the charges shall continue and the fact that the
3 violation occurred during a previous term shall not bar the imposition of an
4 appropriate sanction.
5

6 **Section 10. VACANCIES**
7

8 a. A vacancy on This Committee shall be deemed to exist in the event of the
9 appointment or election to membership of an ineligible person or whenever any
10 member dies, resigns or is removed, becomes incapacitated to act, is removed from
11 membership pursuant to Section 9 of this Article, resigns from public office per
12 section 2a of this Article, ceases to be a Central Committee county resident, assumes
13 membership through other means, or ceases to be a member of the Party.
14

15 b. Vacancies shall be filled as follows:
16

17 (1) Should a member appointed to membership pursuant to Section 3 of this
18 Article cease to be a member for any reason specified in subdivision (a) of
19 this Section, the vacancy shall be filled not less than three days preceding the
20 next meeting of This Committee by the original appointing member. The
21 original appointing member shall notify in writing the State Chair of the
22 Party of all appointments made pursuant to this subdivision. If the original
23 appointing person is no longer a member of This Committee or does not
24 wish to fill the vacancy, the State Chair of This Committee shall do so.
25

26 (2) Should a member elected to membership by a County Central Committee
27 cease to be a member for any reason specified in subdivision (a) of this
28 Section, notice shall be given to the County Central Committee by This
29 Committee as soon as possible after occurrence of the vacancy, and the
30 County Central Committee shall fill the vacancy at its next meeting
31 following the notification. The County Committee Chair shall notify in
32 writing the State Chair of the Party of the election held pursuant to this
33 subdivision.
34

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

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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.

1 c. The Second Vice Chair shall assist the State Chair in the performance of the duties
2 of that office. The Second Vice Chair shall be responsible for organizational
3 maintenance and development consistent with the policies of the State Chair and
4 This Committee. In the event of a vacancy in both the office of the Chair and the
5 First Vice Chair, the Second Vice Chair succeeds to the office of Chair until a new
6 Chair has been selected as provided in Section 5a below.

7
8 d. The Secretary shall maintain all records of This Committee, shall serve all required
9 notices, shall discharge such other duties as pertain to this office, and shall turn over
10 at the end of his/her term of office all records and documents associated with the
11 office of Secretary to This Committee, except as may be otherwise noted herein.

12
13 e. The Controller shall have access to the financial records maintained by This
14 Committee, shall prepare and deliver at each Executive Board meeting a report on
15 the financial affairs of This Committee, shall serve as Chair of the Finance
16 Committee, and shall turn over at the end of his/her term all records and documents
17 associated with the office of Controller to This Committee.

18
19 **Section 3. ELECTION OF STATEWIDE OFFICERS**

20
21 a. The Statewide officers shall be elected to their four-year terms at the first meeting of
22 This Committee held immediately following the conclusion of a presidential election
23 year. The election for Officers shall take place as set forth on the agenda mailed to
24 the members.

25
26 b. All statewide officers shall be elected by the entire membership of This Committee.

27
28 c. A candidate for any statewide office shall file a notice of intent-to-run for that office
29 which must be received by the Secretary of the Party by 5p.m. of the day which is
30 sixteen (16) calendar days prior to the opening of credentialing for the
31 Convention. No withdrawals shall be allowed after that date. Should the
32 incumbent officeholder fail to file the notice of intent to run by that date, then the
33 filing deadline shall be extended to the day which is nine (9) days prior to the
34 opening of credentialing for the Convention. No withdrawals shall be allowed
35 after that date.

36
37 d. Following the close of nominations for officers, no additional nominations shall be
38 permitted, except for an office for which no person has been nominated prior to the
39 close of nominations or for which all persons nominated have withdrawn.

40
41 e. No vote for any person shall be counted unless the person has been duly nominated
42 for, and has accepted that nomination for the office for which such vote is cast.

43
44 f. In the event only one person is nominated for any office and such person accepts the
45 nomination, the Secretary of the meeting shall be directed to cast a unanimous ballot
46 for such candidate at the time of the election.

47
48 g. In the event no candidate receives a majority vote on the 1st ballot, a runoff election
49 (2nd ballot) shall be held between the two persons receiving the largest number of

1 votes actually cast for all candidates who have been duly nominated for and
2 accepted the nomination for the office involved.
3

4 **Section 4. REGIONAL DIRECTORS**

- 5
- 6 a. There shall be 16-25 Regional Directors of This Committee who, with its Statewide
7 officers, shall constitute the State Officers of the California Democratic Party.
8
- 9 b. Regional Directors shall be elected for two year terms on Saturday of the first
10 Convention of This Committee held in odd numbered years. Regional Directors
11 shall be elected at Regional Caucuses, each comprised of all members of This
12 Committee resident in the respective regions.
13
- 14 c. Elections of Regional Directors shall be governed by the provisions set forth in
15 Article III, Section 3, subsections c.-g.
16
- 17 d. The Regional Directors shall assist the statewide officers in the maintenance and
18 development of the Party organization within their respective regions. They are
19 responsible for developing, assisting, and coordinating the County Central
20 Committees, Clubs & other Democratic organizations within their region, and shall
21 convene a regional meeting of the members of This Committee in the region with
22 sufficient time for input, or timely resolutions, prior to each meeting of This
23 Committee or its Executive Board.
24
- 25 e. A candidate for Regional Director must be a member of This Committee, and may
26 only file for Regional Director position of the State Party Region in which he/she
27 is registered to vote. Should a Regional Director re-register outside of his/her
28 Region during his/her term of office, he/she shall be assumed to have vacated the
29 office.
30

31 **Section 5. VACANCIES**

- 32
- 33 a. In the event that any statewide office shall become vacant, the vacancy shall be filled
34 on a temporary basis by the Executive Board of This Committee and a new election
35 for that office shall be held at the next State Convention of This Committee. The
36 person elected by the Convention shall serve the remainder of the four year term of
37 that office. The election shall be held consistent with the provisions found in Section
38 3 above.
39
- 40 b. In the event that any Regional Directorship shall become vacant, the vacancy shall
41 be filled by the Executive Board of This Committee. The person elected must be
42 from the same region as the person who vacated the given office, and he/she shall
43 serve the remainder of the two-year term of that office.
44

45 **Section 6. REMOVAL OF OFFICERS**

46

47 An officer of this organization may be removed from office for misconduct or neglect of
48 duty in office by the following procedures:
49

- 1 a. Any member of This Committee (hereafter, the Filer) may file a Statement of
2 Charges to remove an Officer of this Committee (hereafter, the Accused Officer),
3 being no more than 200 words, with the Secretary. If the Accused Officer is the
4 Secretary of This Committee, all responsibilities of the Secretary with regard to this
5 Section shall be carried out by the State Chair.
6
- 7 b. The Secretary, within seven (7) days of the receipt of the Statement of Charges, shall
8 send to the Accused Officer by registered mail a copy of the Statement of Charges
9 and a letter stating that the Accused Officer may either resign or file an Answer to
10 the Statement, in not more than 200 words. Such Answer must be received by the
11 Secretary within ten (10) days of the date that the Secretary mailed the Statement of
12 Charges.
13
- 14 c. The Secretary, within seven (7) days following receipt of the Answer or the deadline
15 for receipt of the Answer, shall issue to the Filer a Petition, which shall include the
16 Statement of Charges and the Answer. If, within sixty (60) days of the date of the
17 mailing by the Secretary of the Petition, the Filer returns to the Secretary the Petition
18 with the names and signatures of 20 (twenty) current Executive Board members, an
19 item for Removal of Officer shall be placed on the agenda of the next regular
20 Executive Board meeting held at least seventeen (17) days after the submission of
21 such Petition by the Filer to the Secretary. Written notice of this agenda item must
22 be mailed to the Executive Board no less than ten (10) days prior to the Executive
23 Board meeting.
24
- 25 d. At said next regular meeting of the Executive Board, the item shall be the first item
26 of business after the final credentials report. The Accused Officer may be removed
27 by two-thirds (2/3) vote of all members present and voting, provided there is present
28 and voting at least 33-1/3 percent of the membership of the Executive Board.
29
- 30 e. If the motion for removal of the Accused Officer is defeated, then no such motion to
31 remove the Accused Officer on substantially the same charges shall be in order for
32 the remainder of the Accused Officer's term. It shall be the sole discretion of the
33 Chair to determine whether any new statement of charges is substantially the same
34 as the previous statement. If the Chair is the Accused Officer, this responsibility
35 shall be that of the Secretary.
36
37

38 **ARTICLE IV: MEETINGS**

39 **Section 1. REGULAR MEETINGS**

- 40 a. The Democratic State Central Committee shall convene a regular meeting no later
41 than April 30th of each year. The State Chair shall determine the precise dates,
42 consistent with this provision. The roll of eligible voters at this meeting of This
43 Committee shall consist of those members who have qualified as of February 7, of
44 the year of that meeting. Once qualified as of February 7, one who remains
45 otherwise qualified to maintain their membership on This Committee, shall vote in
46 the district(s) in which they are registered.
47
48
49

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

10
11 **Section 2. SPECIAL MEETINGS**

12
13 This Committee may hold special meetings in any of the following ways: upon call of the
14 State Chair; upon call of the Executive Board; or upon the call of the State Chair within 15
15 days after receipt by the Chair of a written request signed by a majority of the members of
16 This Committee.

