

# **CDP SPECIAL RULES PACKET**

**OCTOBER 6, 2022**

**California Democratic Party Special Rules Committee**  
**Thursday, October 6, 2022, 6:30PM**

Agenda

- I. Call to Order
- II. Roll Call
- III. Adoption of Meeting Agenda p.2
- IV. Review of Bylaws amendments to be considered at next Executive Board (November 2022)  
p.3-4
  - A. Nomenclature Proposal p.4
- V. Subcommittee Reports p.5-74
  - A. ADEMs Subcommittee
    - 1. Report from Subcommittee on ADEMs p.6-26
      - a) Chair: King, Members: Fernandez, Bowler, Jaycox, Souza, Torello and Woods
  - B. Caucuses Subcommittee p.27-67
    - 1. Report from Subcommittee on Caucuses
      - a) Chair: Zakson, Members: Alcala, Cardenas, Garcia, Lee, Schultz and Woods-Gray
  - C. Chartered Organization Subcommittee
    - 1. Oral Report from Subcommittee on Chartered Organizations
      - a) Chair: Fernandez, Members: Lee, Narayana, Glazer, Mojadedi, Souza and Shay
  - D. County Bylaws Subcommittee
    - 1. Oral Report from Subcommittee on County Bylaws
      - a) Members: Torello, Woods, Garcia, Alari, Kingsley, Glazer and Shay
  - E. Endorsements Subcommittee p.68-71
    - 1. Report from Subcommittee on Misc. Items
      - a) Chair: Bowler, Members: Armstrong, Escutia, Glazer, King, Hernandez and Shay
  - F. Miscellaneous Items Subcommittee p.72-74
    - 1. Report from Subcommittee on Misc. Items
      - a) Chair: Hernandez, Members: Woods, Aguilera-Marrero, Gallotta, Phillips, Shay and Zakson
- VI. Bylaws Proposals p.75-78
  - A. General Clean-up and Definitions
  - B. Proposal by Margot Tenenbaum to make amendments to Member Removal Provisions in Article II, Section 9 p.77-78
- VII. Adjournment

# **REVIEW OF BYLAWS AMENDMENTS**

**Bylaw Amendments to be adopted at the CDP's Executive Board Meeting held on  
November 20, 2022, via Zoom**

**Adopted at the Rules Committee Meeting held at the 2022 July Executive Board Meeting on July 9,  
2022 at the Los Angeles JW Marriott**

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

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**Section 4. APPOINTMENT and RESPONSIBILITIES OF CO-CHAIRS:**

- a. The Chair of This Committee, in consultation with the other Statewide Officers, shall appoint a Chair or two Co-chair(s) ~~Lead co-chair(s)~~, and may appoint vice chairs ~~other co-chairs~~, of each Standing Committee from among its members.
- b. The Chair of This Committee may designate the most senior tenured ~~Co-Chair~~ Vice Chair of a Standing Committee, as "Chair Emeritus", in recognition of their terms of service.

Responsibilities:

- 1) The ~~Lead~~ Co-Chair(s) of Standing Committees shall be responsible for:
  - a) Setting the agenda of the Standing Committee prior to each meeting,
  - b) Appointing such sub-committees, and their Chair(s) as may be necessary, and,
  - c) In consultation with the Vice Chairs ~~other Co-Chairs~~, providing for the overall direction and administration of the Standing Committee.
- 2) The Vice Chairs ~~other Co-Chairs~~ shall provide guidance, support, and assistance in the administration and functioning of the Standing Committee, as may be requested by the ~~Lead~~ Co-Chairs.
  - c. It shall be the further responsibility of the ~~Lead~~ Co-Chairs of the Committees on Finance; Justice, Equity, Diversity, & Inclusion; and, Organizing to:
    - 1) 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,
    - 2) transmit the Action Plan to the Chair ~~of This Committee~~ and the Statewide Officers for review, and
    - 3) make regular reports to the Executive Board on their Committee's activities and progress on the Action Plans.
    - 4) make annual reports to the State Delegates on their Committee's activities and progress on the Action Plans, which shall be made public to the state delegates by listing on the This Committee's website.

**ARTICLE VII: EXECUTIVE BOARD**

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**Section 2. EXECUTIVE BOARD MEMBERSHIP**

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

\* \* \*

- g. The chair, ~~or co-chairs~~, and vice chairs of each Standing Committee of This Committee

# **SUBCOMMITTEE REPORTS**

# **SUBCOMMITTEE ON ADEMs**

# 2023 California Democratic Party Assembly District Election Meetings Procedures

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# I.Upcoming ADEM Schedule

*All times are Pacific Standard Time*

November 9, 2022	Candidate Registration Window Opens - 12:00pm
December 9, 2022	Candidate Registration Window Closes - 12:00pm Deadline to Withdraw Candidate Registration - 6:00pm
December 12, 2022	Vote By Mail Participant Registration Opens - 12:00pm In-Person Participant Registration Opens - 12:00pm Final Candidate List Posted Candidate Statement Submission Form Opens - 12:00pm
December 19, 2022	Candidate Statement Submission Form Closes - 12:00pm
December 23, 2022	Staff Holiday Begins
December 31, 2022	Vote By Mail Participant Registration Closes
January 2, 2023	Staff Holiday Ends
January 6, 2023	Vote by Mail Ballots sent out
January 7, 2023	1st Day of ADEM Meetings
January 8, 2023	2nd Day of ADEM Meetings
January 21, 2023	3rd Day of ADEM Meetings
January 22, 2023	4th Day of ADEM Meetings In-Person Participant Registration Closes - 6:00pm
January 31, 2023	Deadline to verify Voter Registration Last Day for Vote by Mail Ballots to be received

## II. Introduction

The California Democratic Party ("CDP") Bylaws (Article VI) provides that an Assembly District Elections Meeting ("ADEM") shall be held in each of the 80 Assembly Districts in January of each odd-numbered year in order to elect 14 representatives (referred to herein as "Assembly District delegates" or "ADDs") to the California Democratic Party State Central Committee (referred to in the Bylaws as "This Committee") and a representative to the CDP Executive Board (referred to herein as "E-Board representatives").

Further, the By-laws standardize how the elections are to be conducted, and provide, in Article VI Section 1(i), as follows:

*"The Rules Committee of This Committee shall promulgate procedures governing the conduct of the Election Meeting, including the election of 14 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) "*

These Procedures set out those rules and provide additional details on how the ADEMs are to be organized and conducted. Additionally, these procedures explain how both Vote-by-Mail and In-Person voting will be conducted.

In these Procedures, *italics* are used to indicate rules that are specifically set out by the CDP By-laws. The current CDP By-Laws may be found online at [www.cadem.org/our-party/by-laws](http://www.cadem.org/our-party/by-laws).

These Procedures are, in general, mandatory. ADEMs, which conducted in violation of these Procedures may be subject to challenge, which, especially where it can be shown that the rights of a participant or candidate was violated, could lead to the results being voided in whole or in part, and the convening of a new ADEM.

These Procedures may be supplemented by CDP Staff in consultation with the CDP Chair and the Lead-Co-chairs of the Rules Committee or their designee(s).

## III. Eligibility

### Candidate Eligibility

The qualifications for running for Assembly District Delegate (ADD) to the California Democratic State Central Committee (DSCC) are the same as those for participating in the ADEM, with four important caveats:

- 1) the candidate must file their application to the CDP during a filing period that starts 60 days prior to the first ADEM and ends 30 days later, so that they can be checked for eligibility; and
- 2) the candidate must pay a \$40 filing fee to the CDP (which will be waived if the candidate declares a hardship); and
- 3) the candidate must be registered to vote as a Democrat in the Assembly District in which they are applying to run as of the preceding general election (**for 2023, November 8, 2022**), unless the candidate turned 18 or was naturalized after that deadline, and is registered to vote at the time of candidacy filing; and

4) a candidate does not need to be present to be eligible for election.

If a prospective candidate who otherwise meets the above qualifications is unable to register to vote because of the citizenship status, they may still file as a candidate by:

- A. attesting that if eligible to register to vote they would do so and do so as Party Preference Democratic; and
- B. attesting that they reside at an address within the Assembly District of their candidacy and provide that address; and
- C. obtaining the name, voter registration address, and signature of a registered Democrat in the state of California, which person will be serving as a reference for the person submitting the form; and
- D. attesting that they agree to abide by the Code of Conduct.

## Participant Eligibility

In order to “participate” (that is, vote) in the ADEMs, a person is required to be a registered Democrat in the Assembly District in which they are voting. Verification of such registration is required in order for a ballot to be counted. A ballot that cannot be verified will not be counted. The process for verification is explained below.

## IV.Candidate Registration

### General Registration

The 2023 Candidate Registration Filing Period will open on Wednesday, November 9, 2022 at Noon and close on Friday, December 9, 2022 at 5 PM. Candidate registration will be conducted using an online form, created by PDI, that will check a potential candidate's voter registration in PDI prior to approval. During the registration process, a candidate will be required to provide accurate registration information, contact information, and payment information to have their candidate registration accepted.

The following information is required, when registering, to check against the voter file:

- First Name
- Last Name
- Residence Address
- Date of Birth

If any of the information does not match the voter file, the system will not be able to verify the Candidate.

If a candidate is unable to register themselves, because they are not being found in PDI, they are encouraged to double check their registration information at the My Voter Status - California Secretary of State webpage <<https://voterstatus.sos.ca.gov/>>. If, after checking their voter

registration with the Secretary of State, they cannot confirm their registration status, they may contact [adem@cadem.org](mailto:adem@cadem.org) for assistance.

## Registration by Non-Citizens

If a potential candidate is someone that is unable to register to vote due to their citizenship status, they must register using a paper registration form. This registration process will be subject to the same registration timeline and due date as described in the General Registration above.

On a form provided by the Chair of This Committee and posted alongside the General Candidate Registration Form, potential candidates will:

- 1) attest that if eligible to register to vote they would do so and do so as Party Preference Democratic; and
- 2) attest that they reside at an address within the Assembly District of their candidacy and provide that address; and
- 3) have obtained the name, voter registration address, and signature of a registered Democrat in the state of California, which person will be serving as a reference for the person submitting the form; and
- 4) Attest that they agree to abide by the Code of Conduct.

## Registration Verification

Candidate Registration forms will require participants to provide their First Name, Last Name, Residence Address, and Date of Birth as it appears in the voter file. Additionally, participants will be required to provide a working email address.

Candidate Registration for a candidate who is unable to register to vote due to citizenship status must meet the requirements provided in the previous section ("Registration by Non-Citizens") and file the Non-Citizen registration form with the CDP by the candidate registration deadline.

## Gender Selection

When registering, a candidate must select whether they consider themselves to be a Self Identifying Female or an Other than Self Identifying Female.

## Executive Board Selection

Candidates may indicate whether or not they wish to be an eligible candidate for the executive board representative while registering. If the question is not answered, it will be assumed that the candidate does not wish to be an eligible candidate for the executive board representative.

## Candidate Order on Ballot

Candidates will be listed on the ballot, in the order that they complete their Candidate Registration Form. Candidate Registration Forms will be time stamped to determine this order. For Non-citizen Candidates, the Non-Citizen Candidate form will also be time-stamped to determine ballot order.

## Participant Registration

Anyone wishing to participate in an ADEM election must be a Democrat registered to vote in that Assembly District. Participants must register with CADEM to receive a ballot and to enable CADEM to collect all participants' information and check it against the voter file.

There are three types of registered participants:

- 1) Vote-By-Mail registration,
- 2) In-Person registration that has been verified, and
- 3) In-Person registration that has not been verified.

Once a participant has filled out a registration form, it is not possible to resubmit their information into a new form.

The Vote-By-Mail Registration Form will open December 12, 2022 at 12:00 PM and close December 31, 2022. The In-Person Voter Registration Form will open December 12, 2022 at 12:00 PM and close January 22, 2023 at 6 PM.

## Participant Identification Number (PIN)

Every participant (including candidates) will be issued a Participant Identification Number (PIN) after registering for the ADEM that will be entered on their ballot for the ballot to be counted. PINs are 10 digits long, separated into three parts. Every PIN is specific to each registrant.

The form of the PIN is: ## - # - #####  
For example: 34-1-1234567

The first two digits, to the left of the first hyphen, of the PIN will be the Assembly District number for that candidate or participant. E.g. 01, 03, 09, 23, 39, 80, etc.

The third digit, between the two hyphens, of the identification number will identify the type of registrant.

- 0 - Candidate
- 1 - Vote-by-Mail registration
- 2 - In-Person registration that has been verified

- 3 - In-Person registration that has not been verified

The final seven numbers of the identification number, to the right of the second hyphen, will be assigned in the order that individuals register, regardless of district or registrant type. Each identification number will have an individual set of 7 digits.

## Online Registration Forms

There will be two participant registration forms available on the ADEM website. Vote by Mail Registration and In-Person Registration. A participant must fill out the form during the posted window to be eligible and receive a participant identification number.

For the upcoming ADEM elections, the Vote-by-Mail Registration window will open Monday, December 12, 2022 at 5 PM and close Saturday, December 31, 2022. The In-Person Registration window will open Monday, December 12, 2022 at 5 p.m. and close Sunday, January 22nd, 2023 at 6 PM. Vote-by-Mail registration will NOT be available after January 1, 2023.

## Vote-by-Mail Registration Form

In order to have a ballot mailed to them, a participant must complete the Vote-by-Mail Registration form. Participants who complete the vote by mail registration form (and whose registration status is verified by the system) will have a ballot mailed to their mailing address. The mailing address will be obtained from the voter file, through PDI. No changes will be made to mailing addresses.

The Vote-by-Mail registration process will work as follows:

The Vote-by-Mail Registration form will require participants to provide their First Name, Last Name, Address, and Date of Birth as it appears in the voter file. Additionally, participants will be required to provide a working email address.

After providing the required information, the registration form system will check the information against the voter file. For participants who have been verified, they will proceed to the next page. For participants who could not be verified, they will be told they need to try again. The Vote-by-Mail registration form will only accept information as it appears in the Vote File from PDI.

After a participant has been verified, there will be a two-step verification process that must be completed prior to receiving a participant identification number (PIN). When the two-step verification process is completed, participants will receive their PIN on their screen and in a confirmation email. Each participant is responsible for recording their PIN.

Instructions for completing and returning a Vote-by-Mail ballot are below.

## In-Person Registration Form

Participants who would like to register to vote at an in-person location or do not fill out the Vote-by-Mail form by December 31, 2022, must use the In-Person Registration form.

The In-Person Registration Form will require participants to provide their First Name, Last Name, Address, and Date of Birth as it appears in the voter file.

