



**BY-LAWS & RULES**  
**OF THE**  
**CALIFORNIA**  
**DEMOCRATIC**  
**PARTY**

**CALIFORNIA DEMOCRATIC PARTY  
STATE CENTRAL COMMITTEE BY-LAWS**

(amended 12/2024, printed 12/2024)

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**CALIFORNIA DEMOCRATIC PARTY  
STATE CENTRAL COMMITTEE BY-LAWS**

(amended 12/2024, printed 12/2024)

**ARTICLE I: NAME AND PURPOSE**

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**Section 1. NAME**

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

**Section 2. PURPOSE**

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

**Section 3. TERMS**

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

open primary.

- d. “Equal Division” shall mean that in all elections and appointments to which this phrase applies, one half shall be self- identified female and the balance shall be other than self-identified female. A variance of no more than one (1) shall be allowed when the number concerned is an odd number. With regard to appointments made under Article II of these bylaws, the appointor shall be counted in determining whether or not Equal Division has been adhered to. With regard to elections, this rule shall only apply to the greatest extent possible if insufficient numbers of a gender should decide to run.
- e. “Gender” shall mean one being either “self-identified female” or “other than self-identified female”.
- f. All references to the “Code of Conduct” shall refer to the Code of Conduct adopted by This Committee, set forth as Appendix “A” to these bylaws.
- g. All references to the flow chart entitled “Process for Reporting Misconduct and Harassment,” shall refer to that document adopted by This Committee and attached hereto as Appendix “B.”

#### **Section 4. REGIONS**

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

## **ARTICLE II: MEMBERSHIP**

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### **Section 1. MEMBERSHIP**

- a. The Committee shall consist of:
- (1) One member for each elective public office named in Section 2a of this Article.
  - (2) Members appointed pursuant to Section 3 of this Article.
  - (3) Members elected by County Central Committees of the Party pursuant to Section 4 of this Article.
  - (4) Members elected by Assembly District Election Meetings pursuant to Section 5 of this Article.
  - (5) National Committee members of the Party.
  - (6) The immediate past state officers of This Committee.
  - (7) Officers of This Committee while serving their term of office.
  - (8) Four (4) officers of the California Democratic Council. These shall consist of the State President and three (3) other officers, as determined by the California Democratic Council.
  - (9) Four (4) officers of the California Young Democrats and the California College Democrats. These shall consist of the State President and three (3) other officers, as determined by each organization. Appointments must be eligible per Section 1(d) of this Article.
  - (10) Chair of each Statewide Organization Chartered by This Committee pursuant to Article X and the Guidelines Re: Chartered Organizations adopted by the Rules Committee of This Committee.
- b. Membership shall terminate, subject to renewal, every two years and shall extend from the convening of the first regular meeting of this Committee in the odd numbered year to the convening of the first regular meeting held in the next odd-numbered year, with vacancies occurring during this period filled in accordance with the provisions of Section 10 of this Article.
- c. There shall be no dual memberships. The membership of any Democrat who is elected or otherwise designated to hold an office named in subdivision (a) of this section who resigns or is removed shall terminate upon selection of their replacement. A member who becomes eligible for membership on some other grounds during their two-year term shall inform the State Chair of the eligibility and identify the position which they wish to represent.



- d. All members of This Committee must be of voting registration age and be either (i) duly registered members of the Democratic Party of California, or (ii) ineligible to register as Democrats, but have expressed an intent to register as a member of the California Democratic Party upon becoming eligible to do so.

**Section 2. PUBLIC OFFICE MEMBERS**

- a. For purposes of this Section, the following public officers shall be referenced:
  - (1) President of the United States, if registered to vote in California as Party Preference Democratic
  - (2) Vice- President of the United States, if registered to vote in California as Party Preference Democratic
  - (3) Governor
  - (4) Lieutenant Governor
  - (5) Treasurer
  - (6) Controller
  - (7) Attorney General
  - (8) Secretary of State
  - (9) Insurance Commissioner
  - (10) Superintendent of Public Instruction, as per Article II, Section 6
  - (11) Members of the State Board of Equalization
  - (12) Members of the State Legislature
  - (13) Members of the United States Senate from California.
  - (14) Members of the United States House of Representatives from California.
- b. Any Democrat who is elected or otherwise designated to hold an office named in subdivision (a) of this section and whose term of office extends beyond January of the next odd-numbered year shall be a member of This Committee for the two-year period commencing at the first regular meeting of that year. Any Democrat who is elected in a special election shall serve the remainder of the term.
- c. Any Democrat who is elected or otherwise designated to hold an office named in subdivision (a) of this section during the two-year period commencing in January of the odd-numbered year shall be a member of This Committee upon election

or designation for the remainder of the two-year period.

- d. In the case of an office named in subdivision (a) of this section to which a Democrat has not been selected at the most recent general election in which a nomination for that office was made, the Democratic Party nominee at the most recent primary election shall be a member of This Committee during the two-year period commencing at the first regular meeting of an odd-numbered year or until such time during that period that a Democrat is elected or designated to hold that office.
- e. In the case of an office named in subdivision (a) of this section for which a special election was held and no Democrat was elected, the highest vote-getting Democrat shall be a member of This Committee during the remainder of the two year term, unless the prior nominee for this office is still a member of This Committee by virtue of having been nominated to that office.
- f. In the case of an office named in subdivision (a) for which subdivisions (b), (c), and (d) are all inapplicable, one member shall be appointed as follows:
  - (1) If a state legislative office is involved, by appointment of a voter who resides in the district in question by the relevant County Central Committee of the Party. The relevant County Central Committee is determined as follows:
    - (a) If the district is situated wholly within a single county, the County Central Committee for the county in which the district is situated;
    - (b) If the vacancy occurs in a district comprising two or more counties and is caused by disqualification or death, the County Central Committee for the county in which the disqualified, deceased or resigned member resided;
    - (c) If the vacancy occurs in a district comprising two or more counties and is not caused by disqualification or death, the County Central Committee for the county in which the non-Democratic legislator, or the highest vote-receiving non-Democratic candidate in the most recent election for the office in question, resides.
  - (2) If the office of the U.S. Senate or any of the statewide offices named in subdivision (a) of this section is involved, by appointment by the Executive Board of This Committee.
  - (3) If the office of a member of the United States House of Representatives is involved, by appointment by the Executive Board of This Committee of a voter who resides within the Congressional District to be represented.
- g. Any member of This Committee whose membership is held pursuant to subdivision (b), (c), or (d) of this Section shall be known as a "Public Office Member."

### **Section 3.**

### **APPOINTED MEMBERS**

- a. Each member identified in Section 2b or 2c of this Article shall be entitled to appoint six members; except that members elected to the House of Representatives and the State Assembly shall be entitled to appoint five members. Equal Division shall be adhered to in all appointments made under this section.
- b. Each member identified in Section 2d or 2e of this Article shall be entitled to appoint three members; except that nominee members for Congress and the State Assembly shall appoint two members. Equal Division shall be adhered to in all appointments under this section.
- c. The following officials shall each be entitled to appoint an additional thirty (30) members; Equal Division shall be adhered to in all appointments under this section:
  - (1) The Speaker of the California Assembly, if a Democrat, or the Minority Leader of the California Assembly, if a Democrat.
  - (2) The President Pro Tempore of the California Senate, if a Democrat, or the Minority Leader of the California Senate, if a Democrat.
  - (3) The leader of the California Democratic delegation to the United States House of Representatives, as determined by the delegation, and designated in writing to the Secretary of This Committee.
  - (4) The Statewide Officers identified in Article III, section 1a, to be equally divided from among them, and for each such statewide officer, at least three of the appointed members shall be of the gender other than the self-identified gender of the appointing officer.
- d. Appointment of members to This Committee shall be made in writing in the form prescribed by the Secretary of This Committee, signed by the appointing member and delivered to the Chair of This Committee. Appointees shall serve at the pleasure of the appointing member. Delivery of notification of appointment to This Committee shall be made no later than by a date publicized by the Chair of This Committee which is at least 60 days prior to the Organizing Convention following the General Election, or next business day if date falls on state holiday or weekend, in order for appointees to be eligible to vote at the next meeting of This Committee, except in the case of a special election not certified by 60 days prior to the Organizing Convention, delivery of notification of appointment to This Committee shall be made not later than fourteen (14) days after certification of the election, or next business day if date falls on state holiday or weekend.

**Section 4.**

**MEMBERS ELECTED BY COUNTY CENTRAL COMMITTEES**

- a. Each County Central Committee of the Party shall elect, from its own members as defined by its by-laws, representatives who shall serve at the pleasure of the County Central Committee to This Committee as follows: four members as base representation, plus one member for each 10,000 registered Democrats or fraction

thereof.

- b. The number of registered Democrats shall be as of the most recent report of registration to the Secretary of State. The Secretary of This Committee shall secure the registration totals received by the Secretary of State seven days prior to the General Election, and shall forthwith notify the respective County and District Committees of the Party registrations and the allocation of members to be elected under provisions of the Elections Code.
- c. Elections shall be held by January 31 following the regular general statewide election. Those committees that reorganize in January shall elect their representatives to This Committee at their organizational meetings.
- d. Persons elected as members shall adhere to the Equal Division Rule, and shall be members of the County Central Committee as of the date of the first regular meeting of This Committee.
- e. In order for the representative to be eligible to vote at the next meeting of This Committee, the County Chair shall notify the State Chair of This Committee in writing signed by the County Chair of the names and addresses of the persons elected to membership of This Committee no later than by a date publicized by the Chair of This Committee which is at least 60 days prior to the Organizing Convention of an odd-numbered year, or next business day if date falls on state holiday or weekend. Those committees which reorganize in January shall make this notification within three days of the elections held pursuant to subsection (c).
- f. County Central Committees may provide for the election of their allocation of membership on an at-large basis or by Supervisorial or Assembly Districts, or by any combination thereof.

**Section 5. MEMBERS ELECTED BY ASSEMBLY DISTRICT ELECTION MEETINGS**

- a. Each Assembly District Election Meeting, as provided in Article VI of these By-Laws, shall elect fourteen of its members as members of This Committee.
- b. Persons elected as members shall adhere to the Equal Division Rule.

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

The highest vote-getting candidate for a Statewide Non-Partisan office registered as a Democrat, at the time of the close of filing, shall be a member of This Committee. If elected, such candidate shall be entitled to appoint six members of This Committee, and shall adhere to the Equal Division Rule. If not elected, such candidate shall be entitled to appoint three members of This Committee, and shall adhere to the Equal Division Rule. In the case of an office for which the above does not apply, one member shall be appointed by the Executive Board of This Committee to fill the appointor's position.

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

- a. The Chair of This Committee shall notify each person appointed or elected as a member of This Committee:
  - (1) That they are a member of This Committee;
  - (2) Of the date, time and place of the first regular meeting of This Committee;
  - (3) That the meeting may be attended either in person or by proxy;
  - (4) That every proxy shall be filed in the office of the State Chair no later than 5 p.m. of the day preceding the meeting of This Committee or shall be presented to the appropriate designee of the State Chair at the meeting of This Committee during the hours set by the Meeting rules to do so;
  - (5) The proxy shall be in writing signed by the member under penalty of perjury.
- b. The Chair of This Committee shall enclose, with each notification of appointment or election, one proxy form.
- c. The Chair of This Committee shall provide all members with appropriate notice and forms of proxy prior to each special meeting of This Committee.

**Section 8. QUALIFICATION FOR MEMBERSHIP**

A person is eligible for membership on This Committee only if such person is registered as affiliated with the Party at the time of election or appointment, maintains that status throughout their membership, and has agreed in writing to the Code of Conduct.

**Section 9. REMOVAL FROM MEMBERSHIP**

- a. Any member who has failed to pay the prescribed dues as provided in section 11 of this Article and any uniformly imposed fee included in the registration materials shall not be credentialed to attend any meeting of This Committee until such time as they have satisfied their dues and fee obligation by payment or waiver. Authority to hear and decided such issues rests in the Credentials Committee; provided, however, that denial of a dues and/or fee waiver may be appealed to the Statewide Officers of This Committee by the affected member.
- b. 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; or violates the Code of Conduct.
- c. Removal of a member may be effected in the following manner:

- (1) At least three (3) members of the Executive Board or thirty (30) members of This Committee must sign and submit to the Secretary of This Committee a written statement of charges containing the grounds for removal.
  - (2) The Secretary of This Committee, upon receipt of the statement of charges, must send to the accused member by timely registered mail, a copy of the statement of charges and a letter stating: that the accused member may either resign or have a hearing before the officers of This Committee named in Article III, Section 2 that at such hearing, the accused member shall be afforded an opportunity to respond to the statement of charges and to confront the witnesses against such member; and that such member may be represented by counsel at such hearing.
  - (3) If the accused member does not resign, the Secretary of This Committee shall send a copy of the statement of charges to all officers of This Committee along with a notice of the hearing date.
  - (4) At the hearing the officers shall examine the statement of charges brought against the accused member. The accused member shall be afforded an opportunity to respond to the charges, to confront any witnesses against such members, and may be represented by counsel if desired. Such hearing shall be conducted in such fashion as to afford the accused member due process of law. After such hearing, a sanction shall be imposed where appropriate. Except for a violation of the provision of Article II, Section 9(b) which prohibits publicly giving support to or avowing a preference for a candidate nominated by another party, the sanction shall be removal from membership. Where the member has been found to have violated the prohibition on publicly giving support to or avowing a preference for a candidate nominated by another party, the sanction shall be removal from membership and a bar from reappointment or reelection to membership in This Committee, as defined in Article II, Section 1(b), immediately following the term during which the sanction of removal was imposed. For example, if the violation occurred in October 2008 and the sanction was imposed in December 2008, the removed member would be barred from renewed membership until after the convening of the annual meeting of This Committee in 2011; however, if the violation occurred in January 2009 and the sanction was imposed after the seating of members at the annual regular meeting of This Committee in 2009, the member would be barred from renewed membership until after the convening of the annual regular meeting of This Committee in 2013. Any finding of a violation, and the imposition of an appropriate sanction for that violation, shall require a vote of not less than two-thirds of the officers present and voting.
- d. Where a member has been accused of violating the Code of Conduct, removal may also be recommended to the Statewide Officers of This Committee, by a vote of a majority of all members of the Conduct Commission.

## **Section 10.**

### **VACANCIES**

- a. A vacancy on This Committee shall be deemed to exist in the event of the appointment or election to membership of an ineligible person or whenever any member dies, resigns or is removed, becomes incapacitated to act, is removed from membership pursuant to Section 9 of this Article, assumes membership through other means, or ceases to be registered as Party Preference: Democratic. A vacancy shall also be deemed to exist: for Section 2 or Section 6 members who resign from the public office entitling them to membership; for Section 4 members who cease to be registered in the county from which they were elected; and for Section 5 members who cease to be registered in the Assembly District from which they were elected.
- b. Vacancies shall be filled as follows:
  - (1) Should a member appointed to membership pursuant to Section 3 of this Article cease to be a member for any reason specified in subdivision (a) of this Section, the vacancy shall be filled not less than three days preceding the next meeting of This Committee by the original appointing member. The original appointing member shall notify in writing the State Chair of the Party of all appointments made pursuant to this subdivision. If the original appointing person is no longer a member of This Committee or does not wish to fill the vacancy, the State Chair of This Committee shall do so.
  - (2) Should a member elected to membership by a County Central Committee cease to be a member for any reason specified in subdivision (a) of this Section, notice shall be given to the County Central Committee by This Committee as soon as possible after occurrence of the vacancy, and the County Central Committee shall fill the vacancy at its next meeting following the notification. The County Committee Chair shall notify in writing the State Chair of the Party of the election held pursuant to this subdivision.
  - (3) Should a member elected to membership by an Assembly District Election Meeting cease to be a member for any reason specified in subdivision (a) of this Section, then the vacancy shall be filled by the person of the gender necessary to maintain, achieve or improve equal division who received the next most number of votes at the relevant Assembly District Election Meeting. In the event that this method does not provide a person to fill the vacancy, then the current Assembly District Representative to the Executive Board shall call a public meeting of the remaining members of This Committee resident in the Assembly District, who shall fill the vacancy with a registered Democrat resident in the Assembly District who is the gender necessary to maintain, achieve or improve equal division. This meeting shall be called with at least 10 days notice to the members of This Committee resident in the Assembly District. Once the vacancy is filled, the Assembly District Representative to the Executive Board shall notify, in writing, State Chair of the Party of the selection made pursuant to this subdivision.

## **Section 11.**

### **DUES**

- a. Dues shall be paid by This Committee's members. The Executive Board shall establish the time and manner by which these dues shall be paid before the next scheduled meeting of This Committee.
- b. Any member who fails to pay the prescribed dues may be removed from This Committee in the manner prescribed in Section 9 of this Article, except that payment of dues shall not be obligatory for any member who self-identifies and affirms in writing either they are (i) a person to whom such a payment constitutes an economic hardship or (ii) someone who cannot make such a payment because of an objective impediment to the making thereof.
- c. The failure to pay any uniformly imposed fee included in the registration materials for a meeting of This Committee shall preclude the member from being credentialed, but shall not be grounds for removal from membership, except that payment of fees shall not be obligatory for any member who self-identifies and affirms in writing either they are (i) a person to whom such a payment constitutes an economic hardship or (ii) someone who cannot make such a payment because of an objective impediment to the making thereof.
- d. The name of any elected or appointed member who, without cause, fails to pay the prescribed dues shall be forwarded to the appointing member or the chair of the electing body before the initiation of removal proceedings.

**Section 12.**

**CONFLICT OF INTEREST DISCLOSURE**

- a. A member of This Committee must disclose to other Members of This Committee while addressing a Convention, Executive Board Meeting, or through written disclosure when communicating through mail, e-mail, or other digital communication, primarily directed towards members of This Committee, that said member, the spouse of the member, or the domestic partner of the member has a material financial interest in advocating for or against a candidate for State or Federal Office or one or more state initiatives if said oral or written communication relates to the material financial interest.
- b. For purposes of this section, a “financial interest in advocating for or against a candidate or one or more state initiatives” exists when the member or the spouse/domestic partner of the member:
  - (1) is a candidate for the public office under consideration; or,
  - (2) is a paid employee or independent contractor of a political committee or owner, paid employee or independent contractor of a consulting firm which is taking a position for or against one or more candidates or state initiatives under consideration; or
  - (3) is an employee who serves or works in paid employment at the pleasure of a person standing for election to the office under consideration;



provided, however, that nothing in this rule shall require any person serving on a non-salaried basis as an appointee to a public panel, board or commission to make such disclosure; or

- (4) otherwise receives monetary compensation for the purposes of taking a position for or against one or more candidates or state initiatives under consideration.
- c. A financial interest is “material” when it has a value of \$1,000 or more in a calendar year.
- d. Disclosure shall be accomplished by stating verbally, when speaking, or in the communication itself when doing so through mail, e-mail, or other digital communication, primarily directed towards members of This Committee, the material financial interest the member of This Committee has in the candidates or state initiatives under consideration.
- e. Statewide Officers of This Committee shall be required to file quarterly financial disclosures statements (promulgated by the Rules Committee), itemizing any compensation constituting a material financial interest as defined herein, and shall file a “Notice of Acquisition of Material Financial Interest” within fifteen (15) days of acquiring same.
- f. Such quarterly financial disclosure statements shall be filed with the CDP Office, no later than the 15th of the month after the end of each quarter, available upon request, with each Statewide Officer’s current disclosure statement made available on the CDP website, within 48 hours of filing.

## **ARTICLE III: OFFICERS**

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### **Section 1. STATEWIDE OFFICERS**

- a. The statewide officers of This Committee shall be a State Chair, two Vice Chairs, a Secretary and a Controller. The Vice Chairs shall adhere to the Equal Division Rule.
- b. All statewide officers shall be elected to four-year terms.
- c. The Vice Chair who, when considering the Chair and Vice Chair together adheres to the Equal Division Rule, shall be designated the First Vice Chair.
- d. A prerequisite for candidacy to a statewide office is that a candidate be a member of This Committee by the time the election takes place.
- e. The Executive Board shall have the power to compensate the State Chair. Any decrease in compensation shall not take effect until the next election of the State Chair, except upon two-thirds vote of the Executive Board.

### **Section 2. DESCRIPTION OF DUTIES**

- a. The State Chair shall be the chief executive officer and the official voice of This Committee, shall carry out the policies and purposes, and shall pursue its interests to the best of their abilities, including, but not limited to:
  - (1) nominating an Independent Ombudsperson, in consultation with the Statewide Officers of This Committee, subject to approval by a majority vote of the members of the Executive Board present and voting who shall:
    - (a) not be a member or employee of This Committee;
    - (b) serve for a term of two (2) years; and
    - (c) be subject to removal by a majority vote of the statewide officers.
  - (2) preparing a list of Investigators, in consultation with the Statewide Officers of This Committee and subject to approval by a majority vote of the members of the Executive Board present and voting, from which the Independent Ombudsperson may select an Investigator to investigate a complaint of a violation of the Code of Conduct and to assist in the work of the Conduct Commission; who, in the judgement of the Chair of This Committee, are:
    - (a) professional investigators; and
    - (b) who shall not be members or employees of This Committee.
- b. The First Vice Chair shall assist the Chair in the performance of the duties of that

office. To the extent necessary, the First Vice Chair shall exercise the powers of the Chair in the event of the Chair's absence. In the event that the office of Chair is vacated, the First Vice Chair succeeds to the office of Chair until a new Chair has been selected as provided in Section 5a below. The First Vice Chair shall be responsible for organizational maintenance and development consistent with the policies of the State Chair and This Committee.

- c. The Second Vice Chair shall assist the State Chair in the performance of the duties of that office. The Second Vice Chair shall be responsible for organizational maintenance and development consistent with the policies of the State Chair and This Committee. In the event of a vacancy in both the office of the Chair and the First Vice Chair, the Second Vice Chair succeeds to the office of Chair until a new Chair has been selected as provided in Section 5a below.
- d. The Secretary shall maintain all records of This Committee, shall serve all required notices, shall discharge such other duties as pertain to this office, and shall turn over at the end of their term of office all records and documents associated with the office of Secretary to This Committee, except as may be otherwise noted herein.
- e. The Controller shall have access to the financial records maintained by This Committee, shall prepare and deliver at each Executive Board meeting a report on the financial affairs of This Committee, shall serve as Chair of the Finance Committee, and shall turn over at the end of their term all records and documents associated with the office of Controller to This Committee.