17
18 **Section 3. PLACE OF MEETINGS**

19
20 The regular meetings of This Committee shall be held in a suitable location determined by
21 the Executive Board or, if the Executive Board does not meet, by the State Chair of the Party.

22
23 **Section 4. AGENDA**

- 24
25 a. The agenda for all regular meetings shall be determined by the Executive Board of
26 the Party.
27
28 b. Such agenda shall include provisions for adoption of a Party Platform, election of
29 Party officers, election of National Committee Members, adoption of Party
30 By-Laws, and such other matters as may be deemed in the best interest of the Party.

31
32 **Section 5. QUORUM**

33
34 A majority of the credentialed members of the organization represented either in person or
35 by proxy shall constitute a quorum for the transaction of business. If at any regular or special
36 meeting of this organization, or a committee thereof, a quorum is not present, those present
37 may adjourn until a time when a quorum shall be present.

38
39 **Section 6. PROXIES**

- 40
41 a. Members of This Committee may be represented at any meeting of This Committee
42 by proxy. A member may give his/her proxy to a registered member of the
43 California Democratic Party, of the same sex whenever possible, who is not already
44 a member of This Committee subject to the following limitations:
45
46 (1) A member elected by a County Central Committee may only give his/her
47 proxy to a member, as defined by its by-laws, of the same County Central
48 Committee.

1 (2) A member elected by an Assembly District Election Meeting may only give
2 his/her proxy to a registered Democrat resident in the same Assembly
3 District.

4
5 (3) A proxy holder shall only vote in the district in which the person for whom
6 he/she is a proxy resides.

7
8 b. Proxies shall be signed by the member under penalty of perjury and shall be in the
9 form prescribed by the Secretary of This Committee.

10
11 c. No proxy shall be recognized unless filed with This Committee prior to the close of
12 registration for a meeting of This Committee.

13
14 d. Revocation or change of proxies shall be recognized by the Credentials Committee
15 only upon a signed and dated, written request made by the member which is
16 submitted by the member either in person, by facsimile transmission, or the original
17 is otherwise delivered to that committee.

18
19 e. No person may hold more than one proxy. Voting by proxy shall not be permitted
20 with respect to standing or special committees of This Committee.

21
22 **Section 7. PARLIAMENTARY PROCEDURES AND VOTING**

23
24 a. In all cases not provided for by law or by these By-Laws, the meeting of this
25 organization shall be governed by ROBERTS RULES OF ORDER.

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

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

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

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

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

43
44 **Section 8. RESOLUTION PROCEDURES**

45
46 a. Form

47
48 (1) All resolutions must be typed.

- 1 (2) Inducement (e.g., Whereas) clauses shall be limited to three (3) or less, and
2 resolve clauses shall be limited to two (2) or less.
3
4 (3) Resolutions must be no longer than one (1) 8-1/2" x 11" typewritten page.
5
6 (4) All resolutions must be adopted by a County Central Committee, or a
7 Chartered Democratic organization or sponsored by twenty-five (25)
8 members of This Committee or a majority of the members of This
9 Committee who meet at a Regional Meeting, per Article III, Section 4d.
10
11 b. Timely Resolutions
12
13 (1) Resolutions must be received by the State Chair of the Party, thirty (30)
14 calendar days prior to a meeting of This Committee, except as provided in
15 subsection (c) below.
16
17 (2) Copies of resolutions submitted according to the above procedure shall be
18 mailed by the State Chair of the Party to all members of the Resolutions
19 Committee prior to a meeting of This Committee.
20
21 c. Late / Floor Resolutions
22
23 (1) Twenty-five (25) copies of each resolution must be provided to the
24 Resolutions Committee by the sponsor(s) of the resolution.
25
26 (2) All resolutions to be considered at a meeting of This Committee must be
27 presented for consideration at the Resolutions Committee meeting preceding
28 the general session. In order to be considered at the general session, a late
29 resolution must have the unanimous consent of the Resolutions Committee
30 to be considered and all resolutions must be approved by the Resolutions
31 Committee. Any resolution heard by the Resolutions Committee, failing to
32 obtain approval, may be brought to the floor of a meeting of This Committee
33 with the signatures of three hundred (300) members of This Committee on
34 forms approved by the Resolutions Committee.
35
36 (3) All resolutions to be presented from the floor shall be submitted to the
37 Secretary of the Convention for signature verification by 5:00 p.m. on the
38 day before the resolution is presented.
39
40 (4) The sponsor of a resolution presented from the floor shall be responsible for
41 providing the Secretary of the Convention with sufficient copies of their
42 resolution for each member of This Committee.
43
44 d. Resolutions pending at the close of a Convention of This Committee shall be
45 referred to the Executive Board of This Committee. All such resolutions shall first
46 be presented to the Resolutions Committee for recommendation to the Executive
47 Board. The Resolutions Committee shall recommend: adoption, adoption with
48 amendment, or rejection. Such resolutions shall be presented to the Executive Board
49 for consideration in its original form unless the sponsor agrees to the amendment(s)
50 recommended by the Resolutions Committee.

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Section 9. SEATING

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

Section 10. SPECIAL GROUP CAUCUSES

- a. In order to implement policy guidelines for Special Group Caucuses, This Committee may grant official recognition to a statewide caucus of individual members sharing demographic or similar identity pertaining to their individual status for the purpose of participation in the policy decisions and the outreach programs of the Party. Recognition shall be subject to the following provisions:
 - (1) A Caucus membership list and Caucus By-Laws are submitted for approval to the Executive Board by way of the Rules Committee.
 - (2) The Caucus membership list is comprised of at least one percent of the full membership of This Committee, with each person on such list affirming by signature support for the official recognition of such a Caucus and affirming that he or she shares the demographic or similar identity which defines the Caucus.
 - (3) The Caucus By-Laws are consistent with the By-Laws of this organization and recognize the obligations of the caucus under the General Provisions of the By-Laws of This Committee.
 - (4) Each Special Group Caucus recognized by This Committee shall neither raise nor disburse funds other than nominal dues, and standard or routine costs of regular meetings, which shall be promptly accounted for and processed according to rules promulgated by the Finance Committee.
 - (5) A Statewide Organization representing or sharing substantially similar interests has not been issued a charter under the provisions of Article X of these bylaws.
- b. Failure to comply with subsections 1-5 above may subject a recognized caucus to decertification by This Committee.
- c. Official recognition of a Caucus shall extend throughout the remainder of the two-year term of membership on This Committee.
- d. The Chair of an officially recognized Caucus must be a member of This Committee and shall be a member of the Executive Board of This Committee.
- e. Membership and full voting rights in an officially recognized Caucus shall be open to all registered Democrats who meet the membership requirements of such Caucus By-Laws.

1 **ARTICLE V: STANDING COMMITTEES AND SPECIAL**
2 **COMMITTEES**

3
4 **Section 1. STANDING COMMITTEES**
5

6 This Committee shall have the following Standing Committees with the duties as set forth
7 herein below: Credentials; Rules; Resolutions; Platform; Affirmative Action; Legislation;
8 Finance; Voter Services; and Organizational Development.
9

10 **Section 2. CONSOLIDATION OF COMMITTEES**
11

12 The Chair of This Committee, during his/her tenure, may also consolidate, or if once done,
13 deconsolidate, standing committees as deemed appropriate, subject to ratification by the
14 Executive Board of This Committee.
15

16 **Section 3. APPOINTMENT OF MEMBERS OF COMMITTEES**
17

18 Except as set forth hereinbelow, The Chair of This Committee shall appoint from fifteen
19 to twenty-five members of This Committee to each of the Standing Committees
20 mentioned herein. For all Committees without exception, the Chair of This Committee,
21 in making these appointments, shall take into consideration the Party's commitment to
22 non-discrimination, affirmative action, inclusiveness, and diversity including, but not
23 limited to such things as: race, color, creed, national origin, sex, age, religion, ethnic
24 identity, sexual orientation, persons with disabilities as defined by the Americans with
25 Disabilities Act of 1990, economic status. The geographical location of the appointees,
26 including their residence in urban, suburban, or rural communities, shall also guide the
27 Chair of This Committee in making appointments to each Standing Committee.
28

