

BYLAWS of ERATH COUNTY DEMOCRATIC PARTY
Approved 5/21/19

Preamble: We, the Erath County Democrat Party, believe in the concepts in the Declaration of Independence and the Constitution of the United States of America. We believe that all power to govern resides with the people. We envision an engaged and empowered people creating an inclusive, just, prosperous and responsible society that secures the health and welfare of individuals, nations and the planet. We support and will promote the National and State Democratic Party organizations and their platforms to form a representative party organization in Erath County, Texas.

ARTICLE I – NAME OF ORGANIZATION

The legal name of the organization shall be the Erath County Democratic Party (ECDP).

ARTICLE II – MISSION

The mission of the ECDP is to elect leaders and achieve public policies that reflect our values. The party will cultivate candidates for office, encourage community activism, communicate our values and county platform, educate voters and influence the actions of leaders at the local, state, and national levels.

ARTICLE III – PRINCIPLES

Sec. 1 - The ECDP shall abide by the principles found in Article I, Statement of Principles, in the Rules of the Texas Democratic Party (TDP) as published by the TDP and as found on the TDP website, <http://www.txdemocrats.org>, or as otherwise amended and published by the TDP.

Sec. 2 – The ECDP specifically sees itself as a non-polarizing change agent committed to social equality and community communication and unity.

ARTICLE IV – MEMBERSHIP

Sec. 1 - Any resident of Erath County who supports Democratic principles and does not support the candidate or issues of any other political party shall have the right to be considered a member of the ECDP.

Sec. 2 - Democrats 18 years of age or older are eligible for the offices of Precinct Chair or County Chair, provided they meet the following criteria:

- a. They are qualified voters and voted in the most recent Democratic Primary, not including runoffs, or signed an oath of affiliation;
- b. They are not candidates for, nor holders of, an elective office of the federal, state, or county government; and
- c. They are residents of the precinct or county from which they seek election.

ARTICLE V – AUTHORITY AND RULES

Sec. 1 – Authority

- a. The County Executive Committee (CEC), which is composed of the County Chair and the Precinct Chairs, shall be the governing body and thus the voting arm of the ECDP as provided by state law and the Rules of the TDP.

- b. The duly elected County Chair shall be the chief executive officer of the ECDP and shall have the right to preside at all meetings of the CEC. The CEC Secretary will preside in the absence of the County Chair, or any qualified Democrat may conduct the meeting.
- c. No action of a subcommittee or any standing committee shall replace or supersede the actions or authority of the Executive Committee as a whole, and any actions by subcommittees shall be subject to review and revision by the superior authority of the full Committee at its subsequent meetings.
- d. Unless specified in these bylaws or the Rules of the TDP, all meetings of the CEC and ECDP shall be conducted in accordance with the latest edition of Robert's Rules of Order.

Sec. 2 – Rules

- a. The County Chair and all members of the CEC shall conduct themselves in accordance with the Rules of the TDP.
- b. The ECDP will not endorse one Democrat in opposition to another Democrat in contested races.
- c. At all times and at all levels of the Democratic Party, no secret ballots shall be used, no fees shall be charged for voting, and the meetings shall be open, with the exception of any existing finance and rules committee meetings, their findings and proposals to be submitted for discussion and vote in open meetings with votes subject to quorum rule.
- d. All Party Executive Committees and Sub-committees are permitted to conduct non-public sessions to consider financial, legal or strategic matters or to review information proprietary to other groups or individuals. However, no votes or formal action may be taken except in public meetings.
- e. No proxy voting shall be permitted at meetings of any County or Precinct Committee. A live video connection of any voting ECDP members will be considered as in attendance.

ARTICLE VI - ORGANIZATIONAL STRUCTURE

Sec. 1 – County Executive Committee

- a. Members: the Erath County Democratic Party shall have a County Executive Committee (CEC) composed of a County Chair and of one Precinct Chair from each election precinct in the county.
- b. Qualifications: Democrats 18 years of age or older are eligible for the offices of Precinct Chair or County Chair, provided they meet the criteria specified in the Texas Election Code and any other legal requirements, including but not limited to, not holding elective federal, state, or county government office, as well as residency in precinct or county from which they wish to be elected.
- c. Selection: CEC members shall be elected by majority vote in the Party Primary Election held in even-numbered years in contested precincts. The County Chair shall be elected by the qualified voters of the county, and the Precinct Chairs by the qualified voters of their respective precincts.
- d. Term of Office: The term of office for members of the CEC shall begin on the twentieth (20th) day following the Runoff Primary and shall continue for two (2) years or until their successors are elected and certified. Precinct Chairs must state in writing their intent to continue uncontested Precinct Chair positions at or prior to the last CEC meeting that occurs before the Party Primary Election or that Precinct Chair position will be considered vacated.
- e. A County Chair or Precinct Chair who has been elected by the voters or has been appointed to fill a vacancy must be posted to the website of the Secretary of State. The County Chair, County Executive Committee Secretary, or their designee shall add any Chair who is appointed and remove any Chair who resigns, dies or is removed from office during the term of their office.
- f. Vacancies