### **Section 3. ELECTION OF STATEWIDE OFFICERS**

- a. The Statewide officers shall be elected to their four-year terms at the first meeting of This Committee held immediately following the conclusion of a presidential election year. The election for Officers shall take place as set forth on the agenda mailed to the members. All statewide officers shall be elected by the entire membership of This Committee.
- b. A candidate for any statewide office shall file a notice of intent-to-run for that office which must be received by the Secretary of the Party by 5p.m. of the day which is sixteen (16) calendar days prior to the opening of credentialing for the Convention. No withdrawals shall be allowed after that date. Should the incumbent officeholder fail to file the notice of intent to run by that date, then the filing deadline shall be extended to the day which is nine (9) days prior to the opening of credentialing for the Convention. No withdrawals shall be allowed after that date.
- c. Following the close of nominations for officers, no additional nominations shall be permitted, except for an office for which no person has been nominated prior to the close of nominations or for which all persons nominated have withdrawn.
- d. No vote for any person shall be counted unless the person has been duly nominated for, and has accepted that nomination for the office for which such vote is cast.

- e. In the event only one person is nominated for any office and such person accepts the nomination, the Secretary of the meeting shall be directed to cast a unanimous ballot for such candidate at the time of the election.
- f. In the event no candidate receives a majority vote on the 1st ballot, a runoff election (2nd ballot) shall be held between the two persons receiving the largest number of votes actually cast for all candidates who have been duly nominated for and accepted the nomination for the office involved.

**Section 4. REGIONAL DIRECTORS**

- a. There shall be 16-25 Regional Directors of This Committee who, with its Statewide officers, shall constitute the State Officers of the California Democratic Party.
- b. Regional Directors shall be elected for two-year terms on Saturday of the first Convention of This Committee held in odd numbered years. Regional Directors shall be elected by the members of This Committee resident in the respective regions.
- c. Elections of Regional Directors shall be governed by the provisions set forth in Article III, Section 3, subsections b-f.
- d. The Regional Directors shall assist the statewide officers in the maintenance and development of the Party organization within their respective regions. They are responsible for working with County Central Committees, Clubs, and other Democratic organizations within their region. They shall convene a regional meeting of the members of This Committee in the region with sufficient time for input, or timely resolutions, prior to each meeting of This Committee or its Executive Board.
- e. A candidate for Regional Director must be a member of This Committee, and may only file for Regional Director position of the State Party Region in which they are registered to vote. Should a Regional Director re-register outside of their Region during their term of office, they shall be assumed to have vacated the office.

**Section 5. VACANCIES**

- a. In the event that any statewide office shall become vacant, the vacancy shall be filled on a temporary basis by the Executive Board of This Committee and a new election for that office shall be held at the next State Convention of This Committee. The person elected by the Convention shall serve the remainder of the four-year term of that office. The election shall be held consistent with the provisions found in Section 3 above.
- b. In the event that any Regional Directorship shall become vacant the Chair of This Committee may appoint one member of This Committee resident in the Region to serve as interim Regional Director and one member of This Committee (hereinafter “facilitator”), who shall cause to be convened and shall conduct a meeting of the current members of This Committee resident in the relevant Region,

who were also members at the time the vacancy occurred, to fill the vacancy, subject to the following provisions:

- (1) At least thirty (30) days written notice of the existence of the vacancy and of the time and place of the meeting to fill the vacancy shall be given to each voting participant. The Chair of This Committee shall effectuate this notice.
- (2) Subject to the above notice requirement, this meeting shall occur at either the next regional meeting which is scheduled to be held prior to the next meeting of This Committee or its Executive Board, or at the annual Convention of This Committee, whichever occurs first. Upon written request from a member of This Committee resident in the affected region, the Chair may consider and allow an alternative date to hasten the filling of the vacancy, provided the above notice requirement is adhered to.
- (3) In the event that such a vacancy occurs after the Executive Board meeting prior to the first Convention of This Committee held in odd numbered years, it shall be the Chair of This Committee's sole discretion on whether or not to convene a meeting to elect a replacement.
- (4) A candidate to fill the vacancy in the office of Regional Director may not serve as the facilitator of the meeting and must be a member of This Committee and registered to vote in the State Party Region in which the vacancy occurred.
- (5) In order to run for said office a candidate must file a notice of intent to run by 5pm ten days prior to the date of the meeting.
- (6) Voting shall be by signed written ballot, the results of which shall be read off as though it were a roll call vote.
- (7) Proxy voting shall be permitted as provided for at meetings of This Committee.
- (8) Once received by the facilitator, a ballot may not be retracted, rescinded, or otherwise changed and shall be counted in the totals.
- (9) All ballots shall be read aloud noting the name of the voter and their choice for Regional Director, and shall be counted toward the totals, if received by the facilitator prior to the beginning of the roll call vote. Any ballot received after the beginning of the roll call vote shall not be counted.
- (10) The participation of a majority of the eligible members of This Committee credentialed as delegates at the meeting, either in person, or by proxy, shall constitute a quorum. In the absence of such quorum no election shall take place and the vacancy shall be filled either by the Executive Board of This Committee, or by the members of This Committee resident in the relevant Region at the next meeting of This Committee, whichever occurs first.

- (11) The person elected must be from the same region as the person who vacated the given office, and they shall serve the remainder of the two- year term of that office.
- (12) The Rules Committee shall promulgate rules for the conduct of the meeting.

## **Section 6. REMOVAL OF OFFICERS**

An officer of This Committee may be removed from office for misconduct or neglect of duty in office by the following procedures:

- a. Any member of This Committee, or the members of the Conduct Commission, (hereafter, the Filer) may file a Statement of Charges to remove an Officer of this Committee (hereafter, the Accused Officer), being no more than 200 words, with the Secretary. If the Accused Officer is the Secretary of This Committee, all responsibilities of the Secretary with regard to this Section shall be carried out by the State Chair.
- b. The Secretary, within seven (7) days of the receipt of the Statement of Charges, shall send to the Accused Officer by registered mail a copy of the Statement of Charges and a letter stating that the Accused Officer may either resign or file an Answer to the Statement, in not more than 200 words. Such Answer must be received by the Secretary within ten (10) days of the date that the Secretary mailed the Statement of Charges.
- c. The Secretary, within seven (7) days following receipt of the Answer or the deadline for receipt of the Answer, shall issue to the Filer a Petition, which shall include the Statement of Charges and the Answer. If, within sixty (60) days of the date of the mailing by the Secretary of the Petition, the Filer returns to the Secretary the Petition with the names and signatures of thirty (30) current Executive Board members, an item for Removal of Officer shall be placed on the agenda of the next regular Executive Board meeting held at least seventeen (17) days after the submission of such Petition by the Filer to the Secretary. When the Statement of Charges is filed by the Conduct Commission, no additional signatures are required and shall be considered as the Petition referred to herein. Written notice of this agenda item must be mailed to the Executive Board no less than ten (10) days prior to the Executive Board meeting. Where the basis of a Petition is an alleged violation of the Code of Conduct, constituting sexual misconduct, as determined by the Conduction Commission, a Special Meeting of the Executive Board may also be convened to consider the Petition. A special meeting for purposes of considering such a Petition may be called by the Conduct Commission in consultation with the Chair of This Committee. In such circumstances the Chair of This Committee, or in the case of a Petition accusing the Chair of such violation, the Secretary of This Committee, shall provide written notice by letter or electronic mail to the Executive Board at least seven (7) days in advance of such a special meeting.
- d. At said next regular meeting of the Executive Board, the item shall be the first item

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

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

## **ARTICLE IV: MEETINGS**

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### **Section 1. REGULAR MEETINGS**

- a. Regular Meetings
- (1) The Democratic State Central Committee shall convene a regular meeting each year. The State Chair shall determine the precise dates.
  - (2) For the first regular meeting of an odd-numbered year (the “Organizing Convention”), the roll of eligible voters at this meeting of This Committee shall consist of those members who have qualified as of by a date publicized by the Chair of This Committee which is at least 60 days prior to the Organizing Convention, or next business day if date falls on state holiday or weekend, of the year of that meeting. Once qualified as of by a date publicized by the Chair of This Committee which is at least 60 days prior to the Organizing Convention, or next business day if date falls on state holiday or weekend, one who remains otherwise qualified to maintain their membership on This Committee, shall vote in the district(s) in which they are registered.
  - (3) For all other meetings of This Committee (whether regular or special), the qualification date shall be a date selected by the Chair of This Committee and publicized on the Party’s website that is between forty-five (45) and ninety (90) days prior to that meeting.
- b. The State Chair shall call This Committee to order at the time set forth in the agenda mailed to each member, and as soon as practicable thereafter shall receive a preliminary report of the Credential Committee as to the list of certified members and proxies. The Officers of This Committee shall serve as the Officers of any meeting of This Committee and the Committees previously appointed by the Chair of This Committee shall serve as the Committees of any meeting of This Committee, as may be deemed necessary by the Chair of This Committee and subject to the right of the Chair to fill any vacancies on said Committees to insure a full complement of members. In the event there is no Chair of This Committee, the First Vice-Chair shall preside and act in their stead.

### **Section 2. SPECIAL MEETINGS**

This Committee may hold special meetings in any of the following ways: upon call of the State Chair; upon call of the Executive Board; upon call of the Conduct Commission in consultation with the Statewide Officers of This Committee; or upon the call of the State Chair within 15 days after receipt by the Chair of a written request signed by a majority of the members of This Committee.

### **Section 3. PLACE OF MEETINGS**

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



**Section 4. AGENDA**

- a. The agenda for all regular meetings shall be determined by the Executive Board of the Party.
- b. Such agenda shall include provisions for adoption of a Party Platform, election of Party officers, adoption of Party By-Laws, and such other matters as may be deemed in the best interest of the Party.

**Section 5. QUORUM**

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

**Section 6. PROXIES**

- a. Members of This Committee may be represented at any meeting of This Committee by proxy. A member may give their proxy to a person of voting registration age and be either (i) a duly registered member of the California Democratic Party, or (ii) ineligible to register as a Democrat, but has expressed an intent to register as a member of the California Democratic Party upon becoming eligible to do so. The person taking the proxy should be of the same or approximate gender identity whenever possible, who is not already a member of This Committee subject to the following limitations:
  - (1) A member elected by a County Central Committee may only give their proxy to a member, as defined by its by-laws, of the same County Central Committee.
  - (2) A member elected by an Assembly District Election Meeting may only give their proxy to a person resident in the same Assembly District.
  - (3) A proxy holder shall only vote in the district in which the person for whom their is a proxy resides.
- b. Proxies shall be signed by the member under penalty of perjury and shall be in the form prescribed by the Secretary of This Committee.
- c. No proxy shall be recognized unless filed with This Committee prior to the close of registration for a meeting of This Committee.
- d. Revocation or change of proxies shall be recognized by the Credentials Committee only upon a signed and dated, written request made by the member which is submitted by the member either in person, electronically, by facsimile transmission, or the original is otherwise delivered to that committee.

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

**Section 7. PARLIAMENTARY PROCEDURES, VOTING, AND PUBLICATION OF CODE OF CONDUCT**

- a. In all cases not provided for by law or by these By-Laws, the meeting of this organization shall be governed by ROBERTS RULES OF ORDER.
- b. In order to vote, and have one's vote counted, at any meeting of This Committee, a member must have timely:
  - (1) paid their dues and fees to This Committee, or had them waived,
  - (2) registered for the meeting, if registration was required,
  - (3) obtained their credential prior to the closing of credentialing, if credentials were issued for the meeting,
  - (4) completed and returned to the proper authority any ballot that may be issued, and
  - (5) agreed in writing to abide by the Code of Conduct.

The Code of Conduct and procedures for reporting violations of the Code of Conduct shall be distributed in advance to all participants in all California Democratic Party meetings, via a URL Link provided in the Notice of Meeting. Meeting organizers are strongly encouraged to have copies of the Code of Conduct available at all meetings, to ensure that all participants are given an opportunity to agree in writing as provided in Article IV, Section 7, b, (5), and have their votes counted, as well as to be available for review.

- c. In the event a voter needs assistance as part of an accommodation under Article XIII, Section 1, the member, prior to the member casting their ballot, may designate on a form prescribed by the Secretary of This Committee, in consultation with the Credentials Committee, any person to provide such assistance. The designation shall be signed by the member or it may be signed on their behalf by another, if the direction to sign and signature is witnessed by another member of This Committee. Revocation or change of the person designated to provide assistance shall be recognized by This Committee only upon a signed and dated written request made by the member which is submitted to This Committee prior to the member casting their ballot.
- d. Unless otherwise noted in these By-Laws or Roberts Rules of Order, any tie elections shall be determined by lot.
- e. When a roll call vote is taken, the roll call shall be conducted by the Regional Directors who shall report the vote of their delegation to the Tally Clerk.

- f. On any demand by a member for a roll call vote, the Chair must present the demand to the floor. Upon approval by at least 300 members by a standing vote, the roll shall be called in the manner prescribed in subdivision (d) of this Section.
- g. During any vote, the Chair may cause the floor to be cleared of persons who are not members of This Committee or do not carry a proxy therefrom.

**Section 8. RESOLUTION PROCEDURES**

- a. Form
  - (1) All resolutions must be typed.
  - (2) Inducement (e.g., Whereas) clauses shall be limited to three (3) or less, and resolve clauses shall be limited to two (2) or less.
  - (3) Resolutions must be no longer than one (1) 8-1/2" x 11" typewritten page.
  - (4) All resolutions must be adopted by a County Central Committee, or a Chartered Democratic organization or sponsored by twenty-five (25) members of This Committee or a majority of the members of This Committee who meet at a Regional Meeting, per Article III, Section 4d.
- b. Timely Resolutions
  - (1) Resolutions must be received by the State Chair of the Party, thirty (30) calendar days prior to a meeting of This Committee, except as provided in subsection (c) below.
  - (2) The State Chair of the Party shall mail copies of resolutions submitted according to the above procedure to all members of the Resolutions Committee prior to a meeting of This Committee.
- c. Late / Floor Resolutions
  - (1) Twenty-five (25) copies of each resolution must be provided to the Resolutions Committee by the sponsor(s) of the resolution.
  - (2) All resolutions to be considered at a meeting of This Committee must be presented for consideration at the Resolutions Committee meeting preceding the general session. In order to be considered at the general session, a late resolution must have the unanimous consent of the Resolutions Committee to be considered and all resolutions must be approved by the Resolutions Committee. Any resolution heard by the Resolutions Committee, failing to obtain approval, may be brought to the floor of a meeting of This Committee with the signatures of three hundred (300) members of This Committee on forms approved by the Resolutions Committee.
  - (3) All resolutions to be presented from the floor shall be submitted to the Secretary of the Convention for signature verification by 5:00 p.m. on the day before the resolution is presented.

- (4) The sponsor of a resolution presented from the floor shall be responsible for providing the Secretary of the Convention with sufficient copies of their resolution for each member of This Committee.
  
- d. Resolutions pending at the close of a Convention of This Committee shall be referred to the Executive Board of This Committee. All such resolutions shall first be presented to the Resolutions Committee for recommendation to the Executive Board. The Resolutions Committee shall recommend: adoption, adoption with amendment, or rejection. Such resolutions shall be presented to the Executive Board for consideration in its original form unless the sponsor agrees to the amendment(s) recommended by the Resolutions Committee.

**Section 9. SEATING**

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

# **ARTICLE V: STANDING COMMITTEES AND SPECIAL COMMITTEES<sup>1</sup>**

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## **Section 1. STANDING COMMITTEES**

This Committee shall have the following Standing Committees with the duties as set forth herein below:

- a. Credentials,
- b. Finance,
- c. Justice, Equity, Diversity, & Inclusion
- d. Legislation,
- e. Organizing,
- f. Platform,
- g. Resolutions, and,
- h. Rules.

## **Section 2. CONSOLIDATION OF COMMITTEES**

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

## **Section 3. APPOINTMENT AND NUMBER OF MEMBERS OF COMMITTEES**

- a. Except as set forth herein below, the Chair of This Committee, with the concurrence of a majority of the statewide officers, shall appoint from fifteen (15) to thirty (30) members of This Committee to each of the Standing Committees mentioned herein; provided, however, that due to the work and nature of:
  - 1) The Standing Committee on Credentials, it shall be comprised of 25 – 45 members, and,
  - 2) The Standing Committee on Organizing, it shall be comprised of 60 – 80 members.

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<sup>1</sup> In the event that a cross-reference to Article V is rendered inappropriate as a result of any of the above changes, the Secretary of This Committee, in consultation with the Lead Chairs of the Rules Committee, shall be empowered to make such change without need for further action. Any such change shall be reported to the Executive Board of This Committee at its next meeting for ratification.

- b. For all Committees without exception, the Chair of This Committee, in making these appointments, shall take into consideration the Party’s commitment to non-discrimination, affirmative action, inclusiveness, and diversity including, but not limited to such things as: race, color, creed, national origin, sex, gender identity, age, religion, caste, ethnic identity, sexual orientation, persons with disabilities as defined by the Americans with Disabilities Act of 1990, economic status, and the geographical location of the appointees, including their residence in urban, suburban, or rural communities.

**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), and may appoint Vice Chairs, of each Standing Committee from among its members.
- b. The Chair of This Committee may designate the most senior tenured Vice Chair of a Standing Committee, as “Chair Emeritus”, in recognition of their terms of service.
- c. Responsibilities:
  - 1) The 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, providing for the overall direction and administration of the Standing Committee.
  - 2) The Vice Chairs shall provide guidance, support, and assistance in the administration and functioning of the Standing Committee, as may be requested by the Co-Chairs.
- d. It shall be the further responsibility of the 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.

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

**a. Credentials:**

It shall be the duty of the Credentials Committee to:

- 1) approve the credentials of all persons appointed or elected to This Committee,
- 2) review and approve all proxies in accordance with Section 6 of Article IV of these By-Laws,
- 3) present a list of qualified members to the Chair of This Committee as soon as practicable,
- 4) hear certain appeals from decisions of the Compliance Review Commission, as specified in Article XII, and,
- 5) recommend the resolution of all challenges of, by, and to, members or proxies, which are referred to it pursuant to these Bylaws

**b. Finance:**

It shall be the duty of the Finance Committee to:

- 1) organize, in cooperation with the officers of This Committee, activities and policies designed to protect and enhance the financial position of the Party;
- 2) prepare in cooperation with This Committee, This Committee's operating budget for presentation to the Executive Board; and,
- 3) to review and report to the Executive Board on the budgeting policies of the California Democratic Party.

**c. Justice, Equity, Diversity, & Inclusion:**

It shall be the duty of the Justice, Equity, Diversity and Inclusion Committee to:

- 1) focus on long-term cultural change in our Party necessary to accomplish its other duties;
- 2) recommend to the Executive Board of This Committee, monitor, and report on the progress of, a program to accomplish Justice, Equity, Diversity, and Inclusion, and, expand it to inform and educate Party Leaders and Delegates;

- 3) recommend to the Rules Committee improvements to This Committee's Code of Conduct, attached hereto as Appendix "A", and its procedures;
- 4) implement those programs adopted and designed to accomplish anti-racism and racial justice to ensure full, fair, and equitable access to our Party;
- 5) advise all persons with power of appointment and all electing bodies of the demographics of California Democrats so they may make informed choices in the selection and election of delegates, committee members and staff who are representative of the diversity of the Democratic Party with respect to gender, ethnicity, creed, caste age, sexual orientation, economic status, persons with disabilities as defined in the Americans with Disabilities Act of 1990, and area of residence;
- 6) implement and monitor the goal of affirmative action for selection of:
  - a) The delegates to all State Conventions and Conferences;
  - b) The members of all Standing Committees of This Committee;
  - c) California delegates to all National Conventions and Conferences; and,
  - d) The staff of the California Democratic Party;
- 7) recommend to the Chair of This Committee, and its Executive Committee, local, state and national political strategies, activities, and policies designed to improve the organizational effectiveness of the Party; and
- 8) propose a plan for redistricting of the Regions after each State Reapportionment is adopted.

**d. Legislation:**

It shall be the duty of the Legislation Committee to:

- 1) propose legislation when needed, in response to the duties and policies of the Party;
- 2) maintain a listing of all pending legislation that is of "must" and/or major concern to the Party;
- 3) keep a record of the vote by the Democratic Party legislators on such legislative items;
- 4) in consultation with the Chair of This Committee, organize and coordinate activities to advance Party positions on legislative priorities, including, but not limited to, lobby days with legislators, grassroots mobilization, delegate outreach; and,



- 5) advise the Chair of This Committee and make recommendations as to how to most effectively utilize Party resources for this purpose, consistent with guidelines adopted by the Rules committee.

**e. Organizing:**

It shall be the duty of the Organizing Committee, working with the CALIFORNIA DEMOCRATIC PARTY Organizing Department, to:

- 1) organize activists, volunteers, and Democrats year round;
- 2) strengthen Voter Engagement by:
  - a) developing a system of grassroots organizing to facilitate active participation of voters across demographics in Party activities, with a specific focus on low-income voters;
  - b) working with Democratic organizations, state legislative caucuses and county committees to ensure a registered Democrat runs in every election to partisan, and non-partisan, public office who wishes the Party's endorsement, and who is worthy of consideration for that endorsement as allowed for in Article VIII, Endorsement of Candidates, prioritizing age, race, gender identity and disability representation when evaluating future candidates;
  - c) reviewing those non-partisan races in which there was no Democratic candidate in the preceding election to that office and work with the aforementioned organizations to ensure there shall be at least one Democratic candidate for the next election to that office.
  - d) supporting and implementing the This Committee's training and education program through volunteerism and participant recruitment;
  - e) recommending goals and guidelines for the California Democratic Party voter contact program, such as an operational plan for an effective vote-by-mail campaign in each special and general election for state and local campaigns;
  - f) develop a plan to increase the percentage of Democratic voters who register for permanent vote-by-mail status;
- 3) expand Party Voter Education by:
  - a) Supporting This Committee's voter education efforts by amplifying voter education messaging to diverse communities;
  - b) Partnering with community-based organizations to ensure our

message is communicated to both a geographically and ethnically diverse base of voters;

- c) coordinating training seminars which include instruction on campaign management, issues, and financial reporting requirements;
- 4) increase Democratic Voter Registration by:
- a) developing and implementing registration programs specifically designed to reach Californians equitably regardless of age, race, gender identity or disability that are newly eligible to vote or wish to change Party, including No Party Preference voters;
  - b) Partnering with Party caucuses, labor groups, community-based organizations and key stakeholders to organize voter registration programs;
  - c) supporting county committee registration efforts at local naturalization ceremonies, college and high school campuses, and other sources of potential new Democratic registrants;
- 5) provide Voter Protection Services by:
- a) designing voter protection programs to combat voter suppression and recommend best practices for accomplishing such to county committees in a manner that takes into account and ensures intergenerational institutional knowledge of voter suppression tactics inform program design; and,
  - b) supporting voter protection efforts in priority county's and highly contested federal and state races as needed.

**f. Platform:**

It shall be the duty of the Platform Committee to:

- 1) hold at least three (3) meetings throughout the state to solicit input and testimony on the development of the proposed planks of the Platform of This Committee,
- 2) have a platform draft available for interested persons at least seven (7) days prior to the first day of the meeting of This Committee at which the platform is to be considered,
- 3) hold a final hearing on or before first day of the meeting(s) of This Committee at which the platform is to be considered; and,
- 4) present to This Committee for approval of a final draft of the platform during

the second day of the meeting(s) of This Committee at which the platform is to be considered.