29 **Section 4. APPOINTMENT OF CO-CHAIRS**
30

31 The Chair of This Committee shall appoint co-chairs of each Standing Committee from
32 among its members.
33

34 **Section 5. STANDING COMMITTEE DUTIES AND RESPONSIBILITIES**
35

36 **a. Credentials Committee:**

37 The Credentials Committee shall be comprised of 25-40 members. It shall be the
38 duty of the Credentials Committee to approve the credentials of all persons
39 appointed or elected to This Committee, to present a list of qualified members to the
40 Chair of This Committee as soon as practicable, and to hear certain appeals from
41 decisions of the Compliance Review Commission, as specified in Article XI. The
42 Credentials Committee shall review and approve all proxies in accordance with
43 Section 6 of Article IV of these By-Laws. All challenges of members or proxies
44 shall be referred to the Credentials Committee for resolution
45

46 **b. Rules Committee:**

47 It shall be the duty of the Rules Committee to keep the By-Laws and Rules of This
48 Committee consistent with the aims and policies of This Committee, to propose
49 changes in the rules and By-Laws and special rules when necessary, to adopt
50 guidelines upon recommendation of the Organizational Development Committee for

1 the Chartering of Organizations under Article X of these bylaws, to hear certain
2 appeals from decisions of the Compliance Review Commission as specified in
3 Article XI, and to interpret the rules and By-Laws when called upon by the Chair of
4 This Committee or the Executive Board.
5

6 **c. Resolutions Committee:**

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

14 **d. Platform Committee:**

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

22 **e. Finance Committee:**

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

30 **f. Affirmative Action Committee:**

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

- 41 (1) The delegates to all State Conventions and Conferences;
- 42
- 43 (2) The members of all standing committees of the State Central Committee of
44 the California Democratic Party;
- 45
- 46 (3) California delegates to all National Conventions and Conferences;
- 47
- 48 (4) The staff of the State Party.
49

1 **g. Legislation Committee:**

2 It shall be the function of the Legislation Committee to propose legislation when
3 needed, in response to the duties and policies of the Party; to maintain a listing of
4 all pending legislation that is of "must" and/or major concern to the Party; and to
5 keep a record of the vote by the Democratic Party legislators on such legislative
6 items. The Legislation Committee shall make recommendations and propose
7 actions regarding such legislation, consistent with guidelines adopted by the Rules
8 committee.
9

10 **h. Voter Services Committee:**

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

- 13
- 14 (1) To develop a system of grass roots organizing at the precinct level to
15 facilitate active participation of voters in Democratic Party activities;
 - 16
 - 17 (2) To coordinate programs to increase Democratic Party voter registration;
 - 18
 - 19 (3) To organize new citizen swearing in events;
 - 20
 - 21 (4) To organize outreach at college campuses and other sources of potential new
22 Democratic registrants;
 - 23
 - 24 (5) To recommend goals and guidelines for the State Party voter contact
25 program, such as an operational plan for an effective vote-by-mail campaign
26 in each special and general election for state and local campaigns;
 - 27
 - 28 (6) To develop a plan to increase the percentage of Democratic voters who
29 register for permanent vote-by-mail status.
 - 30
 - 31 (7) To coordinate training seminars which include instruction on campaign
32 management, issues, and financial reporting requirements;
 - 33
 - 34 (8) To make every reasonable effort to assure that with respect to each and every
35 partisan office that there shall be at least one Democratic candidate who has
36 filed, who wishes the Party's endorsement, and who is worthy of
37 consideration for that endorsement as allowed for in Article VIII,
38 Endorsement of Candidates;
 - 39
 - 40 (9) To review those non-partisan races in which there was no Democratic
41 candidate in the preceding election to that office and to ensure there shall be
42 at least one Democratic candidate for the next election to that office;
 - 43

44 **i. Organizational Development Committee:**

45 It shall be the duty of the Organizational Development Committee:

- 46
- 47 (1) To recommend to the State Chair local, state and national political strategies,
48 activities, and policies designed to improve the organizational effectiveness
49 of the Party;
 - 50

- (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.

ARTICLE VI: ASSEMBLY DISTRICTS AND ASSEMBLY DISTRICT ELECTION MEETINGS

Section 1. ASSEMBLY DISTRICT ELECTION MEETINGS

- a. Regular, biennial Assembly District Election Meetings shall be held within each Assembly District in the State:
 - (1) The Election Meetings shall be held on the Saturday or Sunday of the weekend immediately prior to the second Monday in January in odd-numbered years, with such meeting beginning no earlier than 10 am nor begin later than 3 pm, with the time for registration to be open for a two hour period.
 - (2) Persons eligible to participate shall be all registered Democrats residing in the Assembly District who were eligible to participate as such in the

1 preceding General Election; provided however, that if a person turned 18,
2 or became a United States citizen by virtue of naturalization, after the last
3 day for registration for said election, execution on the day of the Election
4 Meeting of a legally valid voter registration form showing a residence
5 within the Assembly District shall constitute prima facie evidence of
6 eligibility to participate.
7

8 (3) The Convener of the Election Meeting shall be the current Assembly
9 District Representative to the Executive Board or, if none or if more than
10 one resides in the Assembly District due to reapportionment, the designee
11 of the Chair of This Committee.
12

13 (4) The Convener of the Election Meeting may request a variance from the
14 date and time of the Election Meeting as set out in Article VI, section
15 1.a.(1) to another time during the second weekend in January in odd-
16 numbered years, or to allow for the holding of the Election Meeting
17 simultaneously at more than one site in the Assembly District, by filing an
18 application with the State Chair by November 1 of the year preceding the
19 holding of the Election Meeting showing good cause for such a variance.
20 "Good cause" may include the necessity of traveling very long distances
21 or in hazardous weather conditions. The State Chair must reply by
22 November 10.
23

24 b. The Convener shall, no later than December 1 of the year preceding the holding of
25 the Election Meeting, notify the Chair of This Committee and the Chair of each
26 County Committee which lies wholly or in part in the district of the date, time, and
27 place of the Election Meeting. Failure to do so by that date shall empower the Chair
28 of This Committee to designate a new Convener who shall provide such notice no
29 later than December 17 of the year preceding the holding of the Election Meeting.
30 The Chair of This Committee shall post this information on the Party's website.
31

32 c. The Convener and the Chair of This Committee, as indicated below, shall make
33 every reasonable effort to make known to all registered Democrats in the District of
34 the date, time, place, and purpose of the Election Meeting, the rules for participation
35 in the Election Meeting, and the filing deadlines and rules for candidates for
36 delegate, by transmitting notice of the Election Meeting no later than December 21
37 of the year preceding the holding of the Election Meeting to the following persons:
38

39 (1) All members of This Committee residing in the District (to be notified by
40 the Chair of This Committee).
41

42 (2) All members of the County Committee residing in the District (if one or
43 more counties lie wholly within the District, then the notice shall be
44 transmitted to all members of those County Committees) (to be notified by
45 the Convener, to the list of members to be obtained from the Chairs of any
46 County Committees which lie wholly or in part within the Assembly
47 District).
48

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

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- d. Proof of compliance with the provisions of the preceding subsection shall create a rebuttable presumption of compliance with Article XII, sections 3, 5 and 6.
- e. The Convener or his or her designee shall preside at the Election Meeting as chair.
- f. A registration fee for all voting participants, for the purpose of defraying the cost of the Election Meeting, shall be collected. Such fee shall not exceed five dollars (\$5.00). The registration fee shall be waived for those participants who claim economic hardship.
- g. A list of names, addresses, e-mail addresses, and phones of all persons attending the Election Meeting as participants shall be forwarded by the Convener to the Chair of This Committee within three days after the Election Meeting is held.
- h. Each Election Meeting participant shall be asked, on a form provided by the Secretary of This Committee, to indicate his or her willingness to assume an organizational responsibility for one or more precincts within the district or to assume another specified organizational responsibility for the Party. Copies of a list of the persons so expressing such willingness to assume responsibility and of the responsibility each person is agreed to assume shall be sent by the Convener to the Chair of This Committee and the Chair(s) of the appropriate County Committee(s).
- i. The Rules Committee of This Committee shall promulgate procedures governing the conduct of the Election Meeting, including the election of 12 delegates to This Committee as set forth in Article II, Section 5, and one representative to the Executive Board, as set forth in Article VII, Section 2(c), which Rules shall include, for candidates for delegate, a filing period 12 days prior to the biennial Assembly District Election Meetings and call for the posting of eligible delegate names (to be updated no less than once per week starting with the opening of the filing period) on the Party's website, along with statements by the candidates, with the proviso that such statements that be no longer 1200 characters and shall not mention the name of any other candidate. Statements shall be published as submitted; no additions, corrections, or other edits shall be made once submitted.
- j. The Convener shall transmit to the Chair of This Committee the names and titles of those elected pursuant to the previous paragraph.
- 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

1 subject to removal from the board upon notification of the Regional
2 Director in whose region the Assembly District is contained.