After providing the required information, the registration form will check the information against the voter file. For participants who have been verified, they will proceed to the next page. For participants who could not be verified, a popup window will appear with the following information and buttons:

We could not verify the information you entered. If you would like to try submitting your information again, please click **Try Again**. If you would like to receive an ID Number now and verify your information later, please select **Verify Later**.

Participants who select **Try Again**, will go back to the main screen and have the opportunity to submit their information again. Participants who select **Verify Later** will proceed with the In-Person Registration Form and be given a participant identification number (PIN).

In their confirmation email, containing their participant identification number, instructions will be included to verify their registration. Failure to verify voter registration before the deadline will result in their ballot not being counted.

## Security Measures

Due to past abuse of the participant registration system and thousands of participants being signed up without their knowledge, new measures will be implemented to make it more difficult for participants to be signed up without their knowledge.

An email may only be used 5 times when registering on either of the registration forms. Attempting to use an email that has been used more than 5 times will result in the registration being rejected.

When using the Vote by Mail registration form, the registration form will only allow an IP to be used 5 times. If a registration form is used from an IP address that has been used 5 times already, then the registration will be rejected.

## Registration Verification

The Vote by Mail Registration form will require participants to provide their First Name, Last Name, Address, and Date of Birth as it appears in the voter file. Additionally, participants will be required to provide a working email address.



The In-Person Registration Form will require participants to provide their First Name, Last Name, Address, and Date of Birth as it appears in the voter file.

CADEM uses Political Data Inc. for its voter file. All information is verified using their programs and voter file. In the case that voter information can not be verified, only records from the Secretary of State will be accepted. Registration records and voter affidavits from County Registrars may not be accepted.

## Post Registration Verification

For participants who are unable to complete the verification process and choose to verify their voter registration later, they will be required to provide proof of their voter registration from the Secretary of State in order for their ballot to be counted.

For all “Verify Later” participants, CADEM will have PDI do a secondary check of the information submitted, to see if any additional participants' information is verified.

For those participants for whom verification could not be completed, CADEM will send an email instructing them to go to the My Voter Status - California Secretary of State Website <<https://voterstatus.sos.ca.gov/>> to provide proof of their registration. Participants will need to upload a photo, print out, pdf, etc. of their voter registration information. An upload link will be emailed to participants who need to submit verification. The information they submitted when registering must match the information on the SOS form.

Only records from the Secretary of State will be accepted. Registration records and voter affidavits from County Registrars may not be accepted. If a participant is not able to complete the verification process (either through the system or by submitting proof of registration to CADEM) by January 31, 2023, their ballot will NOT be counted.

## Information Sharing

Each registration form will provide an option for a participant to make their contact information available to registered candidates. This will be done using an Opt-In checkbox on the registration form. The only information that will be shared will be First Name, Last Name, Address, Email, and Phone Number. Only participants that check the Opt-In box, will have their information shared. Participant information will be shared via a Google Sheet that will be regularly updated.

# Ballots

All ballots, whether vote-by-mail or in-person, are identical forms printed by the Scantron company. It is up to each participant to:

- 1) Enter their PIN on the appropriate place on the ballot
- 2) Look up the list of candidates for their ADEM
- 3) Vote for no more than 14 candidates by filling in the appropriate bubbles on the ballot form.
- 4) Not vote more than one ballot

For a ballot to be counted, a valid PIN must be entered on the front side of the ballot. Participants will need to clearly write their PIN and fill in the corresponding bubbles for that number. If the written PIN is not legible or the written PIN and the bubbled PIN do not match, the ballot may not be counted as valid.

On the backside of the ballot, up to 14 bubbles may be selected. There are no requirement to gender-balance votes on a ballot.

## V.Vote by Mail

### Vote-by-Mail Registration

As explained above, participants who would like to have a ballot mailed to them will use the Vote-by-Mail Registration form. Participants who complete the vote by mail registration form will have a ballot mailed to their mailing address. The mailing address will be obtained from the voter file, through PDI. No changes will be made to the mailing address.

Vote-by-Mail Registration will open December 12, 2022 at 5:00 PM and closes December 31, 2022. Vote-by-Mail requests will not be available after January 1, 2023.

### Vote by Mail Ballot Distribution

After January 1, 2023, CADEM will send the list of those registered to vote by mail to our Mail Vendor. The goal is for all ballots to have been sent out via USPS by January 6, 2023. Ballots will be mailed to each participant's registered mailing address. No changes will be made.

A ballot packet will include an outer envelope, a return envelope, and a ballot. Voters will be required to go to the ADEM website to look up who the eligible candidates are in their Assembly District.

## Vote by Mail Return Methods

A vote-by-mail ballot may be returned by sending it back in the mail or by dropping it in a ballot box at any ADEM Meeting.

Ballots returned by mail must be **received** by CADEM on or before January 31, 2023. Any ballot received after that date will not be counted. There is no postmark rule.

Ballots returned at an ADEM Meeting must be dropped in a ballot box prior to the close of that meeting.

## VI. In Person Voting Locations

### Location Requirements

Per the CADEM Bylaws, each location site must be ADA-compliant, including the path of travel from parking to registration and voting tables. There must be easy access to spaces for all Democrats who wish to participate in the ADEM activities. Regardless of elevator availability, locations with stairs are required to allow all participants to reach the balloting area easily. Elevators may fail, so there must always be an alternative access route.

There should be sufficient room for voters to line up and cast ballots inside the building. If it is necessary to include outdoor areas, they should be protected from the elements.

There should be sufficient parking, including sufficient ADA-compliant parking, sufficient room for election balloting and problem tables, which may be dramatically increased in number depending on the district's population.

ADEM locations must serve as drop-off locations for those dropping off their vote-by-mail ballot. There must be area(s)/room(s) to facilitate check-in of participants without vote-by-mail ballots. Each participant who has registered to vote in the ADEM should be provided a ballot.

Each Assembly District location will accept ballots for ALL Assembly Districts. And each should have at least one large ballot box.

There must be robust cell service and strong Wi-Fi service is strongly encouraged.

## Location Selection

Per the CADEM Bylaws, there must be at least one ADEM location in each Assembly District. The CDP shall publicize a list of ALL locations.

All locations should be open for 4 hours, opening to the public no earlier than 10am but no later than 2pm.

The cost of a location should not exceed \$650 or be free of cost whenever possible.

Regional Directors should attend every ADEM in their Region to the extent possible. Assembly Districts the Regional Director is assigned to may change if there is concern about equitable distribution of work.

## Additional Locations

There may be more than one location in each Assembly District, especially if there is a good cause. "Good cause" may include the necessity for traveling very long distances, traveling in heavy traffic through dense population centers, or traveling in hazardous weather conditions.

In addition to adding one or more locations to an Assembly District, the CDP Chair may designate a location as serving more than one Assembly District. For 2023, the Chair has designated every ADEM location as being able to serve every district. A ballot will be counted for the candidates the participant is eligible to vote for, regardless of the ADEM location they drop their ballot at and regardless of the election date.

## Challenges to Locations Selected

Any DSCC delegate member may challenge location decisions affecting the Assembly District in which they are registered to vote to the Compliance Review Commission by November 22, 2022.

Such filings may challenge decisions regarding specific locations or the number of locations for a particular Assembly District.

Challenges concerning specific locations must include an immediate and available alternative to the selected location that meets the location criteria in these ADEM Procedures at a similar cost. In its sole discretion, the Compliance Review Commission may dismiss such a challenge if it does not contain the required information on an alternative location as to its availability and suitability.

## Location Scheduling

Regional Directors, their selected Conveners, CDP Staff, and the CDP Chair shall work together to identify and secure a location(s) for the Election meetings and must begin posting final ADEM in-person locations by November 15, 2022.

## Notice

The Regional Directors, Conveners, CDP Staff and the CDP Chair must make a reasonable effort to make known to all registered Democrats in the Assembly District of the date, time, place and purpose of the Election meetings, the rules for participation in the Election meeting, filing deadlines and rules to run as a candidate and how to vote in the ADEM no later than December 21, 2022.

At the very least the following persons should be noticed:

1. All Members of the 2021-23 DSCC Delegation - (to be notified by the CDP Chairs and staff).
2. All Democratic County Central Committee members residing in the new 2022 Assembly Districts (if one or more counties lie wholly within the District, the notice shall be transmitted to all members of that County Committee). - (to be notified by the Convener, Regional Director and County Chairs)
3. All attendees of the previous Assembly District Election Meeting - (to be notified by the CDP Chair and Staff)
4. Chartered organizations and clubs

## VII. In Person Voting Procedures

### Who Runs the ADEM Location

The Regional Director, Convener and/or the Convener's designee shall preside at the Election Meeting as chair and shall be responsible for conducting the Election Meeting in compliance with these ADEM Procedures. It is encouraged the Regional Directors attend all of their ADEM(s) as an advisor and observers of the Election meeting(s).

The selected Convener must be (1) a registered Democrat and (2) pledge not to seek a DSCC seat from that ADEM."

The Convener has six basic responsibilities:

1. Assist the CADEM Chair and CDP Staff in finding and securing a **location** for the Election Meeting
2. Assist the CADEM Chair and CDP Staff in sending **notices** regarding the Election Meeting. In addition, Conveners are encouraged to provide support for languages other than English that are commonly spoken in their Assembly District. It is recommended that notice be sent, via a press release, to at least one newspaper serving the area, posted to CADEM digital and social media channels and posted with a link to the CDP ADEM website page noticing the Election meeting.
3. **Act as the person in charge** at the Election Meeting, or, if the Convener so chooses, **designate** any registered Democrat who is not standing as a candidate for ADD representative to assume these responsibilities for the Election Meeting. This includes

- overseeing check-in and balloting and enforcing these Procedures.
4. **Transmit** various information to the CDP after the Election Meeting is over.
  5. The Convener shall also take reasonable steps to enforce the electioneering rules, which prohibit campaign activity inside the building where the ADEM meeting is happening, or within 100 feet of an entrance to the meeting room.
  6. The Convener shall work with the Regional Director to ensure a sufficient number of copies of the candidate list for that District, and other surrounding districts are printed and available on site for voters.

## Health and Safety Protocols

All ADEM participants must adhere to the California Democratic Party Code of Conduct. Regional Directors, Conveners and CDP Staff must be sure behavior contributes to making these elections a welcoming, respectful, friendly, safe, supportive, and harassment-free environment.

Renting a location due to COVID can be difficult and the following should be considered:

1. ADEM Election meetings outdoors can be set up in Parking lots, Hospital parking lots or Parks, Large in-door union halls or locations easy to find and accessible from the main freeway or public transportation whenever possible.
2. All Election meetings must allow participants to register to vote onsite:
3. All outdoor elections should have tent covers and PPE (Personal Protection Equipment) supplies and easy access to parking lots near the ADEM venue.
4. All Election meetings must comply with the Americans with Disabilities Act (ADA) accessibility standards.
5. All Election meetings should have PPE Face masks, Face shields, Gloves, Sanitizers, and Wipes. - (CDP will reimburse Regional Directors and/or conveners who purchase PPE materials items to ensure the safety of all participants.

## Operating Procedures

The primary purposes of an ADEM site is the distribution of ballots and collection of ballots. All locations will be open for 4 hours, opening to the public no earlier than 10am but no later than 2pm. As soon as a location opens, ballots should begin to be distributed. No speeches will be allowed in the voting room.

Electioneering is strictly prohibited inside the building where the ADEM is happening, or within 100 feet of an entrance to the meeting room. Additionally, any attempts to delay, disturb, or stop the administration of the voting site or ability of a participant to vote may result in disciplinary action.

At each ADEM location the Convener or a volunteer will be tasked with distributing ballots to eligible participants. To receive a ballot an eligible participant will need to show the person(s) distributing ballots their Participant Identification Number (PIN). After seeing a ten digit number, the Convener or volunteer will hand the participant a ballot. Only one ballot per participant may be distributed. The person(s) distributing the ballots should be focused on handing out ballots as

quickly and efficiently as possible. The person distributing ballots is not to question the validity of a PIN.

If anyone in line does not have a PIN, they will be asked to step aside and fill out the In-Person Registration form to receive a PIN. The Convener should have a process in place for those without access to a mobile device to be able to register online.

When the 4 hour window has expired, anyone that is still in line to receive a ballot will have the opportunity to receive a ballot. Once the last person in line has received their ballot, no more ballots shall be distributed. At this point the convenor shall announce that in 15 minutes, all ballots must be cast, stating the time that ballots must be placed in the ballot box. After that time has expired, no more ballots will be accepted.

When the time for balloting has ended, the Convenor shall proceed to count the number of ballots (but not the votes). While counting, participants may still submit ballots, but no more ballots may be distributed. Ballots should be counted while packing them in the shipping boxes. Once all ballots have been counted and the shipping box has been sealed, no more ballots may be accepted.

The Convener shall transmit the number of ballots to the CDP staff. The ballot box shall be sealed with the voted ballots and delivered to one or more addresses designated by the CADEM Staff.

All remaining materials and blank ballots will be returned to CADEM Staff or the Regional Director.

## Accessibility Requirements

All Election meetings must consider Americans with Disabilities Act (ADA) accessibility standards. Each ADEM location should provide a reasonable balance between population and geographic centrality; should, if possible, provide access to transit; and must fulfill the following characteristics:

1. ADA compliance, including the path of travel all the way from parking to registration and voting tables. Locations where stairs, regardless of elevator availability, are required to reach the registration and balloting area, should be avoided since elevators can fail.
2. Sufficient room for queuing, preferably inside the building, but if necessary to include outside portions, such outdoor areas must be protected from the elements.
3. Sufficient parking, including sufficient ADA-compliant parking. Sufficient room for registration tables, which may be dramatically increased in number.

## VIII. Returning Ballots

Ballots must be returned at an ADEM Meeting location or by mail. Ballots will ultimately be shipped to the Scantron Counting Facility in Minnesota. All ballots will be shipped via UPS.

## Vote by Mail Ballots

VBM ballots may be returned by mail or dropped off at any ADEM location while they are open. The Statewide schedule of all the ADEMs will be posted on the CADEM website.

Ballots returned by mail must be **received** by CADEM on or before January 31, 2023. Any ballot received after that date will not be counted. Ballots will be collected at the Mailhouse that sent them out originally. Ballots will be collected, packed into a shipping box, and shipped to Scantron for counting on a regular basis.

## In Person Ballots

At each ADEM Location, there will be a secured ballot box where people will cast their ballots. The ballot box shall remain in possession of the Convener, Regional Director, or CADEM Staff at all times. Once a ballot has been submitted, it may not be removed from the ballot box.

At the conclusion of the ADEM Meeting, the Convener, Regional Director, and/or CADEM Staff will remove the ballots from the ballot box and place them in a shipping box, to be sent to the Scantron Counting Facility in Minnesota.