**g. Resolutions:**

It shall be the duty of the Resolutions Committee to:

- 1) review all resolutions proposed to This Committee or the Executive Board in accordance with these By-Laws, and the procedures for the proposition of resolutions,
- 2) recommend, reject, or amend all such resolutions prior to referral to This Committee or the Executive Board.

**h. Rules:**

It shall be the duty of the Rules Committee to:

- 1) keep the By-Laws and Rules of This Committee consistent with the aims and policies of This Committee;
- 2) propose special rules, and changes to the Rules and By-Laws, when necessary;
- 3) promulgate forms for quarterly financial disclosure statements for the Statewide Officers;
- 4) propose a plan for redistricting of the Regions after each State Reapportionment is adopted;
- 5) promulgate rules for the filling of vacancies in Regional Directorships;
- 6) in consultation with the Lead Chairs of the other Standing Committees and Commissions, adopt and promulgate procedures for the functioning of those Standing Committees and Commissions, which procedures shall be published as appendixes of these Rules and Bylaws, and shall be subordinate thereto;
- 7) biennially, promulgate rules for the conduct of Assembly District Election Meetings, which shall be published in a manner anticipated to be accessible to all interested persons;
- 8) promulgate Procedures for recommending to This Committee that endorsements received from a particular County Central Committee shall become the endorsements of This Committee, and to make such recommendations,
- 9) promulgate Procedures for Chartering, Re-Chartering, and De-Chartering of CDP Chartered Organizations, and advise the Secretary of This Committee

as to what information is needed on the Application for Charter;

- 10) promulgate Procedures for Certification, Re-Certification, and Decertification of Caucuses, to advise the Secretary of This Committee as to what information is needed on the Application for Certification of Caucuses, certify and decertify caucuses,
- 11) promulgate standardized Bylaws templates for Caucuses, allowing for certain variations in content;
- 12) recommend changes in the Code of Conduct as may be necessary from time to time;
- 13) effectuate the flow chart entitled “Process for Reporting Misconduct and Harassment” attached hereto as Appendix “B,”;
- 14) to hear certain appeals from decisions of the Compliance Review Commission as specified in Article XII; and,
- 15) to interpret the rules and By-Laws when called upon by the Chair of This Committee or the Executive Board.

**Section 6: SPECIAL COMMITTEES:**

The Chair of This Committee may appoint such special committees as they deem appropriate.

**Section 7: PROCEDURES FOR COMMITTEE PROCEEDINGS**

- a. Committee proceedings shall be governed by these bylaws, and when not in conflict therewith, such rules and procedures as may be adopted pursuant to the provisions of these bylaws. Any matter not covered by either these bylaws, or said rules and procedures, shall be governed by the latest edition of Robert’s Rules of Order.
- b. Standing Committees, sub-committees thereof, and/or any of its members, may meet in person, by telephone, or by other means of electronic communication.
- c. Except as may be otherwise allowed herein, in order for a Standing Committee, a subcommittee thereof, or any of its members to meet other than in person, the Chair of This Committee must:
  - 1) After considering the nature of the meeting, make a determination that:
    - a) allowing it to be conducted other than in person does not impose any undue burden;
    - b) does not fundamentally alter the nature of the proceeding;

- c) that the need for physical presence is not a paramount component of the meeting, and,
    - d) each member can speak and be heard by the other members;
  - 2) Provide at least seven (7) days' notice to all interested persons that proceedings may be conducted other than in person, and,
  - 3) Provide a means for all other interested persons to likewise attend, at least via "listen/view-only" mode.
- d. Except as may be otherwise allowed herein, rules allowing for meetings of standing committees and subcommittees other than in person, shall only apply to such meetings that are not concurrent with a Convention or Executive Board meetings of This Committee.

## **ARTICLE VI: ASSEMBLY DISTRICTS AND ASSEMBLY DISTRICT ELECTION MEETINGS**

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### **Section 1. ASSEMBLY DISTRICT ELECTION MEETINGS**

- a. Except as may be otherwise allowed herein, biennial Assembly District Election Meetings shall be held for the purpose of electing from each Assembly District 14 members to this Committee and one representative to the Executive Board:
  - (1) The Election Meetings shall be held on a pair of weekend dates (a Saturday and a Sunday of the same weekend) selected by the Chair of This Committee which are (a) no later than twenty-one (21) calendar days prior to the deadline for qualification for the immediately following Organizing Convention (which date is set by the Chair of This Committee pursuant to Article IV, section 1(a)(2)), and (b) shall be posted to the CADEM website and otherwise publicized no later than November 15 of the previous calendar year.
  - (2) Persons eligible to participate shall be all registered Democrats residing in the Assembly District, who have agreed in writing to abide by the Code of Conduct.
  - (3)
    - (a) Persons eligible to be candidates for Assembly District representative or Assembly District Representative to the Executive Board shall include all registered Democrats who have agreed in writing to abide by the Code of Conduct and (1) were eligible to vote in the preceding General Election or (2) turned 18, or became a United States citizen by virtue of naturalization, after the last day for registration for said election, and can provide proof of execution on or before the end of the filing period referred to in Section 1(i) of this Article of a legally valid voter registration form showing a residence within the Assembly District, which shall constitute prima facie evidence of eligibility to participate.
    - (b) In addition to the persons described in subsection (a) above, all persons who are unable to register to vote by reason of citizenship status are eligible to be candidates for Assembly District representative or Assembly District Representative to the Executive Board if they meet the following criteria: (1) on a form provided by the Chair of This Committee and posted to the Party website for download, the person fills out the form completely and attests that if eligible to register to vote they would do so and do so as Party Preference Democratic; (2) attests on that form that they reside at an address within the Assembly District of their candidacy and provide that address; (3) on that same form 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; (4) shall file the completed form on or before the end of the filing period referred to in Section 1(i) of this Article, and (5) agreed in writing to

abide by the Code of Conduct.

- (4) The Convener of the Election Meeting shall be selected by the Chair of this Committee in consultation with the Regional Director responsible for the Assembly District, no later than September 15 of the year prior to the ADEM meeting. The selected Convener must be a registered Democrat and pledge to seek neither a seat on This Committee nor an Executive Board position through that ADEM.

b. Locations

- (1) There shall be no less than two ADEM locations in each Region. The ADEM locations shall be chosen giving due consideration to accommodating all potential participants and their need to travel in urban, rural and mountainous areas.
- (2) Prior to the first ADEMs after each decennial redistricting is finalized, the Chair of This Committee shall publicize a list of Assembly Districts in which more than one ADEM location shall be established. In deciding which Assembly Districts shall have more than one location, the Chair shall consider whether there exists good cause to do so. For the purposes of this subsection, "Good cause" may include the necessity of traveling very long distances, traveling in heavy traffic through dense population centers, or traveling in hazardous weather conditions. Decisions may be adjusted for each ADEM cycle, but will otherwise carry over from the previous ADEM cycle, until the finalization of the next redistricting.
- (3) In consultation with the Regional Director and with other local interested persons appointed by the Chair, and consistent with paragraph (2) above, the Chair shall identify two or more appropriate locations in each Region by November 15 of the year preceding the ADEM. The location selection shall be guided by criteria provided in the ADEM Procedures and shall be posted on the Party's website.
- (4) Any ADEM participant may cast a ballot or drop off a completed ballot at any location in the state on either day.
- (5) Challenges on location decisions:
  - (a) Any member of This Committee may challenge location decisions affecting the Assembly District in which they are registered to vote to the Compliance Review Commission by November 22 of the year preceding the scheduled ADEMs. Such filings may challenge decisions as to specific locations or as to the number of locations for a particular Assembly District.
  - (b) As to challenges concerning specific locations, such an appeal must contain an immediately available alternative to the selected location that also meets the location criteria in the ADEM Procedures at a

similar cost. The Compliance Review Commission may, in its sole discretion, dismiss such a challenge if it does not contain the required information on an alternative location as to its availability and suitability.

- (c) Notwithstanding any other language in these Bylaws, the Compliance Review Commission may follow an expedited schedule to make a decision by December 15, and the decision of the Compliance Review Commission on matters in this subsection shall be final.
- c. The Chair of This Committee, in consultation with the appropriate Regional Directors and Convener shall, no later than November 15 of the year preceding the holding of the Election Meeting, or next business day if date falls on state holiday or weekend, publicize on the Party's website the date, time, and place of the Election Meetings.
- d. The Convener and the Chair of This Committee, as indicated below, shall make every reasonable effort to make known to all registered Democrats in the Assembly District of the date, time, place, and purpose of the Election Meeting, the rules for participation in the Election Meeting, and the filing deadlines and rules for candidates for delegate, by transmitting notice of the Election Meeting no later than December 21 of the year preceding the holding of the Election Meeting, or next business day if date falls on state holiday or weekend, to the following persons:
  - (1) All members of This Committee residing in the District (to be notified by the Chair of This Committee).
  - (2) All members of the County Committee residing in the District (if one or more counties lie wholly within the District, then the notice shall be transmitted to all members of those County Committees) (to be notified by the Convener, to the list of members to be obtained from the Chairs of any County Committees which lie wholly or in part within the Assembly District).
  - (3) All attendees of the previous Assembly District Election Meeting (to be notified by the Chair of This Committee).
- e. Proof of compliance with the provisions of the preceding subsection shall create a rebuttable presumption of compliance with Article XIII, sections 3, 5 and 6.
- f. The Convener or the Convener's designee shall preside at the Election Meeting as chair, and shall be responsible for conducting the Election Meeting in conformance with the ADEM Procedures in effect at that time.
- g. In order to vote a ballot, each Election Meeting participant shall agree, via a form provided by the Secretary of This Committee, to allow the Party to use the contact information they submit as part of the registration process for outreach purposes.
- h. The Rules Committee of This Committee shall promulgate ADEM Procedures governing the organization and conduct of the Election Meetings, which shall include a process for in-person voting or online voting for verified eligible participants, a



process for applying as a candidate for delegate, including an opportunity to indicate a willingness to serve as Representative to the Executive Board if elected as provided in Section 1(j)(1) below, require a filing fee of \$40 (which will be waived for those who may not pay the fee by law and which may be waived due to hardship with such waiver being available as an option online and on all written forms), a filing period of at least 30 days which shall start at least 75 days prior to the date of the first biennial Assembly District Election Meetings and end at least 30 days after the start of the filing period, and provide for the posting of eligible candidate names (to be updated no less than once per week starting with the opening of the filing period) on the Party's website, along with statements by the candidates, with the proviso that such statements be no longer 2400 characters and shall not mention the name of any other candidate. Statements shall be published as submitted; no additions, corrections, or other edits shall be made once submitted.

i. Post-ADEM Procedures:

- (1) At each ADEM location, when the time for balloting has ended according to the ADEM Procedures, the Convener shall proceed to count the number of ballots (but not the votes) according to the ADEM Procedures. The Convener shall transmit to the Chair of This Committee (or their designee) the number of ballots. The ballot box shall be sealed with the voted ballots, blank ballots and all supporting materials, and delivered to one or more addresses designated by the Chair of This Committee.
- (2) Upon receipt of the ballot boxes, and after a process to verify participant eligibility is completed, The Chair of This Committee (or his designee) shall cause the eligible ballots (including those voted online) to be counted (by an independent third party, at The Chair's discretion) and shall publicize the results on the CDP's website. The Chair shall then start the process of offering the position of Assembly District Representative to the State Executive Board to the appropriate persons as provided in subsection (j)(1) below. Upon acceptance of the position, those persons' names shall also be so publicized.
- 3) Failure by the Convener to return the materials referred to in the previous paragraph shall result in the withholding of that Convener's credential to, or ability to register for, any meeting of This Committee and its Executive Board for the remainder of the term, until such time as the Chair of This Committee certifies that the materials have been returned as required or upon the Chair's finding of good cause, waives same

j. Assembly District Representatives to the State Executive Board:

- (1) An Assembly District Representative to the State Executive Board shall be chosen at each Assembly District Election Meeting as follows: after the results are finalized, the highest vote-getting candidate from among those who both won a seat as a delegate and had indicated their willingness to serve as the Executive Board representative at the time of the filing of their candidate application (for the purpose of this paragraph, "E-Board Candidates") shall be provided the opportunity to serve as Executive Board Representative if that person so chooses.

If that person declines to serve as Executive Board Representative, then the opportunity shall be offered to each E-Board Candidate in the order of votes received. Any ties shall be resolved by methods provided in the ADEM Procedures. If all E-Board Candidates decline the opportunity, then the opportunity shall be offered to each elected Assembly District delegate starting with the highest vote getter and proceeding down the count. If all of them decline, the statewide officers plus the appropriate Regional Director shall appoint a representative from among those members of This Committee resident in the Assembly District (except those elected by a county committee pursuant to Article II, section 4).

- (2) In the event that an Assembly District has not been represented at two successive meetings of the Executive Board, the Representative shall be subject to removal from the board upon notification of the Regional Director in whose region the Assembly District is contained.
- (3) In the event of a subsequent vacancy of the office of Assembly District Representative to the State Executive Board (either by operation of this subsection j(2) or otherwise), the Regional Director for the applicable Assembly District shall call a public meeting of the members of This Committee resident in the Assembly District, who shall fill the vacancy from among those persons enumerated in paragraph (1) of this subsection j. This meeting shall be called with at least 10 days notice to the members of This Committee resident in the Assembly District. For the purpose of this meeting only, a quorum shall be 5 (five) members of This Committee resident in the Assembly District. Once the vacancy is filled, the person who called the meeting to fill the vacancy shall notify, in writing, the State Chair of the Party of the selection made pursuant to this subdivision.

## **ARTICLE VII: EXECUTIVE BOARD**

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### **Section 1. EXECUTIVE BOARD**

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

### **Section 2. EXECUTIVE BOARD MEMBERSHIP**

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

- a. The following public officials:
  - (1) President of the United States, if registered to vote in California as Party Preference Democratic,
  - (2) Vice-President of the United States, if registered to vote in California as Party Preference Democratic,
  - (3) All United States Senators;
  - (4) The Governor, Lieutenant Governor, Treasurer, Controller, Attorney General, Secretary of State, Insurance Commissioner, Superintendent of Public Instruction and all members of the Board of Equalization.
  - (5) Two members of the House of Representatives, each of whom shall be selected by the members of the House of Representatives on This Committee;
  - (6) Two members of the State Assembly, each of whom shall be selected by the members of the Assembly on This Committee;
  - (7) Two members of the State Senate, each of whom shall be selected by the members of the State Senate on This Committee;
- b. County Committee representatives elected as follows:
  - (1) One County Committee representative shall be elected for each 100,000 registered Democrats or portion thereof resident in the county.
  - (2) County Committee representatives to the Executive Board shall be elected by their respective County Committees as provided in their bylaws at their first regular meeting following This Committee's state convention in an odd-numbered year. Only Democratic State Central Committee Members who hold their membership by virtue of Article II, Section 4 shall be eligible for such election.
  - (3) County Committee representatives shall be divided as equally as possible between the genders as described in Article II, Section 3, Subsection e, in

accordance with the Equal Division rule.

- c. All Assembly District Representatives.
- d. All National Committee Members of the Party.
- e. All officers and immediate past officers of This Committee.
- f. The President of the California Democratic Council, of the California Young Democrats, and of the California College Democrats, unless the Chair/President is already an Executive Board member. If this is the case, the organization may choose another officer as its Executive Board member.
- g. The chair, co-chairs and vice chairs of each Standing Committee of This Committee.
- h. The Chair of each caucus officially recognized by This Committee pursuant to Article XI, Section 1, (e) and (f) of these By-Laws, unless the Chair is already an Executive Board member. If this is the case, a Caucus may choose another officer as its Executive Board member.
- i. The Chair of each State-wide Organization Chartered by This Committee pursuant to Article X and the Guidelines, unless the Chair is already an Executive Board member. If this is the case, a State-wide Organization chartered by This Committee may choose another officer as its Executive Board member.

**Section 3. EXECUTIVE BOARD ORGANIZATION**

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

**Section 4. EXECUTIVE BOARD MEETINGS**

- a. Except as may be otherwise allowed herein, the Executive Board shall convene in regular meetings at least three times in each calendar year. Such regular meetings shall be held at such time and place as the Executive Board may designate so long as no two consecutive meetings are held in the same county.
- b. The Executive Board may convene in special meetings in the following manner:
  - (1) At the call of the State Chair and at such time and in such place as they may designate; or,
  - (2) Upon written request, designating the time and place of such special meeting, submitted to the State Chair signed by one hundred (100) or more members of the Executive Board. However, if a statewide election, a meeting of This Committee, or an Executive Board meeting called pursuant to section 4(a) or section 4(b)(1) of this article, is already scheduled within sixty (60) days before or thirty (30) days after the time referred to in the written request, then the request submitted under this clause must include among those signing

at least three (3) statewide officers.

- c. Notice of the regular and special meetings shall be given by the Secretary. The Secretary shall cause to be sent individual notice to each member of the Executive Board at least ten days prior to the meeting. If, upon good cause, the time is shortened by the Chair of This Committee, upon advice and consent of the remaining Statewide Officers of This Committee, individualized notice must be given at least three days prior to the meeting. Notice of any vote on endorsements of candidates or endorsements of, or opposition to, propositions, initiatives, referendum, or recall, shall be sent at least thirty days prior to the meeting, unless, upon good cause, the Chair of This Committee, upon advice and consent of the remaining Statewide Officers of This Committee, shortens notice to no less than ten days.

**Section 5. EXECUTIVE BOARD VOTING**

- a. Members of the Executive Board may vote individually or by proxy. A person holding the proxy must be a member of This Committee but not a member of the Executive Board; no person may hold more than one proxy. A member of the Executive Board may give their proxy to another member of This Committee who is not already a member of the Executive Board subject to the following limitations:
  - (1) If the member is a representative of a County Central Committee, such member may designate in writing as their proxyholder only a person who is a member or alternate of the same County Committee.
  - (2) If the member is an Assembly District Representative, such member may designate in writing as their proxyholder only a person who is a member of This Committee resident in the same Assembly District.
- b. Proxies shall be filed in writing with the Secretary of This Committee.
- c. Voting by proxy shall not be permitted with respect to any Standing or Special Committee.
- d. For meetings that are conducted virtually pursuant to Article IV, section 3, voting shall be conducted by technological means.

**Section 6. EXECUTIVE BOARD QUORUM**

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

**Section 7. EXECUTIVE BOARD RESOLUTIONS**

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

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

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

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**Section 1. GENERAL PROCEDURES**

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

**a. *Only One Form of Endorsement:***

The only form of endorsement of a candidate for partisan public office, or position on a State Ballot Proposition, Initiative, Referendum, or Recall, is an "official endorsement" as provided for under these By-Laws. Unless a candidate, or position on a State Ballot Proposition, Initiative, Referendum, or Recall, has received an "official endorsement" all motions of support, recommendation, or other expressions of approval, or disapproval, whether express or implied as pertains to a candidacy for public office, or position on a State Ballot Proposition, Initiative, Referendum, or Recall, no matter how denominated, shall be out of order at any meeting of This Committee, its Executive Board, its Regions, its Assembly District Committees or its Caucuses; provided, however, that nothing herein shall prevent This Committee's Regions, or its Caucuses, from calling on the California Democratic Party to take any action.

**b. *Designation of Official Candidates:***

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

**c. *Expectations and Intent:***

To assure the effectiveness of the Democratic Party's endorsing process, This Committee:

- (1) hopes and expects that all of its members will make every reasonable effort to recruit and encourage persons of the highest quality to seek the Party's nomination and endorsement in races for partisan public office;
- (2) hopes and expects that all of its members will make every reasonable effort to see that endorsed candidates receive the Party's nomination and, in due course, are victorious in the general election;
- (3) hopes and expects that all of its members will make every reasonable effort to see that those aspirants for the Party's endorsement who fail to receive that endorsement withdraw as candidates in the Democratic primary and encourage a unified effort on behalf of the endorsed candidates; and

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

**d. *One Voice:***

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

**e. *Penalty for Independent, Unauthorized Endorsement:***

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

**f. *Caucuses Not Independent:***

This Committee's Regions and Caucuses are constituent parts of This Committee under campaign finance law and have no independent powers of endorsement of candidates for Public Office, nor positions on State Ballot Propositions, Initiatives, Referendum, or Recall.

**g. *Chartered Organizations Independent:***

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

**h. *Prohibition on Endorsement of Non-Democrats:***

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

**i. *Prohibition on Endorsement of More Candidates than to be Elected:***

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

**j. *Prohibitions on Endorsing County Central Committee Candidates:***

This Committee shall not endorse candidates for County Central Committee.



**k. *Prohibition on Endorsing in Reapportionment Years:***

This Committee shall not endorse in partisan primary races in districts subject to redistricting unless final maps have been published by the California Citizens Redistricting Commission no less than forty-five (45) days prior to a duly noticed "endorsing convention" of This Committee.

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

**a. *Prohibition on Endorsing for President of the United States:***

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

**b. *Individual Endorsements of Candidates for National Convention Delegate:***

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

**c. *Neutral Provision of Benefits to Presidential Candidates:***

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

**d. *Endorsement Post-Democratic National Convention:***

The nominees of the Democratic Party of the United States, for President and Vice President of the United States, shall be the endorsed candidates of the California Democratic Party for said offices.

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

**a. *Time and Place for Endorsement:***

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

**b. *Reasonable Effort to Assure a Candidate Files:***

This Committee shall make every reasonable effort to assure that with respect to each and every office embraced by the provisions of subsection (a) above there shall

be at least one candidate who has filed, who wishes the Party's endorsement, and who is worthy of consideration for that endorsement.

c. ***Composition of Endorsing Caucuses, Timing, Qualifications for Candidate Consideration, Provision of Platform Link, Code of Conduct, Quorum, Written Ballot, No Endorsement Option, Number Endorsed, Vote Required:***

Endorsing caucuses of This Committee shall be comprised of all members of This Committee resident and registered to vote in the relevant district except that those members appointed by the appointing authorities for the offices described in Article II, sections 2a(12) and 2a(14) and not appointed pursuant to Article II, section 3c shall not be eligible to participate (or be counted in any calculation of percentages needed for endorsement under this Article) unless the appointee is registered to vote in the same electoral district as the one that the appointing authority represents. Endorsement caucuses in any given primary race shall be chaired by persons designated by the Chair of This Committee. The Chair of This Committee may also appoint a Parliamentarian who is a member of either the Rules or Credentials Committee of This Committee, and a Secretary for each Endorsing Caucus.

