

## BYLAWS

### SANTA CLARA COUNTY DEMOCRATIC CENTRAL COMMITTEE

#### ARTICLE I

##### **Name, Organization, and Purpose**

A. Name. The name of this organization shall be the Santa Clara County Democratic Central Committee (SCCDCC), also known as the Santa Clara County Democratic Party (SCCDP), and it shall serve as the official Democratic Party organization in Santa Clara County and shall be affiliated with the California Democratic Party (CDP).

B. Term. The SCCDCC shall be organized for a two-year organizational term, commencing with the first meeting in January of odd-numbered years, convened according to Article VI, Section G of these by-laws. SCCDCC is an ongoing body whose Elected and Elected-equivalent members are chosen in the quadrennial Primary Election of Presidential election years and whose Ex-Officio Members are designated by the laws of the State of California.

C. Purpose. The purpose of the SCCDCC shall be to:

1. Recruit, and promote the election of, Democratic candidates;
2. Provide assistance to the California Democratic Party and Democratic candidates for local, state and federal elective offices;
3. Charter and assist local Democratic clubs;
4. Register Democrats to vote, and to educate and inform voters;
5. Raise funds for Democratic campaigns;
6. Organize, conduct, and supervise the Santa Clara County United Democratic Campaign;
7. Maintain an active base of volunteers for ongoing activities and encourage volunteers to become members of local Democratic organizations;
8. Make the official Democratic endorsement in Santa Clara County for local offices; and

9. Elect Members to the Democratic State Central Committee (DSCC) of the California Democratic Party in a manner prescribed by the rules and procedures of the California Democratic Party.

## **ARTICLE II** **Membership**

A. General. The membership of the SCCDCC shall consist of the following registered or pre-registered Democrats in Santa Clara County except as otherwise specified by California state law:

1. Elected Members: as prescribed by California state law;
2. Elected-Equivalent Members: For each of the Assembly Districts, the indicated number of SCCDCC candidates next in election results order after the six members elected from that Assembly District shall become, by operation of these bylaws, "Elected-Equivalent" members of the SCCDCC, having the same rights and privileges as Elected Members. To determine the number of Elected-Equivalent Members for each Assembly District find for each Assembly District the population of that portion of the Assembly District that lies within Santa Clara County, multiply by forty the respective ratio of each of those populations to the total population of the county and round off the result. If the result is greater than six, subtract six from the result to determine the number of Elected-Equivalent members from that Assembly District. If the result is six or fewer, there will be no Elected-Equivalent members from that Assembly District.
3. Ex-Officio Members: as prescribed by California state law;
4. DNC Members: Each Member of the Democratic National Committee registered to vote in Santa Clara County who is not otherwise a Member of SCCDCC;
5. Regional Director Members: Each Regional Director of the California Democratic Party registered to vote in Santa Clara County who is not otherwise a Member of SCCDCC;
6. Club Members: One member from each accredited organization who is registered as a Democrat to vote in Santa Clara County and is chosen by and serves at the pleasure of that organization.
7. Youth Representative: One member, elected as described below in Article IV, Section C. To be eligible to serve as the Youth Representative, a person must be 16 to

22 years of age, must reside in Santa Clara County, and must be registered or pre-registered as a Democrat.

8. Alternate Members: each Elected Member may appoint a Primary Alternate Member and a Secondary Alternate Member who reside in the same district; each Ex-Officio and DNC Member may appoint a Primary Alternate Member and a Secondary Alternate Member who are registered to vote in the County; each Regional Director Member may appoint a Primary Alternate Member and a Secondary Alternate Member who reside in the same Region; each accredited organization may appoint an Alternate Member who is registered to vote in the County and is a member of that organization. Alternate Members serve at the pleasure of the appointing authority. A Primary Alternate who is elected as an officer will continue as a Member of the SCCDCC and remain eligible to serve as an officer until the end of the term of said office, even if the authority that appointed the Member as a Primary Alternate withdraws said appointment.

9. Associate Members: any registered or pre-registered Democrat who lives in Santa Clara County may become an Associate Member by providing their name and contact information to the Secretary and either paying annual dues to the Treasurer or obtaining a waiver of their dues as provided in these Bylaws.

10. Terms of Office. A member who is elected to represent a district, but who thereafter resides in a different district as a result of redistricting, shall be entitled to complete the term for which they were originally elected.