UPS will send shipping boxes to the Scantron Counting Facility in Minnesota.

# IX. Ballot Counting

## Ballot Processing

Ballots will be counted by the Scantron Company, which also produced the ballots. All ballots will be shipped to the Scantron Counting Facility in Minnesota.

CADEM provides Scantron with expected delivery information in a shared document that displays tracking numbers, drop off date and origin location. Scantron updates the document when each package is received.

Scantron also creates an internal log that lists the date received and tracking numbers of each package.

All packages are opened, prepped for scanning, weighed for an estimated count and turned into the scanning department. All miscellaneous mail received is set aside and stored to be returned to CADEM at the end of the project. A traveling document follows the ballots throughout the rest of the process.

Ballots are moved into our secure scanning room and scanned on Scantron's Insight 150 scanners. Scantron designed a unique scan application to recognize the ballots and markings



on each form while creating images of each form. Ballots not successfully scanned due to their physical condition are pulled and labeled as damaged. All scanned forms are then boxed, labeled and stored until the end of the project.

After the physical forms are scanned, the data is created by running it through the scanning application and data verification program. The program recognizes marks that it can identify and brings up questionable marks for human verification. "Keyers" can review questionable marks from the images that the scanner created.

After Key Entry Verification, batches are exported into an access table where the invalids are reviewed. Invalids include duplicate id's, invalid id's, missing all or part of the id's, and ballots with more than 14 selections. Once the invalids are reviewed the data is exported to an excel data file. An internal program then updates the website counts and sorts images into each districts' assigned valid and invalid folders.

## Valid Ballots

For a ballot to be counted, a valid Personal Identification Number (PIN) must be entered on the ballot.

## Invalid Ballots

There are 3 ways that a ballot may be considered invalid.

Duplicate PIN - If two or more ballots have the same PIN number, then both ballots will be rejected.

Invalid PIN - If the PIN is not a valid number, then the ballot will be rejected. This may include that the PIN entered is missing numbers or is not a valid number.

Too Many Selections - If a ballot has 15 or more bubbles filled in, then the ballot will be rejected.

Final determination of whether a ballot is considered Valid or Invalid is determined by the Scantron Company. CADEM Staff will not overturn a decision made by the Scantron Company.

# X.Results

## ADEM Results

For each Assembly District, there will be a total of 14 winning candidates. The 7 Self Identifying Females and 7 Other than Self Identifying Females receiving the most votes shall be the Assembly District Representatives to the California Democratic State Central Committee. .

## Executive Board Results

For each Assembly District, the candidate who receives the most votes among those indicating they would serve as Executive Board representative and also is one of the 14 winning candidates, shall be the new Executive Board representative for that Assembly District.

## Tie Breaker Procedures

Note that ties only matter if it creates a situation where more persons are tied for last place than there are slots available. In the case of such a tie, the tie breaker shall be by lots and conducted at a mutually convenient time and place after the tie is determined.

## Statement of Vote

The results of the ADEM elections will first be released in a PDF document, as a Statement of the Vote. The Statement of the Vote will include election statistics and District results.

The Statement of Vote will be distributed by email to all candidates and participants.

## Posting on Website

Within 48 hours of the Statement of Vote being posted, the candidate pages on the website will be replaced with the results.

## Publishing of ADEM Scans

Scantron will send CADEM digital copies of all ballots submitted. CADEM will upload those ballots onto Google Drive and will make the files available.

# **SUBCOMMITTEE ON CAUCUSES**

**Application for Caucus Certification/Recertification**  
**2023-2025 (initial certification cycle)**  
**2023-2027(re-certification cycle)**

**Name of Caucus/Proposed Caucus:** \_\_\_\_\_

**Sponsor Contact Mailing Address:** \_\_\_\_\_

**Sponsor Contact Email Addresses (please list phone and email of contact):** \_\_\_\_\_

**Sponsor Contact Phone Number:** \_\_\_\_\_

- 1. Declaration Page of Caucus Sponsors** – Attached as “Exhibit A” is a list of \_\_\_\_\_ Caucus Sponsors, which consists of at least one percent (1%) of the full membership of the Democratic State Central Committee, with each person on such Declaration affirming by signature support for the official recognition of this Caucus, and further affirming that he or she shares the common identity, demographic or interest which defines this Caucus.

**Initial:**

- 2. The common identity**, demographics or interest of these caucus sponsors is (which is reflected in Article II.B of the Bylaws):

**Initial:**

- 3. Roster of Members:** Attached as “Exhibit B” is the complete roster of members is attached, containing the names, addresses and phone numbers of all the members of the Caucus, and where appropriate, their email addresses. This roster additionally notes whether a particular member holds an office in the Caucus and/or has organizational responsibility for a particular activity.

**Initial:**

- 4. As an officer of the Caucus**, I certify that each member has indicated and affirmed that they are a registered Democrat or a person of voting registration or preregistration age (as defined in the Elections Code), who meets the eligibility requirements of Caucus membership and who is ineligible to register as a Democrat but has expressed an intent to register as a Democrat upon becoming eligible.

**Chair’s signature:** \_\_\_\_\_ **2<sup>nd</sup> Officer signature:** \_\_\_\_\_

- 5. Bylaws:** Attached is an editable version of the Bylaws of the Caucus/Proposed Caucus, which is current, on file with the CDP and posted on our Caucus website (if an existing Caucus), and which has been revised to be in compliance with the Bylaws Review Checklist form and the Guidelines. No amendments to these Bylaws will be made until after certification/recertification and any amendments thereafter shall be made only in compliance with the pre-adoption review process prescribed by the CDP Rules Committee.

**Chair’s signature:** \_\_\_\_\_ **2<sup>nd</sup> Officer signature:** \_\_\_\_\_

6. **Review Check form.** Attached as “Exhibit C” is a Bylaws Review Check form to be filled out and approved by the Chair or other representative of the Rules Committee who has been designated by the Rules Committee to review our Bylaws.

**Initial:**

7. **Officer information.** Attached as “Exhibit D” is a roster of officers of the Caucus, with names, addresses, phone numbers and, where appropriate, email addresses. Such roster contains as a minimum a Chair, a secretary, and a Treasurer. We further agree to keep this information current and advise the Secretary of the CDP of any changes therein. We understand and agree that it is the responsibility of the Caucus officers to inform the staff of the CDP of all of the information in Exhibit D for posting on the CDP website.

**Initial:**

8. **Statement of Purpose and Intended Activity, and the Means of Accomplishing Same.** Attached as “Exhibit E” is the Statement of Purpose and Intended Activity for the Caucus, with the means of effectuating/accomplishing same, as well as the self-promulgated measurable objective standards by which the Caucus shall evaluate its success each year of certification. If these are to be updated/changed during the certification cycle, I will submit them to the CDP Rules Committee for approval in accordance with the Guidelines.

**Initial:**

9. **Previous certification.** This application is for (fill in the bullet and initial next to the appropriate status):
- A Caucus which has been previously certified. Initial; or
  - A caucus which has NOT been previously certified, and as such, attached as “Exhibit F” is a statement as to why we content that Chartering as a Statewide Organization under Article XI of the CDP By-Laws would not be a more appropriate course of action. Initial:

10. **Acknowledgments.** In making this Application for Caucus Certification/Recertification, the Caucus agrees to provide the Chair(s) of the Rules Committee and the Secretary of the CDP the following, by February 7<sup>th</sup> of each year:

- a written report on the Caucus’ activities and progress towards fulfillment of the Caucus’ State of Purpose and Intended Activity, as evidenced through measurable objective standards; and
- a complete “Roster of Members” containing the names, addresses, phone numbers and, where appropriate, their email addresses, of all of our members, noting whether a particular member holds an office in the Caucus and/or has organizational responsibility for a particular activity.

Additionally, the Caucus agrees to provide Chair(s) of the Rules Committee and the Secretary of the CDP the following:

- Advance notification of any communications and of any proposed Bylaws changes (and to abide by the rules requiring approval thereof before the dissemination of such communications or proposals)
- at least ten (10) days written or electronic notice of each of its meetings, both regular and special;

- copies of any amendments to the Bylaws of the Caucus adopted after certification, within ten (10) days of their adoption; and
- proof of the Caucus' continued adherence to and compliance with the findings of the Rules Committee as set forth in Article XI of the CDP By-Laws, if requested by the Rules Committee.

**Initial:**

**11. Certification.** As Chair and \_\_\_\_\_ of the Organization, we hereby certify  
(Title of second certifying officer)

that all information provided in this Application is to the best of our knowledge true and correct as of the date below, and that the Caucus freely undertakes agreement to all points listed under item 10 of this Application for Caucus Certification/Recertification:

\_\_\_\_\_  
(Signature of Chair)      (Signature of second certifying officer)      (Date)

## California Democratic Party Bylaws Review Check Form (Exhibit C)

Name of Caucus: \_\_\_\_\_

Rules Chair/Representative designated for review: \_\_\_\_\_

Findings on review of the Caucus Bylaws:

- A. These Bylaws are consistent with the California Democratic Party State Central Committee By-Laws as last amended on.

**Initial:**

- B. These Bylaws contain each and every paragraph of the required Bylaws promulgated by the CDP Rules Committee in the order specified and without variation.

**Initial:**

- C. These all provisions of the Bylaws other than those contained in the required Bylaws promulgated by the CDP Rules Committee are in the sections where the required Bylaws allow for Caucus-specific rules and do not conflict, contradict, undercut, undermine, or otherwise create any tension with or ambiguity with respect to the required Bylaws.

**Initial:**

- D. These Bylaws do not impose any impediments to full participation by those who have their dues waived.

**Initial:**

- E. These Bylaws are consistent with the CDP Rules Committee's Policy Statement on the Open Meeting Rules, particularly with regard to: 1) providing that the public meetings of the Caucus are open to all registered Democrats; and 2) providing for timely Notice of agendas and meetings.

**Initial:**

- F. These Bylaws recognize the obligations of the Caucus under the General Policies/Provisions of the Democratic State Central Committee of California, including a provision stating that the 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, and require appropriate accommodations for those who are disabled, whose first language is not English and who otherwise experience objective impediments to participation that are brought to the attention of Caucus leadership.

**Initial:**

As the Rules Chair/Representative designated to review the Bylaws of the Caucus, I recommend that the Bylaws of the Caucus be considered at least minimally sufficient, as per the current CDP Guidelines for Certification, Re-Certification and Decertification of Caucuses:

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(Signature of Rules Chair/Representative) (Print Name of Rules Chair/Representative) (Date)



RECOMMENDATION OF THE SUBCOMMITTEE ON CAUCUSES  
CDP RULES COMMITTEE CONCERNING AMENDMENTS TO  
BYLAWS ARTICLE XI. SPECIAL GROUP CAUCUSES  
(9/27/22)

ARTICLE XI: SPECIAL GROUP CAUCUSES

Section 1. DEFINITION

A caucus is a statewide organization:

- a. Which is a constituent part of This Committee, governed by its decisions, and ~~must may~~ not take official positions on legislation, resolutions, or other matters, which are contrary to positions taken by This Committee, but, to the extent consistent with its purpose as set forth in Section 2 of this Article XI, may call on This Committee to take action.
- b. Consisting of Caucus Sponsors, who are members of the Caucus and of This Committee, constituting at least one percent (1%) of the full membership of This Committee,
- c. Which extends membership to persons of voting registration/preregistration age (as defined in the Elections Code), who meet the eligibility requirements for Caucus membership, and who are either (i) registered Democrats or (ii) ineligible to register as Democrats, but who have expressed an intent to register as a Democrat upon becoming eligible; ~~a~~And which extends full voting rights to all such persons who meet the voting requirements of that Caucus.
- d. Which has been found by the Rules Committee to be in compliance with the requirements noted herein and has also been found to meet the Guidelines for Certification or Re-Certification of Caucuses referred to below both at the time of the application for certification/recertification and at all times during the certification/recertification period thereafter;
  - (1) the finding of compliance at the time of the application shall be; based on a review of the application and investigation by the Rules Committee, whose findings shall be conclusive unless reversed by a majority of the Executive Board;,,
  - (2) the finding of continuing/ongoing compliance shall be made by the Rules Committee under rules of procedure it shall promulgate and publish, which shall include such hearing as it deems appropriate under the circumstances.
- e. Which has been considered for certification by the Rules Committee and has been certified by the Executive Board of This Committee in order to carry out the Purposes noted herein,

f. Whose Chair is a member of This Committee, and by virtue of the Caucus being certified, shall be a member of the Executive Board of This Committee; provided that in exceptional circumstances, as defined and authorized by the Rules Committee, an interim Chair serving only until such time as the Caucus may conduct an election may be excused from being a member of This Committee; provided, further, that the Caucus' representative on the Executive Board must be a member of This Committee, and,

g. If not initially certified prior to 1/1/10, the Caucus' Sponsors are DSCC members, who represent a common identity, demographic or interest which is historically or currently under-represented in Democratic Party affairs and cannot adequately be represented in Democratic Party affairs by a current caucus or chartered organization, and which has provided a reasonable explanation, determined to have been supported by clear and convincing evidence, as to why Chartering as a Statewide Organization under Article X of these Bylaws, would not be a more appropriate course of action

## Section 2. PURPOSE

The purpose of a caucus is to:

a. Participate in the policy decisions of the Party, by, among other things, proposing Resolutions to the Resolutions Committee, Legislation to the Legislation Committee, bylaw amendments to the Rules Committee, or other such proposals to other Standing Committees, or to the Chair of This Committee, as may be necessary to carry out its goals and objectives. Caucuses are to conduct all of their affairs with an eye toward full and proactive compliance with: (i) the expectations and intent set forth in Article VIII, Section 1.c; (ii) the "one voice" rule in Article VIII, Section 1.d; and (iii) the prohibitions on endorsements in Article VII, Sections 1.h, 1.j and 2.a. No Caucus may take independent positions on such matters which are contrary to the positions of This Committee, provided, however, that nothing herein shall prevent This Committee's Regions, or its Caucuses from calling on the California Democratic Party to take any action consistent with its status as a constituent part of This Committee.

b. Encourage participation, within the Caucus' community of interest, in the outreach programs of the Party, including such things as This Committee's Voter Registration and Get Out the Vote activities; but any such participation shall be limited to activities conducted by or in partnership with the Party. Any other such voter outreach or campaign activities are inconsistent with the Caucus' purpose and, as a result, are prohibited.

c. Promulgate and implement a Statement of Purpose and Intended Activity, aimed at expanding and strengthening the Party, subject to approval by the Rules Committee; and,

d. Make the Party more welcoming and more relevant to members of the public, the

electorate, and This Committee, who identify with the goals of the Caucus.