- (1) Endorsing caucuses shall be held at places and times during the endorsing convention which are designated by the Chair of This Committee consistent with achieving an orderly, convenient and fair process.
- (2) Each candidate entered in a forthcoming Democratic primary, in which a candidate received over fifty percent (50%) of the vote at the pre-endorsing conference, or the pre-endorsing conference was unable to make a recommendation due to the lack of a quorum, and who is subject to the provisions of this section may request to be considered for the Democratic Party endorsement, and may request to appear before the relevant endorsing caucus, with the proviso that no candidate may seek endorsement for two different offices which would be elected on the same date.
- (3) Each candidate seeking the endorsement of the California Democratic Party shall be mailed, or provided via email, a link to a copy of This Committee's most recently adopted Platform, at least ten (10) days prior to the pre-endorsing conference, or in the case of a Special Election the endorsing conference, in the relevant district and shall submit to This Committee a non-reimbursable filing fee in advance of the first level of the process in which the candidate's name is considered. The filing fee shall be set by the Finance Committee and duly adopted by the Executive Board at least six months prior to the ratification date for endorsement. All candidates seeking the endorsement of This Committee under Article VIII, Section 3 shall affirm in writing that they have read the most current Party Platform before they are eligible for consideration to be endorsed.
- (4) Each candidate seeking the endorsement of the California Democratic Party shall be mailed or provided via email, a copy of the Code of Conduct. All candidates seeking the endorsement of This Committee under Article VIII, Section 3, shall affirm in writing that they have read and agreed to abide by, the Code of Conduct.

- (5) Fifty percent plus one of the credentialed members of an endorsing caucus shall constitute a quorum.
- (6) Voting at all the endorsing caucuses shall be by electronic ballot or signed written ballot, the results of which shall be posted online or read off as though it were a roll call vote. Once submitted by the voter, a ballot, vote-by-mail or otherwise, may not be retracted, rescinded, or otherwise changed and shall be counted in the totals.
- (7) Members of an endorsing caucus shall be presented with a "no endorsement" option on all endorsement votes.
- (8) No endorsing caucus may endorse more candidates than there are seats for the office in question.
- (9) Any endorsement shall require sixty percent (60%) vote of those caucus members present and voting. In the event This Committee fails to endorse on the first ballot, no further votes shall be taken and the position of This Committee in that race shall be "NO CONSENSUS."
- (10) An Endorsing Caucus election ballot may be consolidated with the Statewide Endorsing Caucus election ballot if both appropriate and practicable as determined by the Chair of This Committee.

d. ***Consent Calendar, Ratification, Objection to Ratification, Process for Consideration of Objection:***

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

- (1) In the case of a statewide public office, This Committee's ratification of the endorsing caucus' decision shall be assumed, since the endorsing caucus is comprised of all members of This Committee. The office of State Board of Equalization shall be considered as a statewide office and shall be voted upon by all members of This Committee.
- (2) Ratification of endorsing caucus decisions on which no objection has been filed under the provisions of (3) below may be achieved by a vote of acclamation on a consent calendar which embraces as many such decisions as deemed appropriate by the Chair of This Committee.
- (3) Formal objection to the ratification of an endorsing caucus decision may only be made after the recommendation of the Endorsing Caucus has been made, as follows:
  - (a) If the endorsed candidate received less than two-thirds of the vote

at the Endorsing Caucus, formal objection must be signed by at least 300 credentialed members of This Committee on a form prescribed by the Secretary issued after the decision of the Endorsing Caucus has been made and filed with the State Chair no later than a time set by the State Chair that is no earlier than 4 hours after the form was issued the evening before the period set aside for ratification votes. In the event a formal objection is filed, each candidate shall be entitled to designate one observer who may be present during the signature verification process.

- (b) If the endorsed candidate received at least two-thirds of the vote at the endorsing caucus, formal objection must be either:
1. upon written motion by at least ten (10) members of the relevant caucus in the case of an Assembly District or at least twenty (20) members of the relevant caucus in the case of a State Senate or Congressional District, except that those members appointed by the appointing authorities for the offices described in Article II, sections 2a(12) and 2a(14) and not appointed pursuant to Article II, section 3c shall not be eligible to participate in such motions or petitions unless the appointee is registered to vote in the same electoral district as the one that the appointing authority represents, or
  2. upon written motion and second by members of a Pre-Primary Endorsement Review Committee.

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. 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.

- (4) Consideration by This Committee of endorsing caucus decisions to which objection has been filed under (3) above shall occur prior to voting on the ratification of other caucus decisions and shall include the presentation of arguments for and against ratification.
- (5) In the event a majority of the members of This Committee present and voting fail to vote to ratify an endorsing caucus decision to which formal objection has been filed, the endorsing caucus decision shall be considered "vacated".
- (6) The California Democratic Party shall be considered to have made "no endorsement" where a caucus decision has been vacated unless the members of This Committee decide to endorse a substitute candidate.
  - (a) Substitute candidates may be nominated from the floor immediately following the vacating of the relevant endorsing caucus.
  - (b) Substitute candidates must have been considered for endorsement by the relevant endorsing caucus.
  - (c) To become the endorsed candidate of the California Democratic Party, a substitute candidate must receive seventy-five percent (75%) of the vote of the members of This Committee present and voting.
- (7) An incumbent who has been automatically placed on the consent calendar of This Committee's endorsing convention by operation of Section 3g(12) of this Article shall be removed from the consent calendar for separate vote by the convention if by 8 PM on the day prior to the date of the vote on the consent calendar by the endorsing convention there is filed a petition with the Secretary of This Committee that provides that it is in the best interest of the California Democratic Party that such removal from the consent calendar occur, and that the petition be signed by two-thirds of the following: the Statewide Officers of This Committee plus the Regional Director(s) whose region(s) include(s) all or part of the district represented by the incumbent. Vacancies shall not be counted in the percentages but proxies may vote in place of their principal according to rules otherwise provided in these bylaws.

e. ***Special Elections Process and Appeals Committee:***

- (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:

- (a) those members appointed by the appointing authorities for the offices described in Article II, sections 2a(12) and 2a(14) and not appointed pursuant to Article II, section 3c shall not be eligible to participate (or be counted in any calculation of percentages needed for endorsement under this section) unless the appointee is registered to vote in the same electoral district as the one that the appointing authority represents, and
  - (b) members who were eligible but have since the appointing deadline died, moved, changed their registration to a district other than the district the Special Election is occurring, or resigned may be replaced by the appropriate authority. Such Special Election Endorsing Caucus shall otherwise proceed in accordance with the relevant procedures provided for in subsection (c) above and its decision shall become the endorsement of This Committee unless, within two (2) days a majority of the Statewide Officers of This Committee or 20 percent of the members of the Special Election Endorsing Caucus object in writing to the State Chair. No proxy voting shall be allowed - each eligible member shall be sent a vote-by-mail ballot, which shall be read off as though it were a roll call vote. Once received by the designated convenor of the caucus, a ballot may not be retracted, rescinded, or otherwise changed and shall be counted in the totals. Lost ballots may be replaced at the caucus prior to the close of balloting.
- (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 Organizing.
  - (3) The Special Elections Appeals Committee shall allow persons in teleconference meetings to constitute a quorum for any action.
  - (4) Special election post-primary provisions
    - (a) If a candidate was endorsed pursuant to subsection e.(1), (2), and (3) of this section above, that endorsement shall remain in effect for the special election run-off. Otherwise:
    - (b) The procedure shall be substantially similar to the post-primary process provided in section 3h. of this article except that the timeline for this procedure shall be compressed to

conform to the process in subsection e.(1), (2), and (3) above.

f. ***Failure to File as “Party Preference: Democratic”:***

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

g. ***“Pre-endorsing Conferences” Time, Place, Absentee Voting, Notice, Convenor, Participants, Certification of Roster, No Proxy Voting, Address by Candidate, Offering of Name, Single Roll Call Vote, Prohibition on Vote Retraction, Participant’s Residency, Transmission of Results, Incumbent Consent Calendar Placement and Removal Process, Process for Endorsement in General Election:***

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

- (1) The time and place of each pre-endorsing conference shall be determined by the State Chair in consultation with the Party's Regional Directors.
- (2) Absentee ballot voting shall be allowed for each office to be voted upon at the pre-endorsing conference provided that the participation of at least five of the eligible members of This Committee as delegates to the pre- endorsing conference, either in person, or by vote-by-mail ballot, shall constitute a quorum. In the absence of such quorum no recommendation for endorsement shall take place; however, the relevant convention endorsing caucus shall consider the race “de novo”. The ballot shall consist of a written, signed statement from the eligible voter and shall be recorded as part of the roll call vote if received by the designated Regional Director or through an alternative electronic process promulgated by the Chair of This Committee or their designee prior to the beginning of the roll call vote in the designated district. In the event that any Senate District or Congressional District falls into more than one Region, the State Chair shall assign those districts to a single regional pre-endorsement conference for the purposes of making the recommendation set forth in this section, due consideration being given to conflicting conference dates so as to allow for full participation.
- (3) The State Chair shall be responsible for providing each voting participant with notification of the time and place of the relevant pre-endorsing conference. Regional Directors shall be responsible, upon the advice and assistance of the State Chair, for generally publicizing pre-endorsement conferences.
- (4) Each pre-endorsing conference shall be convened by the relevant Regional Director or, in the event that there is no Regional Director available for this purpose or the Regional Director is a candidate for nomination to a partisan

public office, or has a demonstrable conflict of interest (as determined by a majority of the Statewide Officers of This Committee), by a person designated by the State Chair. The State Chair shall designate a Chair and a Secretary for each Regional pre-endorsing conference.

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

(a) All members of This Committee resident in the district, except that those members appointed by the appointing authorities for the offices described in Article II, sections 2a(12) and 2a(14) and not appointed pursuant to Article II, section 3c shall not be eligible to participate (or be counted in any calculation of percentages needed for endorsement under this section) unless the appointee is registered to vote in the same electoral district as the one that the appointing authority represents;

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

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

1. Representatives from each Democratic Club or other Democratic organization chartered by This Committee or by a County Central Committee in the year prior to the pre-endorsing conferences shall be eligible to participate, as follows:

(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 the Chair of the Chartering Organization and to the appropriate Regional Director and the Secretary 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:

i. The rules of by-laws of the Club contain a provision that only members in good standing as of a date that is announced by the State Chair and is between 315 and 325 days prior to the following statewide primary election and is 14 days prior to the date specified in Section 3(g)(5)(c)(1)(a) above shall be included on the roster;

ii. The rules or by-laws of the Club define the phrase “member in good standing”;



- iii. The status of such members be certified by the Club's President, Secretary, or Treasurer;
  - iv. The Club's representatives to any particular pre-endorsing conference be from the list described above and that the overall list of representatives to all conferences adhere to the Equal Division Rule, to the extent possible.
  - v. Either (1) the rules or by-laws of the Club shall outline the process by which representatives to the pre-endorsing conference shall be selected, ensuring that only members in good standing participate in the process or (2) the representatives shall be selected at a duly-noticed meeting of the Club, affirmed by a vote of those members in good standing in attendance and voting.
- (b) Club representatives shall be allocated as follows: one representative, resident in the Assembly District and duly registered as a member of the Democratic Party of California, for each full (not a fraction thereof) 20 members in good standing registered to vote in the Assembly District who were listed on the roster referred to above.
  - (c) Club members who hold dual club memberships may only be counted for representation once. Such representatives must be registered Democrats. In the event a name is listed on two or more rosters, only one name shall be counted and the Regional Director shall first count the name on the roster of the organization which does not deprive another organization of representation, if possible; provided, however, if that is not possible, the name on the roster which was first turned in will be counted unless the individual is listed as a Representative from another organization, in which case the individual shall be counted only on the roster of the organization sought to be represented.
- 2. The certifying authority for the representatives referred to in this paragraph shall be the Chair of the chartered organization.
  - 3. These A.D. representatives may vote only in the districts in which they reside.
- (6) No proxy voting shall be allowed at pre-endorsing conferences. In order to effectuate notice to all potential voters, and to determine and certify eligibility to vote, it shall be the responsibility of each Regional Director, with the assistance of the relevant County Committee Chair(s) and the Executive Board

representative from each Assembly District to identify by name all persons who will be eligible voters at their regional pre-endorsing conference and to transmit the names of all such voters to the State Chair, along with the Assembly District, Senate District and Congressional District in which each resides by a date selected by the Chair of This Committee and publicized on the Party's website that is between forty-five (45) and ninety (90) days prior to the State Endorsing Convention. A roster of the certified eligible voters shall be maintained by that Regional Director and shall be provided to the Chair of This Committee and to each candidate who has requested consideration. In order to be a voting member of a pre-endorsing conference, an individual's membership must have been certified as indicated herein and their name must appear, or have had the right to appear, on the certified roster as described above. Nothing in this section relieves a Democratic Club of its obligation to submit its roster to the Regional Director by the date selected pursuant to Section 3(g)(5)(c)(1)(a) above.

- (7) Each candidate for partisan, non-statewide public office whose jurisdiction extends into, or is included in a given Region, and who commits to filing as "Party Preference: Democratic," shall be permitted to address the relevant pre-endorsing conference or to designate a representative to address said conference, provided that such candidate is not seeking the endorsement of This Committee for another office which will be elected on the same date.
- (8) Any voting participant may offer for conference consideration the name of a candidate for partisan, non-statewide public office whose jurisdiction extends into, or is included within the given Region, provided the fee referred to in Section 3.c.(3) above has been paid and that such candidate is not seeking the endorsement of This Committee for another office which will be elected on the same date.
- (9) Once the names of candidates for a given office have been thus offered, a single roll call vote, via signed written ballot, in the same form as the vote-by-mail ballot, shall be taken as to the preferences of the eligible voting participants. Once received by the designated Regional Director, a ballot may not be retracted, rescinded, or otherwise changed and shall be counted in the totals. A "no preference" option shall be available at the time of each vote.
- (10) Eligibility to vote with respect to a given office shall be limited to those conference participants resident in the election district in question.
- (11) The Chair of the pre-endorsing conference is responsible for transmitting to the State Chair, in writing, the results of all votes taken within three days of the pre-endorsing conference.
- (12) An incumbent seeking election to the same office currently held shall be automatically placed on the consent calendar of This Committee's endorsing convention unless:
  - (a) There is more than one incumbent seeking the same office, or
  - (b) By a date that is between:

1. the date that the pre-endorsing conference roster of eligible participants has been determined by the Chair of This Committee, and
2. ten (10) days prior to the pre-endorsing conference, twenty percent (20%) of the eligible participants or two-thirds of a body composed of the Statewide Officers of This Committee plus the Regional Director(s) whose region(s) include(s) all or part of the district represented by the incumbent file a petition to include the incumbent in the endorsement process otherwise indicated in this Section.

(13) The name of a non-incumbent or of an incumbent subject to Section 3.g.(12)(a) or Section 3.g.(12)(b) may be placed on the consent calendar of This Committee's endorsing convention upon receiving at least seventy percent (70%) vote, of those valid votes cast, at a pre-endorsing conference. The consent calendar shall be approved by a simple majority vote of This Committee. Upon approval of the consent calendar the candidate shall become the endorsed candidate of the Democratic Party. A name may be removed from the consent calendar by at least twenty percent (20%) of the members of This Committee resident and qualified by a date selected by the Chair of This Committee and publicized on the Party's website that is between forty-five (45) and ninety (90) days prior to the State Endorsing Convention in the District in question or by at least twenty percent (20%) of the members of This Committee by filing a letter of objection with the State Chair no later than ten (10) days prior to the State Endorsing Convention. If a name is removed from the consent calendar, the By-Laws of This Committee regarding endorsements shall apply.

h. ***Post-Primary Endorsement Process:***

If a candidate was endorsed in the Primary, that endorsement shall remain in effect for the General Election. Otherwise:

- (1) If there are two Democratic candidates
  - (a) In the case of a statewide race, the endorsement will be put before the next Executive Board.
  - (b) For all other races, the State Chair shall call to be convened a district endorsing caucus comprised of all members of This Committee resident in the district as of the date of eligibility for the immediately preceding Meeting of this Committee, except that:
    1. those members appointed by the appointing authorities for the offices described in Article II, sections 2a(12) and 2a(14) and not appointed pursuant to Article II, section 3c shall not be eligible to participate (or be counted in any calculation of percentages needed for endorsement under this section) unless the appointee is registered to vote in the same electoral District as the one that the appointing authority represents, and
    2. members who were eligible as of the date of eligibility for the immediate preceding Meeting of This Committee but have

since the appointing deadline died, moved, changed their registration to a district other than the district the election is occurring, or resigned may be replaced by the appropriate authority. Such endorsement proceedings shall otherwise be conducted similar to a Special Election as provided under Article VIII, Section 3.e.

- (2) If there is only one Democrat who advances from the primary, and that candidate had previously (but unsuccessfully) sought the endorsement of the California Democratic Party and complied with the procedures set out in Article VIII, section 3.c.(3) of these By-Laws, that candidate will become the endorsed candidate. Twenty percent (20%) of the members of This Committee resident in the district in question may file a Letter of Objection to cause the endorsement to be considered by the Election Appeals Committee via the process below.
- (3) If there is only one Democrat who advances from the primary, but said candidate had not previously sought the endorsement of the California Democratic Party for this office in this election cycle, said candidate, upon timely petition with the Secretary of the Party and accompanied by the appropriate filing fee, shall become the endorsed candidate fifteen (15) days after Secretary of State certification of the Primary Election unless a Letter of Objection is filed with the Secretary of This Committee and sustained by majority vote of the Election Appeals Committee. The deadline for filing the petition and paying the filing fee is within two days of the Secretary of State's certification of the primary results. Once the filing period for submission of a Letter of Objections has passed without the submitted Letter of Objection, or if such Letter is received but the Election Appeals Committee fails to sustain the Letter of Objection, then such candidate shall become the endorsed candidate.

- i. ***Objections to Endorsements, Process for Review by the Election Appeals Committee:***  
For those races subject to review by the Election Appeals Committee via the filing of a Letter of Objection, within fifteen (15) days after Secretary of State certification of the Primary Election, twenty percent (20%) of the members of This Committee resident in the district in question except that those members appointed by the appointing authorities for the offices described in Article II, sections 2a(12) and 2a(14) and not appointed pursuant to Article II, section 3c shall not be eligible to participate (or be counted in any calculation of percentages needed for endorsement under this section) unless the appointee is registered to vote in the same electoral District as the one that the appointing authority represents, must sign and file with the Secretary of This Committee a Letter of Objection objecting to the endorsement of a particular candidate.

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

within ten (10) days of filing of said objection.

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

- (1) The Elections Appeals Committee will make the final determination at a meeting no later than five (5) days after an objection has been filed. This committee shall be comprised of the Statewide Officers; the Regional Director(s) of the relevant district (or all Regional Directors in the case of a statewide election), two (2) Executive Board members, appointed by the Chair of This Committee, from each of the following committees: Rules, Credentials and Organizing.
- (2) A quorum shall be a majority of those persons
- (3) The Elections Appeals Committee may meet by telephone or other means of electronic communication for any action.

j. ***Process When No Convention Scheduled At least Forty-Nine (49) Days Prior to the Partisan Primary:***

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

- (1) For districted races, the Chair of This Committee shall cause to be convened an endorsing caucus of the members of This Committee resident in the each relevant district, except that those members appointed by the appointing authorities for the offices described in Article II, sections 2a(12) and 2a(14) and not appointed pursuant to Article II, section 3c shall not be eligible to participate (or be counted in any calculation of percentages needed for endorsement under this section) unless the appointee is registered to vote in the same electoral District as the one that the appointing authority represents\_may group such districts on a regional basis as necessary and shall designate a convenor. No proxy voting shall be allowed - each member shall be sent a vote-by-mail ballot which shall be read off as though it were a roll call vote. Once received by the designated convenor of the caucus, a ballot may not be retracted, rescinded, or otherwise changed and shall be counted in the totals. Lost ballots may be replaced at the caucus prior to the close of balloting. Each caucus may place on a consent calendar of the Executive Board of This Committee:
  - (a) by a majority vote of those present and voting, the name of an incumbent Democratic Party Candidate for partisan public office, or
  - (b) by a sixty (60) percent vote of those present and voting, the name of a non-incumbent Democratic Party candidate for partisan public office.

Such consent calendar shall be voted upon by the Executive Board of This

Committee in a single motion which may be approved by a majority vote of those present and voting.

- (2) The name of any candidate may be removed from the consent calendar by a majority of the members of the Executive Board resident in the district involved, or by any thirty (30) members of the Executive Board, by filing a letter of objection with the State Chair no later than ten (10) days before the Executive Board meeting at which the consent calendar is to be considered.
- (3) For each name removed from the consent calendar, a separate vote shall be taken by the Executive Board, which may, by a majority vote of those present and voting, ratify the pre-endorsing conference recommendation for endorsement. In the event of ratification, the recommendation shall become the endorsement of This Committee. Failure to ratify a recommendation shall result in no endorsement in that race.
- (4) The Executive Board may also vote upon endorsement of a candidate for Statewide office; with a majority vote of those present and voting required for the endorsement of an incumbent Democratic candidate, or with sixty (60) percent vote of those present and voting, for the endorsement of non-incumbent Democratic candidate.

#### **Section 4. NONPARTISAN OFFICES**

a. ***County Party Exclusively Responsible:***

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

b. ***Process for California Democratic Party Endorsement, Objection Process:***

A Democratic candidate for nonpartisan office who has been endorsed by their County Central Committee shall also be considered to be the endorsed candidate of the California Democratic Party and shall be entitled to such privileges and benefits as may be attached thereto provided that: (1) it is recommended by the Rules Committee that endorsements received thereunder also be the endorsements of This Committee, and such recommendation is concurred in by This Committee as being consistent with its own By-Laws and with the fundamental rules of fairness to which the California Democratic Party is committed; and (2) A Democratic candidate who has been denied endorsement does not successfully argue before This Committee that there has been a significant violation of the endorsing provisions of the relevant County Central Committee when it rendered its endorsement. Any claim of by-laws violation must be filed with the State Party Chair within seven (7) days of County Committee endorsement. A 2/3 vote shall be necessary to uphold the violation claim.

c. ***Requirements of County Bylaws for Approval of Endorsement Process:***

In order for the endorsement of the County Central Committees to become the official endorsements of the California Democratic Party, the following must be found to have been met by the Rules Committee as part of its recommendation:

- (1) A Democratic County Central Committee endorsement shall be extended only

to registered Democrats.

- (2) Endorsement shall not be given to more candidates than there are seats open for the office in question.
- (3) All endorsements shall be made in accordance with the County Committee's duly adopted By-Laws provisions.
- (4) No vote on endorsement shall be taken by secret ballot.

d. ***Prohibition on Endorsement Permissible:***

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

e. ***Voting Rights:***

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

f. ***California Democratic Party Non-Partisan Endorsement Responsibility and Process:***

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

g. ***Communication of Positions on Local Propositions:***

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

- (1) the County Committee position has been duly adopted in accordance with the Committee by-laws reviewed and approved by This Committee;
- (2) the material does not express the endorsement of a candidate for local nonpartisan office who is not also an endorsed candidate of the California Democratic Party under subsection (b) above.

h. ***Objection Process:***

The County Committee position shall be the position of This Committee unless an objection is filed with the State Party Chair which:

- (1) is signed by at least one-half of the members of This Committee resident in the relevant county, and
- (2) is submitted within five days of the adoption of the County Central Committee position.

i. ***Expectations and Intentions:***

This Committee hopes and expects that every County Central Committee shall make every reasonable effort:

- (1) to see that at least one qualified, registered Democrat is a candidate for each local nonpartisan office within its endorsing jurisdiction;
- (2) to raise funds sufficient to provide significant support to endorsed candidates needing and wishing support;
- (3) to persuade Democrats running against endorsed candidates to withdraw from their races and to extend their support to those carrying the endorsement;
- (4) to protect the integrity of its endorsement power by precluding -- including through the use of legal process -- other entries from representing themselves as purveyors of an official Democratic Party endorsement.

