

SAMPLE PROCEDURES FOR DUES WAIVERS AND THE CONDUCT OF CAUCUS OFFICER ELECTIONS

Appendix A to the Guidelines for Certification, Re-Certification and Decertification of Caucuses requires that Bylaws address certain dues payment and Caucus Officer election procedures. The following are samples of language informally vetted by the Rules Committee and is offered for illustrative purposes only.

1. Dues And Waiver

- a. Membership, including voting rights and the right to seek and hold office, in the _____ Caucus is available on an equal basis to those who pay dues and those who seek and obtain a waiver based on self-identified economic hardship and/or an objective impediment to payment of dues. The effective date of each Caucus member's membership shall be noted in writing next to the name of the Caucus member in the Caucus' roster of members and any other official Caucus membership records.
- b. Membership is effective upon receipt of dues payment.
- c. Waiver of membership dues for those who seek a dues waiver and self-identify as being unable to pay dues due to economic hardship or an objective impediment to payment of dues is effective upon receipt of a written request/dues waiver form. Waivers may only be requested in writing at the registration desk immediately prior to the calling to order of a regular meeting of the Caucus, by email directed to _____ or by US Mail addressed as follows. _____. The Caucus shall post a dues waiver form at _____ and shall have copies available at the registration desk prior to each regular meeting of the Caucus.

OR

Waiver of membership dues for those who seek a dues waiver and self-identify as being unable to pay dues due to economic hardship or an objective impediment to payment of dues is effective upon receipt of a signed written request and verification by [title of Caucus officer(s)] that the waiver request is signed and substantially complete. Waivers may be requested in writing at the registration desk immediately prior to the calling to order of a regular meeting of the Caucus, by email directed to _____ or by US Mail addressed as follows. _____. The Caucus shall post a dues waiver form at _____ and shall have copies available at the registration desk prior to each regular meeting of the Caucus. Failure to notify a dues waiver applicant in writing that her/his dues waiver form has been rejected within 10 [or ___] days of the Caucus' receipt of the request will constitute

an automatic approval. Where a waiver request is denied because it is incomplete or has not been signed, the dues waiver request will be deemed approved as of the date of initial receipt of the dues waiver form by the Caucus if a returned is returned to the Caucus completed and signed within ___ days.

d. Only individuals who have paid their dues or had their dues waived by the time of the commencement of voting will be entitled to cast a ballot.

2. Caucus Officer and Qualifications

a. Candidates for Chair of the ___ Caucus must be a member of the California Democratic State Central Committee (DSCC). To be eligible to run for Chair of This Caucus, the candidate must be a member of the DSCC and of this Caucus by ___ days before the election [or if there is a pre-election meeting nomination process, the nomination deadline].

b. [If nominations are allowed in advance and from the floor:] This rule applies to all individuals, whether nominated before or at the election meeting.

c. Candidates for all other offices in the ___ Caucus must be a member of this Caucus by ___ days before the election [or nomination deadline].

d. The right to run for office is equally available to persons who pay dues or had their dues waived. Members who wish to seek, or nominate a candidate for, Caucus office may verify a potential candidate's membership status by contacting [name of responsible Caucus Officer] who will promptly provide them with access to the [source of data for membership].

e. All election notices shall (1) be in writing and sent by no later than ___ days before the election [or if there is a pre-election meeting nomination process, no later than ___ days before the nomination deadline], and shall specify (2) the qualifications for office, (3) the applicable membership cutoff date for those seeking office, (4) the equal right to run for office and vote for those who pay dues and those who had their dues waived, (5) whom to contact to verify eligibility to run, (6) the applicable nomination deadline, including whether nominations may be taken from the floor, and all nomination procedures [including, if applicable, how to access any nomination forms], (7) the applicable dues payment/waiver deadline [which must allow for any review process and be the same for those who paid dues and those who had dues waived] to be eligible to vote [and, if members may pay or have waived their dues prior to the commencement of the meeting at which they are voting, this must be specified]; and (8) the date (and, to the extent known, the time and location) of the meeting at which the election will be conducted. [Where the rules allow a member to pay dues and vote at the same meeting, the notice shall state that there will be an on-site, day of election pre-balloting dues waiver review and resolution process.]

f. To facilitate campaigning and to assure equal access to membership information for non-incumbent and incumbent candidates, all candidates [or all

members] may order a copy of the most up-to-date Caucus roster in the window starting ___ days before the election [or nomination cutoff] date and running through ___ days before the date that balloting commences, subject to a processing fee to be established by [the Caucus leadership]. Payment shall be submitted to [fill in]. The [Election Committee/Judges of Election] are empowered to verify that all candidates [or members] are in fact being accorded an equal right to access to the Caucus roster.