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

The Rules Committee shall promulgate Guidelines for Certification, Re-Certification, and Decertification of Caucuses, which shall include the process and conditions necessary to certify, re-certify, or decertify a caucus. These Guidelines shall include, as a condition of Certification and Re-Certification, a requirement that Caucuses adopt the Code of Conduct and make information about reporting process for violations of the Code of Conduct readily available to members.

### Section 4. CERTIFICATION / RE-CERTIFICATION

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

- a. Form of Application – All organizations desiring to be certified, or re-certified, by This Committee as a caucus shall make application for such certification in writing on a form obtained from the Secretary of This Committee.
- b. Submission of Application – ~~Prior to September 1, 2023, A~~ application for Caucus Certification, or Recertification must be submitted to the Secretary of This Committee, and to the Chair(s) of the Rules Committee of This Committee, at the email addresses designated for this purpose, ~~by the applicable deadline set forth in the Guidelines. As of September 1, 2023, the deadline for submission of an application shall be no later than fourteen (14) within forty-five (45) days~~ after the first regular meeting of the Convention of This Committee in the year after the year in which a regular Gubernatorial election is conducted; provided, however, that an applicant seeking initial certification as a Caucus may also apply in the fourteen-day period immediately following the first regular meeting of the Convention of This Committee in any other odd year. in which the Caucus is intended to be recertified or initially certified. No application submitted outside that time-frame shall be considered.
- c. Acknowledgment of Receipt of Application – The Secretary of This Committee or the Chair(s) of the Rules Committee shall, where applicable, acknowledge receipt of the application by no later than the thirtieth day after the first regular meeting of the Convention of This Committee in the year in which the application is submitted within five (5) business days of determination of receipt, and send confirmation thereof, to the Chair of the Caucus, or proposed Caucus, to the email address designated for this purpose. This acknowledgment shall also ~~list the documents received and~~ identify any required submissions which, from a facial review of the application, appear to be missing and identify a deadline for the submission of any such missing documents, or obviously deficient, documents or information necessary for the Rules Committee ~~to determine certification or re-certification, other than bylaws provisions. Such deficiencies in documentation or information may be corrected via amended application within sixty (60) days after the first meeting of the Convention of This~~

~~Committee in the year in which the Caucus is intended to be re-certified or initially certified.~~

d. Time-line for Consideration of Application; ~~Notice of Deficiencies~~ – By no later than July 17, 2023, the Rules Committee shall advise each existing Caucus which has submitted an application for recertification whether it:

(1) has met the requirements for recertification and shall be recommended for full recertification at the next meeting of the Executive Board of This Committee and, should that meeting be after the expiration of its current certification, shall be provisionally certified in the interim;

(2) has been found to be sufficiently in compliance with the requirements for recertification as to be recommended for provisional certification at the next meeting of the Executive Board of This Committee and, should that meeting be after the expiration of its current certification, shall be provisionally certified in the interim; or

(3) has failed to meet the requirements for recertification and, thus, will not be recommended for recertification and, as a result, its certification will expire and it must disband or apply for certification as a new Caucus.

Should at any time during its period of provisional certification, a Caucus recommended for provisional certification as of July 17, 2023, meet the requirements for recertification and become eligible for full certification at the next meeting of the Executive Board of This Committee, the Rules Committee shall recommend that Caucus for full recertification.

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For proposed Caucuses that have submitted an initial application during 2023, the Guidelines shall set forth the timeline for consideration.

For applications in and after 2025, the Rules Committee shall advise the Caucus or proposed Caucus of its recommendation by no later than ninety (90) days after the deadline for submission of the application or, if there has been a notice that required elements of the application were missing and, thus, that the application was deficient, by no later than ninety (90) days after the deadline set for cure of the deficiency.

~~No later than forty-five (45) days prior to the expiration of the term of Official Certification, or in the case of a proposed new caucus the second meeting of the Executive Board of This Committee held after submission of the application, a Chair of the Rules Committee of This Committee designated for this purpose, shall notify the Chair of the Caucus, or proposed Caucus, in detail, of any deficiencies in documentation or information, including the substance of any amendments to Caucus Bylaws necessary to bring the Application into compliance along with the proposed recommendation regarding certification or re-certification.~~

e. Failure by the Rules Committee to Provide Timely Notice of ~~Deficiencies~~ Its Recommended Disposition of the Application by the Rules Committee – Absent agreement to the contrary by the Rules Committee, failure of the Rules Committee to give timely Notice of its recommendation concerning disposition of the application ~~Deficiencies~~ shall be considered as a recommendation for Certification by the Rules Committee and allow the Chair of the Caucus, to make a motion for a specific finding of compliance with the Guidelines for Certification, Re-Certification, and Decertification of Caucuses by the Executive Board of This Committee and Certification of the Caucus, provided fifteen (15) days notice of intent to make such motion is first given to the Secretary of This Committee, and to the Chair(s) of the Rules Committee of This Committee, at the email addresses designated for this purpose.

~~f. Recommended Action on Application—The Rules Committee of This Committee, shall make a recommendation regarding action on the application to the Executive Board of This Committee, prior to the expiration of the term of Official Certification, or in the case of a proposed new caucus the second meeting of the Executive Board of This Committee held after submission of the application.~~

~~g.~~ Contents of Application – The application shall contain such information as may be required by the Rules Committee.

## Section 5. TERM OF CERTIFICATION

a. All Caucuses that are provisionally or fully certified as of July 11, 2022, shall have their current certification status extended through August 31, 2023, unless revoked for cause as set forth herein; provided, however, that, during this extended certification period, provisional certification may be converted to full certification and full certification may be converted to provisional certification in accordance with procedures for such conversion consistent with this Article XI promulgated by the Rules Committee. The provisions of this subsection (a) shall expire as of September 1, 2023, and without further action of This Committee or its Executive Board, shall no longer be a part of these Bylaws or this Article XI as of that date. The Secretary of This Committee, upon recommendation of the Rules Committee, shall cause subsection b and its subparts to be renumbered accordingly.

b. All official Certifications of a Caucus made effective on or after September 1, 2023, shall extend through the following dates:

(1) For recertifications, unless revoked for cause as set forth herein, the later of August 31 of the year after the year in which the next regular Gubernatorial election is held or the adjournment of the first Executive Board meeting of This Committee held after the first regular meeting of the Convention of This Committee in the year after the year in which the next regular Gubernatorial election is held; or

(2) For initial certifications, unless revoked for cause as set forth herein, the earlier of two years after the effective date of the initial certification or the first Executive Board meeting of This Committee held after the first regular meeting of

the Convention of This Committee in the year after the year in which the next Gubernatorial election is held.

(3) Notwithstanding the certification terms set forth herein, full certification may be converted to provisional certification and provisional certification may be converted to full certification in accordance with procedures for such conversion consistent with this Article XI promulgated by the Rules Committee; provided that no such conversion shall extend the term of certification of a Caucus.

## Section 6. DECERTIFICATION

a. After notice and an opportunity to be heard, and upon a finding by the Rules Committee that a certified caucus has failed to maintain compliance with the above, the Rules Committee may enter into an agreement with the Caucus or, in the absence of an agreement, order the Caucus to take certain remedial steps to again achieve compliance.

~~b. adopt or maintain the Code of Conduct as part of its own bylaws with a provision that each member is bound by its terms, and/or~~

~~c. has willfully, intentionally, or repeatedly failed to address violations of the Code of Conduct within the caucus;~~

b. In the event that, after the hearing referenced in subsection (a) above, the Rules Committee determines that remedial steps are an insufficient remedy or in the event that, after a subsequent hearing, the Rules Committee determines that the Caucus has failed or refused to successfully undertake the agreed upon or ordered remedial steps, the Rules Committee shall report a recommendation to de-certify the Caucus to the Executive Board of This Committee. The report shall specifically note the grounds and basis for the Rules Committee's recommendation. ~~may decertify a Caucus by majority vote.~~  
~~In the event the Rules Committee should make a finding of non-compliance with the Guidelines, it shall report a recommendation to de-certify the Caucus specifically noting the grounds and basis for its decision.~~ Such recommendation may only be overturned by the Executive Board of This Committee, by majority vote, but and only if the Executive Board makes specific findings that the Rules Committee was incorrect in each of its findings that formed the basis of the Rules Committee's recommendation to decertify, or that all such defects have been remedied.

## Section 7. RECOGNITION OF HISTORICAL IMPORTANCE

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

**California Democratic Party**  
**Guidelines for Certification, Re-Certification and Decertification of Caucuses**

Adopted, CDP Rules Committee – October 2022

**Section 1.           *Definition***

*A caucus is a statewide organization:*

- A.    *Which is a constituent part of This Committee, governed by its decisions, and must not take positions on legislation, resolutions, or other matters, which are contrary to the positions taken by This Committee but, to the extent consistent with its purposes . . . , may call on This Committee to take action.*
- B.    *Consisting of Caucus Sponsors, who are members of the Caucus and of This Committee, constituting at least one percent (1%) of the full membership of This Committee,*
- C.    *Which extends membership to persons of voting registration/preregistration age (as defined in the Elections Code), who meet the eligibility requirements for Caucus membership, and who are either (i) registered Democrats or (ii) ineligible to register as Democrats, but who have expressed as intent to register as a Democrat upon becoming eligible; and which extends full voting rights to all such persons who meet the voting requirements of such Caucus.*
- D.    *Which has been found by the Rules Committee to be in compliance with the requirements noted herein and has also been found to meet the Guidelines for Certification or Re-Certification of Caucuses referred to below both at the time of the application for certification/recertification and at all times during the certification/recertification period thereafter;*
  - *the finding of compliance at the time of the application shall be based on a review of the application and investigation by the Rules Committee, whose findings shall be conclusive unless reversed by a majority of the Executive Board;*
  - *the finding of continuing/onngoing compliance shall be made by the Rules Committee under rules of procedure it shall promulgate and publish, which shall include such hearing as it deems appropriate under the circumstances,*
- E.    *Which has been considered for certification by the Rules Committee and has been certified by the Executive Board of This Committee in order to carry out the Purposes noted herein,*
- F.    *Whose Chair is a member of This Committee, and by virtue of the Caucus being certified, shall be a member of the Executive Board of This Committee; provided that in exceptional circumstances, as defined and authorized by the Rules Committee, an interim Chair serving only until such time as the Caucus*

*may conduct an election may be excused from being a member of This Committee; provided, further, that the Caucus' representative on the Executive Board must be a member of This Committee, and*

- G. *If not initially certified prior to 1/1/10, the Caucus' Sponsors are DSCC members, who represent a common identity, demographic or interest which is historically or currently under-represented in Democratic Party affairs and cannot adequately be represented in Democratic Party affairs by a current caucus or chartered organization and which has provided a reasonable explanation, determined to have been supported by clear and convincing evidence, as to why Chartering as a Statewide Organization under Article X of these Bylaws would not be a more appropriate course of action.*

## **Section 2. Purpose**

*The purpose of a caucus is to:*

*A. Participate in the policy decisions of the Party; by, among other things, proposing Resolutions to the Resolutions Committee, Legislation to the Legislation Committee, bylaw amendments to the Rules Committee, or other such proposals to other Standing Committees, or to the Chair of This Committee, as may be necessary to carry out its goals and objectives. Caucuses are to conduct all of their affairs with an eye toward full and proactive compliance with: (i) the expectations and intent set forth in Article VIII, Section 1.c; (ii) the "one voice" rule in Article VIII, Section 1.d; and (iii) the prohibitions on endorsements in Article VIII, Sections 1.h & 1.j and 2.a. No Caucus may take independent positions on such matters which are contrary to the positions of This Committee, provided, however, that nothing herein shall prevent This Committee's Regions, or its Caucuses from calling on the California Democratic Party to take any action consistent with its status as a constituent part of This Committee;*

*B. Encourage participation, within the Caucus' community of interest, in the outreach programs of the Party, including such things as This Committee's Voter Registration and Get Out the Vote activities, but any such participation shall be limited to activities conducted by or in partnership with the Party; any other such voter outreach or campaign activities are inconsistent with the Caucus' purpose and, thus, prohibited;*

*C. Promulgate and implement a Statement of Purpose and Intended Activity, aimed at expanding and strengthening the Party, subject to approval by the Rules Committee, and regularly report on its progress toward achieving the goals set forth therein; and,*

*D. Make the Party more welcoming and more relevant to members of the public, the electorate, and This Committee, who identify with the goals of the Caucus.*

## **Section 3. Guidelines for Certification, Re-Certification, and Decertification of Caucuses**



The Bylaws provide that *the Rules Committee shall promulgate Guidelines for Certification, Re-Certification, and Decertification of Caucuses, which shall include the process and conditions necessary to certify, re-certify, or decertify a caucus.* These Guidelines are issued under that authority.

#### **Section 4.                    *Certification / Re-certification***

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

- A.     *Form of Application – All organizations desiring to be certified, or re-certified, by This Committee as a caucus shall make application for such certification in writing on a form obtained from the Secretary of This Committee.*

*B.Submission of Application – Prior to September 1, 2023, Application for Caucus Certification, or Re-certification must be submitted to the Secretary of This Committee, and to the Chair(s) of the Rules Committee of This Committee, at the email address designated for this purpose by no later than seven (7) days after the first regular meeting of the Convention of This Committee in 2023. As of September 1, 2023, the deadline for submission of an application shall be no later than fourteen (14) days after the first regular meeting of This Committee in the year after the year in which a regular gubernatorial election is conducted, provided, however, that an applicant seeking initial certification as a Caucus may also . . . submit an application in the fourteen-day period immediately following the first regular meeting of This Committee in any other odd year. No applications submitted outside that time-frame shall be considered.*

- B.     The timeline for the acknowledgment of receipt of the Application, the consideration of the Application, the provision to an existing Caucus of timely notice by the Rules Committee of This Committee of facial deficiencies in the application and for recommended action on the Application shall be as follows:
1.     The application for certification/recertification shall be made available by no later than November 20, 2022;
  2.     The following documents shall be submitted to the Secretary of This Committee and the Co-Chairs of the Rules Committee at the email address designated for this purpose by no later than seven days after the first Convention of This Committee in 2023:
    - (a) a completed application for certification/recertification;
    - (b) the Declaration evidencing sponsors constituting at least 1 percent of the full membership of This Committee;
    - (c) the Caucus Compliance Checklist;
    - (d) the Caucus' bylaws revised to be in compliance with the requirements in the Caucus Compliance Checklist and these Guidelines for Certification or Re-Certification of Caucuses;
    - (e) the Caucus' Statement of Purpose and Intended Activity;
    - (f) Roster of Members; and
    - (g) such other documents as are required to support the Caucus' responses to the inquiries and requirements in the Caucus Compliance Checklist.