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

a. ***Endorsement Vote Threshold:***

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

b. ***Timing of Endorsement Consideration:***

The vote on such resolutions concerning state ballot propositions, initiative, or referendum and resolutions to support or remain neutral in a recall election may be taken up at a regularly scheduled meeting of This Committee or its Executive Board upon qualification in the same year of the recall or statewide election involved.

c. ***Automatic Opposition to Recall, Process to Support or Remain Neutral:***

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

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



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

*d. Process if No Timely Meeting Scheduled:*

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

*e.* This Committee may support or oppose the retention of a justice of the California Supreme Court or of the California Courts of Appeal in the same manner as the adoption of a resolution to endorse or oppose a state ballot proposition, initiative, or referendum, 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.

## **ARTICLE IX: ELECTION OF DEMOCRATIC NATIONAL COMMITTEE MEMBERS**

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### **Section 1. ELECTION BY EXECUTIVE BOARD**

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

### **Section 2. NOTICE**

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

### **Section 3. NUMBER**

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

### **Section 4. ELIGIBILITY AND NOMINATION**

The name of any individual registered to vote as Party Preference: Democratic in the State of California who has agreed to abide by the Code of Conduct may be placed in nomination by a member of the Executive Board. The delegation shall adhere to the Equal Division Rule, unless an odd number of members is to be elected, in which case a variation of one shall be permitted. In the event of a tie vote, the winner shall be determined by lot.

### **Section 5. DETERMING ELECTION**

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

### **Section 6. VACANCIES**

Vacancies in the delegation shall be filled by election in the same manner as specified herein above. Only persons of the same gender as the person whose vacancy is being filled may be a candidate for membership of the Democratic National Committee. In the filling of vacancies, it is the intent of these By-Laws to maintain equal division of the delegation by gender except as allowed by Section 4 above.

### **Section 7. TERM OF OFFICE**

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

## **ARTICLE X: CHARTERS**

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### **Section 1. AUTHORITY**

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

### **Section 2. GRANTING**

- a. This Committee may only charter organizations having as their objective the advancement of the Democratic Party.
- b. Chartered Organizations are intended to be independent of the California Democratic Party and not “affiliated” therewith, as that term is defined by the Bipartisan Campaign Reform Act and other applicable Local, State and Federal laws, rules and regulations. This Committee shall not engage in any activities that directly or indirectly establish, finance, maintain, or control any organization chartered under this Article.
- c. Any Charter which has been granted by This Committee shall be effective from the date said charter was granted until the second meeting of the Executive Board held following the regular election of Statewide Officers of This Committee in the year immediately following the conclusion of a Presidential election year, or, until revoked for cause as set forth herein.
- d. Charter shall only be granted upon recommendation of the Rules Committee pursuant to guidelines adopted by the Rules Committee, which recommendation must contain a finding that the organization has adopted the Code of Conduct as part of its own bylaws, and that each member is bound by its terms.

### **Section 3. DENIAL AND REVOCATION**

- a. This Committee shall have the power and authority to deny or revoke a charter of any organization, for cause by majority vote. Cause for denial or revocation shall include:
  - (1) Having less than thirty (30) members in the geographical area from which the organization draws its membership,
  - (2) Failing to grant membership to any registered Democrats resident in the geographical area from which the organization draws its membership who seeks to join,
  - (3) The knowing enrollment of a person registered as anything other than a member of the Democratic Party as a voting member of the organization,

- (4) The endorsement of a non-Democrat for elective office,
  - (5) The endorsement of any candidate for public office running against an endorsed candidate of This Committee, by any organization granted a Charter by This Committee after the adoption of this Article X on July 31, 2005, (NOTE: This Committee previously granted a Charter to the California Young Democrats in 1932 and to the California Democratic Council in 1952, prior to This Committee's authority to endorse candidates and prior to the adoption of the Chartering rules contained herein, and the California Young Democrats and the California Democratic Council are specifically exempted from this possible grounds for revocation of Charter.) Further, for the period through the earlier of December 31, 2026, or the further amendment of this Section 3(a)(5) of Article X, the California College Democrats shall be considered provisionally chartered and are specifically exempted from this subsection for the duration of this provisional chartering.
  - (6) Transferring of organization's assets, including funds, from the organization's accounts to a non-Democrat running for elective office or his/her controlled committee(s),
  - (7) Acting in violation of Local, State or Federal laws or regulations, and/or,
  - (8) A finding of fact having been made by the Rules Committee and concurred in by the Executive Board of This Committee that the organization has failed to act in, and/or has acted in a manner adverse or detrimental to, the best interests of the Democratic Party, including but not limited to:
    - (a) A failure to adopt or maintain the Code of Conduct as part of its own bylaws with a provision that each member is bound by it terms, and/or
    - (b) A willful, intentional, or repeated failure to address violations of the Code of Conduct within the organization.
- b. No organization's charter may be revoked for cause without sixty (60) days written notice of grounds of revocation having been mailed to the Chair of the organization in question, and the rights of response before This Committee having been granted to said organization's designated representative. For purposes of this section the Chair shall mean the last person designated in writing to This Committee as Chair.
  - c. The Charters of geographically based organizations shall be automatically revoked on December 31 of the calendar year that the passage of any reapportionment law altering the boundaries of that organization's defined district boundary becomes final.

**Section 4. APPLICATION REQUIREMENTS**

All organizations desiring to be chartered by This Committee shall make application for

such charter in writing. The application shall be on a form provided by the Secretary of This Committee and shall contain such information as may be required by the Rules Committee.

# **ARTICLE XI: SPECIAL GROUP CAUCUSES**

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## **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 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; 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** – An 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 addresses designated for this purpose. The deadline for submission of an application shall be no later than fourteen (14) 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. 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, 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 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.
- d. **Time-line for Consideration of Application** – 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.
  - (1) Special Rules for Applications Submitted before the 2025 Regular Convention. 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.  
For proposed Caucuses that have submitted an initial application during 2023, the Guidelines shall set forth the timeline for consideration.
  - (2) Rules for Applications In and After 2025



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.

- e. Failure by the Rules Committee to Provide Timely Notice of Its Recommended Disposition of the Application – 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 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. Contents of Application – The application shall contain such information as may be required by the Rules Committee.
  
- g. Notwithstanding any other provisions of, or any Guidelines or Procedures promulgated pursuant to the authority granted in, this Article XI, the deadlines for the certification process in subsections (b), (c), (d), (e) and (f) of this Section 4 and any Guidelines or Procedures implementing these provisions of this Section 4, shall be inapplicable to the recertification of any Caucus the certification of which is extended until August 31, 2023, pursuant to Section 5 of this Article. Rather, for such Caucuses, the application for recertification shall be made available to the Caucuses by no later than November 20, 2022, and the deadline for submission of applications for Caucus recertification shall be seven days after the adjournment of the first Convention of This Committee in 2023. By no later than November 20, 2022, the Rules Committee shall establish and publish the other deadlines for the recertification process for such Caucuses. The provisions of this subsection (h) 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.

**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 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) if this Section 5 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 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 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 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. 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. Such recommendation may only be overturned by the Executive Board of This Committee, by majority vote, but only if the Executive Board makes specific findings that the Rules Committee was incorrect in each of its findings that formed the basis of the Rules Committee's recommendation to decertify, or that all such defects have been remedied.

## **Section 7. RECOGNITION OF HISTORICAL IMPORTANCE**

This Committee recognizes that the 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 broad elements of the membership" and as such recognizes the historical significance in maintaining their existence.

## **ARTICLE XII: COMPLIANCE REVIEW COMMISSION AND CONDUCT COMMISSION**

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### **Section 1. COMMISSIONS**

This Committee shall have the following Commissions, which shall exercise quasi-judicial authority, with the duties set forth herein below:

### **Section 2. COMPLIANCE REVIEW COMMISSION**

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

#### **a. JURISDICTION**

- (1) The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under these Bylaws, except as pertains to Removal or discipline of a Member or Removal or discipline of an Officer of This Committee.
- (2) Challenges to the credentials of members initiated after the 42nd day prior to any meeting of This Committee or its Executive Board shall be processed by the Credentials Committee.
- (3) All other challenges initiated after the 42nd day prior to any meeting of This Committee or its Executive Board may either be heard and decided by the Compliance Review Commission or referred to either the Standing Committee on Credentials or the Standing Committee on Rules in the discretion of the Compliance Review Commission.
- (4) Challenges arising under Article VIII shall only be heard by the Compliance Review Commission if the challenge was made when the plenary session of This Committee was not in session.
- (5) During the period 120 days prior to any Primary or General Partisan Election, the Compliance Review Commission may, upon written request by the Chair of This Committee, issue an Order of Temporary Suspension of Charter, for a period of thirty days, of any charter issued by This Committee, for alleged violation of any of the above provisions, provided the request of the Chair of This Committee for suspension sets forth in writing the reasons therefore, and said request is served on the Chair of the Organization in question at their last known address of record on file with This Committee, the Secretary of This Committee, and the Chairs of the Rules and Credentials Committees of This Committee. In the event of the issuance of an Order of Temporary Suspension of Charter, the Compliance Review Commission shall also issue an Order to Show Cause why the suspension should not become permanent and request written argument thereon be submitted to the Secretary of This

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

**b. STANDING**

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

**c. CHALLENGES**

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

**d. POWERS**

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

**e. APPEAL**

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

**Section 3. CONDUCT COMMISSION**

**a. COMPOSITION**

The Conduct Commission shall consist of five (5) individuals, who need not be members of This Committee, but must be registered Democrats. Members shall include at least two (2) members who are experts in the prevention of sexual harassment and at least one (1) member who has substantial experience in representing complainants. The Conduct Commission may meet by telephone or other means of electronic communication.

**b. NOMINATION**

The Chair of This Committee, in consultation with the Statewide Officers, shall nominate the members of the Conduct Commission.

**c. RATIFICATION AND RETENTION**

Persons nominated by the Chair shall be submitted to the Executive Board of This Committee for consideration for ratification by a majority vote of those members of the Executive Board, present and voting, a quorum being present. At the conclusion of the Term of Office, if a member desires to maintain their position, and every two years thereafter, the Executive Board shall conduct a vote as to whether to retain that member on the Commission, and that member shall continue to remain on the Commission only upon receiving a majority of all votes cast.

**d. TERM OF OFFICE**

The Term of Office of the Members of the Conduct Commission shall be two (2) years, beginning, and ending, at the first meeting of the Executive Board in odd numbered years.

**e. VACANCIES**

Any vacancy in the Commission shall be immediately filled by the same process and shall be for the remainder of the term.

**f. DUTIES**

It shall be the duty of the Conduct Commission to:

- (1) Work with the Independent Ombudsperson selected by the Chair of This Committee in consultation with the Statewide Officers of This Committee and approved by a majority vote of those members of the Executive Board, present and voting,
- (2) Receive reports regarding completed investigations of alleged violations of the Code of Conduct from an Investigator selected by the Independent Ombudsperson from a list prepared by the Chair in consultation with the Statewide Officers of This Committee and approved by a majority vote of those members of the Executive Board, present and voting,
- (3) Review such reports, including those that are relied upon for the denial or revocation of a Charter under Article X upon recommendation of the Rules Committee, and
- (4) Recommend discipline to the Chair and Officers. on the basis of such reports and recommendations of the Investigator(s), within thirty (30) days of the Commission's

receipt of a written report by an Independent Investigator. Discipline recommendations may include, but are not limited to:

- a. Private Admonishment;
  - b. Public Admonishment;
  - c. Suspension of Rights for a time period not to exceed 180 days;
  - d. Removal from Office; and/or
  - e. Removal from Membership,
- (5) Discipline: The Chair and Officers shall implement any recommendations as to discipline made by the Conduct Commission unless the Chair and Officers vote to depart from a recommendation by a two-thirds (2/3) majority vote and provide a written explanation for the departure,
- (6) When the Chair or an Officer is alleged to have violated the Code of Conduct, the Conduct Commission shall prepare a report with disciplinary recommendations and provide it to the Executive Board, which shall implement those recommendations unless the Executive Board votes to depart from a recommendation by a two-thirds (2/3) majority vote, of those present and voting.

## **ARTICLE XIII: GENERAL POLICIES**

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### **Section 1. PUBLIC MEETINGS**

All public meetings at all levels of the Democratic Party shall be open to all members of the Democratic Party regardless of race, color, creed, national origin, sex, age, religion, caste, ethnic identity, sexual orientation, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status. Further, the scheduling and location of public meetings and other public affairs of the Democratic Party at all levels 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. The scheduling and location of such public meetings and other public affairs must also take into account the ability to fully and fairly participate with reasonable accommodations, where appropriate, of any religious minorities of significant numbers of concentration whose level of participation would be affected.

### **Section 2. TESTS AND OATHS**

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

### **Section 3. NOTICE OF AGENDAS AND MEETINGS**

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

### **Section 4. REGISTRATION**

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

### **Section 5. FULL PUBLICATION OF SELECTION PROCEDURES**

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

### **Section 6. TIMELY PUBLICATION OF SELECTION PROCEDURES**

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



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

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

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

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

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

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

**Section 10. E-MAIL NOTICE**

- a. Publication of any Democratic Party notice via email will be considered valid if:
  - (1) The sender and receiver have both consented, in writing, to sending and receiving notice in this manner,
  - (2) The notice was sent to or from the email address specified when giving consent, or most recent email address specified on a subsequent notice of

change of address by sender or receiver,

- (3) The obligation to inform and procedure for informing of any change in email address has been specified in writing, and
- (4) There is an opportunity to opt out of such consent at an appropriate time.

**Section 11. NOTICE BY WEB POSTING**

Publication of any Democratic Party notice via web posting will be considered valid if written notice (of the type specified in the applicable rule or By-Law) provides a link to such posting and the person(s) entitled to individualized notice of the information in question is/are afforded the opportunity to request that a copy of the text thereof be mailed to him/her via U.S. Postal Service mail. The opportunity to make such a request must be explicitly referenced in any individualized notice provided to such person.

## **ARTICLE XIV: ELECTRONIC NOTICE**

### **Section 1. CONSENT TO EMAIL NOTICE AND PROCEDURES FOR OPTING OUT**

- a. If they have provided This Committee in writing with an email address at which they can be contacted, the following persons shall be considered to have consented to send and receive all notices via electronic means, including email:
- (1) anyone who seeks, or accepts, election or appointment to any position on or with or on behalf of This Committee;
  - (2) the organization applying for a charter by This Committee and its officers;
  - (3) anyone who files a challenge to or under any procedure set forth in these Bylaws and Rules or who participates as a challenger in such a challenge; and
  - (4) anyone who seeks the endorsement of This Committee to any office; to send and receive notices from This Committee by electronic means, including email.

Any person described in the previous sentence who has provided This Committee with an email address shall, by so doing, be deemed to have consented to send and receive email notices to or from This Committee at such email address as of the latter of (i) the date they affirmatively terminate such consent or (ii) the conclusion of the process which triggered this consent; provided that any such person may, upon This Committee's actual receipt of a completed version of a form approved by the Secretary of This Committee, change the email address on file for use by This Committee.

Any other person may provide This Committee with written consent (on a form approved by the Secretary of This Committee) to send and receive emails notices to or from This Committee.

Such written consent shall continue in effect until and unless the person affirmatively terminates the consent or changes the email address on file with This Committee.

- b. All forms and notices of This Committee which initiate (or respond in the first instance to the initiation of) any process described in Section 1.a(1), above, shall set forth clearly and legibly that such consent is provided by participation in that process that it is the obligation of the person to inform This Committee of any change in their email address and the procedure for terminating ("opting out") of the consent to send and receive notices via electronic means, including email. Notwithstanding the provisions of this paragraph b, any failure by This Committee to include such a notice in a communication shall not invalidate any ongoing process giving rise, or otherwise related, to the communication.
- c. By consenting to receive notice by electronic means, a person agrees to hold This

Committee harmless should the consenting person fail to open, receive, view or read their incoming emails regularly or allow others to delete their incoming emails and, therefore, not receive actual knowledge of the material contained in the email notice in a timely manner.

If two or more consenting persons provide This Committee with the same email address, notice to that email address shall be deemed individual notice to each person who provided that email address.

- d. This Committee hereby consents to receive email notice from any person who has provided consent to receive email notice in the manner set forth in Section 1, above., during any time period that such person 's consent to receive email notice remains in full force and effect.
- e. Email addresses are considered part of the membership roster of members of This Committee made available to the public as long as members of This Committee are given the option, in writing, at the time they initially register their email address with This Committee of maintaining the confidentiality of their email address, or making their email address public. Thereafter, members of This Committee may, at the time they register any change of email address request their new email address be kept confidential.
- f. To be effective, notice to This Committee of change of email address must be provided to the Secretary of This Committee, in writing.
- g. This Committee will provide all persons who have consented to receive notice via electronic means, including email, with reasonable advance written notice, via U.S. Postal Service mail, of any change of sender domain (currently “@cadem.org”) used by This Committee.

## **Section 2. NOTICE VIA WEB POSTING**

The posting on the website of This Committee of any notice, text, agenda, rule or proposal shall presumptively be considered sufficient notice thereof to the members of This Committee (or any body or subdivision of This Committee) if the written notice (which is of the type specified in the applicable rule or By-Law) provides a link to such posting and the persons entitled to individualized notice of the information in question are afforded the opportunity to request that a copy of the text thereof be mailed to them via U.S. Postal Service mail. The opportunity to make such a request must be explicitly referenced in any individualized notice provided to such person.

## **Section 3. OTHER THAN IN-PERSON MEETINGS:**

- a. It is the express preference of This Committee that meetings should, when possible, be held in person; however, notwithstanding any other provisions of these bylaws, the Chair of This Committee may, in the event of:
  - (1) the existence of official government orders prohibiting or limiting the gathering of persons, or,
  - (2) a finding of sufficient cause for doing so, despite the above stated preference, by the Chair of This Committee with the concurrence of 2/3rds of the State Officers

of This Committee, as defined in Article III, Section 4, a,

allow for any meeting of This Committee or its constituent parts to be conducted, by appropriate remote communications technologies provided that the Chair of This Committee shall assure full and fair access to the meeting by the members of This Committee and all members of the Democratic Party consistent with the provisions of Article XIII of these bylaws and the Policy Statement By the Rules Committee of the California Democratic Party on the Open Meeting Rule. Any such determination shall be final.

- b. Nothing herein shall preclude the individual chairing/presiding at the meeting from using technology restricting the opportunity to speak to those recognized to speak.
- c. This Section is in addition to other sections of these bylaws allowing for Other Than In-Person Meetings.

## **ARTICLE XV: AMENDMENT OF THE BY-LAWS**

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### **Section 1. AMENDMENT**

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

The amendment must be submitted to the Rules Committee and filed with the Secretary at a meeting held no less than thirty days prior to the meeting at which the amendment is to be voted on.

- a. A copy of the amendment shall be sent with the meeting notice to each member of the Executive Board at least ten days in advance of the meeting at which the amendment is to be voted on.
- b. If the Rules Committee fails to approve a proposed amendment, such amendment may be presented from the floor with the consent of a majority of those present.
- c. These By-Laws shall not be amended by the vote of less than a majority of the total number of members of the Executive Board, or two-thirds (2/3) of those members of the Executive Board present and voting at any meeting thereof, whichever is smaller.

### **Section 2. SPECIAL RULE FOR USE OF AN ELECTRONIC LINK NOTICE OF TEXT OF AMENDMENT**

A writing with a link or instructions on how to access an electronic link to the text of the amendment shall meet this requirement so long as any member of the body noticed to vote on the amendment may request a copy of the text be mailed to him/her via U.S. Postal Service mail.

### **Section 3. EFFECTIVE DATE**

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

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## **Appendix A:**

### **CODE OF CONDUCT**

#### **Expected Behavior**

The California Democratic Party (CDP or Party) is committed to providing a welcoming, respectful, friendly, safe, supportive, and harassment-free environment for members, employees, and all others associated with the CDP.

The CDP expects all leaders, members, employees, and others associated with the CDP to act professionally, respecting the personal rights and dignities of all individuals involved with the Party so as to create a productive, inclusive environment for everyone. The CDP also expects all such individuals to alert Party leaders and/or the Party Ombudsperson of a perceived violation of this Code and to cooperate in an investigation of a potential violation.

The CDP's expectations are not limited to CDP conventions and other meetings. Conduct in violation of this Code will not be tolerated at any and all events sponsored by or having an official connection with the CDP, as well as in any CDP office and in any call, text, or email, or on any digital communication platform or social media, that occurs in the context of conducting CDP business.

#### **Harassment Prohibited**

All individuals should feel welcome and safe within the CDP, regardless of their sex, gender, gender identity, gender expression, sexual orientation, pregnancy/reproductive status, race, color, ethnicity, national origin, ancestry, religion, caste, creed, age, disability, health status, marital status, military or veteran status, body size, physical appearance, domestic violence victim status, social or economic status, or any legally protected classification or characteristic.

The CDP will not tolerate harassment and prohibits the creation of hostile conditions — that is, disrespectful or unprofessional conduct — based on any of the aforementioned categories. The manner of any such prohibited behavior includes verbal conduct, whether spoken or written (such as slurs, jokes, insults, remarks, epithets, teasing, yelling, foul or profane language, emails, posters, leaflets, internet posting, slander, etc.), visual conduct (such as the wearing, posting, or distributing of offensive symbols, pictures, cartoons, drawings, and computer displays, leering, gestures, libel, etc.), and physical conduct (such as gestures, blocking someone's way, assault, invading someone's space, unwelcome touching, etc.).

The CDP emphasizes that it will not tolerate sexual harassment, that is, conduct based on sex or of a sexual nature. Prohibited sexual harassment may include the actions described above, as well as other unwelcome sex-based conduct, such as unsolicited sexual advances or unwanted contact (such as kissing, hugging, neck-rubbing, an overlong handshake, etc.), requests for sexual favors, conversations regarding sexual activities, or other verbal, visual, or physical conduct or contact of a sexual or sexually suggestive nature.

The CDP prohibits quid pro quo sexual harassment, such as when submission to sexual conduct is made explicitly or implicitly a term or condition of an individual's membership in the CDP or an appointment to a CDP committee, to CDP leadership, or to another role within the CDP; or



submission to or rejection of sexual conduct by an individual is used as the basis for decisions affecting that individual.

