

## **Bylaws of the CDP Computer and Internet Caucus**

The Computer and Internet Caucus (“the Caucus”) is organized to harness the power of the Internet and communication technology in the furtherance of Democratic ideals, issues, and legislation, to assist Democratic Clubs, Assembly Districts, and grassroots Democratic organizations, and to help elect Democratic candidates.

### **Article I - Policy and Goals**

Section 1 - It shall be the policy of this Caucus, in the execution of all endeavors, to contribute to the growth and influence of the Democratic Party, to establish and support a Democratic online community, and to promote the party and all party candidates for Democratic leadership throughout the state and nation. Any issues not specifically covered by these Bylaws shall be governed by the Bylaws of the California Democratic Party. In case of conflict between the Caucus Bylaws and the CDP Bylaws, the CDP Bylaws will take precedence. The Computer and Internet Caucus specifically recognizes its’ obligations to adhere to the General Policies and Provisions of the Democratic State Central Committee of California (“DSCC” “the Committee”).

Section 2 - We further resolve to assist and encourage California Democrats, including clubs, assembly districts, county, and grassroots organizations to get online and establish a communication network. We shall also work to encourage the formation of affiliate Tech Dem clubs chartered by their local central committees.

Section 3 - We shall hold workshops and programs to educate and train California Democrats to access online services, utilize online and internet resources, and gather political information.

Section 4 - We have established and will maintain a Web presence to disseminate information, support candidates, announce events, and establish links to other Democratic sites on the Inter-net.

Section 5 - We shall assist Democratic legislative organizations and legislators in establishing an online presence, e-mail addresses, or other computer or internet-related activity.

Section 6 - We shall facilitate the organization of the Democratic online community and provide support, especially prior to elections.

Section 7 - We shall schedule online conferencing and debate for our membership and all other interested Democrats.

Section 8 - We shall maintain a relationship with the State Party and assist in disseminating party information to our members and the Democratic online community.

### **Article II - Membership**

Section 1 - Membership shall include persons of voting registration or preregistration age (as defined in the Elections Code) who meet the eligibility requirements for Caucus membership and who have an interest in using communication technology and the Internet to support the mission of this Caucus.

Section 2 - Only those persons who are either (a) registered Democrats, or (b) ineligible

to register as Democrats but who have expressed an intent to register as a Democrat upon becoming eligible, shall be eligible for full membership. Such persons will be entitled to all membership privileges, including full voting rights, upon payment of annual dues or receiving of a waiver from payment of dues.

Section 3 - Members and non-members shall be eligible to participate in online discussions and meetings but voting and holding office shall be restricted to members only.

Section 4 - This Caucus is prohibited from discriminating on the basis of race, color, creed, national origin, sex, age, religion, ethnic identity, sexual orientation, gender identity, economic status or disability as defined by the Americans with Disabilities Act of 1990.

### **Article III - Membership Dues**

Section 1 - The Caucus shall neither raise nor disburse funds other than nominal dues, and standard or routine costs of regular meetings (such as postage and other costs associated with notice, as well as the cost of meeting rooms), which shall be promptly accounted for, reflected in a quarterly financial report to the Treasurer of This Committee and processed according to rules (a) promulgated by the Finance Committee and (b) reflected in the Caucus' bylaws.

Section 2 - The amount of dues payable for membership shall be established by the Executive Board by simple majority at an officially-designated and noticed executive board meeting. Notice of intent to raise dues shall be established in writing to the membership prior to the actual increase in annual dues.

Section 3 - Membership dues are renewed at the State Convention for the period of a full year.