- 3
4 (3) In the event of a vacancy of the office of Assembly District Representative
5 to the State Executive Board (either by operation of this subsection k or
6 otherwise), the Regional Director for the applicable Assembly District shall
7 call a public meeting of the members of This Committee resident in the
8 Assembly District, who shall fill the vacancy from among those
9 persons enumerated in paragraph (1) of this subsection k. This meeting shall
10 be called with at least 10 days notice to the members of This Committee
11 resident in the Assembly District. For the purpose of this meeting only, a
12 quorum shall be 5 (five) members of This Committee resident in the
13 Assembly District. Once the vacancy is filled, the person who called the
14 meeting to fill the vacancy shall notify, in writing, the State Chair of the
15 Party of the selection made pursuant to this subdivision.
16
17

18 **ARTICLE VII: EXECUTIVE BOARD**

19 20 **Section 1. EXECUTIVE BOARD**

- 21
22 a. There shall be an Executive Board of This Committee which shall have all the
23 powers and duties of This Organization when it is not in actual session.
24

25 **Section 2. EXECUTIVE BOARD MEMBERSHIP**

26
27 The Executive Board shall consist of the following members of This Committee:

- 28
29 a. The following public officials:
30
31 (1) All United States Senators;
32
33 (2) The Governor, Lieutenant Governor, Treasurer, Controller, Attorney
34 General, Secretary of State, Insurance Commissioner, Superintendent of
35 Public Instruction and all members of the Board of Equalization.
36
37 (3) Two members of the House of Representatives, each of whom shall be
38 selected by the members of the House of Representatives on This
39 Committee;
40
41 (4) Two members of the State Assembly, each of whom shall be selected by the
42 members of the Assembly on This Committee;
43
44 (5) Two members of the State Senate, each of whom shall be selected by the
45 members of the State Senate on This Committee;
46
47 b. County Committee representatives elected as follows:
48
49 (1) One County Committee representative shall be elected for each 100,000
50 registered Democrats or portion thereof resident in the county.
51

1 (2) County Committee representatives to the Executive Board shall be elected
2 by their respective County Committees at their first regular meeting
3 following This Committee's state convention in an odd-numbered year. Only
4 Democratic State Central Committee Members who hold their membership
5 by virtue of Article II, Section 4 shall be eligible for such election.
6

7 (3) County Committee representatives shall be divided as equally as possible
8 between men and women.
9

- 10 c. All Assembly District Representatives.
- 11
- 12 d. All National Committee Members of the Party.
- 13
- 14 e. All officers and immediate past officers of This Committee.
- 15
- 16 f. The President of the California Democratic Council and of the California Young
17 Democrats.
- 18
- 19 g. The chair or co-chairs of each Standing Committee of This Committee.
- 20
- 21 h. The Chair of each caucus officially recognized by This Committee pursuant to
22 Article IV, Section 10 of these By-Laws.
23

24 **Section 3. EXECUTIVE BOARD ORGANIZATION**
25

26 The State Chair shall be the Chair of the Executive Board, and the State Secretary shall be
27 the Secretary of the Executive Board.
28

29 **Section 4. EXECUTIVE BOARD MEETINGS**
30

- 31 a. The Executive Board shall convene in regular meetings at least three times in each
32 calendar year. Such regular meetings shall be held at such time and place as the
33 Executive Board may designate so long as no two consecutive meetings are held in
34 the same county.
35
- 36 b. The Executive Board may convene in special meetings in the following manner:
37
 - 38 (1) At the call of the State Chair and at such time and in such place as he or she
39 may designate; or,
40
 - 41 (2) Upon written request, designating the time and place of such special
42 meeting, submitted to the State Chair signed by fifty (50) or more members
43 of the Executive Board.
44
- 45 c. Notice of the regular and special meetings shall be given by the Secretary. The
46 Secretary shall mail notices to each member of the Executive Board at least ten days
47 prior to the meeting. If, upon good cause, the time is shortened by the Chair of This
48 Committee, upon advice and consent of the remaining Statewide Officers of This
49 Committee, notice must be given at least three days prior to the meeting. Notice of
50 any vote on endorsements of candidates or endorsements of, or opposition to,

1 propositions, initiatives, referendum, or recall, shall be sent at least thirty days
2 prior to the meeting, unless, upon good cause, the Chair of This Committee, upon
3 advice and consent of the remaining Statewide Officers of This Committee,
4 shortens notice to no less than ten days.

5
6 **Section 5. EXECUTIVE BOARD VOTING**

7
8 a. Members of the Executive Board may vote in person or by proxy. A person holding
9 the proxy must be a member of This Committee but not a member of the Executive
10 Board; no person may hold more than one proxy. A member of the Executive Board
11 may give his/her proxy to another member of This Committee who is not already a
12 member of the Executive Board subject to the following limitations:

13
14 (1) If the member is a representative of a County Central Committee, such
15 member may designate in writing as his or her proxyholder only a person
16 who is a member or alternate of the same County Committee.

17
18 (2) If the member is an Assembly District Representative, such member may
19 designate in writing as his or her proxyholder only a person who is a member
20 of This Committee resident in the same Assembly District.

21
22 b. Proxies shall be filed in writing with the Secretary of This Committee.

23
24 c. Voting by proxy shall not be permitted with respect to any Standing or Special
25 Committee.

26
27 **Section 6. EXECUTIVE BOARD QUORUM**

28
29 One hundred (100) members of the Executive Board shall constitute a quorum for the
30 transaction of business.

31
32 **Section 7. EXECUTIVE BOARD RESOLUTIONS**

33
34 Submission of resolutions to the Executive Board shall be in accordance with the following
35 procedures:

36
37 a. Resolutions must be received thirty (30) calendar days prior to a meeting of the
38 Executive Board by the State Chair of the Party, except as provided for in
39 subdivision (d) below.

40
41 b. All resolutions must be signed by the author and sponsored by a member of This
42 Committee.

43
44 c. Copies of resolutions submitted according to the above procedures shall be mailed
45 by the State Chair to all members of the Resolutions Committee prior to an
46 Executive Board meeting.

47
48 d. All resolutions must be presented for consideration at the Resolutions Committee
49 meeting preceding the Executive Board general session. Twenty-five (25) copies of
50 any late resolutions must be delivered by the sponsor(s) of the resolution to one of

1 the Co-Chairs of the Resolutions Committee. In order to be considered by the
2 Executive Board, a timely resolution must be approved by the Resolutions
3 Committee and a late resolution must have the unanimous consent of the
4 Resolutions Committee members present to be considered for approval. Any
5 resolution heard by the Committee failing to obtain approval may be considered by
6 the Executive Board with the signatures of one hundred thirty-five (135)
7 credentialed Executive Board members or forty percent (40%) of the entire
8 Executive Board, whichever is fewer. The signatures must be turned in by 9:00 a.m.
9 on the morning of the general session to Party Officers, Resolutions Co-Chairs or
10 staff.

- 11
- 12 e. If the resolution is presented from the floor, the sponsor(s) must submit to the
- 13 Secretary sufficient copies for each member of the Executive Board present.
- 14
- 15

16 **ARTICLE VIII: ENDORSEMENT OF CANDIDATES FOR PARTISAN**
17 **AND NONPARTISAN OFFICE, AND ENDORSEMENT**
18 **AND OPPOSITION TO STATE BALLOT**
19 **PROPOSITIONS, INITIATIVES, REFERENDUM, AND**
20 **RECALL**

21

22 **Section 1. PRESIDENT OF THE UNITED STATES**

- 23
- 24 a. The State Central Committee of the California Democratic Party, Democratic
- 25 County Central Committees, and all official units of the California Democratic Party
- 26 shall not endorse any candidate for delegate to the Democratic National Convention
- 27 and shall not endorse candidates for President of the United States until the
- 28 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 **Section 2. PARTISAN PUBLIC OFFICES OTHER THAN PRESIDENT**

- 37
- 38 a. Endorsement of candidates for the Democratic nomination to any partisan office
- 39 other than President shall take place during a duly noticed "endorsing convention" of
- 40 This Committee held after the closing date for filing
- 41 declarations-of-intent-of-candidacy for the offices to be voted upon. (See subsection
- 42 (e) below for an exception to this provision.)
- 43
- 44 b. This Committee shall make every reasonable effort to assure that with respect to
- 45 each and every office embraced by the provisions of subsection (a) above there shall
- 46 be at least one candidate who has filed, who wishes the Party's endorsement, and
- 47 who is worthy of consideration for that endorsement.
- 48