The examples above are just that—examples. In general, any conduct that is based on one or more of the protected classifications listed above that could interfere with an individual's participation in the CDP or could create an offensive, unsafe environment will be considered harassment in violation of this Code of Conduct. This is the case even if the offending individual did not mean to be offensive. It is essential that we all are sensitive to the feelings of others.

### **Retaliation Prohibited**

Retaliation for good faith reporting of behavior that may violate this Code of Conduct, or for participating in an investigation into a potential violation, is prohibited.

Retaliation may include, but is not limited to, exclusion from meetings, committees, or opportunities for advancement and full participation, ostracism, bad mouthing, or other conduct that may discourage engagement with the CDP, or that would be reasonably likely to deter a reasonable person from reporting a violation of this Code or participating in an investigation of a potential violation.

### **Reporting Procedure**

Anyone who experiences, witnesses, or learns of a perceived violation of this Code should promptly report it either to a Party leader or to the Party Ombudsperson. A Party leader who receives such a report must promptly report it to the Party Ombudsperson. The Ombudsperson will decide whether to initiate an investigation and remains available to the reporter throughout the investigation process and will oversee any investigation that ensues.

### **Consequences for a Violation**

A violation of this Code of Conduct may result in sanctions including but not limited to private censure, public censure, being prohibited from attending Party events, and removal from a CDP office and/or delegate status.

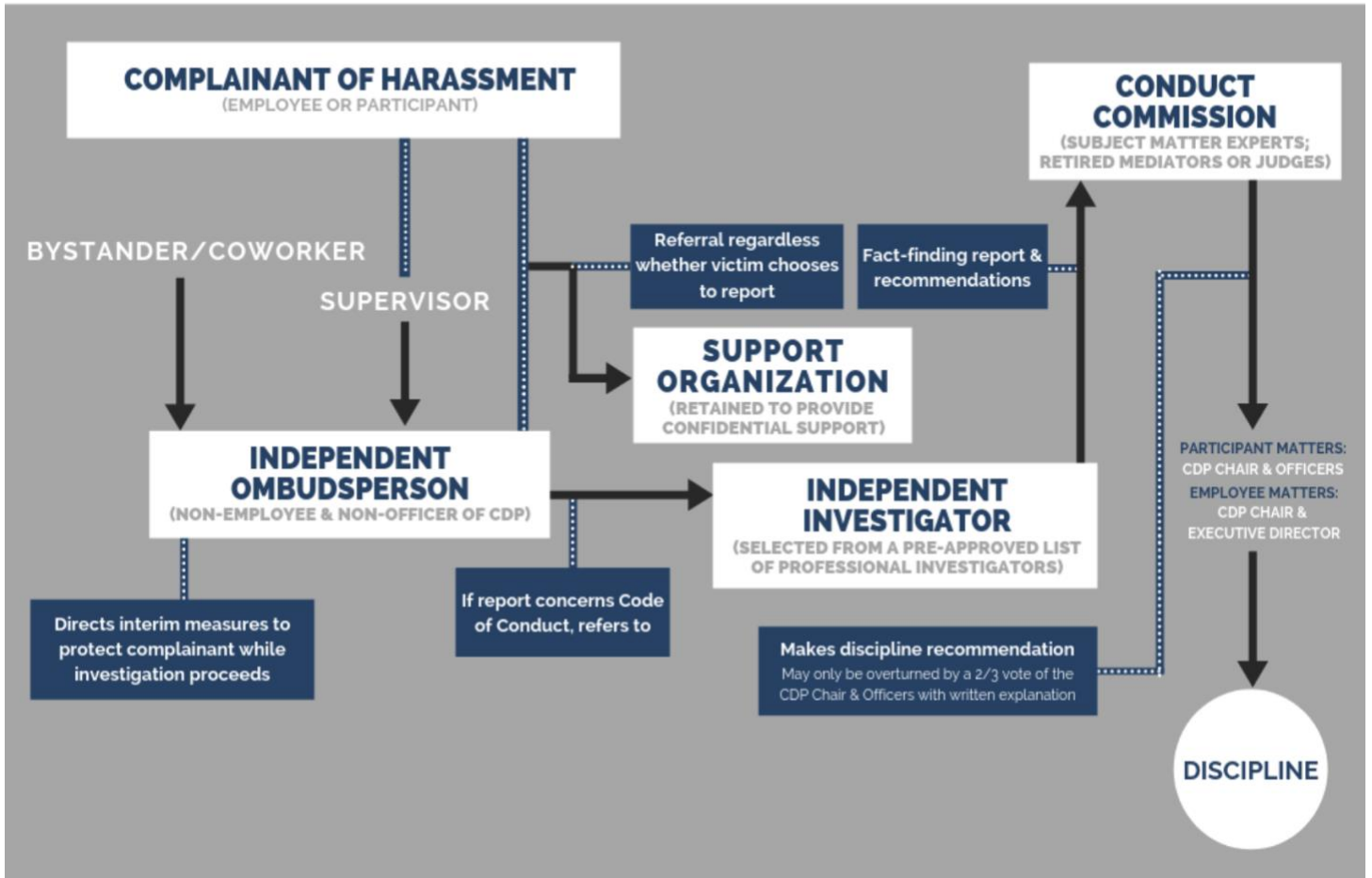
### **CDP -Affiliated Clubs and Organizations**

Party-affiliated clubs and organizations are encouraged to adopt this Code of Conduct or a code similar to it. However, the procedure for reporting a violation of such a code, the responsibility for investigating and enforcing it, and the consequences for violating it must be established by the club or organization independently of the CDP and its procedures and ombudsperson

## Appendix B:

# PROCESS FOR REPORTING MISCONDUCT & HARASSMENT

CALIFORNIA DEMOCRATIC PARTY



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## Appendix C:

### Guidelines re: Chartering of Organizations Adopted Jan 28, 2006 by the Rules Committee and Amended June 9, 2022

1. **AUTHORITY:** *These Guidelines are proposed pursuant to the Bylaws of This Committee, Article X, Section 4, which provide that Charters for organizations which include in any part of their name the name of the Democratic Party, and, directly or indirectly solicit funds in the State of California for any purpose whatsoever under the representation, either express or implied, that the funds are being solicited for the use of the Democratic Party shall only be granted upon recommendation of the Rules Committee pursuant to guidelines adopted by the Rules Committee.*
  
2. **PURPOSE:** The purpose of these proposed guidelines is to:
  - A. Develop a systematic method for considering applications for Charter and provide criteria for weighing the qualifications of applicants requesting Charter,
  
  - B. Describe how This Committee assumes the primary responsibility of Chartering Statewide Democratic Organizations,
  
  - C. Maintain County Central Committees as the primary authority for chartering organizations on the local level,
  
  - D. Allow for the chartering of one State Chartered Organization in each district or area whose primary purpose is political organizing on the precinct level and engagement in electoral political activity, all in the best interests of the California Democratic Party,
  
  - E. Foster a clear delineation of responsibility between organizations and avoid organizational conflict, and,
  
  - F. Allow for an objective measure of the progress and efforts of State-Chartered Organizations in the performance of their purpose, through written reports.
  
3. **GRANTING:**
  - A. The following guidelines shall apply to the chartering of all organizations:**
    1. *All organizations desiring to be chartered by This Committee shall make application for such charter in writing,*
    2. *Charters shall only be granted by This Committee upon recommendation of the Rules Committee pursuant to the guidelines for the Chartering adopted by them,*
    3. *The application shall be on a form provided by the Secretary of This Committee and shall contain such information as may be required by the Rules Committee, including:*
      - a. The name of the organization;
      - b. A copy of the Constitution and By-Laws of the organization, and if applicable, its Articles of Incorporation;
      - c. A Statement of Purpose and Intended Activity, and means of effectuating same, as well as the objective, measurable standards by which the

Organization shall evaluate its success each year;

- d. An agreement that the Organization shall provide the Secretary of This Committee and the Lead Chair(s) of the Rules Committee a written report on the Organization's activities and progress towards fulfillment of the Organization's purposes, as evidenced through objective measures or standards, and a complete "Roster of Members" containing the names, addresses, and phone numbers of all its members, noting whether a particular member has organizational responsibility for a particular activity, on an annual basis, no later than February 7<sup>th</sup> of each year. Copies of all reports shall be distributed to the members of the Rules Committee no later than February 22<sup>nd</sup> of each year;
  - e. An agreement by the organization that it will give ten (10) days written or electronic notice of any and all of its meetings, both regular and special, to the Secretary of This Committee, who shall distribute such notice to the Lead Chairs of the Rules Committee;
  - f. The names, addresses, and phone numbers of the organization's officers which shall include as a minimum a chair and a treasurer, and which the organization shall agree to keep current and advise This Committee of any changes therein;
  - g. The names, addresses, and phone numbers of all persons listed on the Statement of Organization;
  - h. The identification number(s) used by the organization when filing statements with the Secretary of State, the Fair Political Practices Commission, and/or the Federal Elections Committee;
  - i. A written certificate signed by the Chair and one additional officer of the organization, certifying that the Organization has at least thirty (30) members in good standing and that each of its members is a registered Democrat;
  - j. The above subsections a-i shall constitute the annual report, as referred to in Section 4.B.9, and;
  - k. Indication of payment of a charter fee in the sum of \$50.00.
4. *This Committee shall only charter organizations having as their objective the advancement of the Democratic Party,*
  5. *Chartered Organizations are intended to be independent of the California Democratic Party and not "affiliated" therewith, as that term is defined by the Bipartisan Campaign Reform Act and other applicable State and Federal laws, rules and regulations. This Committee shall not engage in any activities that directly or indirectly establish, finance, maintain, or control any organization chartered under this Article,*
  6. *Any Charter which has been granted by This Committee shall be effective from the date said charter was granted until the second meeting of the Executive Board held following the regular election of Statewide Officers of This Committee in the year immediately following the conclusion of a Presidential election year, or, until revoked for cause as set forth herein. An organization's charter which has expired shall be required to reapply using the guideline set forth above in Section 3.A.3 in order to continue as a chartered organization.*
  7. Applicants for charter shall exhibit a demonstrated commitment to inclusion and have a clear history of dedication to Democratic Party principles and practices, and shall maintain said qualities in all of their activities,
  8. In considering whether to recommend granting or rejecting an application for

Charter, the Rules Committee will, among other factors, consider whether or not there are existing organizations serving the same or similar purposes and/or jurisdiction chartered by This Committee or other authorities, and whether recommending granting or rejecting the application would be in the overall best interests of the Party, under the circumstances.

9. In the event competing applications for chartering are presented, weight shall be given to the number and geographic distribution of members in the organization and to the scope of the plan for political organizing and activity, with emphasis on voter registration, voter turn-out activities, promotion of candidates, and such other factors that promote the interests of the Democratic Party and the election of Democrats. The Rules Committee shall attempt to facilitate the merger of such competing groups.
10. Organizations applying for Charter must state in their bylaws that they subscribe to the principles set forth in the General Provisions of the Bylaws of This Committee, and,
11. In all of its proceedings, This Committee, and all of its subordinate bodies, shall observe the basic due process rights of notice, written response, representation, and a right to be heard via written testimony, reserving the right to set reasonable rules, methods and timetables regarding same; This Committee, or any of its subordinate bodies involved in this process, may issue an invitation to submit oral testimony provided a similar invitation to submit oral rebuttal thereto is also extended.

#### **B. District and Area Organizations**

1. This Committee shall not charter more than one District or Area based organization in a particular geographic area.
2. A presumption shall exist in favor of chartering organizations whose geographic area is inclusively defined as the boundaries of a legislative district.
3. The organization shall, in its bylaws and application for charter, indicate that its primary purpose is to actively engage in political organizing on the precinct level as well as other forms of electoral political activity.
4. All members of This Committee's Executive Board resident in the geographical area concerned shall be provided written or electronic notice of intent to consider an application for charter and be invited to provide written testimony either in support or opposition to the application. In its discretion, This Committee, or any of its subordinate bodies considering the matter, may invite oral testimony, provided all interested persons are accorded the same right.
5. The Roster of Members of a District or Area Organization shall be made available by This Committee to all candidates that This Committee endorses

#### **C. Statewide Organizations**

1. This Committee shall not charter more than one organization representing or sharing substantially similar interests;
2. The Chairs of Caucuses certified under Article III, Section 9, of the Bylaws of the CDP shall be given written or electronic notice of any application for charter by a Statewide Organization representing or sharing substantially similar interests as their caucus, and shall be invited to submit written testimony either in support or opposition to the application. In its discretion, This Committee, or any of its subordinate bodies considering the matter, may invite oral testimony, provided all interested persons are accorded the same right.

#### **D. Democratic Clubs**

1. This Committee shall refrain from chartering organizations whose primary purpose is to function as a “traditional Democratic Club,” leaving such responsibility to County Central Committees, unless the local County Central Committee either does not charter organizations, or does not exist. However, in the event a local County Central Committee has declined to charter an organization, or delayed such charter for an unreasonable period of time, This Committee shall consider such application for charter. Such application Must include a clear explanation and/or documentation of the extraordinary circumstances justifying the intervention of This Committee in what is generally considered a local County Central Committee function. The County Central Committee Chair and Executive Board representatives of said county (if any) shall be given written or electronic notice and invited to submit testimony to the Rules Committee. In its discretion, This Committee, or any of its subordinate bodies considering the matter, may invite oral testimony, provided all interested persons are accorded the same right;
2. When considering an application for charter of any organization that a local County Central Committee has declined to Charter, a rebuttable presumption shall exist in favor of the local County Central Committee’s action.
3. Prior to granting any charter under the provisions of this section, a specific finding of one of the following circumstances shall be made:
  - a. No County Central Committee is organized in the relevant county,
  - b. The County Central Committee in the relevant county has a policy of not issuing such charters, or
  - c. Extraordinary circumstances exist.

#### **E. Councils of Democratic Clubs**

1. This Committee acknowledges the Charter previously granted to the California Democratic Council in 1952, which organization shall be exempted from these guidelines, except with regard to those pertaining to revocation of charter;
2. This Committee may charter additional Statewide Councils of Democratic Clubs representing or sharing substantially similar interests, consisting of at least 3 individual clubs that have been chartered by This Committee or local County Central Committees, and are geographically diverse.

#### **4. REVOCATION**

- A. *This Committee shall have the power and authority to deny or revoke a charter of any CDP Chartered Organization, for cause by majority vote of This Committee.*
- B. *Cause for revocation includes:*
  1. *Having fewer than thirty (30) members in the geographical area from which the organization draws its membership,*
  2. *Failing to grant membership to any registered Democrat who seeks to join and is resident in the geographical area from which the organization draws its membership,*
  3. *The knowing enrollment of a person registered as anything other than a member of the Democratic Party as a voting member of the organization,*
  4. *The endorsement of a non-Democrat for elective office,*
  5. *The endorsement of any candidate for public office running against an endorsed*

*candidate of This Committee, by any organization granted a Charter by This Committee after the adoption of this Article X on July 31, 2005, (NOTE: This Committee previously granted a Charter to the California Democratic Council in 1952, prior to This Committee's authority to endorse candidates and prior to the adoption of the Chartering rules contained herein, and the California Democratic Council is specifically exempted from this possible grounds for revocation of Charter),*

6. *Transferring of funds from the organization's accounts to an account of a non-Democrat running for elective office,*
  7. *Acting in violation of State or Federal laws or regulations,*
  8. *A finding of fact having been made by This Committee that the organization has failed to act in, and/or has acted in a manner adverse or detrimental to, the best interests of the Democratic Party,*
  9. *A finding of fact having been made by the Organizational Development Rules Committee and concurred in by the Executive Board of This Committee that the organization has failed to act in, and/or has acted in a manner adverse or detrimental to, the best interests of the Democratic Party, including but not limited to:*
    - a. *A failure to adopt or maintain the Code of Conduct as part of its own bylaws with a provision that each member is bound by it terms, and/or*
    - b. *A willful, intentional, or repeated failure to address violations of the Code of Conduct within the organization.*
  10. *Failure to submit the annual written report referred to above shall create a rebuttable presumption of having failed to act in the best interests of the Democratic Party, provided written notice of the deficiency has been served by certified mail on the Chair of the Organization at the address last provided to This Committee and 15 days opportunity to correct the deficiency has been given. Submission of the deficient report within the given 15 days shall be considered evidence of compliance with the above report requirements.*
- C. *In the event the Compliance Review Commission does not exercise jurisdiction under Article XI, Section 2,a, over a complaint concerning the chartering of an organization, and upon written complaint signed by thirty (30) members of the Executive Board, or any three (3) State-wide officers of This Committee, the Rules Committee may institute Charter Revocation hearings and shall issue a written report of its findings and recommendations, as well as the reasons therefore, to the Executive Board of This Committee for further action.*
- D. *No organization's charter may be revoked for cause without sixty (60) days written notice of grounds of revocation having been mailed to the Chair of the organization in question, and the rights of response before This Committee having been granted to said organization's designated representative. For purposes of this section the Chair shall mean the last person designated in writing to This Committee as Chair.*
- E. *The Charters of geographically based organizations shall be automatically revoked thirty (30) days after the passage of any reapportionment law altering the boundaries of that organization's defined district boundary becomes final.*

## **5. TEMPORARY SUSPENSION OF CHARTER**

During the period 120 days prior to any Primary or General Partisan Election, the



Compliance Review Commission may, upon written request by the Chair of This Committee, issue an Order of Temporary Suspension of Charter, for a period of thirty days, of any charter issued by This Committee, for alleged violation of any of the above provisions, provided the request of the Chair of This Committee for suspension sets forth in writing the reasons therefore, and said request is served on the Chair of the Organization in question at their last known address of record on file with This Committee, the Secretary of This Committee, and the Chairs of the Rules, Credentials, and Organizational Development Committees of This Committee. In the event of the issuance of an Order of Temporary Suspension of Charter, the Compliance Review Commission shall also issue an Order to Show Cause why the suspension should not become permanent and request written argument thereon be submitted to the Secretary of This Committee within ten days, after which the Compliance Review Commission may take action under Section 6 herein, including the issuance of an Order of Revocation of Charter or rescission of the Order of Temporary Suspension of Charter.

## Appendix D:

### Compliance Review Commission Procedural Rules Updated June 2020 (Promulgated and Adopted by the CDP Rules Committee Pursuant to CDP Bylaws Article V, Section 5, b)

It is imperative to the effectiveness of the Compliance Review Commission (CRC) that it be transparent and that the parties understand their roles in it. To that end, the Rules Committee of the California Democratic Party (CDP), pursuant to Article V, Section 5, b, of the Bylaws of the CDP, hereby promulgates and adopts the following Procedural Rules of the CRC [NOTE: The italicized language below is contained in the CDP Bylaws]:

#### Section 1: Composition and Quorum; Meetings and Hearings

- A. *The Compliance Review Commission shall be composed of three (3) members of the Standing Committee on Credentials and three (3) members of the Standing Committee on Rules, as designated by the Chair of This Committee. The CRC is, and shall function as, a continuing body.*
- B. *A quorum shall be a majority of those persons. In the event of a vacancy, the quorum shall be a majority of the filled positions.*
- C. The CRC shall elect two (2) Co-Chairs, one from the Standing Committee on Credentials, and one from the Standing Committee on Rules who shall preliminarily determine jurisdiction for any appeal and shall assign the challenge to a member of the CRC from the Standing Committee determined to have appellate jurisdiction, to present the matter to the CRC and lead its deliberations.
- D. *The Compliance Review Commission may meet by telephone or other means of electronic communication.*
- E. Because of the need for timely action the CRC will ordinarily decide cases based on written testimony but it may, on rare occasion, and at its sole discretion, schedule and hear oral testimony, either in person, or via electronic means, if it decides oral testimony is needed to secure a just result.

#### Section 2: Jurisdiction

- A. *The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under the Bylaws of the California Democratic Party (CDP).*
- B. A person or the persons seeking redress from an action arising under the CDP By-laws [the Proponent(s)] must file a challenge and/or appeal that complies with Section 4 below. In addition, the challenge must contain plain, concise, and specific statements

that:

1. Cites the section of the CDP Bylaws, or Roberts Rules of Order, alleged to have been violated,
2. Explains the basis of CRC's jurisdiction,
3. Explains the basis of the Proponent(s) Standing to bring the challenge.
4. Contains a statement setting forth sufficient facts and supporting evidence, that if proven, by a preponderance of the evidence, would prove the violation alleged,
5. Provides the facts and evidence that are required to establish jurisdiction and a violation; conjecture, or mere conclusions, are in contrast, insufficient.

If the CRC cannot discern the section of the CDP Bylaws alleged to have been violated or which grants jurisdiction to the CRC, it may dismiss the challenge. [NOTE: Violations of another body's bylaws may fall under CDP Bylaws, Article XIII, Sections 1, 3, 5, 6, 7, and/or 9. In such cases, the sections of the organization's bylaws alleged to have been violated must be cited as well in order to establish CRC jurisdiction.]

Upon the failure to state jurisdiction as outlined in this section, the Proponent(s) of the challenge will be given a reasonable opportunity of not less than three (3) days, nor more than five (5) days, to correct the filing. Failure to adequately correct the filing within that time frame may result in dismissal of the challenge and/or appeal.

- C. The CRC does not hear "Statements of Charges" regarding removal from membership of a member of This Committee arising under Article II, Section 9. Such charges are under the direct jurisdiction of the Statewide Officers of This Committee.
- D. The CRC does not hear "Statements of Charges" filed against an Officer of this Committee under Article III, Section 6. Such charges are under the direct jurisdiction of the Executive Board of This Committee.
- E. *Challenges to the credentials of members initiated after the 42nd day prior to any meeting of This Committee or its Executive Board shall be processed by the Credentials Committee.*
  1. The purpose of this rule is to allow for the orderly conduct of This Committee's business, and, if necessary, the scheduling of remedial action during a time frame which allows for thoughtful decision making prior to depriving, even temporarily, the rights of members at the last minute prior to a meeting of This Committee or its Executive Board.
  2. By its terms, the CRC may not waive this time frame.

