

ARTICLE II

Section 1.

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 ~~his or her~~ **their** two-year term shall inform the State Chair of the eligibility and identify the position which ~~he or she~~ **they** wishes to represent.

Section 4.

e. In order for the representative to be eligible to vote at the next meeting of This Committee, no later than February 7 of an odd-numbered year, or next business day if date falls on state holiday or weekend, the County Chair shall notify the State Chair of the Party in writing signed by ~~him or her~~ **the County Chair** of the names and addresses of the persons elected to membership of This Committee. Those committees which reorganize in January shall make this notification within three days of the elections held pursuant to subsection (c).

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 ~~he or she is~~ **they are** a member of This Committee;

Section 9.

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 ~~he or she~~ **has they** have satisfied ~~his or her~~ **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 ~~his/her~~ **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 t
o or avows a preference for a candidate registered as other than Party Preference Democratic in the voter-nominated top two open primary.

ARTICLE III

Section 2.

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 ~~his/her~~ **their** abilities.

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 ~~his/her~~ **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 ~~his/her~~ **their** term all records and documents associated with the office of Controller to This Committee.

Section 4.

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 ~~he/she is~~ **they are** registered to vote. Should a Regional Director re-register outside of ~~his/her~~ **their** Region during ~~his/her~~ **their** term of office, ~~he/she~~ **they** shall be assumed to have vacated the office.

ARTICLE IV

Section 1.

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 ~~his/her~~ **their** stead.

Section 6.

a. Members of This Committee may be represented at any meeting of This Committee by proxy. A member may give ~~his/her~~ **their** proxy to a registered member of the California Democratic Party, of the same **or approximate** gender **identification** 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 ~~his/her~~ **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 ~~his/her~~ **their** proxy to a registered Democrat resident in the same Assembly District.

(3) A proxy holder shall only vote in the district in which the person for whom ~~he/she is a~~ **their** proxy resides.

Section 7.

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 ~~her/his~~ **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 ~~his/her~~ **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 ~~her/his~~ **their** ballot.

ARTICLE V

Section 2.

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

Section 7.

SPECIAL COMMITTEES

The Chair of This Committee may appoint such special committees as ~~he or she~~ **they** deems appropriate.

ARTICLE VI

Section 1.

e. The Convener or ~~his or her~~ **the Convener's** designee shall preside at the Election Meeting as chair.

g. Each Election Meeting participant shall be asked, on a form provided by the Secretary of This Committee, to indicate ~~his or her~~ **their** willingness to assume an organizational responsibility for one or more precincts within the district or to assume another specified organizational responsibility for the Party. Copies of a list of the persons so expressing such willingness to assume responsibility and of the responsibility each person is agreed to assume shall be sent by the Convener to the Chair of This Committee and the Chair(s) of the appropriate County Committee(s).

i.(1) Upon conclusion of the election conducted pursuant to the previous paragraph, the Convener shall immediately transmit by telephone, fax or e-mail to the Chair of This Committee (or ~~his or her~~ **their** designee) the names and titles of those elected.

ARTICLE VII

Section 2. Executive Board Membership

b.(3.) County Committee representatives shall be divided as equally as possible between ~~men and women~~ **the genders as described in Article II, Section 3, Subsection e, in accordance with the Equal Division rule.**

Section 4. Executive Board Meetings

b.(1) At the call of the State Chair and at such time and in such place as ~~he or she~~ **they** may designate; or,

Section 5. Executive Board Voting

a. Members of the Executive Board may vote in person 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 ~~his/her~~ **their** proxy to another member of This Committee who is not already a member of the Executive Board subject to the following limitations:

a.(1) If the member is a representative of a County Central Committee, such member may designate in writing as ~~his or her~~ **their** proxyholder only a person who is a member or alternate of the same County Committee.

a.(2) If the member is an Assembly District Representative, such member may designate in writing as ~~his or her~~ **their** proxyholder only a person who is a member of This Committee resident in the same Assembly District.

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

Section 3. Partisan Public Offices Than President

c.(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 ~~his/her~~ **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.

g.(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 ~~his/her~~ **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 sixty (60) 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 ~~his/her~~ **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.

Section 4. Nonpartisan Offices

b. A Democratic candidate for nonpartisan office who has been endorsed by ~~his/her~~ **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) The endorsing provisions of the relevant County Central Committee by-laws have been reviewed and approved by This Committee as 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.

ARTICLE X

Section 3. Denial and Revocation

a.(5) Transferring of organization's assets, including funds, from the organization's accounts to a non-Democrat running for elective office or ~~his/her~~ **their** controlled committee(s),

ARTICLE XII

Section 2. Jurisdiction

e. 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 ~~his/her~~ **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 5 herein, including the issuance of an Order of Revocation of Charter or rescission of the Order of Temporary Suspension of Charter.

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 ~~he or she is~~ **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.

ARTICLE XIII

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 ~~he or she~~ **that person** is: 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 the 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 delegate selection process and the first level of participation at which an individual Democrat expresses ~~his/her~~ **their** personal and individual preference, and
- (2) the voter's right to know how ~~his/her~~ **their** representatives have voted.

b. Based upon Resolution of the DNC Rules Committee adopted on June 23, 1994:

- (1) voters at the first determining step of the delegate selection process and first level of participation shall have an absolute right to a secret ballot which is secure and counted when ~~he/she~~ **the voter** is expressing his/her **their** own personal and individual preference, and
- (2) 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 ~~his/her~~ **their** personal and individual preference on an action that constitutes part of the delegate selection process for the Democratic National Convention.

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~~ **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.

ARTICLE XIV

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 ~~he/she~~ **they** affirmatively terminates 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.