3. By no later than thirty (30) days after the first Convention of This Committee in 2023, the Rules Committee shall provide all Caucuses that submitted the documents set forth in Section 4.C.2 of these Guidelines with an acknowledgment of receipt and a notice of the required submissions, if any, which, from a facial review thereof, appear to be missing and identify a deadline for the submission of any such missing documents.

4. *By no later than [Monday,] July 17, 2023, the Rules Committee shall advise each Caucus whether it:*

*(a) has met the requirements for recertification and shall be recommended for full recertification at the next meeting of the Executive Board of This Committee and, should that meeting be after the expiration of its current certification, shall be provisionally certified in the interim;*

*(b) as been found to be sufficiently in compliance with the requirements for recertification as to be recommended for provisional certification at the next meeting of the Executive Board of This Committee and, should that meeting be after the expiration of its current certification, shall be provisionally certified in the interim; or*

*(c) has failed to meet the requirements for recertification and, thus, will not be recertified and, as a result, its certification will expire and it must disband or apply for certification as a new Caucus.*

*Should, at any time during its period of provisional certification, a Caucus recommended for provisional certification as of July 17, 2023, meet the requirements for recertification and become eligible for full recertification at the next meeting of the Executive Board of This Committee, the Rules Committee may recommend that Caucus for full recertification.*

5. At the first meeting of the Executive Board of This Committee after the second Convention of This Committee in 2023, the recommendations referenced in Section 4.C.3 above shall be submitted to the Executive Board.

C. Within ten (10) days of the receipt by the Secretary of This Committee and the Chair(s) of the Rules Committee of any such application, the Rules Committee shall provide any new applicant for Caucus status with a timeline for the acknowledgment of receipt of the Application, the consideration of the Application, and the provision to the applicant of timely notice by the Rules Committee of This Committee of any recommended action on the Application. To the extent practicable, the intervals/turnaround times in any such timeline shall be consistent with the intervals/turnaround times in Section 4.C of these Guidelines.

D. Contents of Application – An Application for Caucus Certification or Re-certification shall contain:

1. A Declaration containing the signatures of Caucus Sponsors consisting of at least one percent (1%) of the full membership of This Committee with each person on such Declaration affirming by signature support for the official recognition of such a Caucus and further affirming that he or she shares the common identity, demographic or interest which defines the Caucus.
2. A Statement clearly identifying the common identity, demographic or interest of the Caucus Sponsors.
3. A complete “Roster of Members” containing the names, addresses, and phone numbers of all its members, and where appropriate, their email addresses, additionally noting whether a particular member holds an office in the Caucus and/or has organizational responsibility for a particular activity,
4. A written certificate signed by the Chair and one additional officer of the Caucus, certifying that each of its members has indicated and affirmed they are a registered Democrat or a person of voting registration/preregistration age (as defined in the Elections Code), who meets the eligibility requirements for Caucus membership, and who is ineligible to register as Democrats, but has expressed an intent to register as a Democrat upon becoming eligible.
5. A current editable electronic copy of the Bylaws of the Caucus, certified by the Chair and Secretary of the Caucus to be a true and correct copy thereof and to have been revised to be in compliance with the requirements in the Caucus Compliance Checklist and these Guidelines for Certification or Re-Certification of Caucuses.
6. A Bylaws Review Check form, which has been promulgated by the Rules Committee, and approved by a Chair of the Rules Committee who has been previously designated by the Rules Committee to review the Caucus Bylaws, recommending that the Bylaws of the Caucus minimally be found to:
  - a. Be consistent with the By-Laws of This Committee;
  - b. Provide membership to all persons of voting registration/preregistration age (as defined in the Elections Code), who meet the eligibility requirements for Caucus membership, and who are either (i) registered Democrats or (ii) ineligible to register as Democrats, but who have expressed an intent to register as a Democrat upon becoming eligible. And which extends full

voting rights to all such persons who meet the voting requirements of that Caucus.

- c. Provide that the Chair of the Caucus must be a member of This Committee and shall be the Caucus' representative to the Executive Board of This Committee, provided that, in exceptional circumstances, as defined and authorized by the Rules Committee, an interim Chair serving only until such time as the Caucus may conduct an election may be excused from being a member of This Committee if the interim Caucus representative to the Executive Board is a member of This Committee;
  - d. Contain the required Bylaws set forth in the Caucus Compliance Checklist and a statement that the caucus shall:
    - 1) 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 promulgated by the Finance Committee, which shall also be reflected in the Caucus' Bylaws; and
    - 2) Provide for waiver of membership dues based on economic hardship or legal limitations on campaign contributions in a manner that guarantees membership on an equal and nondiscriminatory basis.
  - e. Prohibit independent or otherwise unauthorized endorsements;
  - f. Be consistent with the Rules Committee's Policy Statement on the Open Meeting Rule, particularly with regard to:
    - 1) Providing that the public meetings of the Caucus are open to all registered Democrats; and,
    - 2) Providing for timely Notice of Agendas and Meetings;
  - g. Utilize a method of notification in a manner consistent with the policies of This Committee;
  - h. Recognize the obligations of the Caucus under the General Provisions of the By-Laws of This Committee.
7. The names, addresses, phone numbers, and, where appropriate, their email

addresses, of the Caucus' officers which shall include as a minimum a Chair, a [Principal or First] Vice-Chair, a Secretary, and a Treasurer, and which the Caucus shall agree to keep current and advise the Secretary of This Committee of any changes therein. The Caucus Officers shall be responsible for informing the staff of This Committee of the foregoing information for posting on the website of This Committee.

8. A Statement of Purpose and Intended Activity, and means of effectuating same, as well as the self-promulgated measurable objective standards by which the Caucus shall evaluate its success each year. Decertification of a Caucus shall not be based on mere failure to meet such self-promulgated standards.

9. An Agreement that the Caucus shall not amend its Bylaws after the provisional or full certification/recertification of the Caucus without first obtaining the written approval of Rules Committee of the proposed amendment, such approval indicating solely that the proposed amendment is consistent with the terms of certification/recertification and not that the proposed amendment is desirable or appropriate or should be adopted. And an Agreement that the Caucus shall provide the Secretary of This Committee and the Chair(s) of the Rules Committee the following (in electronic editable form where appropriate):

- a. A written report on the Caucus' activities and progress towards fulfillment of the Caucus' Statement of Purpose and Intended Activity, as evidenced through measurable objective standards, on an annual basis, no later than February 7th of each year. Copies of all written reports of activities and progress toward the fulfillment of self-promulgated standards shall be distributed to the members of the Rules Committee no later than February 22nd of each year;
- b. A complete "Roster of Members" containing the names, addresses, phone numbers, and where appropriate, their email addresses, of all its members, noting whether a particular member holds an office in the Caucus and/or has organizational responsibility for a particular activity, on an annual basis, no later than February 7th of each year.
- c. At least ten (10) days written or electronic notice of any and all of its meetings, both regular and special;
- d. Copies of any amendments to the Bylaws of the Caucus adopted after certification, within ten (10) days of their adoption; and,
- e. Proof of the Caucus' continued adherence to and compliance with the findings of the Rules Committee as set forth in Article XI of the Bylaws of This Committee, if requested by the Rules Committee.

10. If not previously certified, a Statement as to why the applicant contends that Chartering as a Statewide Organization under Article X of the By-Laws would not be a more appropriate course of action.

## Section 5.

### ***Finding of Compliance with Guidelines Required***

- A. *A caucus is a statewide organization . . . . . Which has been found by the Rules Committee to be in compliance with the requirements noted herein and has also been found to meet the Guidelines for Certification or Re-Certification of Caucuses referred to below both at the time of the application for certification/recertification and at all times during the certification/recertification period thereafter;*  
*1) the finding of compliance at the time of the application shall be , based on a review of the application and investigation by the Rules Committee, whose findings shall be conclusive unless reversed by a majority of the Executive Board;*  
*2) the finding of continuing/ongoing compliance shall be made by the Rules Committee under rules of procedure it shall promulgate and publish, which shall include such hearing as it deems appropriate under the circumstances.*  
*A Caucus must have been considered for certification by the Rules Committee and . . . been certified by the Executive Board of This Committee.*
- B. As a condition precedent to recommending certification or re-certification of a Caucus, the Rules Committee must specifically make the following findings, or in the case of a recommendation to not certify or re-certify a Caucus, the Rules Committee shall specifically report on what findings it based its denial:
1. The Organization has complied with all requirements of Article XI of the CDP Bylaws.
  2. That there are no existing organizations representing or sharing substantially similar interests, or serving the same or similar purposes, either as a Chartered Statewide Organization under Article X of these Bylaws or as a Caucus currently certified by This Committee;
  3. Whether or not the Caucus has been previously certified;
- (a) If not initially certified prior to 1/1/10, the Caucus' Sponsors are DSCC members, who represent a common identity, demographic or interest which is historically or currently under-represented in Democratic Party affairs and cannot adequately be represented in Democratic Party affairs by a current caucus or chartered organization.*
- C. If the Caucus has not been previously certified, that the following apply:
1. Chairs of existing Caucuses and Statewide Chartered Organizations have been notified of the pendency of an Application for Caucus Certification at least (30) thirty days prior to consideration of the Application; and,
  2. The proposed caucus has provided a reasonable explanation, determined to have been supported by clear and convincing evidence, as to why Chartering as a

Statewide Organization under Article X of these Bylaws, would not be a more appropriate course of action;

3. That the Caucus has complied with the provisions of Sections 1,2 and 4 above.
4. That an opportunity to submit oral and/or written testimony as to whether or not certification should be granted has been extended to the members of This Committee, including Chairs of existing Caucuses and Statewide Chartered Organizations, and thatCaucus Sponsors have been provided a similar invitation to submit oral and/or written rebuttal thereto;
5. That the Caucus Sponsors exhibit a demonstrated commitment to inclusion and have a clear history of dedication to Democratic Party principles and practices, and intend to maintain said qualities in all of their activities;
6. That the Caucus has as its objective the advancement of the Democratic Party; and,
7. That the decision to recommend certifying the Caucus would be in the overall best interests of the Party.

## **Section 6.       *Term of Certification***

- a. *All Caucuses that are provisionally or fully certified as of July 11, 2022, shall have their current certification status extended through August 31, 2023, unless revoked for cause as set forth herein; provided, however, that, during this extended certification period, provisional certification may be converted to full certification and full certification converted to provisional certification in accordance with procedures for such conversion consistent with this Article XI promulgated by the Rules Committee. The provisions of this subsection (a) shall expire as of September 1, 2023, and, without further action of This Committee or its Executive Board, shall no longer be a part of these Bylaws or this Article XI as of that date. The Secretary of This Committee, upon recommendation of the Rules Committee, shall cause subsection b and its subparts to be renumbered accordingly.*
- b. *All official Certifications of a Caucus made effective on or after September 1, 2023, shall extend through the following dates:*
  - (1) *For recertifications, unless revoked for cause as set forth herein, the later of August 31 of the year after the year in which the next regular Gubernatorial election is held or the adjournment of the first Executive Board meeting of This Committee held after the first meeting of the Convention of This Committee in the year after the year in which the next regular Gubernatorial election is held; or*
  - (2) *For initial certifications, unless revoked for cause as set forth herein, the earlier of two years after the effective date of the initial certification or the first Executive Board meeting of This Committee held after the first meeting of the Convention of This Committee in the year after the year in which the next regular Gubernatorial election is held.*
  - (3) *Notwithstanding the certification terms set forth herein, full certification may be converted to provisional certification and provisional certification may be converted to full certification in accordance with procedures for such conversion*

*consistent with this Article XI promulgated by the Rules Committee; provided that no such conversion shall extend the term of certification of a Caucus*

## **Section 7.        *Decertification***

- A.    *After notice and an opportunity to be heard, and upon a finding by the Rules Committee that a certified caucus has failed to maintain compliance with the above, the Rules Committee may enter into an agreement with the Caucus or, in the absence of an agreement, order the Caucus to take certain remedial steps to again achieve compliance.*
  
- B.    *In the event that, after the hearing referenced in subsection (a) above, the Rules Committee determines that remedial steps are an insufficient remedy or in the event that, after a subsequent hearing, the Rules Committee determines that the Caucus has failed or refused to successfully undertake the agreed upon or ordered remedial steps, the Rules Committee shall report a recommendation to de-certify the Caucus to the Executive Board of This Committee. The report shall specifically note the grounds and basis for the Rules Committee's recommendation. In the event the Rules Committee should make a finding of non-compliance with the Guidelines, it shall report a recommendation to de-certify the Caucus specifically noting the grounds and basis for its decision. Such recommendation may only be overturned by the Executive Board of This Committee by majority vote, and only if the Executive Board makes specific findings that the Rules Committee was incorrect in each of its findings that formed the basis of the Rules Committee's recommendation to decertify, or that all such defects have been remedied.*

## **Section 8.        *Recognition of Historical Importance***

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



REQUIRED STRUCTURE AND CONTENT OF  
CDP CAUCUS BYLAWS

**ARTICLE I: NAME**

The name of this Caucus is the \_\_\_\_ Caucus of the California Democratic Party (hereinafter “the Caucus”).

**ARTICLE II: PURPOSE AND DEFINITION:**

A. The purposes of the Caucus are to:

1. work within the California Democratic Party (hereinafter “CDP” or “the Party”) to encourage participation of the Caucus’ community of interest in the outreach programs of the Party, including, but not limited to, the Party’s Voter Registration and Get Out the Vote efforts, but any such participation shall be limited to activities conducted by or in partnership with the Party; any other such voter outreach or campaign activities are inconsistent with the Caucus’ purpose and, thus, are prohibited.
2. make the Party more welcoming and more relevant to the members of the public, of the electorate and of the constituent bodies within the Party who identify with the goals of the Caucus.
3. participate in the policy decisions of the Party by, among other things, proposing:
  - a. Resolutions to the Resolutions Committee,
  - b. Legislation to the Legislation Committee,
  - c. bylaws amendments to the Rules Committee, or,
  - d. such other such proposals to other Standing Committees or to the Chair of This Committee as may be necessary to carry out the Purposes of the Caucus in this Article II and in Article XI, Section 2 of the CDP Bylaws and are consistent with the Caucus’ role as a constituent part of the Party.
4. promulgate and implement a statement of Purpose and Intended Activity on a regular basis as set forth in the applicable CDP Guidelines, which:
  - a. is to be aimed at expanding and strengthening the Party;
  - b. includes means of effectuating the goals in the statement and also includes measurable objective standards by which the Caucus shall evaluate its success in effectuating those goals;
  - c. is subject to approval by the CDP Rules Committee; and
  - d. includes a requirement to regularly report to the Caucus membership and the CDP, including its Rules Committee, on the Caucus’ progress toward achieving the goals set forth in this statement;
5. conduct all of its affairs with an eye toward full and proactive compliance with:
  - a. the expectations and intent set forth in Article VIII, Section 1.c of the CDP Bylaws;
  - b. the “one voice” rule in Article VIII, Section 1.d of the CDP Bylaws; and,
  - c. the prohibitions on endorsements in Article VIII, Sections 1.h, 1.i and 2.a of the CDP Bylaws.