Section 4 - Dues will be waived for those who seek a dues waiver by any applicable deadline and who self-identify as being unable to pay dues due to either economic hardship or an objective impediment to payment of dues.

a. Membership, including voting rights and the right to seek and hold office, in the Computer and Internet Caucus is available on an equal basis to those who pay dues and those who seek and obtain a waiver. The effective date of each member's membership shall be noted in writing next to the name of the member in the Caucus' roster of members and any other official Caucus membership records.

b. Membership is effective upon receipt of dues payment or approval of a dues waiver. Voting rights vest immediately; a cut-off, for voting purposes, is set as the calling to order and verification of Quorum of the meeting at which the voting right will be exercised. If there is a review process for dues waivers, the fact that a membership applicant has sought a dues waiver cannot affect the right to vote. So, where members can pay their dues and vote on the same day, the process must include an on-site, day of election pre-balloting dues waiver review and resolution process.

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 the Caucus Secretary and Chair, to a contact and location to be set periodically by the Caucus Executive board and published to the Membership; copies of which shall be made available at the registration desk prior to each regular meeting of the Caucus.

#### **Article IV - Executive Board**

Section 1 - The officers, chairpersons, immediate past chairpersons, and committee officers shall constitute the Executive Board. Any member of the executive board may be removed following three unexcused absences from meetings during the calendar year. Absences may only be excused by the Chair or acting Chair.

Section 2 - The Executive Board shall meet no less than six times during the calendar year, including online meetings, for the purpose of planning and directing the activities and policies for the calendar year.

Section 3 - A plurality of members of the Executive Board shall constitute a quorum. No proxies shall be allowed.

Section 4 - Special meetings of the Board may be called by any of the members of the board but special meetings will not be subject to the absence or excused policy.

Section 5 - No expenditures on behalf of the Caucus may be made without express authorization of the Executive Board.

Section 6 - Officer candidates must have been registered caucus members for one full term (four years). Chair candidates must have signed attendance to all meetings for one full term (four years).

#### **Article V - Officers**

Section 1 - The officers of the CDP Computer and Internet Caucus will be elected at the first state convention of the state party officer election calendar year and shall hold office until the next state party officer election convention year. Such officers shall be elected by active members of the Caucus in conjunction with the California Democratic Party elections of state party officers held during the annual convention. The term of office shall be four years.

Section 2 - The offices and officers shall be: Chair, Vice-Chair, Treasurer, and Secretary.

Section 3 - Duties of Officers.

##### **a. Chair and Vice-Chair**

1. The positions of Chair and Vice-Chair shall be held by members of the California Democratic State Party Central Committee. The Chair is the Caucus' representative to the Executive Board of the Committee. The Chair shall be the chief presiding officer of the Caucus, shall serve as the spokesperson for the Caucus, and have the responsibility of calling and conducting scheduled meetings of the Executive Committee pursuant to Article VI of these Bylaws. S/he will appoint the Chair for each of the standing and ad hoc committees of the Caucus, or designate a member of the Executive Committee to chair such committee.

2. The Vice-Chair shall reside in the alternate section of the state as the Chair resides

as detailed in Sub-Sections (a) and (b):

(a). The Southern section of the state shall be comprised of the counties of Imperial, Kern, Los Angeles, Orange, Riverside, San Diego, Santa Barbara, and Ventura.

(b). The Northern section of the state shall be comprised of the remaining counties of the state.

3. The Vice-Chair shall preside over the meeting held in his or her region, if he or she is present.

b. Treasurer

The position of Treasurer shall be held by a member of the California Democratic State Party Central Committee. The Treasurer shall:

1. Collect dues from the membership.

2. Keep the record of who has paid or had caucus dues waived.

3. Work with the Staff of the DSCC charged with keeping the record of online dues payments.

4. Maintain the full membership roster of current voting caucus members and supply the member list to the Election Committee Chair when requested, per Article VII, Section 4 of these Bylaws.

c. Secretary

The Secretary shall:

1. Accurately maintain all membership records, e-mail addresses, and documents relating to the caucus.

2. Attend all online and regular executive board meetings and take minutes of the proceedings.

3. Receive, record, and answer regular or e-mailed communications.

4. Provide notice of meetings and online discussions to executive board members and the membership.

d. Executive Board Officers. Executive Board officers will serve as committee chairs for policy, organization, and action committees such as but not limited to election committee, special media committee, technical officers, task forces and other official tasks, activities, functions and positions.