1. When a vacancy occurs in the office of County Chair, the outgoing County Chair or the Secretary of the County Executive Committee may call a meeting to fill the vacancy at any time after it occurs, consistent with applicable TDP Rules and TEC.
2. In the absence of a Precinct Chair or when such seat becomes vacant in the midst of a term, the County Chair may solicit applicants for the vacancy from among the qualified voters in the affected precinct. A qualified Party member from the precinct may submit an application for the vacant Precinct Chair seat to the County Chair. The County Chair shall then submit the applicant's name to the full CEC for approval. The CEC meeting that is to fill a Precinct Chair vacancy must have a quorum of a majority of the CEC membership as specified in State law. Once approved, the new Precinct Chair shall continue for the remainder of the original term.

Sec. 2 – CEC Duties and Responsibilities

a. Statutory Duties: Statutory duties of the CEC include:

1. The CEC collects filing fees and appoints watchers;
2. The CEC determines the order of names on the ballot;
3. The CEC canvasses Primary results;
4. The CEC sets and publishes times and places for Precinct and County Conventions.
5. The CEC will perform additional responsibilities as outlined in the Texas Election Code.

b. Primary Elections Duties:

1. The CEC shall have primary responsibility for planning and for coordinating the General Election Campaigns of the Democratic Party's nominees within the county.
2. This responsibility shall include raising funds for conducting local campaigns, supporting the statewide effort for the entire ticket, producing materials, and coordinating local services for all Democratic campaigns.
3. This responsibility shall include the approval of expenditure of funds. Such expenditure, unless otherwise specified by law, shall require the approval of at least 51% of its members present.

c. Non-Statutory Duties:

1. The CEC may establish such committees as it deems appropriate to carry out its non-statutory duties.
2. The ECDP may elect or appoint members to such committees, including those who are or are not members of the CEC.
3. The County Chair, in concurrence with a majority of the Precinct Chairs, may also dissolve committees when they are no longer needed.

Sec. 3 – Officers:

- a. The County Chair, with the advice and consent of the CEC, may appoint or allow the election of the offices of Secretary and Treasurer. Elected or appointed officers who are not otherwise CEC members will not be allowed to vote in CEC proceedings.
- b. Secretary: The appointed or elected Secretary may be from CEC membership or from the local ECDP membership and shall:

1. Be legally authorized to receive applications for a place on the Primary Ballot for the county, and an application received by the Secretary shall be filed officially;
 2. Be responsible for the minutes of the meetings of the CEC and will distribute copies of the minutes to members of the CEC;
 3. Maintain copies of all records, agendas, minutes, reports and resolutions for official records at a location determined by the County Chair;
 4. Assist the County Chair in conducting elections and obtaining and distributing election-related materials to members of the CEC, Election Judges and Elections Clerks;
 5. Transfer all records to incoming Secretary; and
 6. Perform such other duties applicable to the office as contained in these bylaws.
- c. Treasurer: The appointed or elected Treasurer may be from CEC membership or from the local ECDP membership and shall:
1. Be the custodian of funds in bank accounts and pay all bills as authorized by Article IX of these bylaws;
 2. Submit any required financial report(s) on a timely basis and account for all funds received and disbursed at each CEC meeting, and as proscribed by law;
 3. Serve on the Financial Committee;
 4. Keep an itemized record, in a permanent file, of all receipts and expenditures;
 5. Assume duties of Treasurer's Office only after the previous Treasurer submits complete records and audit.
 6. Perform such other duties applicable to the office as contained in these bylaws.

ARTICLE VII – MEETINGS

Sec. 1- Meetings at all levels of ECDP shall be open to all Democrats and the public with exceptions as noted in Article V 2d.

Sec. 2- The CEC shall meet as proscribed by state law and the Rules of the TDP. In addition to statutory meetings the CEC will meet at least once per fiscal quarter every year, day time and location to be set by County Chair, except that if such meetings are within thirty (30) days of a required statutory meeting they may be cancelled by the County Chair. Other meetings may be called as provided by the Rules of the TDP.