~~B. Sanctions. Any Member, other than an Ex-Officio Member and their duly appointed Alternate Member, may be subject to sanctions, including removal from office, for cause, by a two-thirds (2/3) vote of the SCCDCC, pursuant to the laws of the State of California and Article VIII of these Bylaws, if the Member is:~~

~~1. Not present in person or through representation by the duly appointed Alternate Member or by proxy for three regular monthly meetings of SCCDCC in a calendar year, unless the Member has been granted an excused absence from the County Chair;~~

~~2. Affiliating with, or registered to vote as a member of another political party; or~~

~~3. Publicly advocating that voters support a candidate who is registered as a Republican, or any candidate who is not registered as a Democrat and is running against an endorsed Democratic candidate.~~ <sup>[[1]]</sup><sub>[[2]]</sub>

~~C. Censure. Without limiting the availability of any sanction provided for under Article II, Section B of these Bylaws, as applicable, any Member may be subject to censure by a two-thirds (2/3) vote of the SCCDCC, if the Member:~~

~~1. publicly denigrates, defames, maligns, or insults an endorsed Democratic candidate; or~~

~~2. publicly supports any candidate or organization who has denigrated, defamed, maligned, or insulted an endorsed Democratic candidate, provided however, that no Member shall be subject to sections under this Subsection 2 if they repudiate and condemn the candidate's or organization's offending statements within a reasonable time after the offending statements are made.~~

BD. Dual Membership. No person shall be permitted to hold more than one membership at a time.

### ARTICLE III Voting

A. Eligibility. Elected, Elected-Equivalent, Ex-Officio, Club, DNC and Regional Director Members are voting Members of SCCDCC.

B. Alternates. Primary Alternate Members may exercise the vote of the Members who appointed them when the Primary Alternate Member is present and the appointing Member is not.

C. Secondary Alternates. Secondary Alternate Members may exercise the vote of the Members who appointed them when the Secondary Alternate Member is present and both the appointing Member and the corresponding Primary Alternate Member are not.

D. Proxies. Proxies may be designated by voting Members, as follows:

1. The proxy is designated in writing for a specific meeting of SCCDCC, signed and dated; and given to the Secretary prior to or during the SCCDCC meeting in which the proxy is to be exercised;

2. The proxy is given to any registered or pre-registered Democrat who is a resident of Santa Clara County and of that jurisdiction through which the member giving the proxy holds the SCCDCC seat; and

3. A proxy may be designated by any voting member for no more than two

meetings of SCCDCC in any one calendar year.

E. Designation of Alternates and Proxies. Alternates and Proxies must be appointed or designated by the Voting Member at least 24 hours in advance of the meeting at which they are to cast a vote. Appointment or designation of an Alternate or Proxy shall be effective at the time that the Secretary receives notice of the appointment or designation.

F. Prohibition Against Exercising Multiple Votes. No person may hold more than one vote at any one meeting of SCCDCC or its subordinate bodies.

GF. Prohibition Against Secret Ballots. No vote shall be taken by secret ballot.

HG. Tied Votes for Chair or Vice Chair. In the case of a tied vote between any two candidates for an Officer or Director position with the SCCDCC, Members shall engage in further discussion and consideration for a time and in a manner determined by the Chair, or by the Vice Chair if the Chair is a candidate in that race, after which an additional round of voting will occur. In the case of a tie after such an additional round, the outcome shall be decided by a coin toss, performed by a non-candidate Member, appointed by the Chair for the purpose, with the candidate whose last name is first in alphabetical order calling “heads” or “tails” while the coin is in the air, and the winner of the coin toss shall be elected.

IH. Instant Runoff Voting. Instant runoff voting may be used in any contested election. A motion to use instant runoff voting shall be in order after the close of nominations, before ballots are distributed.

#### **ARTICLE IV:** **Officers**

The officers of SCCDCC are as follows and are responsible for performing the functions assigned to their respective offices in the “SCCDCC Executive Board Duties and Responsibilities Act”, as well as duties which from time to time may be assigned by the County Chair, Executive Board, or SCCDCC:

A. Elected Officers. Elected by SCCDCC at organizational meeting of SCCDCC (January of odd numbered years), from among the voting members of the SCCDCC or their duly appointed Primary Alternates:

1. Chair (herein called County Chair) who is the presiding, chief administrative and executive officer, and the official spokesperson for the Democratic Party in Santa Clara County

2. Vice Chair
3. Secretary
4. Treasurer

B. Directors. The following Director positions shall be elected as described below in Article IV, section C and shall be responsible for performing the functions assigned to their respective offices in the “SCCDCC Executive Board Duties and Responsibilities Act”, as well as duties which from time to time may be assigned by the County Chair, Executive Board, or SCCDCC:

1. Director of ~~Voter Registration and Community Services~~Community Outreach
2. Director of Finance<sup>[[L]]</sup><sub>[[SEP]]</sub>
3. Director of Campaign Services<sup>[[L]]</sup><sub>[[SEP]]</sub>
4. Director for Clubs
5. Director of ~~Candidate Recruitment and~~Endorsements
6. Director of Issues<sup>[[L]]</sup><sub>[[SEP]]</sub>
7. Director of Communications<sup>[[L]]</sup><sub>[[SEP]]</sub>
8. Director of Gender Equity and the Status of Women
9. Director of Inclusion and Diversity

C. Election of Directors.

1. By the second meeting after the organizational meeting of SCCDCC (March meeting of odd numbered years) the County Chair elected at the organizational meeting of SCCDCC shall present a slate of candidates, one candidate for each of the above named Director positions, with the candidate for Director of Gender Equity and the Status of Women being selected by the County Chair in collaboration with Democratic Activists for Women Now (DAWN). The County Chair shall give written notification prior to the meeting for which such election of Directors is on the agenda to Members of SCCDCC of the slate of candidates he or she shall present at the election meeting.

2. A motion shall then be made that the slate shall be nominated for election to said Director positions.

3. If no motion is made to separate out a particular nominee from the slate, election of the slate presented by the County Chair by a majority of members of SCCDCC present and voting shall proceed.

4. If any voting Member of SCCDCC present at said meeting so desires, that member may make a motion to separate a particular nominee from the slate presented by the County Chair.

5. Said motion to so separate must be voted on by the members of SCCDCC and in order to pass, must receive a majority of votes cast by those members of SCCDCC present and voting. If said motion to separate does not receive a majority, then election of the slate presented by the County Chair by a majority of members of SCCDCC present and voting shall proceed.

6. If said motion to separate should pass, then additional nominations from the floor shall be opened for the Director position so separated. Any voting Member of SCCDCC present at said meeting may make a nomination from the floor. Nominations must be seconded by another voting Member of SCCDCC to proceed.

7. After nominations from the floor for said position have been closed; the members of SCCDCC shall vote on those nominated (including the slate candidate) and choose one to fill the separated position on the slate. In order to fill a position so separated, a person must receive a majority of votes of those Members who have voting privileges under these Bylaws and are present at the meeting at which the election is held, including those who vote "abstain". If in a first round of voting no candidate earns a majority of the vote, the top two candidates in the first round will continue into a second round of voting, in which the candidate who wins the greater number of votes will be elected. In the case of a tie in the second round, the winner shall be determined by the process specified in Article III, Section G of these Bylaws.

8. All motions to separate shall be heard and voted on separately for each director position.

9. After all such motions to separate have been voted, and all nominations have been voted on, the election of the slate as composed at that pointed shall proceed.

10. Regardless of the outcome, only one motion to separate may be made for

each of the Director positions.

11. Once elected as provided herein, a Director will continue to serve unless/until the Director resigns, is removed as provided for in these Bylaws, or is replaced by election of a successor as provided in these Bylaws.

D. Appointed Officers. The following officers may be appointed by the County Chair and approved by the Executive Board:

1. Legal Counsel
2. Parliamentarian
3. Executive Director
4. Sergeant at Arms

#### **ARTICLE V:** **Executive Board**

A. Composition. The Executive Board consists of the following as voting members: the elected officers of SCCDCC, the Directors, [the Youth Representative](#), the Regional Director who represents the largest number of voters in Santa Clara County and, as non-voting members, the four appointed officers.

B. Meetings. The Executive Board meets prior to each regular monthly meeting of SCCDCC to set a proposed agenda for the SCCDCC meeting and at such other times as may be necessary to carry out the work of the Democratic Party between SCCDCC meetings, at the call of the County Chair, or by request of a majority of the voting members of the Executive Board. [Meetings may be held in person, over the phone, electronically, or by any other means by which all members are able to hear and understand each other.](#)

C. Authority. The Executive Board acts on behalf of SCCDCC between SCCDCC meetings.

D. Quorum. A quorum of the Executive Board is at least 50% of its voting members, excluding vacancies.

E. Presiding Officer. The County Chair is chair of the Executive Board.

#### **ARTICLE VI:**

## Meetings

A. Monthly Meetings. Regular monthly meetings, including Executive Board meetings, shall be held at a publicly accessible and ADA compliant location. The meeting location, a proposed agenda for the meeting, and a draft of the minutes from the previous meeting, shall be distributed through all available Santa Clara County Democratic Party digital communication channels, including but not limited to email listserv, website, and social media pages, no fewer than seventy-two hours in advance of the meeting.