6. not take independent positions on matters which are contrary to the positions of the Party, provided, however, that the Caucus may call on the Party to take any action consistent with its status as a constituent part of The Party.

- B. The [common identity, demographic, or interest, as applicable] represented by the Caucus includes: [fill in]

### **ARTICLE III: VOTING MEMBERSHIP:**

- A. Voting Members in Votes Other than Elections of Caucus Officers and Board Members:

1. A voting member shall be any person who:
  - a. is of voting registration/preregistration age (as defined in the Elections Code);
  - b. believes in and supports the purpose of the Caucus;
  - c. has paid or had waived their dues by the close of credentialing at the meeting in question.
  - d. is either:
    - i. a registered Democrat; or
    - ii. ineligible to register as a Democrat but who has expressed an intent to register as a Democrat upon becoming eligible to do so;[and]
  - e. is given, and presents upon request, a voting credential issued by the Caucus before the close of credentialing for the meeting, where the agenda for the meeting specifies that obtaining and presentation upon request of a voting credential is required [; and]
  - f. [Due to grandfathering, the Labor Caucus shall be entitled to add the following: who is also a union member, retired union member or staff employed by union(s). A union is defined as a labor organization which represents employees for the purpose of /conducts collective bargaining.]

- B. Voters in Elections of Caucus Officers and Board Members: A voting member shall be any person who:

1. meets the criteria for membership set forth in Article III.A; and
  - a. has been a Caucus member since on or before the later of:
    - i. 60 days before the gaveling into order of the first session of the CDP Convention and/or CDP Executive Board meeting in conjunction with which the Caucus election meeting is to be held, or
    - ii. the close of credentialing at the last regular meeting of the Caucus in conjunction with a CDP Convention or Executive Board meeting immediately preceding the Caucus election meeting; and
  - b. has maintained that membership through the date of the election.

- C. In Caucus elections (other than votes by acclamation), the Caucus shall use secret ballots.

## **ARTICLE IV: REVENUES, DISBURSEMENTS AND DUES**

- A. The Caucus shall neither raise funds other than nominal dues nor disburse funds other than nominal amounts to be used for standard or routine costs of regular and special meetings (such as postage, and other costs associated with notice, as well as the cost of meeting rooms, electronic platforms) and authorized communications for purposes consistent with the Caucus' purpose . An "authorized communication" is a communication which (1) has been submitted to the Secretary of the CDP or their designee(s) for approval within the required approval/review period published to the Caucuses by the Secretary of the CDP and (2) has been so approved. The required approval extends to the inclusion in the communication of both: (1) appropriate disclaimers and (2) required edits to address objections as to content. No communication shall be deemed approved unless and until the Secretary of the CDP or their designee(s) has/have expressly approved the disclaimer and content.
- B. All Caucus funds shall be promptly accounted for and processed according to the rules promulgated by the Finance Committee of the CDP.
- C. **[Except for those individuals who have paid for lifetime Caucus memberships,]** dues shall be paid on an annual basis subject to the following:
1. The dues year shall be from the close of credentials at the first Convention of the calendar year until the close of credentials at the first Convention of the following calendar year.
  2. Members who join during a due's year shall pay the same dues as those who join at/prior to the beginning of the due's year.
  3. The Caucus Executive Board may vote to prorate dues paid in the last quarter of the year.
  4. **Standard Dues: [state amount not less than \$6 nor more than \$49]**
  5. **Additional dues levels: [state amount(s) not to exceed \$500]**
  6. **[Reduced Dues Level: state amount not to exceed \$24]**
  7. **[Lifetime Membership Dues Level: state amount not to exceed \$800]**
- D. Dues Waiver:
1. The Caucus is committed to guaranteeing Caucus membership to those eligible for membership under these Bylaws and the CDP Bylaws on an equal and nondiscriminatory basis.
  2. To that end, a waiver shall be granted to all persons who seek a dues waiver in writing by submitting a waiver request on the form designated by the Executive Board by no later than **[specify a number of 10 or less days prior to the meeting or the close of credentialing at the meeting]** at which they seek to vote.
  3. The form shall include a preprinted self-certification that the waiver applicant is unable to pay dues either due to economic hardship or an objective impediment to payment of dues. No explanation and no proof of inability to pay shall be required.

4. The information required to be completed on any such form shall be no more than:
  - a. the self-certification of inability to pay,
  - b. sufficient information to determine the person meets the criteria for membership in Article II, Section A.1, 2 & 4, and,
  - c. the identity of the person seeking membership.
3. Except for completion of the applicable form, there shall be no vetting of an application for waiver and any individual requesting a waiver shall have membership dues waived.
  - a. An application for a waiver shall be conclusively deemed approved unless the applicant has been notified in writing of a deficiency in the form by not later than the close of credentialing in the event of a membership application submitted on the date of an in-person Caucus meeting.
  - b. Because submission of a waiver application online requires substantial compliance, applications completed online shall be conclusively deemed approved as of the date of submission.
  - c. In all other circumstances, the application will be conclusively deemed approved 7 days after the date of receipt of the application unless the applicant has been notified in writing of a deficiency in the form.

## **ARTICLE V: ORGANIZATION**

This Caucus is constituted in accordance with the by-laws of the CDP as a "Special Group Caucus" and shall comply with all applicable certification requirements.

## **ARTICLE VI: IDENTIFICATION OF OFFICERS AND EXECUTIVE BOARD; DUTIES AND QUORUM REQUIREMENTS OF THE EXECUTIVE BOARD**

A. The officers of This Caucus shall be:

1. The Caucus Chair, who, except as otherwise provided herein in the event of an officer temporarily acting as interim Chair due to a vacancy, must be a member of the DSCC,
2. The Caucus [Principal or First] Vice-Chair. The [Principal or First] Vice-Chair shall be a member of DSCC,
3. The Caucus Secretary,
4. The Caucus Treasurer, and
5. The following additional officers:
  - a. [none or fill in]

B. In addition to the Caucus Officers, the Caucus shall have \_\_\_\_ additional Executive Board Members.

C. The powers and duties of the Executive Board shall be:

1. to set the agenda of all regular meetings of itself and the Caucus and of any special meetings of itself and the Caucus called by the Executive Board,
  2. to assure adequate notice of all meetings of the Caucus and its constituent parts,
  3. to exercise between meetings of the Caucus all powers of the Caucus necessary to execute or implement the decisions of the Caucus and to perform any and all tasks set forth in these Bylaws as duties or responsibilities of the Executive Board; and,
  4. the resolution, in a manner consistent with these Bylaws and the Bylaws of the CDP, of any disputes between or among members of the Caucus or the Caucus' committees that are not allocated to a different body under these Bylaws and that, in the Executive Board's considered judgment, may be appropriate.
- D. At the start of each Caucus meeting, the Executive Board shall inform the members in attendance of all decisions and recommendations made by the Executive Board during the intervening period.
- E. A quorum of any meeting of the Executive Board shall consist of a minimum of [not less than forty percent nor more than 60 percent of the members], at least [not less than one nor more than one-third of the sitting officers] of which must be officers. In the event due to vacancies there are insufficient officers or Executive Board members to constitute a quorum, any Executive Board member may apply to the Chair of the CDP for a waiver or reduction of the quorum requirement, on such terms as the Chair of the CDP may deem warranted under the circumstances.
- F. Vacancies Other than Caucus Chair:
1. A vacancy, other than in the office of Caucus Chair, shall be filled by appointment of the Caucus Chair and ratified by a majority vote of all Executive Board members present and voting at a meeting of the Executive Board at which a quorum is present.
  2. If the office in question is elected, the appointee shall serve until a vote by the membership can be held to fill the vacancy, which shall be at the next regular or special Caucus Meeting at which the requirement for sufficient Notice has been met as set forth in these Bylaws.
  3. If the office in question is appointed, the appointee shall serve until the end of the term of the person whose office was vacated.
- G. Vacancy in the Office of Caucus Chair
1. A vacancy in the office of Caucus Chair shall be filled by the [Principal or First] Vice-Chair. In the event there is, at the time of the vacancy, no [Principal or First] Vice-Chair, the office of Caucus Chair shall be filled by the Caucus Treasurer. In the event of a vacancy in the office of Caucus Chair and there is no one in either of the foregoing offices who is able to serve, the following officers shall fill the vacancy in the office of Caucus Chair **in the following order of succession [ ]**.
  2. In the event there is no officer available to fill the vacancy, the Chair of the CDP shall

designate a member of the Caucus who is also a DSCC member to fill the vacancy.

3. An individual serving as interim Caucus Chair due to a vacancy shall serve until a vote by the membership can be held to fill the vacancy, which shall be at the next regular or special Caucus Meeting at which the requirement for sufficient Notice has been met as set forth in these Bylaws.

H. Interim Chair; Provision for Non-Membership in DSCC:

1. In the event the officer who is filling the office as Caucus Chair on an interim basis due to a vacancy is not a member of the DSCC and, thus, is ineligible to serve as the Caucus' representative on the Executive Board of the CDP, the next officer in the succession who is a DSCC member shall be the Caucus' representative on the Executive Board of the CDP.
2. In the event there is no such officer, the Chair of the CDP may appoint a Caucus member who is also a DSCC member to fill that Executive Board position until the vacancy is filled; provided that the Caucus Executive Board may make a recommendation for such an appointment, which, if timely made, shall be given due consideration by the Chair of the CDP.

## **ARTICLE VII: COMMITTEES**

- A. The Caucuses shall have the following standing committee(s), as well as such special or ad hoc committees as the Executive Board may choose to create.
1. Except for the Election Committee, the Caucus Chair shall appoint any committee chairs and members, subject to the ratification of the appointment by the Executive Board. The Caucus Chair shall also appoint the Chair of the Election Committee. The remaining members of the Election Committee shall be selected as set forth in Section B of this Article VIII of these Caucus Bylaws.
  2. Except for the Election Committee, the Chair of the Caucus may suspend or remove a chair or member of a committee subject to the ratification of the suspension or removal by the Executive Board.
  3. A chair or member of a committee suspended or removed by the Caucus Chair between meetings of the Executive Board shall be deemed suspended pending disposition of the matter by the Executive Board.
  4. Except for the members of the Election Committee who are elected by the membership as set forth in Section B of this Article VII, the term of all Committee Chairs, including the Election Committee Chair, and all Committee members, unless removed or suspended as provided herein, shall coincide with the term of the Chair who appointed them. For purposes of clarity, a mid-term vacancy in the office of Chair does not, in itself, terminate the term of the Committee Chairs and members appointed by that Chair, although they remain subject to removal or suspension as provided herein. Such Committee Chairs and members shall serve until the end of the term to which the Chair who appointed them was elected to serve.

B. Election Committee.

1. The Election Committee shall consist of five members, all of whom shall be members of the Caucus and none of whom shall be a candidate for office.
2. The Chair of the Election Committee shall be appointed by the Chair of the Caucus.
3. The other four members of the Election Committee shall be elected by the membership at the first regular meeting of the Caucus after the regular biennial election of officers.
4. The term of members elected to the Election Committee shall be until their successors are elected at the first regular meeting of the Caucus after the next biennial election of officers, at which time the successors will immediately be seated.
5. In the event, the number of members of the Election Committee shall become less than three, the remaining members of the Election Committee shall nominate a Caucus member eligible for service for appointment by the Caucus Chair; the Caucus Chair shall fill the vacancy by appointment, but, in so doing, must not unreasonably reject such nomination.
6. The Caucus Chair shall use due diligence to assure that the Election Committee is in place, and has at least three members, at least 70 days prior to any election.
  - a. No more than two of the four members of the Election Committee, excluding the Chair of the Election Committee, may be of the same self-identified gender.
  - b. The Election Committee may itself select a member of the DSCC who is not a member of the Caucus to be its technical advisor and to assist it in the discharge of its duties. Nothing in this Section B.6.b of Article VII shall prohibit the use of designees of the CDP Secretary and/or additional volunteers in the ballot distribution, collection and counting/tallying process.

C. [specify other committees, if any]

- D. The Executive Board may disband or terminate any special or ad hoc committee at any time upon a vote of a majority of the members voting at a meeting of the Executive Board at which a quorum is present.
- E. The members of the Caucus may also disband or terminate any special or ad hoc committee at any time upon a vote of a majority of the members voting at meeting of the Caucus at which such a vote was duly noticed and at which a quorum is present.
- F. The Executive Board may suspend the operations of any standing committee, other than the Election Committee, for such time and on such terms as the Executive Board deems appropriate provided that:
  1. the suspension shall be submitted to the next regular or special meetings of the Caucus at which it has been duly noticed for final review of the Executive Board's action;

2. the action of the Executive Board shall be sustained unless a majority of the members voting at a Caucus meeting at which the question is duly noticed and at which a quorum is present votes to overturn the action of the Executive Board; and,
3. any such suspension shall remain in place until and unless overturned as provided herein.

## **ARTICLE VIII: OFFICERS AND EXECUTIVE BOARD MEMBERSHIP**

### **A. Chair:**

1. The Caucus Chair shall preside over all general and special meetings of the Caucus and its Executive Board and, except as otherwise provided in Article VI.H, shall represent the Caucus on the Executive Board of the Democratic State Central Committee .
2. The Chair shall make all appointments provided for under these Bylaws, subject to the ratification procedures set forth herein for such appointments.
3. The Chair shall be responsible, along with the Caucus [Treasurer or other designated officer], for all filings with the CDP, providing the required documentation to the Rules Committee of the CDP including a membership list and a copy of the current bylaws.
4. Unless the authority for implementation is given to another officer or Executive Board member or the Election Committee by these Bylaws or the decision/direction of the Executive Board authorizing the action, the Chair shall be responsible for ensuring that the decisions and directions of the Executive Board are faithfully executed and that a report thereupon is given to the Executive Board at appropriate intervals.

### **B. Vice-Chairs: There will be \_\_\_\_ Vice-Chair[s], [who or one of whom] shall be designated as [Principal or First] Vice-Chair. The [Principal or First] Vice-Chair shall succeed the Caucus Chair in the event of a vacancy as more fully set forth in Article VI. In addition, the following duties are allocated to the Vice-Chair[s]:**

### **C. Secretary: [There may be one or more secretaries and these duties shall be as follows. If more than one secretary, these duties may be subdivided as the Caucus deems fit. The Secretary shall keep the minutes of the Caucus and be responsible for sending out official communications as directed by the Executive Committee, including compliance with notice requirements for email and postal service delivery of official Caucus communications.]**

### **D. Treasurer: The Treasurer shall:**

1. promptly account for all Caucus funds,
2. prepare financial reports as required by the DSCC



3. be responsible for maintaining the list of voting members, and,
4. be responsible for all fiscal and membership records of the Caucus as well as for the safeguarding of all official Caucus records, including, in conjunction with the Election Committee, the records of any Caucus election.