- 1 c. Endorsing caucuses of This Committee shall be comprised of all members of This
2 Committee resident and registered to vote in the relevant district. Endorsement
3 caucuses in any given primary race shall be chaired by persons designated by the
4 Chair of This Committee. The Chair of This Committee may also appoint a
5 Parliamentarian who is a member of either the Rules or Credentials Committee of
6 This Committee, and a Secretary for each Endorsing Caucus.
7
8 (1) Endorsing caucuses shall be held at places and times during the endorsing
9 convention which are designated by the Chair of This Committee consistent
10 with achieving an orderly, convenient and fair process.
11
12 (2) Each candidate entered in a forthcoming Democratic primary, in which a
13 candidate received over fifty percent (50%) of the vote at the pre-endorsing
14 conference, or the pre-endorsing conference was unable to make a
15 recommendation due to the lack of a quorum, and who is subject to the
16 provisions of this section may request to be considered for the Democratic
17 Party endorsement, and may request to appear before the relevant endorsing
18 caucus.
19
20 (3) Each candidate seeking the endorsement of the California Democratic Party
21 shall submit to This Committee a non-reimbursable filing fee in advance of
22 the first level of the process in which his/her name is considered. The filing
23 fee shall be \$100 in the case of statewide public offices and \$50 in all other
24 cases.
25
26 (4) Fifty percent plus one of the credentialed members of an endorsing caucus
27 shall constitute a quorum.
28
29 (5) Voting at all the endorsing caucuses shall be by signed written ballot, the
30 results of which shall be read off as though it were a roll call vote. Once
31 received by the designated Regional Director, a ballot, absentee or otherwise,
32 may not be retracted, rescinded, or otherwise changed and shall be counted
33 in the totals.
34
35 (6) Members of an endorsing caucus shall be presented with a "no endorsement"
36 option on all endorsement votes.
37
38 (7) No endorsing caucus may endorse more candidates than there are seats for
39 the office in question.
40
41 (8) Endorsement of an incumbent candidate seeking reelection shall require a
42 vote of simple majority of the caucus members present and voting.
43 Endorsement of all non-incumbent candidates shall require sixty percent
44 (60%) of those caucus members present and voting. In the event This
45 Committee fails to endorse on the first ballot, no further votes shall be taken
46 and the position of This Committee in that race shall be "NO
47 CONSENSUS."
48
49 d. Decisions of endorsing caucuses and the recommendations of pre-endorsing
50 conferences which appear on the consent calendar as provided under Article VIII,

1 Section 2i(12), shall be subject to ratification by the full membership of This
2 Committee at a time certain noticed in the printed convention agenda, except with
3 respect to candidates for statewide public office.
4

5 (1) In the case of a statewide public office, This Committee's ratification of the
6 endorsing caucus' decision shall be assumed, since the endorsing caucus is
7 comprised of all members of This Committee. The office of State Board of
8 Equalization shall be considered as a statewide office and shall be voted
9 upon by all members of This Committee.
10

11 (2) Ratification of endorsing caucus decisions on which no objection has been
12 filed under the provisions of (3) below may be achieved by a vote of
13 acclamation on a consent calendar which embraces as many such decisions
14 as deemed appropriate by the Chair of This Committee.
15

16 (3) Formal objection to the ratification of an endorsing caucus decision may
17 only be made after the recommendation of the Endorsing Caucus has been
18 made, and must be signed by at least 300 credentialed members of This
19 committee on a form prescribed by the Secretary issued after the decision of
20 the Endorsing Caucus has been made and filed with the State Chair no later
21 than 11:00 p.m. the evening before the period set aside for ratification votes.
22 In the event a formal objection is filed, each candidate shall be entitled to
23 designate one observer who may be present during the signature verification
24 process.
25

26 (4) Consideration by This Committee of endorsing caucus decisions to which
27 objection has been filed under (3) above shall occur prior to voting on the
28 ratification of other caucus decisions and shall include the presentation of
29 arguments for and against ratification.
30

31 (5) In the event fifty percent plus one of the members of This Committee present
32 and voting fail to vote to ratify an endorsing caucus decision to which formal
33 objection has been filed, the endorsing caucus decision shall be considered
34 "vacated".
35

36 (6) The California Democratic Party shall be considered to have made "no
37 endorsement" where a caucus decision has been vacated unless the members
38 of This Committee decide to endorse a substitute candidate.
39

40 (a) Substitute candidates may be nominated from the floor immediately
41 following the vacating of the relevant endorsing caucus.
42

43 (b) Substitute candidates must have been considered for endorsement by
44 the relevant endorsing caucus.
45

46 (c) To become the endorsed candidate of the California Democratic
47 Party, a substitute candidate must receive seventy-five percent (75%)
48 of the vote of the members of This Committee present and voting.
49

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- e. Special Elections:
 - (1) In the case of a special election where an endorsement cannot be made at the biennial endorsing convention of the California Democratic Party, the Chair of This Committee shall cause to be convened an endorsing caucus of the members of This Committee resident in the relevant district and shall appoint a Special Elections Appeals Committee not less than one (1) or more than fourteen (14) days after the close of candidate filing. The endorsing caucus shall be comprised of all members of This Committee resident in the district at the time of the Governor’s Proclamation of the election. Such caucus shall otherwise proceed in accordance with the relevant procedures provided for in subsection (c) above and its decision shall become the endorsement of This Committee unless, within five (5) days a majority of the statewide officers of This Committee or 20 percent of the members of This Committee resident in the district object in writing to the State Chair.
 - (2) A Special 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, two (2) Executive Board members, appointed by the Chair of This Committee, from each of the following committees: Rules, Credentials and Voter Services.
 - (3) The Special Elections Appeals Committee shall allow persons in teleconference meetings to constitute a quorum for any action.
- f. Only Democratic candidates for nomination to partisan public office who have been endorsed in accordance with the foregoing provisions shall be deemed official candidates of the California Democratic Party and be entitled to the privileges and benefits associated therewith.
- g. To assure the effectiveness of the Democratic Party's endorsing process, This Committee:
 - (1) hopes and expects that all of its members will make every reasonable effort to recruit and encourage persons of the highest quality to seek the Party's nomination and endorsement in races for partisan public office;
 - (2) hopes and expects that all of its members will make every reasonable effort to see that endorsed candidates receive the Party's nomination and, in due course, are victorious in the general election;
 - (3) hopes and expects that all of its members will make every reasonable effort to see that those aspirants for the Party's endorsement who fail to receive that endorsement withdraw as candidates in the Democratic primary and encourage a unified effort on behalf of the endorsed candidates; and
 - (4) intends to protect the integrity of its endorsing power by precluding -- including through the use of legal process -- other entities from representing themselves as purveyors of an official Democratic Party endorsement.

1
2 h. To assure the effectiveness of the Democratic Party's endorsing process, This
3 Committee is committed to the principle that the Democratic Party as an
4 organization shall speak with one voice with respect to the endorsement of
5 candidates for nomination to partisan public office. It is also committed to the
6 principle that This Committee's endorsement process shall be broadly and fairly
7 representative of the various components of the Party.
8

9 Any official unit of the California Democratic Party or any County Central
10 Committee which renders an independent, unauthorized endorsement of a candidate
11 for partisan public office shall forfeit its right to representation on This Committee
12 and the privileges and benefits which may be attached thereto for a period of 12
13 months from the time it renders such an endorsement, or the remainder of the term
14 of the current State Central Committee, whichever is longer.
15

16 i. "Pre-endorsing Conferences" are a public meeting of the Democratic Party and shall
17 be held at the regional level prior to the State endorsing convention, and shall be
18 open to all registered Democrats.
19

20 (1) The time and place of each pre-endorsing conference shall be determined by
21 the State Chair in consultation with the Party's Regional Directors and shall
22 be set on a date after the closing of the filing of the declaration of candidacy.
23

24 (2) Absentee ballot voting shall be allowed for each office to be voted upon at
25 the pre-endorsing conference provided that the participation of a majority of
26 the eligible members of This Committee as delegates to the pre-endorsing
27 conference, either in person, or by absentee ballot, shall constitute a quorum.
28 In the absence of such quorum no recommendation for endorsement shall
29 take place; however, the relevant convention endorsing caucus shall consider
30 the race "de novo". The ballot shall consist of a written, signed statement
31 from the eligible voter and shall be recorded as part of the roll call vote if
32 received by the designated Regional Director prior to the beginning of the
33 roll call vote in the designated district. In the event that any Senate District
34 or Congressional District falls into more than one Region, the State Chair
35 shall assign those districts to a single regional pre-endorsement conference
36 for the purposes of making the recommendation set forth in this section, due
37 consideration being given to conflicting conference dates so as to allow for
38 full participation.
39

40 (3) The State Chair shall be responsible for providing each voting participant
41 with notification of the time and place of the relevant pre-endorsing
42 conference. Regional Directors shall be responsible, upon the advice and
43 assistance of the State Chair, for generally publicizing pre-endorsement
44 conferences.
45

46 (4) Each pre-endorsing conference shall be convened by the relevant Regional
47 Director or, in the event that there is no Regional Director available for this
48 purpose or the Regional Director is a candidate for nomination to a partisan
49 public office, by a person designated by the State Chair. The State Chair

1 shall designate a Chair and a Secretary for each Regional pre-endorsing
2 conference.