Section 4 - Should a member elected as an Officer of the Caucus cease to be a member for any reason, such a vacancy must be filled by the Chair within thirty (30) days of the vacancy. The Caucus Executive Board shall be empowered to fill any vacancy of the Chair (or any vacancy unfilled by the Chair for more than thirty (30) days), within thirty (30) days from the date of that occurrence), to be appointed for the remaining term (until the next regularly-scheduled election).

Section 5 - Officers or Board members may be removed from office and/or E-Board by a two-thirds majority vote of the Caucus Executive Board.

Section 6 - Officer candidates must have been registered caucus members for one full term (four years). Chair candidates must have signed attendance to all meetings for one full term (four years).

Article VI - Meetings

Section 1 - Regular meetings of the membership will be held at the State Party

Convention and at the California State Party Executive Board meetings each calendar year.

Section 2 – Regular meetings and special online meetings and discussions will be noticed at least a week in advance by posting on website, or e-mail or ten (10) days if by regular mail and/or other mutually agreed upon methods in accordance with CDP Bylaws Article XIII, Section 10, and be open to all interested parties.

Section 3 - Secret ballots shall be allowed in a manner consistent with Article XIII, Section 9 of the CDP Bylaws and Article Nine, Section 12 of the Charter of the Democratic Party of the United States of America, on any matter in the CDP Computer and Internet Caucus.

Section 4 - Meetings of this Caucus will comply with the CDP's Policy Statement on the Open Meeting Rules requiring that public meetings of the Caucus are open to all registered Democrats and to have provided for timely Notice of meeting date, time and location via the options in Section 2.

#### **ARTICLE VII – Election of Officers**

Section 1 - All elective officers shall be elected at the first meeting of each Democratic State Central Committee for the term and manner described in Article V, Section 1 above, by a simple majority of the members present and voting at the election meeting and in the case of uncontested elections, by acclamation.

Section 2 - A candidate for any office shall file a notice of intent-to-run for that office. The notice must be received by the Secretary of the Caucus by 11:55 PM of the day which is seven (7) calendar days prior to the meeting of the Caucus at which elections are to be held. If no Secretary exists, the notice may be filed with the Chairperson. Following the close of nominations for officers, no additional nominations shall be permitted, except for an office for which no person has been nominated prior to the close of nominations or for which all persons nominated have with-drawn. All officer candidates must be members in good standing of the organization at the time of election.

Section 3 - Candidates and members may verify eligibility, by communication to the Caucus Treasurer, or Election Committee Chair if one has been appointed.

Communications with qualified voting members may be made by candidates only through the approved Caucus online discussion list or on the candidate's behalf, by the Secretary of the Caucus on a non-preferential basis to any single candidate or slate of candidates running for election.

Section 4 - Treasurer shall be responsible for providing the Election Committee Chair if one has been appointed, or the Secretary if one has not, 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.

Section 5 - The Election Committee shall provide for sufficient regular ballots and 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 regular 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.

Section 6 - 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.

a. An Election Committee Chair shall be appointed by the Chair to have sole authority to resolve any issues posed by provisional ballots or other election challenges. The Election Committee 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 shall resolve any issues involving provisional ballots within ten (10) days of the date of the meeting at which balloting occurred.

b. Any disputes over voter or candidate eligibility, election procedures and ballot counting shall be resolved by the Election Committee. The Election Committee 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 shall resolve any such issues within ten (10) days of the date of the meeting at which balloting occurred. Once the Election Committee has ruled, that decision is a final determination within the Caucus and any appeal must be had through appropriate DSCC procedures and channels.

Section 7 - The Election Committee shall be responsible for securing the roster of eligible voters, nomination documents (if any), ballots, and any tallies until ten (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.