E. The following additional officers and Executive Board members shall be members of the Executive Board. [Duties must complement, not detract from or contradict the duties of the officers set forth above.]

## **ARTICLE IX: OFFICER/BOARD MEMBER REMOVAL; MEMBERSHIP SUSPENSION**

A. The removal process is as follows:

1. Any officer or Executive Board member of the Caucus may be removed prior to the expiration of term for:
  - a. malfeasance, misfeasance, and nonfeasance;
  - b. actions which caused the Caucus to be subjected to conversion to provisional status and required remedial action(s) by the Rules Committee; or
  - c. any intentional or reckless conduct in violation of the CDP “one voice” rule.
2. Removal requires a two-thirds (2/3) vote of the filled positions on the Executive Board, not counting the officer or Board Member who is subject to the removal vote.
3. Such removal may be appealed in writing by submitting a signed and dated written notice of appeal to any officer of the Caucus (other than the person who is filing the appeal), but the appeal shall not stay or suspend the removal.
4. If appealed, the removal, to remain effective after the disposition of the appeal, must be upheld by a two-thirds (2/3) vote of the membership in attendance at any meeting of the Caucus at which such question is duly noticed and at which a quorum is present.
5. In any removal proceeding under Article IX.A, the officer, or Executive Board member whose removal is sought must be given not less than twenty-one days written notice of the proposed removal and shall be afforded the opportunity to be present at the Executive Board meeting at which removal is to be considered and shall be given a meaningful opportunity to contest the removal.
6. The opportunity to contest the removal shall include, at a minimum, the opportunity of the officer, or Executive Board member, whose removal is sought to speak and to submit witness statements and other documentary evidence and such other evidence as the presiding officer shall deem appropriate.
7. The Chair or, in the absence of the Chair or if the Chair is the person whose removal is the subject of the proceeding, the highest-ranking officer in the succession set forth in Article VI.G. shall preside at the removal proceeding and shall make all rulings on procedural or evidentiary matters.

B. The membership suspension process is as follows:

1. A member may be suspended for:
    - a. repeatedly failing or refusing to conform their behavior to the decorum requirements for participants in a meeting;
    - b. for actions which caused the Caucus to be subjected to conversion to provisional status and required remedial action(s) by the Rules Committee; or
    - c. for any intentional or reckless conduct causing the Caucus to be in violation of the CDP “one voice” rule.
  2. Any such suspension must be the result of a two-thirds vote of the Executive Board members in attendance at a duly noticed meeting at which a quorum is present.
  3. The member whose suspension is sought must be given not less than twenty-one days written notice of the proposed suspension and shall be afforded the opportunity to be present at the Executive Board meeting at which suspension is to be considered and shall be given a meaningful opportunity to contest the suspension.
  4. The opportunity to contest the suspension shall include, at a minimum, the opportunity of the member whose suspension is sought to speak and to submit witness statements and other documentary evidence and such other evidence as the presiding officer shall deem appropriate.
  5. The Chair or, in the absence of the Chair or if the Chair is the member whose suspension is being sought, the highest-ranking officer in the succession set forth in Article VI.G. shall preside at the suspension proceeding and shall make all rulings on procedural or evidentiary matters.
  6. The length of the suspension shall be at the discretion of the Executive Board, but in no event for longer than the current term of Caucus certification, provided that any suspension greater than one regular meeting of the Caucus may be appealed to the membership of the Caucus by submitting a signed and dated writing to the presiding officer at the suspension proceeding or, if that person is no longer in office, the next highest ranking officer in the succession set forth in Article VI.G.
  7. If appealed, the suspension remains in place during the appeal, but to remain effective thereafter, must be upheld by a two-thirds (2/3) vote of the membership in attendance at any meeting of the Caucus at which such question is duly noticed and at which a quorum is present.
- C. Proceedings to enforce the CDP Code of Conduct shall also be governed by these procedures except that any such procedures shall incorporate any additional procedures required under the then-applicable Code of Conduct, and the penalties shall be expanded to the extent required to comply with the enforcement requirements of the then-applicable Code of Conduct.

## **ARTICLE X: ELECTIONS**

- A. The regular election of officers and Executive Board members (that is, the election other than the election for filling of mid-term vacancies) shall occur as the first item of business, after approval of the credentials report at the close of credentialing, at the Caucus meeting

held in conjunction with the first Convention of the CDP during odd numbered years.

- B. All officers and Board members must be voting members of the Caucus eligible to vote for Caucus officers and Board members at the time of the close of nominations by mail (that is, 28 days before the meeting at which the election is to take place) without regard to whether the individual is nominated by mail or from the floor; the Chair and [Principal or First] Vice Chair must be DSCC members at the time
  - 1. of the close of nominations by mail,
  - 2. they stand for election,
  - 3. at the time they assume office, as well as
  - 4. at all times thereafter except for interim filling of the office of Chair due to vacancy as provided for in these Bylaws.

[Other officers may be required to be DSCC members. If so, specify.]

- C. [Caucuses may specify requirements for geographic locations for candidates, and gender balance for candidates; provided that non-binary and gender fluid candidates shall not be discriminated against.]
- D. To facilitate the use of previously prepared election ballots, officers and Board members shall be nominated by mail on a form for this purpose approved by the Election Committee.
- E. Any nomination by mail must be received by [specify whom, the Treasurer, the Secretary or Chair of the Election Committee] by twenty-eight (28) days prior to the meeting at which the election is to be conducted.
- F. In the event there are fewer candidates for an office or Executive Board membership than the number to be elected to that office or Executive Board membership, candidates may be nominated from the floor. [Where gender balance or geographic requirements cause fewer nominees/candidates for an office or Executive Board member position to be eligible for election than there are offices/Executive Board seats to be elected, candidates may be nominated from the floor.]
- G. Newly elected officers and Executive Board members shall assume their role immediately upon the adjournment of the Meeting at which the officer/Executive Board member is elected.
- F. The rules for filling of vacancies by election shall be the same as those for the election of officers set forth herein except that the election meeting shall be as noticed in accordance with the requirements in these Bylaws.

#### **ARTICLE XI: VOTING PROCEDURES IN GENERAL**

- A. Except as otherwise provided in these Bylaws, all decisions shall be made by a majority vote of those present and voting. The Chair or in the absence of the Chair, the presiding officer, shall not vote unless there is a written ballot. Where the Chair or in the absence of

the Chair, the presiding officer, has not voted, the Chair, or in the absence of the Chair, the presiding officer, shall cast the deciding vote in case of tie.

- B. Except where voting by mail is permitted by these Bylaws, a voting Member must be present to cast a vote, no proxies are permitted.
- C. Except with respect to officer and Executive Board member elections, all voting eligibility decisions shall be made in the first instance by the Treasurer and such decisions shall be deemed adopted in and conclusively resolved upon the adoption of the credentials report after the close of credentialing. As such, any contest must be made at the time of the adoption of such report or shall be deemed waived.
- D. The casting by a credentialed member attending a meeting on a virtual meeting platform of electronic ballot(s) via the electronic voting process identified in the agenda (for the meeting) sent out with the notice of the meeting shall constitute a written ballot.

## **XII. ELECTION BALLOTING AND PROCEDURES**

- A. Voters eligible to vote are those specified in Article III.B.
- B.
  - 1. The Caucus Treasurer shall compile a list of eligible voters as soon as practicable after:
    - a. the last regular meeting of the Caucus in conjunction with a CDP Executive Board meeting or Convention immediately preceding the election in the event of the regular election; or
    - b. as soon as practicable after the ascertainment of the vacancy in the event of an election to fill a vacancy; provided that the date of compilation in the event of a vacancy must be after the close of credentialing at the last regular meeting of the Caucus in conjunction with a CDP Executive Board meeting or Convention immediately preceding the election.
  - 2. In any event, the list shall be compiled and made available to all candidates as of the last day for nominations by mail (that is, 28 days before the election meeting).
- C. This list of eligible voters shall be the source data for all membership determinations in connection with voter eligibility; provided that any corrected list may be used in lieu of the original list if detailed notice of the correction is provided in writing to the Executive Board and all candidates for office as soon as practicable after the correction and that no corrections can be made on the date of, or in the 72 hours prior to, the election.
- D. To the maximum extent practicable under the circumstances, a voting member's date of membership shall be indicated on this list.
- E. The nomination process is as follows:
  - 1. The period for nominations by mail shall be not less than twenty (20) days and shall close as of 28 days before the date of the meeting at which the election is to be conducted. Where the exact date and time of the election meeting cannot be determined because the Caucus meeting at which the election is to be conducted is being held in conjunction with a regular meeting of the CDP Executive Board or

Convention and the scheduling of Caucus meetings has not yet been published by the CDP, the date set for gaveling to order of the CDP Executive Board or Convention in conjunction with which the election meeting is to be conducted is the date to be used as the election meeting date in calculating the close of the nomination period.

2. Written notice of the nomination period for nominations by mail and of the right to make nominations from the floor in the event there are insufficient candidates (as defined in Article X) shall be given not less than ten (10) days before the commencement of the nomination period.
3. Said notice shall include:
  - a. notice of the date and time of the election; provided that if the election is in conjunction with a regular meeting of the CDP Executive Board or Convention and the precise day and time of the election meeting is unknown, the notice may indicate that the election is to be conducted at the meeting of the Caucus in conjunction with the regular meeting of the CDP Executive Board or Convention and shall specify the time period of such regular CDP Executive Board meeting or Convention; and
  - b. notice of the process for obtaining an accommodation under Section H of this Article XII.
4. The notice shall specify, and the [Treasurer and] Election Committee shall ensure, that a supplemental written notice of the exact date and time of the election will be/is provided within a reasonable period of time after the precise date and time are ascertained, which is presumptively 7 days or less.
5. The written notice concerning nominations shall also specify
  - a. the offices to be filled;
  - b. the term;
  - c. any applicable deadlines;
  - d. the availability of the list of eligible voters to the candidates and the process for obtaining a copy of such list;
  - e. an assurance that access to the list shall be equally available to incumbent and non-incumbent candidates (except to the degree that is an inescapable consequence of the Treasurer's responsibility for compilation of the list); and,
  - f. the balloting process, including that provision will be made for provisional ballots and any accommodations available to persons with disabilities.
  - g. that there will be equal treatment for purposes of voting and seeking of office for members who pay dues and those who obtain/seek membership by means of a due waiver; and
  - h. notice of the process for obtaining an accommodation under Section K of this Article XII, including, where applicable, the process for accessing mail/electronic ballots when such balloting is offered as an accommodation.

F. The Election Committee shall:

1. provide for sufficient written ballots to be cast in the event of any contested races, and for sufficient provisional ballots to be available at the election meeting to allow

any person whose ballot is contested to cast a provisional ballot.

2. Provide for provisional ballots which shall:
  - a. be of a different color than non-provisional ballots (except for electronic ballots, where applicable);
  - b. be placed in an envelope on which the voter's name and circumstances surrounding the casting of a provisional ballot shall be legibly printed;
  - c. once cast and placed in an envelope shall be cast by placing them in the ballot box; and
  - d. 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.
3. The sole basis for a ballot to be cast provisionally shall be because:
  - a. 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,
  - b. a member of the Caucus contends that the voter:
    - 1) is not a registered Democrat, or,
    - 2) 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) 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.
4. Casting Electronic Ballots:
  - a. The casting by a credentialed member attending a meeting on a virtual meeting platform of electronic ballot(s) via the electronic voting process identified in the agenda (for the meeting) sent out with the notice of the meeting shall constitute a written ballot.
  - b. Where there are provisional ballots being cast electronically, all such ballots shall be cast separately from the ballots of voters whose voting status is not disputed. Care must be taken so that each provisional ballot indicates the information required under Section F.2.b of this Article XII. For this reason, the electronic voting process identified in the agenda for the meeting at which the election is to take place must separately and clearly indicate the electronic voting process to be used by any voters casting a provisional ballot. As with in-person provisional ballots, provisional ballots cast electronically 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.

G. Elections for at-large Executive Board members, and any elections in which more than one person is to be elected to the body, by the casting of ballots for more than one candidate for that office shall be selected by plurality vote, subject to any rules regarding demographic or geographic requirements or gender balance.

H. Officer elections in which ballots are cast for only one candidate for that office [shall

also be decided by plurality OR shall be decided by a runoff of the top two candidates to be conducted at the same meeting unless such conduct is prevented by a failure of the Election Committee to resolve a dispute outcome determinative provisional ballots, in which case the runoff of the top two candidates shall be conducted at the next regular meeting or at a special meeting called for that purpose as the body may, by a majority vote, determine is appropriate.]

[NOTE: The Caucus may decide that the race for Chair is to be by majority vote. In that event, in the event there is no one elected on the first ballot, the race may be subjected to a runoff of the top two candidates in the same manner as set forth above or that it shall be decided by instant runoff voting.]

I. Dispute Resolution.

1. Any disputes over voter or candidate eligibility, election procedures and ballot counting, including disposition of outcome determinative provisional ballots, shall be resolved by the Election Committee.
2. 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 within that time frame. In such event, the Election Committee shall resolve any such issues within ten (10) days of the date of the Meeting at which balloting occurred.
3. Once the Election Committee has ruled, its decision is a final determination within the Caucus and any appeal must be made through means outside the Caucus.

J. Preservation of Ballots:

The Treasurer, in conjunction with the Election Committee, shall be responsible for securing the roster of eligible voters, nomination documents (if any), ballots and any tallies until 10 days after the next CDP Executive Board meeting next succeeding the meeting at which balloting took place or the resolution of any challenge or appeal, whichever is later.

K. Accommodations.

1. Persons with disabilities who request accommodation by contacting the Election Committee in the manner prescribed in the notice of nominations shall be afforded such accommodations as are appropriate under the circumstances, which may include the opportunity to cast a ballot by mail or the opportunity to be assisted by a person of their own choosing in the reading/reviewing and casting of a ballot. In making a determination of what is reasonable under the circumstances, the cost to the Caucus is a relevant factor.
2. Persons whose first language is not English and who request accommodation by contacting the Election Committee in the manner prescribed in the notice of nominations shall be afforded such accommodations as are appropriate under the circumstances and result in no additional cost to the Caucus.

3. To that end, the time for casting a written ballot must be set so as to afford persons needing accommodations a reasonable opportunity to review and cast their ballots.

