

# **SANTA CLARA COUNTY DEMOCRATIC CENTRAL COMMITTEE BYLAWS**

## **ARTICLE I: Name, Organization, and Purpose**

I.A. 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).

I.B. The SCCDCC shall be organized for two-year terms of office, commencing with the first meeting in January of odd-numbered years, convened according to Article VI.G of these by-laws. SCCDCC is an ongoing body whose elected members are chosen in the biennial Primary Election of even numbered years and whose Ex-Officio Members are designated by the laws of the State of California.

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

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

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

- II.A.1. Elected Members: as prescribed by California state law;
- II.A.2. Ex-Officio Members: as prescribed by California state law;
- II.A.3. DNC Members: Each Member of the Democratic National Committee registered to vote in Santa Clara County who is not otherwise a Member of SCCDCC;
- II.A.4. 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;

II.A.5. Club Members: One member from each accredited organization who is registered to vote in Santa Clara County and is chosen by and serves at the pleasure of that organization.

II.A.6. 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.

II.A.7. Associate Members:

II.A.7.a. Up to five residents of the same district, appointed by each Elected Member and Ex-Officio Member;

II.A.7.b. Up to five residents of the County, appointed by each DNC Member;

II.A.7.c. Up to five residents of the same Region, appointed by each Regional Director Member;

II.A.7.d. Each Member of the Democratic State Central Committee (DSCC) of the California Democratic Party and any registered Democrat who holds an elective local office in Santa Clara County, excluding judicial offices, who is not otherwise a Member of SCCDCC and chooses to be an Associate;

II.A.7.e. Any other registered Democrat residing in Santa Clara County who may be appointed by a majority vote of those present and voting at a regular meeting of SCCDCC.

II.B. 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:

II.B.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;

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

II.B.3. Publicly advocating that voters support a candidate not registered as a Democrat.

II.C. Alternate and Associate Members serve at the pleasure of the appointing authority.

II.D. Dual membership is not allowed.

### **ARTICLE III: Voting**

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

III.B. 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.

III.C. 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.

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

III.D.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;

III.D.2. The proxy is given to any 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

III.D.3. A proxy may be designated by any voting member for no more than two meetings of SCCDCC in any one calendar year.

III.E. No person may hold more than one vote at any one meeting of SCCDCC or its subordinate bodies.

III.F. No vote shall be taken by secret ballot.

III.G. 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 normal functions usually assigned to their respective offices as well as duties which from time to time may be assigned by the County Chair, Executive Board, or SCCDCC:

IV.A. Elected by SCCDCC at organizational meeting of SCCDCC (January of odd numbered years):

IV.A.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

IV.A.2. Vice Chair

IV.A.3. Secretary

IV.A.4. Treasurer

IV.B. The following Director positions shall be elected as described below in Article IV, section C:

IV.B.1. Director of Voter Registration and Community Services

IV.B.2. Director of Finance

IV.B.3. Director of Campaign Services

IV.B.4. Director for Clubs

IV.B.5. Director of Candidate Recruitment and Endorsements

IV.B.6. Director of Issues

IV.B.7. Director of Communications

IV.C. Election of Directors

IV.C.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. 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.

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

IV.C.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.

IV.C.4. If any 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.

IV.C.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.

IV.C.6. If said motion to separate should pass, then additional nominations from the floor shall be opened for the Director position so separated.

IV.C.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 of SCCDCC present and voting.

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

IV.C.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.

IV.C.10. Regardless of the outcome, only one motion to separate may be made for each of the Director positions.

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

IV.D.1. Legal Counsel

IV.D.2. Parliamentarian

IV.D.3. Executive Director

IV.D.4. Sergeant at Arms

## **ARTICLE V: Executive Board**

V.A. The Executive Board consists of the following as voting members: the elected officers of SCCDCC, the Directors, the Regional Director who represents the largest number of voters in Santa Clara County and, as non-voting members, the four appointed officers.

V.B. 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.

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

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

V.E. The County Chair is chair of the Executive Board.

## **ARTICLE VI: Meetings**

VI.A. 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 sent to all Members who are current in their dues no fewer than seventy-two hours in advance of the meeting.

VI.B. 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.

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

VI.D. 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.

VI.E. 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.

VI.F. 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.

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

VI.G.1. The outgoing elected officers shall preside until new officers are elected;

- VI.G.2. If the appropriate official is present, newly elected members shall take their oaths of office immediately after the roll call;
- VI.G.3. Outgoing officers, directors, and others shall give their reports as usual;
- VI.G.4. The following items shall be conducted as New Business, in this order:
- VI.G.4.a. Filling of vacancies in the SCCDCC;
  - VI.G.4.b. Election of Officers of the SCCDCC;
  - VI.G.4.c. Call for accreditation of clubs;
  - VI.G.4.d. Election of Members to the Democratic State Central Committee;
  - VI.G.4.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 XIV; and
  - VI.G.4.f. Any other business that shall properly come before SCCDCC; and
- VI.G.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.