B. Special Meetings. Special meetings may be called by the County Chair, by majority of the Executive Board, or by petition of ten elected Members of the SCCDCC. Notice of special meetings shall be sent to all SCCDCC Members who are current in their dues no fewer than ten days prior to the meeting and shall specify the time and place of the meeting and the nature of the business to be conducted. No other business shall be conducted at that meeting.

C. Quorum. A quorum for SCCDCC meetings shall be 60% of the elected Members.

D. Presiding Officer. The County Chair shall be the presiding officer for all meetings of the SCCDCC. In the absence of the County Chair, the presiding officer shall be the Vice Chair. In the absence of both the County Chair and the Vice Chair, the Secretary shall act as President Pro Tempore until a presiding officer is chosen from the membership by majority vote of the Members present and voting.

E. Public Meetings. All meetings of SCCDCC are open to the public, except when absolutely necessary and authorized by California state law to be restricted in attendance. Every reasonable opportunity shall be given for any attendee to be heard.

F. Parliamentary Inquiries. The Parliamentarian appointed by the County Chair shall serve at the pleasure of the appointing authority; and shall advise the County Chair on parliamentary inquiries and points of order as requested by the County Chair.

G. Organizational Meeting. The SCCDCC shall reorganize at its first meeting in January of odd-numbered years. Such meeting shall be conducted as follows:

1. The outgoing elected officers shall preside until new officers are elected;
2. If the appropriate official is present, newly elected members shall take their oaths of office immediately after the roll call, [provided that, any member who objects to taking an oath of office for religious, moral, ethical, conscience, or other reasons shall be excused from doing so;](#)

3. Outgoing officers, directors, and others shall give their reports as usual;
4. The following items shall be conducted as New Business, in this order:
  - a. Filling of vacancies in the SCCDCC;<sup>[L]</sup><sub>[SEP]</sub>
  - b. Call for accreditation of clubs;<sup>[L]</sup><sub>[SEP]</sub>
  - c. Election of Officers of the SCCDCC;<sup>[L]</sup><sub>[SEP]</sub>
  - d. Election of Members to the Democratic State Central Committee;
  - e. Formation of a Bylaws Review Committee, such committee to report back at a future meeting with the first overall bylaws revision as specified in Article XV; and
  - f. Any other business that shall properly come before SCCDCC; and
5. Notice of the re-organizational meeting shall be to all incoming members of SCCDCC, and to all outgoing members who are current in their dues, no fewer than ten days in advance of the meeting. Such notice shall include the time, location and a proposed agenda for the meeting.

H. Meeting Locations. Meetings may be held in person, over the phone, electronically, or by any other means by which all members are able to hear and understand each other. Meeting formats shall be decided by the Chair with the advice of the Executive Board, and all information needed to participate shall be included in the notice of the meeting given to Members.

## **ARTICLE VII** **Vacancies**

A. Vacancies of Elected Members. Vacancies in the Elected membership of the SCCDCC shall be announced at a regular monthly meeting of the SCCDCC, and shall be filled as prescribed by California state law. Nominations may be made from the floor of the meeting at which the vacancy or vacancies are to be filled. Vacancies in the Elected-Equivalent membership of the SCCDCC shall be announced at a regular monthly meeting of the SCCDCC, and shall be filled in the same manner as vacancies in Elected membership.

B. Vacancies of Other Members and Officers. Membership vacancies and vacancies in the officer positions of Chair, Vice Chair, Secretary and Treasurer shall be filled by a majority

vote of the members present and voting at a regular or special meeting of the SCCDCC. A vacancy in an officer position of Chair, Vice Chair, Secretary or Treasurer must be declared at a first regular or special meeting of the SCCDCC and may not be filled until a subsequent first regular or special meeting of the SCCDCC the posted agenda of which provides notice that the vacancy will be filled at said meeting. Candidates to fill such vacancy must declare their intent no later than fourteen (14) days prior to the meeting at which the vacancy will be filled, and each declared candidate's name and, if they choose, contact information shall be included in the agenda for the meeting at which the vacancy will be filled.

C. Vacancies of Directors. In the event of a vacancy in any of the Director positions the County Chair shall appoint, with the approval of a majority of the Executive Board, a person to fill said vacant position for the remainder of the term.