- F. *All other challenges initiated after the 42nd day prior to any meeting of This Committee or its Executive Board may either be heard and decided by the Compliance Review Commission or referred to either the Standing Committee on Credentials or the Standing Committee on Rules in the discretion of the Compliance Review Commission.* Accordingly, challenges not affecting the credentials of members initiated after the 42<sup>nd</sup> day prior to a meeting of This Committee or its Executive Board may be heard by the CRC, or referred to the Rules or Credentials committee, upon a majority vote of the CRC.
- G. *Challenges arising under Article VIII shall only be heard by the Compliance Review Commission if the challenge was made when the plenary session of This Committee was not in session.* The Plenary Session of This Committee is the highest body of the CDP and the ultimate determiner of its Rules and Policies and as such decides any challenges made while it is in session.
- H. *During the period 120 days prior to any Primary or General Partisan Election, the Compliance Review Commission may, upon written request by the Chair of This Committee, issue an Order of Temporary Suspension of Charter, for a period of thirty days, of any charter issued by This Committee, for alleged violation of any of the provisions of the CDP Bylaws, provided the request of the Chair of This Committee for suspension sets forth in writing the reasons therefore, and said request is served on the Chair of the Organization in question at his/her last known address of record on file with This Committee, the Secretary of This Committee, and the Chairs of the Rules, Credentials, and Organizational Development Committees of This Committee.*
- I. *In the event of the issuance of an Order of Temporary Suspension of Charter, the Compliance Review Commission shall also issue an Order to Show Cause why the suspension should not become permanent and request written argument thereon be submitted to the Secretary of This Committee within ten days, after which the Compliance Review Commission may take action under Section 5 herein, including the issuance of an Order of Revocation of Charter or rescission of the Order of Temporary Suspension of Charter.*
- J. Except as otherwise provided in a CRC Decision limiting its own jurisdiction, or a Decision of the Rules Committee or Credentials Committee extending its jurisdiction, the CRC shall maintain jurisdiction over all of its decisions up until:
1. The time for an appeal has passed and the report of the meeting of the Rules Committee or Credentials Committee at which a timely appeal would have been heard has been submitted to the Executive Board or to This Committee or,
  2. An appeal is heard by either the Credentials Committee or the Rules Committee of This Committee.

During this time of continuing jurisdiction, the CRC shall have the power and authority to modify, rehear, dismiss, or make other changes to its decision as may be necessary during that time period.

### **Section 3: Standing and Exhaustion of Remedies:**

- A. *Any party to a challenge must be adversely affected to bring the challenge.*
- B. In order to present a challenge and/or appeal, Proponent(s) of a challenge must indicate how they are harmed by the act that is being challenged.
- C. Subordinate bodies must be allowed to carry out their functions without undue interference and be given an opportunity to correct their own errors. Accordingly, Proponent(s) of a challenge must indicate what local remedies they understand are available and that they have either exhausted those local remedies, or can demonstrate that they are inadequate or futile. In evaluating whether a claim is properly before it, the CRC must determine that the Proponents of a challenge have exhausted all local remedies, (e.g., Appealing the Ruling of the Chair), where remedies exist and are appropriate, unless the CRC further determines that:
  - 1. Based on the evidence presented, such remedies are inadequate, or
  - 2. Requiring Exhaustion of Remedies would be:
    - a. Unduly burdensome,
    - b. Prejudicial, or cause unwarranted delay,
    - c. Futile, and/or
    - d. Counter to the interests of justice.

### **Section 4: Challenges and Responses**

- A. *All challenges must be commenced by the filing of a written challenge with the Secretary of This Committee, with copies served on the Chair of This Committee, as well as the appointing person, and the chair of the relevant organization, where applicable no later than seven (7) calendar days after the alleged violation occurred.*
- B. Proponent(s) of a challenge must state the remedy requested. Upon the failure to state a requested remedy the Proponent(s) of the challenge will be first given a reasonable opportunity of not less than three (3) days, nor more than five (5) days, to correct the filing. Failure to adequately correct the filing within that time frame may result in dismissal of the challenge and/or appeal.
- C. Procedural Rules, the challenge must:
  - 1. State the name, address, telephone number, email address, and Assembly District of the Proponent(s) of a challenge, and, if more than one Proponent of a challenge is listed, identify a primary contact person responsible for managing the challenge who shall have authority to make any changes to the challenge or accept stipulation(s) on behalf of all the Proponents of the challenge.

2. Clearly set forth the factual basis for the challenge and provide a plain, concise, and specific statement of the alleged violation to afford all parties notice of what is being challenged and why.
3. Be in writing, in 12 point type, double spaced, not to exceed five (5) pages, to the Secretary of This Committee, and be served on the Chair of This Committee. Exhibits shall be limited to an additional ten (10) pages.
4. If bylaws of an organization are alleged to have been violated, provide an internet link to the full and complete text of the bylaws, with a citation to the provision in issue; full copies of bylaws need not be provided.
5. Video evidence, if any, is considered as supportive of the written allegations and therefore should be described in the text of the challenge, including who took the video, and the mark of time specifically indicating the portion of the video the proponent seeks consideration of.
6. No challenge shall be denied for merely being in the wrong font size, spacing, or page length, or other non-conformance with the provisions of this paragraph, without the Proponent(s) of the challenge having first been given a reasonable opportunity of not less than three (3) days, nor more than five (5) days, to correct the filing. The date of the original filing will govern as to the timeliness of any such amended filing.

- D. The filing of a challenge with The Secretary of This Committee and service upon the Chair of This Committee may be effectuated via email. [NOTE: Proponent(s) of a challenge are advised to verify receipt of any challenge with Party Staff. Additionally, Article XIV of the CDP Bylaws governing Electronic Notice applies to CRC proceedings.]
- E. Proponents of a challenge affecting the credentials of a member of This Committee holding membership by virtue of appointment under Article II, Section 3, must serve the member's appointor with a copy of the challenge.
- F. Proponents of a challenge:
1. Affecting the credentials of a member of This Committee holding membership by virtue of appointment under Article II, Section 4, or,
  2. Concerning the actions of a County Central Committee,
- must serve the Chair of the relevant County Central Committee with a copy of the challenge.
- G. Proponents of a challenge concerning the actions of any organization must serve the

chair, president, or person of similar positional title of that organization with a copy of the challenge.

- H. Filing and service of a challenge must occur on or before the seventh day after the alleged violation occurred.
- I. In the event of a filing after the seventh (7<sup>th</sup>) day after the alleged violation occurred, the Proponent(s) must state, and the CRC must find by unanimous vote, good cause for waiving this requirement for the challenge to proceed. In the event such a finding is made, the facts constituting the basis for waiving the time frame for filing must be stated in the Decision of the CRC.
- J. Subsequent filings after the seventh (7<sup>th</sup>) day after the alleged violation occurred pertaining to a timely filed challenge, may be heard and relied upon by the CRC, in its discretion, upon a finding of good cause, including, but not limited to, such things as: the reason for the late filing, newly discovered evidence, or the best interests of the Party.
- K. In addition to the notice and service of challenges to the challenged parties by the Proponent(s) of the challenge, the Secretary of This Committee shall notify the challenged Parties of any such filing(s).
- L. Upon a determination that the challenge is properly filed, the CRC may set a deadline for submitting evidence in response to a challenge. Such a deadline shall generally be (twelve) 12 days after notification by the Secretary of This Committee to the challenged parties of the filing and service of the challenge, but shall not be less than five (5) days nor more than fifteen (15) days, after such notification.
- M. Proponents of a challenge may provide additional supporting evidence, in writing, provided the time for submitting evidence has not expired. However, if the time for submission of evidence has expired, the CRC may in its sole discretion consider such late evidence in its discretion upon a finding of good cause, as noted above.
- N. Respondent parties may provide rebuttal testimony in writing (or orally if authorized by the CRC), provided:
  - 1. Respondents state their name, address, telephone number, email address, and Assembly District.
  - 2. Respondents clearly set forth their factual basis of the rebuttal argument and provide a plain, concise, and specific statement:
    - a. As to whether or not jurisdiction is in dispute,
    - b. As to whether or not standing is in dispute, and,
    - c. Setting forth the rebuttal to the challenge so as to afford all parties

notice of what is being refuted and why.

3. The Response is in writing, in 12 point type, double spaced, not to exceed five (5) pages, served on the Secretary of This Committee and the Chair of This Committee. Exhibits shall be limited to an additional ten (10) pages.
4. If bylaws of an organization are relied upon in rebuttal, an internet link to the full and complete text of the bylaws, with a citation to the provision in issue; full copies of bylaws need not be provided.
5. Video evidence, if any, is considered as supportive of the written allegations and therefore should be described in the text of the challenge, including who took the video, and the mark of time specifically indicating the portion of the video the proponent seeks consideration of.
6. No Response shall be rejected for merely being in the wrong font size, spacing, or page length, or other non-conformance with the provisions of this paragraph, without the Respondent to the challenge having first been given a reasonable opportunity of not less than three (3) days, nor more than five (5) days, to correct the filing. The date of the original filing will govern as to the timeliness of any such amended filing.

## **Section 5: POWERS**

- A. *The Compliance Review Commission shall have the power and authority to take such actions as are necessary to provide a fair and just remedy including, but not limited to, the holding of new elections.*
- B. Regardless of whatever remedy may be requested by the Proponent(s) of a challenge, CRC, as noted above, has the power and authority to take such actions as are necessary to provide a fair and just remedy including, but not limited to the holding of new elections and is not limited by the request, and may impose lesser or greater remedies than requested.
- C. If, upon review of the challenge of the Proponent(s), the CRC determines that even if all of the alleged facts were true the challenge would still be denied, it may do so without requesting responses. [Examples include but are not limited to: a challenge filed after the deadline without stating good cause; a challenge based on a provision CRC does not have initial jurisdiction over; and/or a challenge that does not state factual allegations constituting the alleged violation.]
- D. The Co-Chairs, if in agreement, or the CRC by majority vote, may:
  1. While still maintaining CRC jurisdiction, refer a matter back to the challenged party (e.g. - County Central Committee) for further proceedings or development of the record,



2. While still maintaining CRC jurisdiction, refer a matter to another Standing Committee or a hearing officer in order to:
  - a. gather additional evidence,
  - b. attempt to reach a stipulated agreement for approval by the CRC, and/or,
  - c. make a recommendation to the CRC,
  
3. Attempt to reach a stipulated agreement among the parties for approval by the CRC,
  
4. Appoint a member, other person, Committee, or other body or group to monitor and/or enforce compliance with CRC Orders, with such powers and authority as may be necessary,
  
5. Dismiss or deny without requesting responses, any filing that they have determined:
  - a. that even if all of the alleged facts were true the challenge would still be denied or dismissed,
  - b. is frivolous or without merit,
  - c. is primarily meant to vex, annoy, or harass the respondent, and/or,
  - d. manifests an absence of:
    - (1) good faith in bringing, or,
    - (2) a substantive argument underlying,

the challenge which makes requiring a response and hearing detrimental to the best interests of the Democratic Party as a whole;

provided, however, that if any member of CRC requests the matter be heard, responses and a hearing will be scheduled.
  
6. Upon motion of an interested party supported by a showing that the challenger has a history of filing frivolous or vexatious claims, dismiss, without seeking testimony from the challenged parties, any challenge determined not to have a likelihood of success, filed by a proponent who has failed to prevail, in the determination of the Co-Chairs, or the CRC, in three (3) or more matters filed by the proponent, in the previous four (4) years,

7. Upon a finding of non-compliance with a CRC Order or Decision, by the Co-Chairs, issue an Interim Order suspending or denying representation to This Committee, including its Executive Board, subject to review by the CRC, or,
  8. Upon a finding of non-compliance with a CRC Order or Decision, by the CRC, issue an Order, suspending or denying representation to This Committee, including its Executive Board, subject to appeal.
- E. The date of the original filing will govern as to the timeliness of any such filing referred back to the Proponent(s) of a challenge, other Committee, or a Hearing Officer, for further action.
- F. County Central Committees are not subordinate units of the CDP; they are independent organizations established under separate legal authority, and the CRC’s ability to penalize County Central Committees for violations is generally limited to denial of representation at meetings of This Committee, its Executive Board, and its subordinate bodies. The separate existence of County Central Committees and the limited authority of the CRC strongly mitigates in favor of deference to decisions of County Central Committees, including their interpretations of their own bylaws, even where the CRC does not agree with such decisions and, thus, any finding of a violation must be firmly based on:
1. A Bylaw or other rule of This Committee that is binding on the County Central Committee, or,
  2. Conduct by the County Central Committee that cannot be justified under its own reasonable construction of its Bylaws or other duly promulgated and noticed internal rules.
- G. In the case of a County Central Committee, one of the remedies requested by the Proponent of a challenge must be a request for denial of representation of that County Central Committee at meetings of This Committee, its Executive Board, and/or its subordinate bodies. Proponents of a challenge to the actions of a County Central Committee should be prepared to show why such a serious remedy is justified. No challenge shall be denied for merely failing to make such request without the Proponent(s) of the challenge having first been given a reasonable opportunity of not less than three (3) days, nor more than five (5) days, to correct the filing. The date of the original filing will govern as to the timeliness of any such amended filing.

## **Section 6: Deliberations and Decisions**

- A. The CRC is bound by and adheres to the **“California Democratic Party –Open Meeting Rule Policy Statement - Policy Statement By the Rules Committee of the California Democratic Party on the Open Meeting Rule”**, adopted by the Rules

Committee, July 14, 2018, and successor amended versions thereof.

- B. Pursuant to the Open Meeting Rule Policy Statement, Executive Sessions of the CRC may be held in matters involving:
  - 1. Personnel Issues,
  - 2. Contract Issues,
  - 3. Litigation Issues,
  - 4. Campaign Strategy, and/or,
  - 5. Member Disciplinary and Other Proceedings Involving the Right to Privacy.
- C. Unless covered by an exception to the Open Meeting Rule Policy Statement, all filings with, and decisions of, the CRC are public documents and shall be made available on its web portal in “.pdf” format.
- D. Decisions of the CRC shall be made in writing, provided, however, that if:
  - 1. A decision is made at a hearing where in person testimony or deliberation occurs, it may initially issue an oral decision, which shall be reduced to written form, or,
  - 2. It is found that based upon unusual and compelling circumstances, the best interests of the Party require otherwise; such unwritten decisions should be rare and not lightly decided upon, and must be concurred in by a unanimous decision of the CRC and with the approval of the Chair of This Committee.
- E. The drafting and editing of Decisions shall, in most cases, be conducted by CDP staff and it is not required to be done during a meeting of the CRC. Due to the nature of the decision-making process, votes of the CRC are preliminary until reduced to written decision. Based upon individual consultation with the members of the CRC, the written decision of the CRC prepared by staff, and signed on to individually by the members of the CRC, may vary from its preliminary decision.
- F. If, after submission for decision or deliberations, and during the drafting process, additional facts come to light, or the CRC finds it necessary to conduct additional investigations, hearings, or deliberations, to obtain additional evidence, or decide unresolved issues, it may do so, provided it notifies the parties of the action and the reasons underlying it. In such cases, the CRC shall allow for the submission of additional written testimony under such terms and conditions as may be fair and just.

- G. Pursuant to Article XIII of the CDP Bylaws, no vote of the CRC shall be taken by secret ballot.
- H. Decisions shall be made based upon the preponderance of the evidence.
- I. Although certain violations, such as substantial failures to provide adequate notice or failure to provide meaningful opportunities to cast a ballot, may raise a presumption the outcome of an election or other decision was affected, Proponents of a challenge to an Assembly District Election Meeting or other election or decision must demonstrate by a preponderance of the evidence that there is a reasonable likelihood that the conduct and/or actions complained of made a difference in the outcome that would not have been present absent that conduct and/or action and that said conduct or actions resulted in an outcome adverse to the Proponent(s) of the challenge.
- J. The CRC may issue interim Orders to preserve:
  - 1. Evidence,
  - 2. The status quo, or,
  - 3. The ability to provide a meaningful remedy,pending issuance of a final decision of the CRC.
- K. Notice of CRC meetings to consider challenges and appeals shall be posted on the CDP web site at least seven (7) days prior to any such meeting, subject to the exceptions stated in the Open Meeting Rule Policy Statement.
- L. Members not having participated in deliberations, but having read any challenges or responses, may, none-the-less concur or dissent from the result, but may not change the result reached by the fully participating members of the CRC. Such concurrence or dissent shall be listed as “Concurring in (or dissenting from) decision, but not participating in deliberations or vote on result.”

**Section 7: APPEAL**

- A. *All appeals must be received by the Secretary of This Committee, with copies to the Chair of This Committee, within twelve (12) days of the decision of the Compliance Review Commission.*
- B. Appellants must submit their appeal in writing, in 12 point type, double spaced, not to exceed five (5) pages, to the Secretary of This Committee. No Appeal shall be denied for merely being in the wrong font size, spacing, or page length, without the Appellant having first been given a reasonable opportunity of not less than three (3) days, nor more than five (5) days, to correct the filing. The date of the original filing will govern as to the timeliness of any such amended filing.

- B. The time frame for an Appeal is mandatory and may not be waived by the CRC.
- C. *Upon receipt of an appeal, the Secretary shall notify the members of the Compliance Review Commission, the Chair of This Committee, and the prevailing parties of the receipt of an appeal.* The Secretary shall also notify the Chair(s) of the Committee hearing the appeal.
- D. *All responses shall be filed with the Secretary of This Committee with copies to:*
1. *the Chair of This Committee,*
  2. *the members of the Compliance Review Commission,*
  3. *the appellants, and,*
  4. the Chair(s) of the Committee hearing the appeal,
- within 12 days of receipt of the appeal by the Secretary of This Committee.*
- E. *The filing of an appeal shall not stay any decision of the Compliance Review Commission.* Accordingly, decisions of the CRC remain in effect, pending the outcome of any appeal and the CRC may continue to process and enforce its Orders.
- F. *With respect to challenges to the credentials of a member of This Committee or its Executive Board, appeal of an order of the Compliance Review Commission shall be to the Credentials Committee of This Committee.*
- G. *Appeals of all orders not affecting the credentials of a member of This Committee or its Executive Board shall be to the Rules Committee of This Committee.*
- H. The CRC shall determine whether a decision is subject to appeal and, if so, if it is an appeal to the Credentials Committee or to the Rules Committee in any order it issues.
- I. While the Rules Committee may not, on its own, set rules barring the members of the CRC from voting on Appeals in their respective Standing Committees, and still recognizing both that the participation of CRC's members in discussion of appeals may be vital to the decision-making of the Standing Committee sitting as an Appellate body and that, as an analogy, Federal Court of Appeals Judges participate in rehearings on appeal to the full Court sitting en banc, the Rules Committee also recognizes that the casting of a vote on an appeal, by a CRC member in committee, can generate the appearance of a bias toward affirmation of the CRC's Decision, and therefore, the Rules Committee wishes to express its concern regarding, and discouragement of, CRC members voting on appeals, while still welcoming their opinion and discussion.

## **Appendix E:**

### **CALIFORNIA DEMOCRATIC PARTY LEGISLATION COMMITTEE LEGISLATION POLICY AND PROCEDURES (Approved February 2022)**

#### **I. Name:**

- a) This body shall consist of the Standing Committee of the California Democratic Party State Central Committee (DSCC), known as the “Legislation Committee.”

#### **II. Preamble:**

- a) It shall be the function of the Legislation Committee to evaluate, recommend endorse, or propose legislation when needed, in response to the duties and policies of the Party; to maintain a listing of all pending legislation that is of "must" and/or major concern to the Party; and to keep a record of the vote by the Democratic Party legislators on such legislative items as able.
- b) The Legislation Committee shall in consultation with the Chair of the State Central Committee, organize and coordinate activities to advance Party positions on legislative priorities, including, but not limited to, lobby days with legislators, grassroots mobilization, delegate outreach, and as needed, shall advise the Chair of the State Central Committee and make recommendations as to how to most effectively utilize Party resources for this purpose, consistent with guidelines adopted by the Rules committee.

#### **III. Scope:**

- a) The Legislation Committee shall consider bills originating from the California State Legislature or the United States Congress. In exceptional cases, the Legislation Committee may consider local legislation of a statewide concern. Bills under consideration should be in furtherance of an existing party resolution or platform plank.
- b) The Legislation Committee shall only consider legislation duly submitted for review and recommendation by
  - i. a Democratic County Central Committee
  - ii. a recognized Caucus of the DSCC
  - iii. Organizations Chartered by the DSCC
  - iv. request from the legislation’s author, an elected Democratic legislator.
  - v. a majority of the Legislation Committee Co-Chairs
  - vi. a referral from the Chair of the DSCC
- c) Requests for review and recommendation must be properly submitted through an online “Legislative Position Request Form” on the party’s website, unless a request originates from a majority of the Legislation Committee Co-Chairs, or the Chair of the State Central

Committee.

In each calendar year, each Democratic County Central Committee may submit up to two (2) legislative items plus an additional item for every two (2) Assembly Districts which are contained in whole or in part in that County. Further, each of the other sources identified in Section III, Subsection b may submit no more than twelve (12) legislation items for review in each calendar year

- d) Old business items properly submitted for review by the Legislation Committee prior to the adoption of these Policies and Procedures may be considered by the Legislation Committee as determined by the Lead Chairs.
- e) Consideration of bills may result in a Legislative Committee recommendation including but not limited to: support, support if amended, oppose, oppose unless amended and neutral. A bill may also be laid on the table without taking any position.
  - i. In order to consider a position to oppose legislation sponsored by a Democrat, a 2/3rds vote threshold of the members of the Legislation Committee must be met, and at least fifteen (15) days notice must have been given to the proposed legislation's author or their chief of staff.
- f) Legislation Committee shall be guided by, but not limited to, the following when making recommendations on legislation:
  - i. Timeliness of the legislation.
  - ii. Positions taken by the DNC, DNC Committees, DSCC, CDP resolutions and/or platform committees, and/or positions taken by CDP Caucuses that may conflict with or adhere to issues related to the legislative request.
  - iii. Status of legislation in the CA State Legislature, U.S. Congress or other appropriate legislative body.
  - iv. Impact DSCC may have on the outcome of legislation.
  - v. Historical principles of the DNC and DSCC and communities it represents.
  - vi. Factors that may affect potential substantive changes to legislation, such as whether legislation requires 2/3 majority to pass legislative body.
  - vii. Constitutionality.
  - viii. Importance of the legislation.
  - ix. Number of bills on which a recommendation has been made.
  - x. Impact on Party resources.
  - xi. Degree of consensus in the Party.
- e) The Legislation Committee may also facilitate the sponsorship of legislation, taking into consideration the resources required to sponsor legislation, other potential stakeholders, capacity of committee members and party staff, and legal requirements of advocating for the passage of legislation.

#### **IV. Sub-Committees::**

- a) The Lead Chair(s) may, in consultation with the Co-Chairs, create and dissolve subcommittees within the Legislation Committee as appropriate.

- b) Members of the Legislation Committee may self-select to serve on a sub-committee.
- c) The Lead Chair(s) shall appoint the chair of each of the subcommittees.
- d) For a meeting of a subcommittee which has been duly noticed, quorum shall be 40% or 10 subcommittee members, whichever is less.
- e) Subcommittees shall meet and vote via either telephonic or electronic communication as designated by the subcommittee chair, subject to the guidelines of the CDP regarding email, telephonic, and electronic communication. In-person meetings may only take place at scheduled DSCC meetings.
- f) Subcommittees may be tasked by Lead Chairs(s) to complete preparatory, operational, and follow up work as appropriate.
- g) The Lead Chair(s) shall be responsible for informing the Chair of the CDP on any change the Lead Chair(s) become aware of, to legislation on which the Legislation Committee has taken a position.