## **ARTICLE VII: Vacancies**

- VII.A. Vacancies in the 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.
- VII.B. 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.
- VII.C. 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.
- VII.D. 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.
- VII.E. 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.
- VII.F. Vacancies in appointed officer positions shall be filled by the County Chair and approved by the Executive Board.
- VII.G. Elections to vacant positions must be placed on the agenda of a regular monthly meeting or a special meeting.

## **ARTICLE VIII: Sanctions and Removal of Members and Officers**

VIII.A. Members shall be subject to sanctions, including removal from the SCCDCC as provided by California state law or by Article II, Section B or Article XII, Section F of these bylaws, provided that the Member is sent written notice, no fewer than ten days prior to the hearing, by certified return receipt requested mail, specifying the charges and the time and place of the hearing, and shall have the right to be heard and to call witnesses to testify on his or her behalf prior to the vote.

VIII.B. A hearing to sanction, including removal of, a Member shall be placed on the agenda of a regular or special meeting of the SCCDCC. A two-thirds (2/3) majority vote of Members present and voting is required for the sanction of, or removal of, a Member.

VIII.C. 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.

VIII.D. 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.

#### **ARTICLE IX: Committees and Task Forces**

IX.A. Any 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.

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

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

IX.D. 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**

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

- X.A.1. United Democratic Campaign to organize and conduct a voter registration program and get-out-the-vote field operation; and
  - X.A.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
  - X.A.3. A Financial Committee to facilitate the raising of funds for SCCDCC and to advise in the expenditure of funds.
- X.B. Legislation (which shall be the internal policy and rules of the SCCDCC) shall be drafted and introduced as follows:
- X.B.1. By any voting Member of the SCCDCC;
  - X.B.2. By any group of Members of the SCCDCC as cosponsors, provided that at least one cosponsor is a voting Member of the SCCDCC;
  - X.B.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.
- X.C. Proposed legislation shall be presented to the Executive Board as follows:
- X.C.1. Proposed legislation may be submitted to an Executive Board member for formal presentation at the next Executive Board meeting; or
  - X.C.2. Proposed legislation with at least five cosponsors may be formally presented at an Executive Board meeting by one cosponsor; or
  - X.C.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.
- X.D. The Executive Board shall consider legislation which has been properly presented as follows:
- X.D.1. The Executive Board may place on the agenda the legislation for consideration at the next meeting of SCCDCC with the following recommendations:
    - X.D.1.a. approval by the SCCDCC;
    - X.D.1.b. rejection by the SCCDCC;
    - X.D.1.c. referral to appropriate committee for amendment;
    - X.D.1.d. approval by the SCCDCC with specific amendment(s); or
    - X.D.1.e. no recommendation.
  - X.D.2. The Executive Board may place the proposed legislation on the agenda for action at the next meeting of the SCCDCC provided that:
    - X.D.2.a. the proposed legislation is placed on the agenda as an informational item or committee report; or
    - X.D.2.b. the proposed legislation is to be placed on the agenda for other than the next meeting of the SCCDCC, and the Executive Board reports such action at the next meeting of the SCCDCC.
- X.E. If for any reason, after proper presentation to the Executive Board, the Executive Board has not placed on the agenda for consideration before the SCCDCC proposed legislation, the proposed legislation may be presented at the next meeting of the SCCDCC, before approval of the agenda, with a petition of

ten voting Members' signatures. A majority of those present and voting is required to place the proposed legislation on the agenda for consideration.

X.F. Unless otherwise provided, a simple majority vote of SCCDCC Members present and voting is required for enactment of any legislation.

X.G. All duly enacted legislation shall be appropriately enumerated as an Act, and shall become part of the ongoing body of the SCCDCC.

X.H. 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 shall be approved in the same manner prescribed for legislation, and shall be classified under the appropriate Act, as Rules of Procedure.

## **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**

XII.A. Dues Schedule:

XII.A.1. Regular dues for all classifications of membership shall be twenty-five dollars per term of office.

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

XII.B. 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, except that the Member may choose to pay one-half at this time and one-half by the first meeting of the second year in the term of office. A Member appointed during the second year of a term of office shall be required to pay one-half the prescribed dues.

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

XII.D. 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.

XII.E. 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.

XII.F. 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.

XII.G. 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.

XII.H. Members who are delinquent in dues payment and have not received a waiver may not receive mailings.

### **ARTICLE XIII: Rules of Conduct**

XIII.A. 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.

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

XIII.C. 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 XIV: 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 XV: 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.

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Adopted by SCCDCC, 7 March 1991. Revisions proposed by the 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.

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 other Cleanup, 1 May 1997.

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

Revision 3.3, 11/24/97 01:31:38

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

Adopted by SCCDCC on 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. Adopted 3 February 2005.

Amended by SCCDCC on 4 June 2009

Amended by SCCDCC on 5 May 2011