D. Vacancy of the Chair. In the event of a vacancy in the County Chair position, the Vice Chair shall assume the duties and responsibilities of the County Chair until such time as the vacancy is filled.

E. Vacancies of Other Officers. In the event of a vacancy in any other officer position, the County Chair may designate another officer to assume the duties and responsibilities of the vacant position until such time as the vacancy is filled.

F. Vacancies of Appointed Officers. Vacancies in appointed officer positions shall be filled by the County Chair and approved by the Executive Board.

G. Placement on the Agenda of a Meeting. Elections to vacant positions must be placed on the agenda of a regular monthly meeting or a special meeting.

## **ARTICLE VIII**

### **Censure, Sanctions, and Removal of Members and Officers**

A. Grounds for Sanctions. Any Member, other than an Ex-Officio Member and their duly appointed Alternate Member, may be subject to sanctions, including removal from office, for cause, by a two-thirds (2/3) vote of the SCCDCC, pursuant to the laws of the State of California and Article VIII of these Bylaws, if the Member is:

1. Not present in person or through representation by the duly appointed Alternate Member or by proxy for three regular monthly meetings of SCCDCC in a calendar year, unless the Member has been granted an excused absence from the County Chair;

2. Delinquent in the payment of their dues pursuant to Article XII, Section F of these bylaws;

3. Affiliating with, or registered to vote as a member of another political party; or

43. Publicly advocating that voters support a candidate who is registered as a Republican, or any candidate who is not registered as a Democrat and is running against an endorsed Democratic candidate. [SEP]

BC. Censure. Without limiting the availability of any sanction provided for under Article II, Section B of these Bylaws, as applicable, any Member may be subject to censure by a two-thirds (2/3) vote of the SCCDCC, if the Member:

1. publicly denigrates, defames, maligns, or insults an endorsed Democratic candidate;

2. Violates the Rules of Decorum (Article XIII of these bylaws); or

32. publicly supports any candidate or organization who has denigrated, defamed, maligns, or insulted an endorsed Democratic candidate, provided however, that no Member shall be subject to sections under this Subsection 2 if they repudiate and condemn the candidate's or organization's offending statements within a reasonable time after the offending statements are made.

~~Grounds for Censure. Members shall be subject to public censure as provided in Article 2, Section C and Article XIII, Section D.~~ A record of public censures shall be kept with the minutes of the meeting at which the censure is approved, which minutes shall be available to the public.

~~B. Grounds for Sanctions. Members shall be subject to sanctions, including removal from the SCCDCC as provided by California state law or by Article II, Sections B, or Article XII, Section F of these bylaws.~~

C. Procedure. No action for Censure or Sanction shall be entertained by the SCCDCC except in strict compliance to the procedures in this Section C.

1. Complaint. Any Member, Director, or Officer of the SCCDCC may bring a complaint against a Member requesting censure or sanctions by submitting a written complain to the Chair, or to the Vice Chair if the complaint is against the Chair. The complaint shall provide factual details and any related evidence demonstrating the

grounds for censure or sanctions ~~pursuant, and shall specify the specific provision(s) of the bylaws that the member believes was violated, to Sections A and B of this Article VIII. The Chair shall acknowledge receipt of the complaint within 14 days.~~

2. Notice. Any member who is to be censured or sanctioned shall be sent written notice, no fewer than ten days prior to the hearing, the receipt of which by the Member is confirmed by certified return receipt requested mail or otherwise, specifying the charges and the time and place of the hearing.

3. Hearing. Any member who is to be censured or sanctions shall have the right to be heard and to call witnesses to testify on his or her behalf prior to the vote. Such hearing shall be places on the agenda of a regular or special meeting of the SCCDCC.

4. Required Vote. A two-thirds (2/3) majority vote of Members present and voting is required for the censure of, sanction of, or removal of, a Member, Director, or Officer.

5. Time to Completion; Notice of Decision. The entire process of handling a complaint shall be completed within 90 days -of the receipt of the complaint or the first central committee meeting thereafter if a Member vote is to be taken. The Chair shall notify the complainant within 14 days of a final decision.

D. Automatic Penalty for Endorsing Non-Democrats. Any member who endorses a candidate for office who is not a registered Democrat and is running against an endorsed Democrat shall, in addition to any other sanctions the SCCDCC may deem appropriate, automatically and without any further consideration or action of the SCCDCC lose their voting privileges in all endorsement decisions through the end of the next general election.