3
4 (5) Voting participants at each pre-endorsing conference shall be:

5
6 (a) All members of This Committee resident in the district;

7
8 (b) All regular County Committee members resident in the district;

9
10 (c) Designated Assembly District representatives from chartered clubs
11 and organizations.

12
13 1. Representatives from each Democratic Club or other
14 Democratic organization chartered by This Committee or
15 by a County Central Committee in the year prior to the pre-
16 endorsing conference, provided the Chair of the Chartering
17 Organization has certified the validity of the Charter, with
18 such representatives allocated as follows: one
19 representative, resident in the District and duly registered
20 as a member of the Democratic Party of California, for
21 each full (not a fraction thereof) 20 members registered to
22 vote in the District who are duly registered as members of
23 the Democratic Party of California, provided that the
24 organization has provided the Regional Director with a
25 roster of names and addresses of its members and potential
26 representatives on a form provided by the secretary of This
27 Committee no later than December 31, of the year prior to
28 the pre-endorsing conference. Club members who hold dual
29 club memberships may only be counted for representation
30 once. Such representatives must be registered Democrats.
31 In the event a name is listed on two or more rosters, only
32 one name shall be counted and the Regional Director shall
33 first count the name on the roster of the organization which
34 does not deprive another organization of representation, if
35 possible; provided, however, if that is not possible, the
36 name on the roster which was first turned in will be
37 counted unless the individual is listed as a Representative
38 from another organization, in which case the individual
39 shall be counted only on the roster of the organization
40 sought to be represented.

41
42 2. The certifying authority for the representatives referred to
43 in this paragraph shall be the Chair of the chartered
44 organization.

45
46 3. These A.D. representatives may vote only in the districts in
47 which they reside.

48
49 (6) No proxy voting shall be allowed at pre-endorsing conferences. In order to
50 effectuate notice to all potential voters, and to determine and certify

1 eligibility to vote, it shall be the responsibility of each Regional Director,
2 with the assistance of the relevant County Committee Chair(s) and the
3 Executive Board representative from each Assembly District to identify by
4 name all persons who will be eligible voters at his/her regional pre-endorsing
5 conference and to transmit the names of all such voters to the State Chair,
6 along with the Assembly District, Senate District and Congressional District
7 in which each resides no later than the February 7 before the pre-endorsing
8 conference. A roster of the certified eligible voters shall be maintained by
9 that Regional Director and shall be provided to the Chair of This Committee
10 and to each candidate who has requested consideration. In order to be a
11 voting member of a pre-endorsing conference, an individual's membership
12 must have been certified as indicated herein and his/her name must appear,
13 or have had the right to appear, on the certified roster submitted by February
14 7. Nothing in this section relieves a Democratic Club of its obligation to
15 submit its roster to the Regional Director no later than December 31 of the
16 year prior to the pre-endorsing conference, as provided hereinabove.
17

- 18 (7) Each candidate for the Democratic nomination to a partisan, non-statewide
19 public office whose jurisdiction extends into, or is included in a given
20 Region, shall be permitted to address the relevant pre-endorsing conference
21 or to designate a representative to address said conference.
22
- 23 (8) Any voting participant may offer for conference consideration the name of a
24 candidate for the Democratic nomination to a partisan, non-statewide public
25 office whose jurisdiction extends into, or is included within the given
26 Region, provided the fee referred to in Section 2c(3) above has been paid.
27
- 28 (9) Once the names of candidates for a given office have been thus offered, a
29 single roll call vote, via signed written ballot, in the same form as the
30 absentee ballot, shall be taken as to the preferences of the eligible voting
31 participants. Once received by the designated Regional Director, a ballot
32 may not be retracted, rescinded, or otherwise changed and shall be counted
33 in the totals. A "no preference" option shall be available at the time of each
34 vote.
35
- 36 (10) Eligibility to vote with respect to a given office shall be limited to those
37 conference participants resident in the election district in question.
38
- 39 (11) The Chair of the pre-endorsing conference is responsible for transmitting to
40 the State Chair, in writing, the results of all votes taken within three days of
41 the pre-endorsing conference.
42
- 43 (12) A candidate's name may be placed on the consent calendar of This
44 Committee's endorsing convention upon receiving a seventy percent (70%)
45 vote at a pre-endorsing conference. The consent calendar shall be approved
46 by a simple majority vote of This Committee. Upon approval of the consent
47 calendar the candidate shall become the endorsed candidate of the
48 Democratic Party. A name may be removed from the consent calendar by at
49 least twenty percent (20%) of the members of This Committee resident and
50 qualified as of February 7 of the year of the meeting in the District in

1 question or by 300 members of This Committee by filing a letter of objection
2 with the State Chair no later than ten (10) days prior to the State Endorsing
3 Convention. If a name is removed from the consent calendar, the By-Laws
4 of This Committee regarding endorsements shall apply.
5

6 j. All winners of the Democratic primaries will be deemed to be the nominee of the
7 Democratic Party and the endorsed candidates of This Committee unless within five
8 (5) days after Secretary of State certification of the Primary Election either:
9

10 (1) Seventy-five percent (75%) of the members of This Committee resident in
11 the district in question, or,
12

13 (2) 300 members of This Committee, or,
14

15 (3) 100 members of the Executive Board of This Committee, or,
16

17 (4) two-thirds (2/3rds) of the State Officers of This Committee;
18

19 sign and file with the Secretary of This Committee a Letter of Objection objecting to
20 the endorsement of a particular Nominee of the Democratic Party. Said Letter of
21 Objection shall also be served on the Nominee in question by the objecting parties
22 by first class mail at the time the Letter of Objection is filed with the Secretary of
23 This Committee. A certificate of service with the Letter of Objection shall be filed
24 with the Secretary of This Committee along with the filing of the Letter of
25 Objection. The Secretary of This Committee shall, upon receipt of said documents,
26 serve a copy of them on the Nominee and the members of the Executive Board of
27 This Committee within ten (10) days of filing of said objection and at least ten (10)
28 days prior to the next Executive Board meeting. In the event that seventy-five
29 percent (75%) of the Executive Board of This Committee, present and voting,
30 objects to the endorsement of that particular nominee of the Party, said nominee
31 shall not be the endorsed candidate of the Democratic Party. In the event that the
32 first meeting of the Executive Board of This Committee after the primary election
33 occurs on a date which does not allow for the above notice, the Letter of Objection
34 shall be considered at a special meeting of the Executive Board of This Committee
35 which shall be noticed no later than sixty days after the Primary Election.
36

37 k. The only form of endorsement of a candidate for partisan public office is an "official
38 endorsement" as provided for under these By-Laws. Unless a candidate has
39 received an "official endorsement" all motions of support, recommendation, or other
40 expressions of approval, no matter how denominated, shall be out of order at any
41 meeting of This Committee, its Executive Board, its Regions, its Assembly District
42 Committees or its Caucuses.
43

44 l. This Committee shall not endorse candidates for County Central Committee.
45

46 m. This Committee shall not endorse in partisan primary races in districts subject to
47 reapportionment unless reapportionment has been implemented within ninety (90)
48 days of a duly noticed "endorsing convention" of This Committee.
49

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

3
4 (1) Pre-endorsing conferences may place on a consent calendar of the Executive
5 Board of This Committee

6
7 (a) by a majority vote of those present and voting, the name of an
8 incumbent Democratic Party Candidate for partisan public office, or

9
10 (b) by a sixty (60) percent vote of those present and voting, the name of
11 a non-incumbent Democratic Party candidate for partisan public
12 office.

13
14 Such consent calendar shall be voted upon by the Executive Board of This
15 Committee in a single motion which may be approved by a majority vote of
16 those present and voting.

17
18 (2) The name of any candidate may be removed from the consent calendar by a
19 majority of the members of the Executive Board resident in the district
20 involved, or by any thirty (30) members of the Executive Board, by filing a
21 letter of objection with the State Chair no later than ten (10) days before the
22 Executive Board meeting at which the consent calendar is to be considered.

23
24 (3) For each name removed from the consent calendar, a separate vote shall be
25 taken by the Executive Board, which may, by a majority vote of those
26 present and voting, ratify the pre-endorsing conference recommendation for
27 endorsement.

28
29 In the event of ratification, the recommendation shall become the endorsement of
30 This Committee. Failure to ratify a recommendation shall result in no endorsement
31 in that race.

32
33 **Section 3. NONPARTISAN OFFICES**

34
35 a. Endorsement of candidates for all local nonpartisan offices (defined here as all
36 nonpartisan offices whose jurisdictions do not extend across county lines) shall be
37 the exclusive responsibility of the relevant Democratic County Central Committee.