## **Article VIII - Caucus Records and Reports**

Section 1 - The caucus shall maintain adequate and correct records of all caucus activities.

Section 2 - Such records shall be open to inspection by Officers and Members in good standing at all times for purposes approved by the Executive Board upon giving adequate and reasonable notice before said inspection.

Section 3 - There shall be a bi-annual report of membership and financial report given

to the Executive Board and an Annual Report to Membership at the State Convention at the beginning of the calendar year.

### **Article IX - Endorsements**

Section 1 - The caucus may not endorse, and is prohibited from endorsing ballot measures or candidates for partisan public office unless the ballot measures or candidate has received "official endorsement", is supported by, and pursuant to, the Bylaws of the California Democratic Party, the State Democratic Central Committee, and all official units of the California Democratic Party.

Section 2 - The caucus may not endorse candidates for public office that are not members of the California Democratic Party pursuant to the Bylaws of the California Democratic Party, the State Democratic Central Committee and all official units of the California Democratic Party.

### **Article X - Amendments**

Section 1 - Amendments to the bylaws may be initiated by the Executive Board or by a written petition signed by Five Percent (5%) of eligible members.

Section 2 - The Executive Board shall consider such recommendations and petitions and make additions or changes supported by a majority of board members. For the purposes of amending the Bylaws, a quorum is determined as a majority of the membership (percentage of active members qualified to vote and attend), present and voting.

a. Amendments shall be recommended by the Executive Committee or individual active members of the Caucus.

b. Any amendments, except for minor changes to keep them in compliance with the Bylaws and Rules of the CDP, must have two readings at two subsequent meetings. First reading to present the amendment, and the second meeting for ratification.

c. No amendments may be ratified at the reformation meeting of the Computer and Internet Caucus, but will be referred to the newly constituted Executive Board for review and ratification at the next regular Caucus meeting.

### **Article XI - Parliamentary Procedures**

All proceedings not covered in these Caucus Bylaws or the then-current CDP Bylaws shall be governed by the latest edition of Robert's Rules of Order.

## **ARTICLE XII: CODE OF CONDUCT**

Section 1: Adoption of the Code of Conduct of the California Democratic Party

The Computer & Internet Caucus hereby adopts the Code of Conduct of the California Democratic Party (hereinafter "CDP Code") and incorporates the CDP Code, as it now exists or as it may hereafter be amended, as a part of these bylaws. A copy of the current CDP Code is appended to these bylaws and if hereafter amended by the CDP, the amended CDP Code shall be considered to:

A. Have superseded the version appended hereto, and,

B. Be operative as if appended hereto.

#### Section 2: Appending of Amended CDP Codes

At the earliest possible convenience, the current CDP Code shall be appended to these bylaws, without need for further action by This Caucus.

#### Section 3: Violations

Any violation of the Code shall be considered a violation of the Caucus bylaws and shall subject the officer/member to discipline under XII of these bylaws. Such discipline shall be in addition to any disciplinary actions by the California Democratic Party or any of its constituent parts.

#### Section 4: Availability

Copies of the Code shall be:

- A. Made a part of the notices of any and all meetings of this Caucus by inclusion of an appropriate link, and,
- B. Made available to members attending any such meeting by the officer responsible for check in.

#### Section 5: Filing

In addition to the process for the filing of any disciplinary charges under these bylaws, or under the bylaws of the CDP, the parliamentarian of this Caucus or, in their absence or when the conduct in issue involves the parliamentarian, any officer of this Caucus is responsible for and charged with receiving and ensuring the prompt processing of any complaint of violation of the Code. These two (2) tracks for processing such a complaint are not mutually exclusive and the failure to process a complaint under This Caucus' bylaws shall not constitute a failure to exhaust administrative remedies barring initiation of any process under the auspices of the CDP Conduct Commission.

Certified Amended Bylaws 11/13/2020