E. Sanctions Against Officers. A County Chair, Vice Chair, Secretary and Treasurer shall be subject to sanctions, including removal from office by a two-thirds majority of the Members present and voting at a regular monthly meeting of the SCCDCC, provided that written notice thereof shall have been sent to every Member of the SCCDCC no fewer than ten days prior to the meeting at which the matter is proposed; and the individual involved shall have the right to be heard at the meeting and to call witnesses to testify on his or her behalf prior to the vote.

F. Sanctions Against Directors. Any of the Directors can be removed, for cause, by the County Chair with the approval of a majority of the Executive Board, provided that said Director is given ten days written notice of the reasons for removal and provided with an

opportunity to be heard by the Executive Board prior to removal vote.

G. Sanction of Members Who Are Also Elected Officials. The SCCDCC recognizes that Members who are also elected officials (“Elected Official Members”) often endorse in their capacity as elected officials rather than their capacity as SCCDCC Members, and often do so long before the SCCDCC makes their endorsement decisions. In recognition of this, any Elected Official Member subject to the automatic penalty under Section D of this Article VIII, shall not be subject to any further Sanction or Censure.

## **ARTICLE IX**

### **Committees and Task Forces**

A. Eligibility to Serve on a Committee. Any registered or pre-registered Democrat, or any person who declares in writing that he or she will register as a Democrat immediately upon becoming eligible to register to vote, residing in Santa Clara County, may be appointed by the County Chair as a member of any Standing Committee, Ad hoc Committee, or Task Force of the SCCDCC, with full voting rights in the deliberations of that body, except where otherwise specified in these Bylaws or subordinate enactments, rules of procedure, or guidelines of the SCCDCC.

B. Formation. Committees and Task Forces shall be created for specific needs of the SCCDCC or the Democratic Party by the County Chair, the Executive Board, an individual Officer or Director, or the SCCDCC.

C. Ex-Officio Membership. The County Chair is an Ex-Officio member of every subordinate body of SCCDCC.

D. Membership Requirements. SCCDCC Members shall constitute at least a simple majority of each Standing Committee and Task Force of the SCCDCC.

## **ARTICLE X**

### **Procedures for Enacting SCCDCC Internal Legislation**

A. Authority to Enact Legislation. The SCCDCC shall by enactment of appropriate legislation, define and regulate various programs and operations for the following areas, and for other purposes:

1. United Democratic Campaign to organize and conduct a voter registration program and get-out-the-vote field operation; and
2. An Endorsements Committee to recommend official Democratic

endorsements for local offices as prescribed by the Bylaws of the California Democratic Party and applicable law; and

3. A Financial Committee to facilitate the raising of funds for SCCDCC and to advise in the expenditure of funds.

B. Eligibility to Propose Legislation. Legislation (which shall be the internal policy and rules of the SCCDCC) shall be drafted and introduced as follows:

1. By any voting Member of the SCCDCC;

2. By any group of Members of the SCCDCC as cosponsors, provided that at least one cosponsor is a voting Member of the SCCDCC;

3. By majority approval of any SCCDCC Committee, which has been organized to draft and recommend legislation, or for other purposes; such legislation must have at least one voting Member of the SCCDCC as a cosponsor.

C. Submission to the Executive Board. Proposed legislation shall be presented to the Executive Board as follows:

1. Proposed legislation may be submitted to an Executive Board member for formal presentation at the next Executive Board meeting; or

2. Proposed legislation with at least five cosponsors may be formally presented at an Executive Board meeting by one cosponsor; or

3. Proposed legislation by a majority of an SCCDCC Committee shall be presented at the next Executive Board meeting by either the Vice Chair or a cosponsor of the legislation.

D. Executive Board Review. By a simple majority vote, the Executive Board may place the proposed legislation on the agenda for consideration at the next meeting of SCCDCC with the following recommendations:

1. approval by the SCCDCC;<sup>[1]</sup><sub>[SEP]</sub>

2. rejection by the SCCDCC;<sup>[1]</sup><sub>[SEP]</sub>

3. referral to appropriate committee for amendment;

4. approval by the SCCDCC with specific amendment(s); or

5. no recommendation.

E. Discharge Petition. If for any reason, after proper presentation to the Executive Board, the Executive Board has not placed the proposed legislation on the agenda for consideration before the SCCDCC, the proposed legislation may be presented at the next meeting of the SCCDCC, before approval of the agenda, with a petition of ten (10) signatures of voting Members. A majority of those present and voting is required to place the proposed legislation on the agenda for consideration.