- a. Committee chairs shall appoint a recording Secretary for each committee.
- b. Minutes of committee meetings shall be available upon request by any ECDP member.

Sec. 3 - CEC meetings shall be held as required by law or by these Rules and called by the Committee Chair or by a petition in writing signed by at least 25% of the Committee membership if there has been no CEC meeting for 6 months.

Sec. 4 - TDP Rules require a statutory CEC meeting in December of odd-numbered years for the purposes of drawing for ballot order of candidates and other actions required for conduct of the primary and organizational matters for conducting county and senatorial conventions.

Sec. 5- Notice of meetings shall be made to CEC members as required by TDP rules. Excluding emergency situations notice of meetings shall be made to Precinct Chairs in writing five (5) days in advance. Notice by email shall constitute written notice unless

individual Precinct Chairs give written notice to the County Chair that email is unavailable or they do not wish to be notified by email.

Sec. 6 - For the benefit of all Democrats notice of meetings will be made by email when available and attempts will be made to have notice made in all regularly published Erath County newspapers.

ARTICLE VIII – FINANCES

Sec. 1- The ECDP fiscal year will begin July 1 of each year.

Sec. 2- The financial statement and financial reports and the budget shall be presented to the membership at the first (1st) meeting following the annual audit by the Finance Committee.

Sec. 3- The Treasurer is authorized to pay reasonable, normally recurring bills and fees.

Sec. 4- The County Chair is authorized to pay reasonable expenses incurred during normal activities, the maximum expenditure to be determined through approval of the majority of the members of the Finance Committee.

Sec. 5- Expenditures exceeding approved Finance Committee maximum shall require the approval of a majority of the attendees at a CEC meeting at which a quorum exists for conducting normal business.

Sec. 6- Sections 1 through 5 of this Article IX shall require approval for each fiscal year at a CEC meeting at which a quorum is 51% of the non-vacant Precinct Chairs.

ARTICLE IX – QUORUM

Meeting quorum requirements shall vary by business being done:

Sec. 1- Vacancy for County Chair: A quorum for filling County Chair vacancies shall be a majority of the non-vacant Precinct Chairs (51%).

Sec. 2 – Vacancy for Precinct Chair: A quorum for filling Precinct Chair vacancies shall be one-quarter (1/4) of the non-vacant Precinct Chairs.

Sec. 3 – Expenditure of Funds: Unless otherwise specified by law a quorum shall be a majority of the non-vacant Precinct Chairs (51%).

Sec. 4 – For all other non-statutory business a quorum shall be one-quarter (1/4) of the non-vacant Precinct Chairs.

Sec. 5 – Bylaws: Alterations to bylaws requires a quorum of two-thirds (2/3) vote of the non-vacant Precinct Chairs.

ARTICLE X – REMOVAL FROM OFFICE

Sec. 1 – Under the Rules of the TDP, members of the CEC may be removed from office for supporting a candidate of an opposing party or for failure to support a candidate of the Democratic Party.

Sec. 2 – Under the Rules of the TDP, CEC members may be removed from the CEC for abandoning a precinct, failing to attend three consecutive quarterly CEC meetings, or for extended neglect of office as determined by the County Chair in compliance with TDP rules.

Sec. 3 – Under the Rules of the TDP, an Acting Precinct Chair may be appointed to fill a seat vacated by the removal of the previous chair although the Acting Precinct Chair must defer voting rights to the previous Precinct Chair until the former chair either resigns in writing or is replaced in the due course of election in a Primary.

ARTICLE XI - AMENDMENT TO BYLAWS

Sec. 1-With 30 day written notice by any ECDP member, the bylaws of ECDP may be amended at the first meeting of the fiscal year by a two-thirds (2/3) vote of members present at a meeting in which a quorum exists.

Sec. 2-ECDP bylaws may be amended or replaced at any meeting of the CEC by two-thirds vote as long as the two-thirds (2/3) quorum has been achieved and notice of any proposed bylaw change has been posted in writing 30 days prior to the CEC meeting in which the vote is taken.

ARTICLE XII – CONFLICT OF INTEREST

Whenever a CEC member has a financial or personal interest in any matter coming before the CEC, the affected person shall:

Sec. 1 – Fully disclose the nature of the interest; and withdraw from discussion, lobbying, and voting on the matter.

Sec. 2 – Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested CEC members determine that it is in the best interest of the ECDP to do so.

Sec. 3 – The minutes of meetings at which such votes are taken shall record disclosure, abstention, and rationale for approval.