38
39 b. A Democratic candidate for nonpartisan office who has been endorsed by his/her
40 County Central Committee shall also be considered to be the endorsed candidate of
41 the California Democratic Party and shall be entitled to such privileges and benefits
42 as may be attached thereto provided that: (1) The endorsing provisions of the
43 relevant County Central Committee by-laws have been reviewed and approved by
44 This Committee as consistent with its own By-Laws and with the fundamental rules
45 of fairness to which the California Democratic Party is committed; and (2) A
46 Democratic candidate who has been denied endorsement does not successfully argue
47 before This Committee that there has been a significant violation of the endorsing
48 provisions of the relevant County Central Committee when it rendered its
49 endorsement. Any claim of by-laws violation must be filed with the State Party

1 Chair within five (5) days of County Committee endorsement. A 2/3 vote shall be
2 necessary to uphold the violation claim.

3
4 c. In order for the endorsement of the County Central Committees to become the
5 official endorsements of the California Democratic Party, the following must be met:

6
7 (1) A Democratic County Central Committee endorsement shall be extended
8 only to registered Democrats.

9
10 (2) Endorsement shall not be given to more candidates than there are seats open
11 for the office in question.

12
13 (3) All endorsements shall be made in accordance with the Committee By-Laws
14 provisions duly adopted at least six months prior to making such an
15 endorsement.

16
17 (4) No vote on endorsement shall be taken by secret ballot.

18
19 d. A County Central Committee's by-laws may provide that the Committee shall not
20 endorse candidates for any or all offices embraced by subsection (a) above, and/or
21 may provide for a "No Endorsement" decision with respect to any or all such offices.

22
23 e. A County Central Committee's by-laws may provide that voting rights with respect
24 to its endorsements shall extend to Associate/Alternate Members and/or to all
25 members of This Committee resident in the county.

26
27 f. This Committee shall be responsible for endorsing candidates in any race for
28 nonpartisan office not identified in subsection a. above. In the event an endorsed
29 candidate of This Committee for any such race is not in any runoff which may
30 occur, the Executive Board of This Committee, at its next regularly scheduled
31 meeting after the Primary Election, may endorse any registered Democrat by a sixty
32 percent (60%) vote of those present and voting. In the case of nonpartisan offices
33 which are not statewide but embrace all or part of two or more counties, This
34 Committee shall delegate its endorsing power to a specially organized body
35 including Democratic County Central Committee members resident in the election
36 district. It shall be the responsibility of the State Chair, in consultation with the
37 relevant County Committee Chairs to determine the manner in which that delegated
38 power is to be implemented (e.g., to determine the voting rights of Associate
39 members of the relevant County Committees, whether and how endorsing votes may
40 be weighted to take into account the distribution of the district population among the
41 affected counties, etc.)

42
43 g. To the extent permissible, the position of a Democratic County Central Committee
44 on a local proposition being put before the voters within its jurisdiction may be
45 communicated in informational material distributed with the California Democratic
46 Party's mailing permit so long as the following conditions obtain:

47
48 (1) the County Committee position has been duly adopted in accordance with
49 the Committee by-laws reviewed and approved by This Committee;

1 (2) the material does not express the endorsement of a candidate for local
2 nonpartisan office who is not also an endorsed candidate of the California
3 Democratic Party under subsection (b) above;
4

5 h. The County Committee position shall be the position of This Committee unless an
6 objection is filed with the State Party Chair which: (a) is signed by at least one-half
7 of the members of This Committee resident in the relevant county, and (b) is
8 submitted within five days of the adoption of the County Central Committee
9 position.
10

11 i. The provisions of this section (with the exception of subsections g(1), g(2) and h
12 above) shall become effective if and when Party endorsements in nonpartisan office
13 races become legally permissible.
14

15 j. This Committee hopes and expects that every County Central Committee shall make
16 every reasonable effort:
17

18 (1) to see that at least one qualified, registered Democrat is a candidate for each
19 local nonpartisan office within its endorsing jurisdiction;
20

21 (2) to raise funds sufficient to provide significant support to endorsed candidates
22 needing and wishing support;
23

24 (3) to persuade Democrats running against endorsed candidates to withdraw
25 from their races and to extend their support to those carrying the
26 endorsement;
27

28 (4) to protect the integrity of its endorsement power by precluding -- including
29 through the use of legal process -- other entries from representing
30 themselves as purveyors of an official Democratic Party endorsement.
31

32 **Section 4. STATE BALLOT PROPOSITIONS, INITIATIVES, REFERENDUM, OR**
33 **RECALL**
34

35 a. Resolutions to endorse or oppose any state ballot proposition, initiative, or
36 referendum and resolutions to support or remain neutral in a recall election, shall
37 require sixty percent (60%) majority for approval by the Executive Board.
38

39 b. The vote on such resolutions concerning state ballot propositions, initiative, or
40 referendum and resolutions to support or remain neutral in a recall election shall be
41 taken up at the regularly scheduled meeting of This Committee or its Executive
42 Board immediately preceding the recall or statewide election involved.
43

44 c. This Committee shall oppose the recall of any public office member registered as a
45 Democrat mentioned in Article II, Section 2 of these By-Laws unless, within ten
46 (10) days from the date of qualification of the recall petition, a resolution is
47 presented to the Secretary of This Committee proposing that This Committee either
48 support or remain neutral on the recall signed by either:
49

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

3
4 (2) a majority of the State Officers of This Committee.
5

6 d. In the event such a resolution proposing that This Committee either support or
7 remain neutral on a recall petition of any public office member registered as a
8 Democrat mentioned in Article II, Section 2 of these By-Laws is presented to the
9 Secretary of This Committee, and no meeting of This Committee or its Executive
10 Board is scheduled within thirty (30) days prior to the recall election, the Chair of
11 This Committee shall call a special meeting of the Executive Board of This
12 Committee no later than thirty (30) days prior to the recall election to consider the
13 resolution. Failure to adopt the proposed resolution shall result in opposition to the
14 recall.
15

16
17 **ARTICLE IX: ELECTION OF DEMOCRATIC NATIONAL**
18 **COMMITTEE MEMBERS**
19

20 **Section 1. ELECTION BY EXECUTIVE BOARD**
21

22 The members of the California Delegation to the Democratic National Committee shall be
23 elected by the Executive Board of This Committee.
24

25 **Section 2. NOTICE**
26

27 Notice of such election shall be given to all members of This Committee at least thirty days
28 prior to the meeting at which the election is to take place and as provided in Article XII of
29 the By-Laws and Rules of the California Democratic Party.
30

31 **Section 3. NUMBER**
32

33 The number of members elected shall correspond to the number of votes apportioned to
34 California by the Democratic National Committee.
35

36 **Section 4. ELIGIBILITY AND NOMINATION**
37

38 The name of any individual registered to vote as a Democrat in the State of California may
39 be placed in nomination by a member of the Executive Board. One-half (1/2) of the
40 delegation shall be male and one-half (1/2) shall be female, unless an odd number of
41 members is to be elected, in which case a variation of one shall be permitted. In the event of
42 a tie vote, the winner shall be determined by lot.
43

44 **Section 5. DETERMINING ELECTION**
45

46 Except as may be required by Section 4 above, the candidate(s) with the most votes shall be
47 elected.
48

49 **Section 6. VACANCIES**
50

1 Vacancies in the delegation shall be filled in the same manner as specified herein above.
2 Only persons of the same sex as the person whose vacancy is being filled may be a
3 candidate for membership of the Democratic National Committee. In the filling of
4 vacancies, it is the intent of these By-Laws to maintain equal division of the delegation
5 between males & females except as allowed by Section 4 above.
6
7

8 **Section 7. TERM OF OFFICE**

9
10 The term of office of a member of the Democratic National Committee shall be four (4)
11 years. Persons elected to fill a vacancy shall complete the term of the person whose vacancy
12 has been filled.
13
14

15 **ARTICLE X: CHARTERS**

16
17 **Section 1. AUTHORITY**

18
19 This Committee shall have the authority to charter organizations, as specifically set forth
20 herein, which include in any part of their name the name of the Democratic Party, and,
21 directly or indirectly solicit funds in the State of California for any purpose whatsoever
22 under the representation, either express or implied, that the funds are being solicited for the
23 use of the Democratic Party.
24

25 **Section 2. GRANTING**

- 26
27 a. This Committee may only charter organizations having as their objective the
28 advancement of the Democratic Party.
29
30 b. Chartered Organizations are intended to be independent of the California
31 Democratic Party and not “affiliated” therewith, as that term is defined by the
32 Bipartisan Campaign Reform Act and other applicable Local, State and Federal
33 laws, rules and regulations. This Committee shall not engage in any activities that
34 directly or indirectly establish, finance, maintain, or control any organization
35 chartered under this Article.
36
37 c. Any Charter which has been granted by This Committee shall be effective from the
38 date said charter was granted, until revoked for cause as set forth herein.
39
40 d. Charter shall only be granted upon recommendation of the Organizational
41 Development Committee pursuant to guidelines adopted by the Rules Committee.
42

43 **Section 3. DENIAL AND REVOCATION**

- 44
45 a. This Committee shall have the power and authority to deny or revoke a charter of
46 any organization, for cause by majority vote. Cause for denial or revocation shall
47 include:
48
49 (1) Having less than thirty (30) members in the geographical area from which
50 the organization draws its membership,

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- (2) Failing to grant membership to any registered Democrats resident in the geographical area from which the organization draws its membership who seeks to join,
- (3) The knowing enrollment of a person registered as anything other than a member of the Democratic Party as a voting member of the organization,
- (4) The endorsement of a non-Democrat for elective office,
- (5) The endorsement of any candidate for public office running against an endorsed candidate of This Committee, by any organization granted a Charter by This Committee after the adoption of this Article X on July 31, 2005, (NOTE: This Committee previously granted a Charter to the California Democratic Council in 1952, prior to This Committee's authority to endorse candidates and prior to the adoption of the Chartering rules contained herein, and the California Democratic Council is specifically exempted from this possible grounds for revocation of Charter),
- (6) Transferring of organization's assets, including funds, from the organization's accounts to a non-Democrat running for elective office or his/her controlled committee(s),
- (7) Acting in violation of Local, State or Federal laws or regulations, and/or,
- (8) A finding of fact having been made by This Committee that the organization has failed to act in, and/or has acted in a manner adverse or detrimental to, the best interests of the Democratic Party.