#### V. Procedures:

- a) Requests:
  - i. Legislative position requests may be submitted by any entity listed in Section III(b) through the procedures listed in Section III(c-e). Timely submitted legislative position requests shall be taken up at the first Legislation Committee meeting following the request.
  - ii. In order to be considered timely, Legislative Position Requests must be received no later than thirty (30) calendar days prior to a meeting of the State Central Committee or Executive Board, unless the requested legislation was introduced, substantially amended, or given urgency status within the 30 calendar day period, or the request to review originates from a request from the DSCC Chair, in which case the committee may waive this requirement upon a simple majority vote of members present and voting.
    - 1. Substantial amendment is defined as language that changes one or more core functions of the legislation.
  - iii. Late legislative requests may be heard by the Committee unless a two (2) members of the Committee present and voting dissents, or unless approved as a new, substantially amended, or urgency bill by the Committee. Once a late legislative request has received consent to be heard, it will be treated in the same way as if it had been submitted as a timely legislative request. The submitter may also be asked to provide 40 copies of the legislation request form and related materials depending on the time frame.
- b) Sub-Committees:



- i. The Lead Chair(s) of the Legislation Committee shall direct tasking as appropriate to each subcommittee.
  - ii. The Lead Chairs shall ensure that the Legislative Position Request Forms for timely legislative position requests and consent calendars shall be distributed to Legislation Committee members no later than 72 hours before the first day of State Central Committee or Executive Board, whichever comes first. This task may be delegated to a subcommittee as appropriate.
- c) Committee of the Whole:
- i. Recommendations may be severed from the consent calendar upon objection of any member of the Legislation Committee.
  - ii. The order of legislative recommendation consideration shall be as follows:
    - 1. The consent calendar, excluding any severed items
    - 2. Positions severed from a consent calendar recommendation with the first vote being on the consent recommendation. No other motion, of any type, shall be in order until the consent calendar recommendation is disposed of by either being adopted or rejected.
    - 3. Floor Motions
  - iii. Except when presented as a consent calendar, the members of the Legislation Committee shall be given the opportunity to debate the recommendation. Speakers shall be limited to no more than three (3) speakers in favor and three (3) three speakers opposed, with a time limit of no more than 1 minute per speaker. The number of speakers or time allotted may be extended by a majority vote of those present and voting.
  - iv. A 60% vote of the Legislation Committee members present and voting is needed to make a legislative recommendation to the DSCC or DSCC E-Board. An abstention from a vote does not count toward “present and voting” count.
  - v. The Legislation Committee will present legislative position recommendations in the committee report to the next meeting of either State Central Committee convention body or Executive Board, whichever comes first.
- d) Sponsoring Legislation:
- i. Legislation sponsorship requests may be brought to the Legislation Committee by any source identified in Section III, Subsection b.
  - ii. The Lead Chairs, in consultation with committee co-chairs, may refer this request to an ad hoc drafting subcommittee by majority vote of the Legislation Committee, with an effort to fill the drafting subcommittee with members of the Legislation Committee that have relevant experience in the subject matter of the proposed legislation.

- iii. The drafting subcommittee shall report at the next meeting, a report detailing draft language, potential authors, co-sponsors, supporters, opponents, feasibility, and findings to either recommend the Legislation Committee approve or deny the sponsorship request.
  - iv. The Legislation Committee may recommend to the State Central Committee or Executive Board committee sponsored legislation presented via the ad hoc committee mentioned in Section V(d) (ii) with a 60% vote of the Legislation Committee members present and voting.
  - v. Any legislation sponsorship proposal may be made available to all State Central Committee members on the Legislation Committee's website and be included in any Committee Report to the convention or executive board floor.
- e) Post Meeting Powers:
- i. Reconsideration on legislative positions adopted by the Legislation Committee require a 2/3 vote of the Legislation Committee members present and voting. A vote for reconsideration must occur within one year of the committee taking its first position on the legislation up for reconsideration or at any time if amended.
  - ii. In the event that legislation that the California Democratic Party has taken a position on is substantially amended in such a way as to fundamentally change its nature so as to warrant a change in position, the Lead Chair(s) of the Legislation Committee may call upon a panel consisting of the Lead Chair(s) of the Legislation Committee and all Co-Chair's of the Legislation Committee to review the changes made to said legislation. A simple majority of panel members present and voting shall be sufficient to rescind a prior legislative position taken by the body. In the event that a legislative position is rescinded, it shall be taken up by the Legislation Committee at the next regular meeting as if it was a new piece of legislation.

## **VI. General Provisions:**

- a) The Legislation Committee shall be guided by Roberts Rules of Order except where specified in this document.
- b) Due notice of Legislation Committee meetings must be made to all Legislation Committee members.
- c) Members of the Legislation Committee must disclose any conflict of interest to the best of their ability.
- d) The Legislation Committee shall ensure publication of committee reports and these bylaws on the party website.

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## **Appendix F:**

### **Procedural Rules of the California Democratic Party Resolutions Committee**

**Revised and Approved August 27, 2021**

#### **Preamble**

The following is the result of work by the CDP Resolutions Committee, in consultation with the Rules Committee, to clarify and codify the procedures of the Resolutions Committee, as per CDP By-Laws Article V, Section 5c which reads in part:

"The Resolutions Committee shall establish and publish the procedures for the proposition of resolutions that are consistent with these By-Laws."

For the most part, these "Procedural Rules for the Resolutions Committee of the California Democratic Party" detail past procedures that the Committee has used in processing the large volume of requests sent to their Committee. The Resolutions Committee has worked with a number of people in drafting and finalizing this document in its attempt to clear up any potential confusion regarding the process.

#### **I. Authority**

Pursuant to the California Democratic Party (CDP) Bylaws & Rules, Article V Section §5(c), "the Resolutions Committee shall establish and publish the procedures for the proposition of resolutions that are consistent with" the CDP Bylaws.

Except as otherwise provided in these Procedural Rules or CDP Bylaws, the Resolutions Committee (hereinafter: "the Committee") will be governed by Robert's Rules of Order. Except as otherwise provided herein, these Procedural Rules may be suspended by a two-thirds ( $\frac{2}{3}$ ) vote of the Committee members present and voting at a meeting of the Committee.

The Committee may set rules at Committee meetings for debate by members and will set rules allowing the contact of a timely resolution to speak in support of the resolution during a Committee meeting.

The Committee shall not send to the floor of a General Session any resolution calling for a change in the CDP Bylaws, platform, operations; nor stating the endorsement of, support of a candidate for public office, nor opposition to a candidate who is a registered Democrat; nor mandating or restricting the spending of money by the CDP; nor calling for a pardon, clemency or any other legal act reaching a conclusion of law or legality. Note that this prohibition may not be suspended in any circumstance.

## **II. Committee Chairs**

The Committee will be presided over by Lead Chairs appointed by the CDP Chair. A lead chair may delegate responsibility to one or more chairs to conduct business between meetings of the Committee.

The responsibilities and powers of the Lead Chair(s) include, but are not limited to:

- A. Conferring with staff and resolution contacts or others as needed prior to the annual CDP Convention or Executive Board meetings, to develop a consent calendar for the Committee or otherwise help ensure the smooth operation of Committee meetings.
- B. Acting as agents of the Committee, negotiating on behalf of the Committee to draft amendments, resolutions, or substitute resolutions; or appointing other members of the Committee or CDP staff to perform such roles.
- C. Presiding over meetings of the Committee.
- D. Conferring with the CDP Chair and staff concerning resolutions or resolutions procedures.
- E. Representing the Committee in discussions and negotiations with other committees or caucuses.
- F. Issuing parliamentary rulings at Committee meetings or when acting as Chair during a General Session of an annual CDP Convention or Executive Board meeting.

### **Committee Members Submitting and Sponsoring Resolutions:**

Committee Members are discouraged from directly authoring or sponsoring resolutions as it could constitute a conflict of interest and may be asked to recuse themselves from participating or voting in committee proceedings where such a conflict exists.

Note that decisions made by a lead chair or his/her appointee are not binding on the entire Committee, which may decide by vote at a Committee meeting to take an action other than that pursued by a lead chair or his/her appointee outside of a Committee meeting.

### III. Format and Submitting a Resolution

All resolutions must:

- A. Be typed.
- B. When submitted, **must** fit on a single 8 ½" x 11" page;
- C. Format: Must NOT be written in sentence format (see Resolutions page for previously posted resolutions for proper formatting).
- D. Clauses: Contain no more than three "inducement" or "whereas" clauses and no more than two "resolve" clauses; and the whereas clauses must contain facts and allegations that build a logical case to and are directly connected to the solutions contained in the principles being proposed in the resolved clauses;
- E. Length: Shall be no longer than 400 words, including the title
- F. Be authored by members of This Committee, and;
- G. Sponsors: Be sponsored by members of This Committee; all resolutions presented to the Committee for passage at any meeting of This Committee must either previously have been adopted by **one** of the following, as described in Article III, Section 4d of the CDP Bylaws: a Democratic Central Committee, a Chartered Democratic Organization, twenty-five (25) Democratic State Central Committee members, majority of the voting DSCC members in attendance at a Regional meeting. When a resolution is sponsored by one or more DSCC members, the sponsors and their respective assembly districts must appear at the bottom of the text of the resolution. NOTE: Only as many sponsors as fit on the single 8 ½ X 11 page below the resolution will be listed.
- H. Contact: The following information about a single contact and alternate (if any) must appear at the bottom of every resolution: name, AD#, email and phone. ONLY the sponsor contact or if the contact is not able, then the alternate will be considered to have full authorization to negotiate with a lead chair of the Committee or his/her appointee regarding changes to or disposition of the resolution. The Committee will only negotiate and hear testimony from the designated contact or alternate contact (one only).
- I. Submission: Resolutions may ONLY be submitted two (2) ways: via online submission form (preferred & recommended method-or mailed to the CDP Sacramento office at 1830 9th Street, Sacramento, CA 95811. Online submission is the safest way to ensure your submission is received. Resolutions submitted via email will not be accepted.
- J. Submission Deadline: Submission deadline will be thirty (30) days, at noon (12 pm) on the day the Committee is set to meet for its 1st Resolution meeting at a Convention or Executive Board Meeting of This Committee.
- K. California Democratic Party: All resolutions submitted for passage by the Committee must ONLY refer to the California Democratic Party.

#### **IV. Form of Resolutions**

Statements of Principles: Resolve clauses must be statements of principles and may not mandate or condition support or action, or be subject to consideration by virtue of Article VIII, Section 5 of the Bylaws of the California Democratic Party. The resolution title should accurately reflect the subject matter of the resolution and should be a single subject.

All information, references, numbers or statistics should be verifiable and reasonably accurate.

Any resolution calling for a change in the CDP Bylaws or platform, mandating or restricting the spending of money by the CDP, or stating the endorsement of, support of a candidate for public office, or opposition to a candidate who is a registered Democrat, shall not be heard by the Committee and therefore may not be brought to the floor under any circumstances.

Resolutions shall not be highly technical, contain or endorse complex legal concepts (broad unqualified endorsements of existing legal documents, treaties/conventions) or contain detailed policy recommendations.

Resolutions should not contain falsehoods, be defamatory or contain hate speech targeting race, religion, ethnic identity, gender identity, family status or national origin.

Resolutions should generally not reference specific bill numbers, legislation, or legislative acts. A resolution that references any of these will normally be returned to the contact to be rewritten as a statement of principle or be referred to the Legislative Committee.

The Committee will, at any annual CDP Convention or Executive Board meeting that immediately precedes an election, consider and recommend to the floor a CDP position on each ballot measure certified by the Secretary of State for the upcoming election. No resolution supporting, opposing, or recommending a neutral position on a ballot measure is necessary and none will be considered. Democratic entities wishing to communicate their position on a ballot measure should do so at the meeting of the Committee.

No resolution shall contradict or call for a change in the CDP Bylaws or platform; nor state the endorsement of, support of a candidate for public office, nor opposition to a candidate who is a registered Democrat; nor mandate or restrict the spending of money by the CDP.

### **V. Actions That May be Taken by The Committee**

Once a resolution is submitted to the Committee, it becomes the "property" of the Committee. As such, the Committee shall have authority to take any of the following actions with respect to a submitted resolution: send to the floor of a General Session; postpone to another meeting; refer back to the contact; grant a request by the contact for withdrawal of the resolution; allow for a one-time addition of sponsors; or refer to another CDP committee, a CDP caucus, a county Democratic central committee, or other local Democratic entity. Furthermore, the Committee may amend or rewrite the resolution, merge it with another resolution, or provide a substitute resolution prior to sending it to the floor of a General Session.

The Committee uses codes to define the status of each resolution at each Convention and Executive Board Meeting. The following will provide guidance for Committee members, authors, contacts, DSCC members on the coding for resolutions:



CODE	NAME	
1	Debated and Passed	Resolution is discussed in Committee and Passed as presented. Resolution on the consent calendar for E-Board or Convention Floor Vote.
2	Debated, Amended, and Passed	Resolution is discussed in Committee and/or amended at any point during Committee Process, and Passed. Resolution on the consent calendar for E-Board or Convention Floor Vote.
3	No Debate and Passed	Resolution is passed as presented to the Committee. Resolution on the consent calendar for E-Board or Convention Floor Vote.
4	Reaffirmation	Resolution Subject Matter deals with the subject matter previously passed by the E-Board or Convention. Resolution does not appear before the E-Board or Convention for a Floor Vote.
5	Debated and Failed	Resolution is debated and not passed by the Committee. Upon gathering requisite signatures, verified by CADEM Staff, Resolution may be brought to floor of E-Board or Convention for a Floor Vote.
6	Object to Consideration	Resolution fails to meet the Resolution Committee Rules and the Contact fails to respond to Committee's communications. Resolution does not proceed.
7	Referred	Resolution is sent to a separate entity for consultation or for action (The resolution is calling for an action or idea that is not under the purview of the Resolution Committee).
8	Tabled	Resolution is delayed until the next meeting of This Committee, so the Resolutions Committee can conduct research on the subject matter and seek outside Counsel on the subject matter.
9	Postponed	Resolution is delayed to the next meeting of This Committee at the request or consent of the Resolution Contact.
10	Out of Order	Resolution does not conform with Resolution Committee Rules. Resolution does not proceed.

11	Old Business	Resolution subject matter is no longer timely. Resolution does not proceed.
12	Returned to Author	Resolution returned to the author to fix procedural errors. Resolution is delayed until the next meeting of This Committee.
13	Incorporate/Combine	Multiple Resolutions on substantially similar subject matter are being combined/incorporated/merged into one Resolution for Consideration.
14	Substitute	Completely new Resolution created, formed from the subject matter of other Resolutions submitted that have been given a code 13.

Resolutions with Codes 1, 2, 3, 4, 5, and 14 require an affirmative vote to be heard by a majority, 50% + 1, of those members present and voting to pass the Resolutions Committee.

Resolutions with Codes 6, 7, 8, 9, 10, 11, 12, and 13 require an affirmative vote to be heard by two-thirds ( $\frac{2}{3}$ ) of the Co-Chairs present and voting to change the code to something else.

### **Process for Verification of Acceptance**

If a lead chair, or his/her appointee, or the Committee proposes changes to a resolution (other than minor technical or grammatical changes), the contact will be notified of such proposed modifications. In the case of a resolution with multiple sponsoring individuals or organizations, the contact is responsible for communicating with the other sponsors and determining whether they wish to continue to be listed as sponsors of the resolution in its new format. The contact will notify the Committee of the decision at the time an agreement is reached with the Committee as to any changes to the resolution and the contact formally signs off those agreed to changes or withdraws from the resolution. If no notification is received from the sponsor contact authorizing the inclusion of the names of sponsoring individuals or organizations, the resolution will become a Committee sponsored resolution.

A. Referral to Other Entities: Prior to an annual CDP Convention or Executive Board meeting, the Committee's lead chair(s) or their appointee will attempt to identify resolutions referencing issues that fall under the purview of another CDP committee or caucus. To the extent possible within the time available, resolutions being referred will be forwarded to the appropriate committee or caucus chairperson with sufficient time to allow the receiving entity to review and act, or recommend action, at the subsequent annual CDP Convention at which resolutions are considered (odd numbered years only) or Executive Board meeting.

When a lead chair or his/her appointee intends to refer a resolution that was submitted at least 30 days in advance of the upcoming annual CDP Convention or Executive Board meeting, he or she will notify the sponsor contact of this decision no later than 10 days prior to the upcoming annual CDP Convention or Executive Board meeting.

B. Resolutions Returned to Their Sponsors: Resolutions calling for action by a local Democratic organization or Democratic central committee will be returned to the sponsor contact and will not be considered to have been received by the Committee until the error is corrected. A sponsor contact may be asked by a lead chair or his/her appointee, prior to the beginning of an annual CDP convention or Executive Board meeting, to modify a resolution. If the requested changes are submitted no later than 10 days before the CDP Convention or Executive Board meeting, the modified version will be heard by the Committee.

C. Resolutions Determined to be Reaffirmations: The Committee may declare that a newly submitted resolution is a reaffirmation of a previously passed resolution if the principle stated in the new resolution is substantially the same as that of a previous resolution. If a resolution is determined to be a reaffirmation, it will simply be adopted as such by the Committee and will not be sent to the floor of the General Session for a re-vote.

D. Prioritization and Action on Timely Resolutions: At an annual CDP Convention that takes place in an odd numbered year, the Committee shall send to the floor of a General Session (also known as “prioritizing”) between 10 and 15 resolutions for consideration by the Convention delegates. At a CDP Executive Board meeting there shall be no minimum or maximum number of resolutions sent to the floor of a General Session. The Committee will take action on all timely resolutions no later than noon (12 pm) on the day prior to the last scheduled General Session. The purpose of this deadline is to allow the sponsor of any resolution that was not sent to the floor of a General Session by the Committee, sufficient time to take action to bring their resolution directly to the floor as described in Section VIII below.

## **VI. Timely Resolutions**

For a resolution to be considered timely it must be received via online submission form (preferred & recommended method-or mailed to the CDP Sacramento office at 1830 9th Street, Sacramento, CA 95811 no later than noon (12 pm) 30 calendar days prior to convening of the Committee at a CDP Convention, or no later than noon (12 pm) 30 calendar days prior to convening the Committee at an Executive Board meeting. The cutoff time shall be posted on the CDP Resolutions page. Resolutions submitted via email will not be accepted.

Resolutions may be presented to the Committee for passage at any Executive Board meeting or at an annual CDP Convention that will take place in an odd numbered year. Resolutions are not considered by This Committee at "Platform Conventions," which occur in even numbered years; provided nothing herein shall prevent the Resolutions Committee from meeting at “Platform Conventions” to consider resolutions in committee, or consider resolutions as may be allowed by the Rules of Convention. Should the Committee meet during a “Platform Convention” the report of all work done by the Committee will be held over to the Executive Board meeting immediately following the “Platform Convention” meeting.

## VII. Late Resolutions

Resolutions not complying with the above time limits, for either Executive Board meetings or annual CDP Conventions, will be termed "late resolutions."

At Virtual Meetings of This Committee, no late resolutions will be accepted.

Late Resolutions at in person meetings of This Committee:

1) a late resolution may be considered for passage;

a. the late resolutions shall only address issues that were unknown before the resolution submission deadline

b. the sponsor of the resolution shall provide the CDP staff with 35 printed copies of the resolution for use by the Committee members no later than noon (12 pm) before the announced Committee meeting date and time.

c. each late resolution will be put to the Committee one by one and require an affirmative vote to be heard by two-thirds ( $\frac{2}{3}$ ) of those members present and voting, the vote taking place at the beginning of the meeting with those resolutions gaining two-thirds ( $\frac{2}{3}$ ) approval required to be heard will be handled as described in item 1d.

d. to give the "approved late resolutions" the same consideration as all resolutions on the consent calendar, the following will be the procedure: Committee members will receive the resolution from Staff and Lead Chairs will assign Co-Chairs and the break period during which the language will be reviewed, Contact will need to be available by phone if needed for clarification or rewrite.

e. any resolutions not qualifying to be heard must be submitted for the next Convention or Executive Board: Resolutions can be submitted one of two ways in addition to supplying printed copies ; via online submission form (preferred and recommended method); or mailed to the CDP Sacramento office located at 1830 9<sup>th</sup> Street, Sacramento, CA 95811.

## **VIII. Floor Resolutions**

As described in Section V above, some resolutions will not be sent to the floor of a General Session by the Committee, or will not be sent to the floor as originally submitted. The sponsor of a timely resolution that was defeated, or tabled shall have the right to gather signatures to directly present the resolution to the floor according to the procedures described in this section.

Article IV, Section 8c (2) and Article VII, Section 7d of the CDP Bylaws prohibit certain types of resolutions being brought to the floor of any General Session.

To bring a timely resolution, that was defeated or tabled, to the floor of an annual CDP Convention, the sponsor of the resolution must obtain the signatures of 300 credentialed DSCC delegates on official forms that will be provided by the Committee after it has taken final action on the resolution. Those signatures must be submitted to the CDP staff no later than 5:00 pm on the day before the resolution is to be brought to the floor of a General Session. If 300 signatures are verified, the sponsor of the resolution will, prior to the beginning of the General Session at which the resolution is to be brought to the floor, provide the Secretary of the Convention with sufficient printed copies of the resolution for each DSCC delegate in attendance.

To bring a timely resolution, that was defeated or tabled, to the floor of an Executive Board meeting, the sponsor of the resolution must obtain the signatures of 135 credentialed DSCC Executive Board members or 40% of the entire Executive Board (whichever is fewer) on official forms that will be provided by the Committee after it has taken final action on the resolution.

Those signatures must be submitted to the CDP staff no later than 9 am on the day of the General Session at which the resolution is to be brought to the floor. If 135 signatures are verified, the sponsor of the resolution will, prior to the beginning of the General Session at which the resolution is to be brought to the floor, provide the Secretary of the Convention with sufficient printed copies of the resolution for each Executive Board member in attendance.<sup>33746g</sup>

## **IX. Non-Prioritized Resolutions**

Any resolution passed by the Committee at an annual CDP Convention that was not prioritized or successfully brought to the floor as described in Section VII above, or any prioritized resolution not acted upon by the delegates to an annual CDP Convention, will automatically be heard by the Committee at the next Executive Board meeting.

## **X. Miscellaneous**

Resolutions adopted at an annual CDP Convention or Executive Board meeting will be posted on the CDP web site. Any resolution coded as a reaffirmation will be posted to the CDP website under the heading "Reaffirmations". These resolutions do not go to the floor.

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**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;*
- E.     *[For which 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;*
- F.     *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,*
- G.     *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; and*
- H.     *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. 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;*

*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;*

- B. *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,*
- C. *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.
- C. 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) 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
  - (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.
- D. 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.

E. 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 forgoing 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 that Caucus 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;*
  - a. *maintain compliance with the above,*
  - b. *adopt or maintain the California Democratic Party 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 violation of the Code of Conduct with the Caucus.*
  
- B. *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 broad elements of the membership" and as such recognizes the historical significance in maintaining their existence.*