### **ARTICLE XIII: MEETINGS**

- A. Regular meetings of the membership shall coincide with the annual CDP Convention and the meetings of the Executive Board of the CDP.
- B. All meetings except for executive sessions of the Executive Board authorized by the CDP Open Meetings rule and CDP Rules Committee's Policy Statement on the Open Meetings Rule are open to all Democrats.
- C. Quorum. Fifteen percent (15%) or twenty-five (25) members, whichever is less, at Caucus meetings held in conjunction with all scheduled CDP Convention meetings and five percent (5%) or fifteen (15) members, whichever is less, at all other special or regular meetings shall be considered a quorum to do business. Notwithstanding the foregoing, in no event shall fewer than five members be necessary to constitute a quorum. While the Caucus may convene and hear informational items without a Quorum, it may not do official business or take a vote.
- D. All meetings shall be conducted in accordance with these Bylaws and the Bylaws of the CDP. Where the Caucus and applicable CDP Bylaws are silent, the most recent version of Roberts Rules of Order, Newly Revised shall provide the rules of order.
- E. All members shall be provided written notice of the date, time, and agenda for each Caucus meeting at least seven (7) days written notice by first class mail or email. Such notice also shall be posted on the Caucus website by no later than seven (7) days before the meeting.
- F. Email delivery shall be considered sufficient notice for all purposes except in the case of members without email or members who have chosen not to receive notice by email by so indicating on their membership application, who shall receive notice by U.S. Postal Service first-class mail. For the purposes of these Bylaws, notice will be deemed given immediately when posted or mailed.
- G. All meetings shall be fully accessible to people with disabilities in compliance with the applicable State and Federal laws as well as the rules of the CDP.
- H. Except as may be otherwise provided herein, and regarding amendments of these bylaws, at least seven (7) days written Notice shall be given of all matters that the Caucus will consider at a regular or special meeting.

### **ARTICLE XIV: ENDORSEMENTS**

- A. Because the Caucus is a constituent part of the CDP and subject to the CDP Bylaws, the CDP's endorsements of ballot measures and candidates are the endorsements of the Caucus; the legislative action items of the CDP are the legislative action items of the Caucus.



- B. The decisions of the CDP not to endorse or take a position on a ballot measure or in a race are the decisions of the Caucus not to endorse on such matters.
- C. Moreover, the Caucus' purpose includes proactively conducting its affairs to ensure full compliance with the expectations and intent of Article VIII, Sections 1.c, 1.3, 2.h, 1.i and 2.a of the CDP Bylaws and to affirmatively decline to take independent positions on matters which are contrary to the positions of the CDP.
  - 1. As a result, the Caucus shall make no independent endorsement of any candidate for public office or ballot measure unless that candidate or initiative has previously been endorsed by the Party through its formal endorsement process.
  - 2. Participation in any campaign or outreach efforts shall be limited to activities conducted by, or in partnership with, the Party.
  - 3. Any other voter outreach or campaign activities are prohibited.
- D. Furthermore, unless a candidate or public initiative has received the official endorsement of the CDP, all motions of support are deemed to be out of order. This shall not, however, preclude any member of the Caucus from taking any action consistent with the rules otherwise applicable to them.
- E. The Caucus may call on the Party to take actions to the extent consistent with the CDP's endorsement processes and rules, including, but not limited to, the one voice rule, and the Caucus' role as a constituent part of the Party.

#### **ARTICLE XV: NON-DISCRIMINATION**

The Caucus is prohibited from discrimination on the grounds of race, color, creed, national origin, sex, age, religion, caste, ethnic identity, sexual orientation, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status.

To that end, the scheduling and location of public meetings and other public affairs of the Caucus must take into account the ability to fully and fairly participate with reasonable accommodations, where appropriate, of persons with disabilities as defined in the Americans with Disabilities Act of 1990.

#### **ARTICLE XVI: CODE OF CONDUCT**

- A. Adoption of the Code of Conduct of the California Democratic Party. This 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 have superseded the version appended hereto and be operative as if appended hereto.
- B. 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.

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

D. Availability. Copies of the Code shall be made a part of the notices of any and all meetings of this Caucus by inclusion of an appropriate link, and made available to members attending any such meeting by the officer responsible for check in.

E. Filing. In addition to the process for the filing of any disciplinary charges under these bylaws, or under the bylaws of the CDP, the Chair of this Caucus or, in their absence or when the conduct in issue involves the Chair, 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 the Caucus' bylaws shall not constitute a failure to exhaust administrative remedies barring initiation of any process under the auspices of the CDP Conduct Commission.

#### **ARTICLE XVII: CDP BY-LAWS**

Any issues not specifically covered by these By-laws shall be governed by the by-laws of the CDP. In case of conflict in the By-laws, the CDP By-laws will control. The Caucus specifically recognizes its obligations to adhere to the General Policies in Article XIII of the CDP Bylaws and the Rules Committee's Policy Statement on the Open Meetings Rule.

#### **ARTICLE XVIII: AMENDMENTS TO THE BY-LAWS**

- A. Any proposal to change or amend these Bylaws may originate from the Executive Board, [Bylaws Committee, if any,] or a petition by twenty percent (20%) of the members of the Caucus eligible to vote on the date the petition is submitted.
- B. Any proposed Bylaws change (except for one originating from a petition by twenty percent of the Caucus membership) must first be approved by a majority of the Executive Board of the Caucus at a meeting at which consideration of the Bylaws Amendment is duly noticed and a quorum is present.
- C. Upon such approval or upon the Executive Board taking cognizance of a petition by twenty percent of the membership and verifying that the showing of support is as required, the Executive Board shall direct the Caucus Chair to forward the proposed amendment to the Rules Committee for review and approval. The approval sought is a finding by the Rules Committee that the proposed amendment is consistent with the terms of certification/recertification, including the maintenance of required Bylaws provisions and not that the proposed amendment is desirable or appropriate or should be adopted.

- D. Upon receipt of approval of the Rules Committee of proposed changes/amendments to these Bylaws, notice of such proposed changes/amendments must be given in writing and must be sent to all current voting members of the Caucus at least fifteen (15) days before any vote can be taken on such amendments.
- E. Amendments to these Bylaws must be approved by the affirmative vote of two-thirds (2/3) of those members who are present and voting at a meeting at which proper notice of consideration of the proposed amendments has been given and at which a quorum is present.

# **SUBCOMMITTEE ON ENDORSEMENTS**

**TO: Rules Committee, California Democratic Party**

**FR: Sub-Committee on Endorsements: Kathy Bowler, Subcommittee Lead Chair**

**RE: Report of the Sub-Committee on Endorsements**

**DA: September 14, 2022**

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**The Subcommittee on Endorsements met on Wednesday, September 14, 2022 and the following below is the report for that meeting:**

**I. With 6 members present there was a quorum. Members present: Kathy Bowler; Kenneth Armstrong; Martha Escutia; Valeria Hernandez; Coby King; Garry Shay**

**II. Ramos Proposal on Timing of Special Election Endorsing Caucus**

This amendment would require a Special Election Endorsing Caucus to be scheduled prior to the deadline announced by the Secretary of State for the submission of political party endorsements for inclusion in the sample ballot pamphlet.

After discussion it was M/S/P to recommend adoption

**Amend Article VIII, Section 3, Subdivision e, Paragraph (1) by inserting “The date selected by the Chair of This Committee for the convening of the Special Election Endorsing Caucus shall be before the deadline for the submission of political party endorsements for inclusion in the sample ballot as announced by the Secretary of State.” After “shall appoint a Special Elections Appeals Committee.”, as follows:**

- (1) In the case of a special election where an endorsement cannot be made at the biennial endorsing convention of the California Democratic Party, for the primary special election, the Chair of This Committee shall cause to be convened a Special Election Endorsing Caucus of the members of This Committee resident in the relevant district, shall designate a convenor and shall appoint a Special Elections Appeals Committee. The date selected by the Chair of This Committee for the convening of the Special Election Endorsing Caucus shall be before the deadline announced by the Secretary of State for the submission of political party endorsements to be included in the sample ballot; , unless in the opinion of the Chair of this Committee such date would be impractical. The endorsing caucus shall be comprised of all members of This Committee resident in the district at 5 PM of the day of the Governor’s Proclamation of the election, except that:

**III. Ramos Proposal on Judicial Retention Elections**

This amendment would provide that an endorsement in a judicial retention election is treated as a ballot measure endorsement, but may only be initiated with the support of a majority of the statewide officers or thirty Executive Board members.

After discussion it was M/S/P to recommend adoption

Amend Article VIII, Section 5 by adding Subdivision e, as follows:

b. This Committee may support or oppose the retention of a justice of the California Supreme Court or of the California Court of Appeal in the same manner as the adoption of a resolution to endorse or oppose a state ballot proposition, initiative, or referendum, but only if provided that a majority of the statewide

officers or thirty (30) members of the Executive Board present a resolution to support or oppose the retention.

**IV. Doll Proposal to amend and restate Article XIII, Section 3(c)4**

After discussion there was no motion to adopt this proposal for recommendation

**V. PERC – Amend Article VIII. Section d.3(b)**

After discussion it was M/S/P to recommend adoption as amended

**Article VIII, Section d 3(b)**

In either case, this written motion must be filed with the Secretary of This Committee by 8 PM on the day that the endorsing caucuses are held at the endorsing convention. The Pre-Primary Endorsement Review Committee shall be comprised of all members of the Executive Board registered in the relevant district, the Statewide Officers; the Regional Director(s) of the relevant district, and two (2) Executive Board members, appointed by the Chair of This Committee prior to the start of the Convention, from each of the following committees: Rules, Credentials and [Organizing](#) ~~Voter Services~~. If such a motion for formal objection to the ratification of an endorsing caucus decision is so filed with the Secretary by 8 PM the evening before the period set aside for ratification vote, then the relevant Pre-Primary Endorsement Review Committee shall meet at 8 AM the morning prior to the ratification vote. Presentations for the motion by the filer and against the motion by the endorsed candidate shall be no more than five (5) minutes each. Such a motion for formal objection to the ratification of an endorsing caucus decision may be adopted by the relevant committee by a majority of the committee present and voting.

**Article VIII Section 3 e (2) Special Elections Process and Appeals Committee**

(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 Special Elections Appeal 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~~ [Organizing Committee](#).

**VI. Endorsements: Voting participants at each pre-endorsing conference – Amend Article VIII, Section 3(g)5.c.1.a**

The staff brought a proposal to the subcommittee to amend this section due to complications that have arisen over the years with the timely collection of club rosters by the necessary deadlines. They proposed replacing “Regional Director” with “Party Secretary” as noted below:

(a) The Chair of the Chartering Organization shall have certified the validity of the Charter, and that the Club was chartered and has submitted a roster of members in good standing duly registered as a member of the Democratic Party of California to

both the Chair of the Chartering Organization and to **the Secretary** ~~appropriate~~  
~~Regional Director~~ of This Committee no later than a date that is announced by the  
state chair and is between 300 and 310 days prior to the following statewide primary  
election of the year immediately prior to the endorsing process, and that:

After discussion it was M/S/P to recommend adoption

# **SUBCOMMITTEE ON MISCELLANEOUS ITEMS**



**TO: Rules Committee, California Democratic Party**

**FR: Sub-Committee on Miscellaneous Items: Valeria Hernandez Subcommittee Lead Chair**

**RE: Report of the Sub-Committee on Miscellaneous**

**DA: September 29, 2022**

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The Subcommittee on Miscellaneous Items met on Thursday, September 29, 2022 and the following information below is the report for that meeting:

**I. With 6 members present there was a quorum. Members present: Valeria Hernandez; Suzanna Aguilera-Marrero; Peter Gallotta; G. Anthony Phillips; Garry Shay; McClina Woods and Laurence Zakson**

**II. Royce Kelly Proposed Guidelines regarding Statewide Chartered Organizations and related issues**

Subcommittee acknowledged referred item is now assigned to the business of the newly form subcommittee on Chartered Organizations.

**III. Shehata Proposal to amend Article II, Section 8 to add a requirement of Membership**

Add to end of Article II, section 8: "and has agreed in writing to uphold, defend, and protect the Constitution of the United States of America."

After discussion there was no motion to adopt this proposal.

**IV. Vong Proposal to amend Article XIII, Section 1 to include language accessibility to further diversity and equity in our party**

Add to Article XIII Section 1 after the last sentence: All public meetings and elections will have oral interpretation if requested at least 24 hours in advance of the meeting or election in question. Speakers will be given extra time when translation is needed. For elections, ballots will be available in languages other than English if a request is made to the Convener at least 24 hours in advance of the election.

After discussion there was no motion to adopt this proposal.

**V. Andres Ramos Proposal to amend Article VII, Section 4(a) on Number of Executive Board Meetings**

This amendment would eliminate the current requirement that the Executive Board meet three times in each calendar year and would instead require that the Executive Board meet twice in each calendar year except in years in which the State Convention meets more than once.

The Executive Board shall convene in regular meetings at least ~~three~~ two times in each calendar ~~year~~ year, or at least one time in each calendar year in which This Committee convenes more than once. Such regular meetings shall be held at such time and place as the Executive Board may designate so long as no two consecutive meetings are held in the same county.

After discussion there was no motion to adopt this proposal.

# **BYLAWS PROPOSALS**

# **GENERAL CLEAN-UP AND DEFINITIONS**

**PROPOSAL BY MARGOT  
TENENBAUM TO MAKE  
AMENDMENTS TO  
MEMBER REMOVAL  
PROVISIONS IN  
ARTICLE II, SECTION 9**

- 1) This Committee may remove any member if, during their term of membership, such member affiliates with or registers as other than Party Preference Democratic; publicly avows preference for another party; publicly advocates that the voters should not vote for the endorsed candidate of This Committee for any office; or who publicly gives support to or avows a preference for a candidate registered as other than Party Preference Democratic; or violates the Code of Conduct.
- 2) This Committee may remove any member if, during their term of membership, such member affiliates with or registers as other than Party Preference Democratic; publicly avows preference for another party; publicly advocates that the voters should not vote for the endorsed candidate of This Committee for any office; or who publicly gives support to or avows a preference for a candidate registered as other than Party Preference Democratic in the voter-nominated top two open primary, with exception to non-partisan races wherein no Party Preference Democratic registered candidate has filed; or violates the Code of Conduct.
- 3) This Committee may remove any member if, during their term of membership, such member affiliates with or registers as other than Party Preference Democratic; publicly avows preference for another party; publicly advocates that the voters should not vote for the endorsed candidate of This Committee for any office; or who publicly gives support to or avows a preference for a candidate registered as other than Party Preference Democratic in the voter-nominated top two open primary, with exception to non-partisan races; or violates the Code of Conduct.