- b No organization's charter may be revoked for cause without sixty (60) days written notice of grounds of revocation having been mailed to the Chair of the organization in question, and the rights of response before This Committee having been granted to said organization's designated representative. For purposes of this section the Chair shall mean the last person designated in writing to This Committee as Chair.
- c. The Charters of geographically based organizations shall be automatically revoked thirty (30) days after the passage of any reapportionment law altering the boundaries of that organization's defined district boundary becomes final.

Section 4. APPLICATION REQUIREMENTS

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

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ARTICLE XI: 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) and Article XII (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 6

1 herein, including the issuance of an Order of Revocation of Charter or rescission of
2 the Order of Temporary Suspension of Charter.

3
4 **Section 3. STANDING**

5
6 Any party to a challenge must be adversely affected to bring the challenge.
7

8 **Section 4. CHALLENGES**

9
10 All challenges must be commenced by the filing of a written challenge with the Secretary of
11 This Committee, with copies served on the Chair of This Committee, as well as the
12 appointing person, and the chair of the relevant organization, where applicable no later than
13 seven (7) calendar days after the alleged violation occurred. Upon a showing of good cause,
14 sustained by unanimous vote, the Compliance Review Commission may waive this
15 requirement.
16

17 **Section 5. POWERS**

18
19 The Compliance Review Commission shall have the power and authority to take such
20 actions as are necessary to provide a fair and just remedy including, but not limited to, the
21 holding of new elections.
22

23 **Section 6. APPEAL**

- 24
25 a. All appeals must be received by the Secretary of This Committee, with copies to the
26 Chair of This Committee, within twelve (12) days of the decision of the Compliance
27 Review Commission. Upon receipt of an appeal, the Secretary shall notify the
28 members of the Compliance Review Commission, the Chair of This Committee, and
29 the prevailing parties of the receipt of an appeal. All responses shall be filed with
30 the Secretary of This Committee with copies to the Chair of This Committee, the
31 members of the Compliance Review Commission and the appellants, within 12 days
32 of receipt of the appeal by the Secretary of This Committee.
33
34 b. The filing of an appeal shall not stay any decision of the Compliance Review
35 Commission.
36
37 c. With respect to challenges to the credentials of a member of This Committee or its
38 Executive Board, appeal of an order of the Compliance Review Commission shall
39 be to the Credentials Committee of This Committee.
40
41 d. Appeals of all orders not affecting the credentials of a member of This Committee or
42 its Executive Board shall be to the Rules Committee of This Committee.
43
44

45 **ARTICLE XII: GENERAL POLICIES**

46
47 **Section 1. PUBLIC MEETINGS**

48
49 All public meetings at all levels of the Democratic Party shall be open to all members of the
50 Democratic Party regardless of race, color, creed, national origin, sex, age, religion, ethnic

1 identity, sexual orientation, persons with disabilities as defined by the Americans with
2 Disabilities Act of 1990 or economic status.

3
4 **Section 2. TESTS AND OATHS**

5
6 No test for membership in, nor any oaths of loyalty to, the Democratic Party shall be
7 required or used which has the effect of requiring prospective or current members of the
8 Democratic Party to acquiesce in, condone or support discrimination on the grounds of race,
9 color, creed, national origin, sex, age, religion, ethnic identity, sexual orientation, persons
10 with disabilities as defined by the Americans with Disabilities Act of 1990 or economic
11 status.

12
13
14 **Section 3. NOTICE OF AGENDAS AND MEETINGS**

15
16 The time, place and agendas of all public meetings of the Democratic Party on all levels
17 shall be publicized fully and in such manner as to assure timely notice to all interested
18 persons. Such meetings must be held in places accessible to all Party members and large
19 enough to accommodate all interested persons.

20
21 **Section 4. REGISTRATION**

22
23 The Democratic Party, on all levels, should support the broadest possible registration
24 without discrimination on grounds of race, color, creed, national origin, sex, age, religion,
25 ethnic identity, sexual orientation, persons with disabilities as defined by the Americans
26 with Disabilities Act of 1990 or economic status.

27
28 **Section 5. FULL PUBLICATION OF SELECTION PROCEDURES**

29
30 The Democratic Party shall publicize fully and in such a manner as to assure notice to all
31 interested parties a full description of the legal and practical procedures for selection of
32 Democratic Party Officers and representatives on all levels.

33
34 **Section 6. TIMELY PUBLICATION OF SELECTION PROCEDURES**

35
36 Publication of these procedures shall be done in such fashion that all prospective and current
37 members of the State Democratic Party will be fully and adequately informed of the
38 pertinent procedures in time to participate in each selection procedure at all levels of the
39 Democratic Party Organization.

40
41 **Section 7. TIMELY PUBLICATION OF SELECTION QUALIFICATIONS**

42
43 The Democratic Party shall publicize fully and in such a manner as to assure notice to all
44 interested parties a complete description of the legal and practical qualifications of all
45 officers and representatives of the State Democratic Party. Such publication shall be done in
46 timely fashion so that all prospective candidates or applicants for any elected or appointed
47 position within the State Democratic Party will have full and adequate opportunity to
48 compete for office.

49
50 **Section 8. QUALIFICATIONS FOR RIGHT TO VOTE IN PRIMARY**

51
52 No person shall be entitled to vote for a Democratic candidate at a partisan primary election
53 unless he or she is: 1) a registered Democrat, or 2) registered as a Decline-to-State who
54 requests a Democratic ballot, and is recorded as having done so.

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Section 9. SECRET BALLOT AND VOTER’S RIGHT TO KNOW

- a. The Democratic Party is committed to:
 - (1) the preservation of the right of the voter to a secret, secure, and counted ballot at the first determining step of the delegate selection process and the first level of participation at which an individual Democrat expresses his/her personal and individual preference, and
 - (2) the voter’s right to know how his/her representatives have voted.
- b. Based upon Resolution of the DNC Rules Committee adopted on June 23, 1994:
 - (1) voters at the first determining step of the delegate selection process and first level of participation shall have an absolute right to a secret ballot which is secure and counted when he/she is expressing his/her own personal and individual preference, and
 - (2) no vote by secret ballot may be taken at any meeting of any official Democratic Party body beyond the first determining step at which an individual Democrat expresses his/her personal and individual preference on an action that constitutes part of the delegate selection process for the Democratic National Convention.
- c. Based upon Article Nine, Section 12 of the Charter of the Democratic Party of the United States of America, which prohibits secret ballots as an infringement of the voter’s right to know how their representatives have voted, except as noted herein above, no vote by secret ballot shall be taken at any meeting of the California Democratic Party, its Assembly District Election Meetings, or its Caucuses.
- d. Any person who has been determined to have been elected on a secret ballot after 12/31/01, beyond the first determining step in the delegate selection process, or first level of participation in violation of these rules, shall be denied credentials by the Credentials Committee of This Committee and shall not be recognized or seated by This Committee at any meeting of This Committee, its Executive Board, its Assembly District Election Meetings, or its Caucuses.”

Section 10. E-MAIL NOTICE

- Publication of any notice provided for by these bylaws, may be given by means of e-mail provided that:
- a. Members of This Committee must have consented, in writing, to receive CDP notice in that manner,
 - b. Members of This Committee have been advised of their obligation to inform the Secretary of any change in their e-mail address,
 - c. Any such notice is denominated “Official CDP Notice” in the subject line, and
 - d. Members of This Committee are given the option, in writing, of maintaining the confidentiality of their email address, or making same public.

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ARTICLE XIII: AMENDMENT OF THE BY-LAWS

Section 1. AMENDMENT

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

- 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.