F. Full SCCDCC Review; Procedure. Except as provided in this section, proposed legislation or amendments thereto shall be acted on by the SCCDCC in a two-step process which includes initial consideration without action at a first regular or special meeting of the SCCDCC and action no earlier than a second, subsequent regular or special meeting of the SCCDCC scheduled to occur no earlier than fifteen (15) days after the first meeting. The two-step process may be truncated to a single step in which the SCCDCC considers and acts on proposed legislation in a single meeting provided that (1) no less than 15 days written notice of the proposed legislation is provided to members along with notice of an intention to consider the proposed legislation as “emergency legislation” and (2) the SCCDCC designates the proposed legislation as “emergency legislation” by 2/3 vote no later than at the meeting at which action by the SCCDCC is proposed to be taken.

G. Majority Vote. Unless otherwise provided, a simple majority vote of SCCDCC Members present and voting is required for enactment or amendment of any legislation.

H. Enactment. All duly enacted legislation shall be appropriately enumerated as an Act, and shall become part of the governing documents of the SCCDCC.

I. Amendments to Prior Enactments. Legislation which does not materially alter an existing Act, but serves to provide further refinement or guidelines for the programs or operations in an Act may be presented as an Amendment to such Act and shall be considered and approved in the same manner prescribed for legislation.

## **ARTICLE XI** **Resolutions**

Resolutions shall be approved in the same manner as prescribed for legislation except that a proposed resolution, which because of timeliness, has not been submitted to the Executive Board, may be placed on the agenda for consideration by the SCCDCC as an Emergency Resolution by a two-thirds majority vote of the Members present and voting. A simple majority vote of Members present and voting is required for passage. As coordinated by the Director of

Issues, a duly approved resolution shall be appropriately titled and enumerated, and entered into the permanent record of the SCCDCC.

## **ARTICLE XII**

### **Dues**

A. Dues Schedule.

1. Regular dues for all classifications of membership shall be twenty-five dollars per year, which may be paid annually or as a single fifty-dollar payment at the beginning of each two-year organizational term.

2. Dues may be reduced or waived in case of financial hardship in accordance with Section D of this Article.

B. Payment. Each Member shall pay the prescribed dues by the third meeting of a new term of office, or the third meeting after becoming a Member.

C. Nonrefundable. Dues are not refundable in whole or part.

D. Waiver Due to Financial Hardship. If a Member is unable to pay dues by virtue of legitimate hardship, the Member shall discuss the matter with the Treasurer and/or the County Chair, with a view to have these two Officers decide whether the dues may be reduced or waived. When appropriate, these two Officers may consult with the Executive Board before making their decision.

E. Monthly Report of Unpaid Members. Members who are not current in dues and have not received a waiver may be included in the report of the Treasurer at regular monthly meetings of the SCCDCC.

F. Removal for Nonpayment. Elected Members other than Ex-Officio Members, who have not paid their dues and have not received a waiver, may be removed from the SCCDCC.

G. Suspension of Voting Rights for Nonpayment. Voting Members, who are delinquent in dues payment and have not received a waiver, may lose all voting rights in the SCCDCC until they become current in the payment of their dues.

## **ARTICLE XIII**

### **Rules of Decorum**

A. Code of Conduct. Members shall conduct themselves at meetings of and events sponsored by the SCCDCC, and in their public and non-public dealings with other Members, in a manner that is consistent with our values as Democrats, including without limitation a respect for people of all genders, races, creeds, national origin, immigration status, gender identification, sexual orientation, or any other personal attribute or group identification. Conduct prohibited by the Code of Conduct for Democratic State Central Committee (DSCC) Members will be considered to violate the SCCDCC Code of Conduct, and SCCDCC members shall sign an acknowledgement of the Code of Conduct for Democratic State Central Committee (DSCC) Members upon becoming a Member of the SCCDCC and at least once during each ~~two-year~~two-year organizational term of the SCCDCC.

B. Prohibition Against *Ad Hominem* Attacks. Members shall avoid *ad hominem* attacks on other Members or toward any person when acting in their capacity and role as a Member of the SCCDCC.