3. Nomination Process

- a. The same nominating process will apply at regular and special elections for Officers of this Caucus.
- b. An [Election Committee/Judges of Election] shall be appointed/elected by ____ by no later than ___ days before the [date of election, if there is no pre-election day meeting nomination process OR date of the opening of nominations, if there is a pre-election day meeting nomination process].
- c. All nominations for Caucus Office shall be made from the floor on the date of the election.

OR

All nominations for Caucus Office shall be made in writing ___ days before the date that balloting commences. Written nominations shall be sent to [Election Committee/Judges of Election] at _____. The written nomination form must contain the following information:_____

- d. Nominations (do or do not) need to be seconded.

4. Election

- a. The same election process shall apply to regular and special elections for Officers of this Caucus.
- b. The [Title of Officer] is tasked with keeping a record of who has paid or had waived Caucus dues, including working with the staff of the California Democratic Party to incorporate any records of online payments maintained by the California Democratic Party, and to prepare for the [Election Committee/Judges of Election] a roster of the members of the Caucus who paid or had waived their dues as of the applicable cutoff date. If the Office of ___ is vacant or if [Title of Officer] fails to fulfill this responsibility, the Chair of the ____ Caucus may appoint another member of the Caucus other than [a member of the Election Committee/one of the Judges of Election] to act as [Title of Office] for the purpose of fulfilling these responsibilities.
- c. Where there is a pre-election meeting date membership cutoff: By not later than ___ days before the election meeting, [Title of Officer] shall be responsible for providing the [Election Committee/Judges of Election] a roster of the members of the Caucus who paid or had waived their dues as of the applicable cutoff date, which list shall be the source of membership eligibility data for purposes of the election.

OR

Where members can pay or have waived their dues at the meeting at which the election is to take place: Prior to the commencement of voting at the election meeting, [Title of Officer] shall be responsible for providing the [Election Committee/Judges of Election] a roster of the members of the Caucus who paid or had waived their dues as of the applicable cutoff time, which list shall be the source of membership eligibility data for purposes of the election.

- d. [Open Caucuses—that is, where non-DSCC Members may become members] All ballots shall be secret.

OR

[Closed Caucuses—that is, where only DSCC Members may become members] Ballots shall be signed and the name of the voter printed on the ballot of each voter.

- e. The [Election Committee/Judges of Election] shall provide for sufficient provisional ballots to be available at the meeting to allow any person whose ballot is contested to cast a provisional ballot. Provisional ballot shall be of a different color than nonprovisional ballots and shall be placed in an envelope on which the voter's name and circumstances surrounding the casting of a provisional ballot shall be legibly printed. Provisional ballots once cast and placed in an envelope shall be cast by placing them in the ballot box. Provisional ballots shall be segregated and shall be opened and counted only when the issue forming the basis for requiring the ballot to be cast provisionally is resolved and only if potentially outcome determinative.
- f. The sole basis for a ballot to be cast provisionally shall be because: (1) the voter or another member of the Caucus contends that the voter should have been eligible to cast a ballot but that voter's name is not on the roster of members of the Caucus whose dues had been paid or waived as of the applicable cutoff date/time; (2) a member of the Caucus contends that the voter is (A) not a registered Democrat or (B) is not a person ineligible to register as a Democrat, but who has expressed an intent to register as a Democrat upon becoming eligible; or (3) a member of the Caucus contends that the voter should not have been eligible to cast a ballot because even though that voter's name is on the roster of members of the Caucus whose dues had been paid or waived as of the applicable cutoff date/time, the voter should not have been so listed.
- g. The [Election Committee/Judges of Election] shall have sole authority to resolve the issues posed by provisional ballots. The [Election Committee/Judges of Election] shall resolve any issues involving provisional ballots at the meeting at which balloting occurred unless they, by majority vote, determine that it is impossible to do so. In that event, the [Election Committee/Judges of Election] shall resolve any issues involving provisional ballots within ___ days of the date of the meeting at which balloting occurred.
- h. Any other disputes as to voter or candidate eligibility, election procedures, and

- ballot counting shall be resolved by the [Election Committee/Judges of Election]. The [Election Committee/Judges of Election] shall resolve any such issues at the meeting at which balloting occurred unless they, by majority vote, determine that it is impossible to do so. In that event, the [Election Committee/Judges of Election] shall resolve any such issues within ___ days of the date of the meeting at which balloting occurred.
- i. Once the [Election Committee/Judges of Election] has/have ruled, that decision is a final determination within the Caucus and any appeal must be had outside the Caucus.
 - j. The [Election Committee/Judges of Election] shall be responsible for securing the roster of eligible voters, nomination documents (if any), ballots and any tallies until 10 days after the next California Democratic Party Executive Board meeting next succeeding the meeting at which balloting took place or the resolution of any challenge or appeal, whichever is later.