C. Prohibition Against ~~Discrimination, Harassment, Bullying, and~~ Abusive Conduct. Members shall not engage in ~~sexual harassment or any other~~any form of discrimination, harassment, bullying, or ~~personal abusive~~ive conduct either at meetings of the SCCDCC or when acting in their capacity and role as a Member of the SCCDCC. For the avoidance of doubt, this prohibition shall include, but shall not be limited to, discrimination, harassment, bullying, and abusive conduct that is based on, motivated by, or related to a person's real or perceived race, color, creed, ethnicity, sex, gender, sexual orientation, gender identity, disability status, or any protected status.

D. Grounds for Censure. Members who violate these Rules of Decorum may be censured by a two-thirds (2/3) vote of the SCCDCC, provided the notice and other procedural protections and requirements of Article VIII of these Bylaws have been followed.

#### **ARTICLE XIV** **Procedural Rules**

A. Robert's Rules of Order. Any other item not covered in these Bylaws or legislation enacted under these Bylaws (or by California state law or Bylaws of the California Democratic Party or National Democratic Party) shall be governed by the latest issue of Robert's Rules of Order, Revised.

B. Sense of Committee Resolutions. A Sense of Committee action may be taken on any item from the floor of a meeting of the SCCDCC.

C. Email Communications. For the purpose of these Bylaws, transmitting

information by e-mail shall be considered the equivalent of written notification, mailed notification, mailings, and any similar method of distributing information.

## **ARTICLE XV**

### **Severability**

The invalidation of any section of these Bylaws or of any SCCDCC internal legislation by California state law or the Bylaws of the California Democratic Party or the Democratic National Committee shall not affect the validity of any other item or section of these Bylaws or any other SCCDCC internal legislation.

## **ARTICLE XVI**

### **Amendment of These Bylaws**

The Bylaws of the SCCDCC may be revised by a two-thirds (2/3) majority vote of the Members present and voting, provided that notice of the proposed Bylaws amendment is sent to all Members of the SCCDCC no fewer than fifteen days prior to the meeting at which the Bylaws proposal is to be considered. A simple majority vote of Members present and voting is required for the first overall Bylaws revision in each term of office, provided that due notification is given as prescribed above. A two-thirds majority vote of the entire SCCDCC voting membership shall be required to adopt a Bylaws amendment or revision at other than a regular monthly meeting of the SCCDCC, provided due notification as above.

—<sup>[§EP]</sup>Adopted by SCCDCC, 7 March 1991.

Revisions proposed by Ad-Hoc Bylaws Committee, 10 February 1993; Adopted as revised by SCCDCC, 4 March 1993.

Amended by SCCDCC to permit preferential voting, 4 August 1994.

Amended by SCCDCC to change names of certain directors, to permit preference voting in more cases, and to correct typographical errors, 3 August 1995.

Amended by SCCDCC to add Regional Director Members, 3 October 1996.<sup>[§EP]</sup>Amended by SCCDCC to give Regional Director Members voting rights, 7 November 1996. Amended by SCCDCC to add Article VI.G on reorganization, 5 December 1996.

Amended by SCCDCC to allow DNC and Regional Director Members to appoint alternates, 6 March 1997.

Amended by SCCDCC to restructure the directorships, 3 April 1997.

Amended by SCCDCC to allow DNC and Regional Director Members to appoint proxies and associates, and general cleanup, 1 May 1997.

Amended by SCCDCC to allow Voting Members to appoint a Primary and a Secondary Alternate, 6 November 1997.

Amended by SCCDCC to allow Clubs to have voting members, prohibit secret ballots, specify email as acceptable communication, change quorum requirement, and increase vote threshold required to remove an elected member; also other cleanup, including addition of an Article pertaining to Resolutions and collection of relevant Rules of Conduct, 7 February, 2002.

Amended by SCCDCC to add Regional Director as a voting member of the Executive Board and add Director of Communications as a new Director, 3 February 2005.

Amended by SCCDCC, 4 June 2009.

Amended by SCCDCC, 5 May 2011.

Amended by SCCDCC to extend terms of Elected members to four years, provide for two year organizational term, provide for Elected members to be chosen in the quadrennial presidential primary election, 4 Dec 2014.

Amended by SCCDCC to provide for Elected-Equivalent members, 7 April 2016.

Amended by SCCDCC to provide for appointment of Elected-Equivalent members if fewer than the authorized number file for election, add Rules of Decorum, and clarify procedures to elect Directors and adopt or amend Legislation, 1 June 2017.

Amended by the SCCDCC to clarify censure and sanctions penalties, grounds, and procedures among other amendments, 11 July 2019.

Amended by the SCCDCC to clarify automatic sanctions provision, 7 May 2020.

[Amended by SCCDCC, 2022](#)