

# RUTHERFORD COUNTY, TENNESSEE DEMOCRATIC PARTY BYLAWS

## ARTICLE I. - NAME AND OBJECT

**SECTION 1:** The name of this organization shall be the Rutherford County Democratic Party (hereinafter "RCDP").

**SECTION 2:** The object of this organization shall be to promote the ideals and principles of the Democratic Party and to aid in the election of Democrats and Democratic nominees for public office.

## ARTICLE II. - MEMBERSHIP

**SECTION 1:** Eligibility. All residents of Rutherford County, Tennessee who are registered to vote in this county and who believe in the ideals and principles of the Democratic Party are eligible to become members of the RCDP.

**SECTION 2:** Nondiscrimination. Membership in the RCDP shall not be denied because of race, color, sex, religion, age, gender identity, sexual orientation, disability, ethnicity, or national origin.

## ARTICLE III. - POWERS AND RESPONSIBILITIES

**SECTION 1:** Governance. The governance and direction of the affairs of the RCDP shall be vested in the Rutherford County Democratic Executive Committee (hereinafter the "EC") and in the Officers of the RCDP, as hereinafter set forth in these bylaws, subject to the laws of the state of Tennessee and such rules as may be established by the Tennessee State Democratic Executive Committee.

**SECTION 2:** Party Responsibilities. The RCDP shall have the following responsibilities:

- (a) Planning and conducting all RCDP meetings, caucuses, and conventions.
- (b) Keeping and maintaining records of all RCDP meetings and business.
- (c) Supporting the duly selected nominees of the Democratic Party.

## ARTICLE IV. - EXECUTIVE COMMITTEE

**SECTION 1:** Membership. The EC shall be composed of a man and a woman from each county commission district, plus seven (7) at-large members elected at the Biennial County Reorganization Convention for a term of two (2) years. In addition, those Officers who are elected pursuant to Article VIII of these bylaws shall also be members of the EC.

**SECTION 2:** Manner of Election. The EC members shall be elected at the Biennial County Reorganization Convention called for the purpose of electing EC members at a date determined by the Tennessee State Democratic Executive Committee.

**SECTION 3:** Resignations. The resignation of any member of the EC shall be made in writing or via electronic mail and shall take effect at the time specified therein, or if no time is specified, then it shall take effect upon receipt of such resignation by the Chair or Recording Secretary.

**SECTION 4:** Vacancies. Vacancies in the EC shall be filled for the unexpired portion of the term by nominations made by EC members, followed by a majority vote of the EC members present at any business meeting.

**SECTION 5: Attendance.** An EC member who fails to attend three (3) consecutive business meetings, without a satisfactory excuse, as prescribed in Section 7, Part c, to the majority of the members of the EC in attendance, may be removed from the position and the position shall be declared vacant.

**SECTION 6: Manner of Acting.** The act of a majority of the EC members present shall be the act of the EC, unless a greater number is required by law or by these bylaws.

**SECTION 7: Sanctions or Expulsion.**

- (a) Notice and Opportunity to be heard. The EC may vote to impose sanctions on, or to expel a member, but only if written or electronic mail notice is given to all members of the EC at least fourteen (14) days in advance of the meeting at which the issue will be taken up and voted upon. The member in question must be given written notice by certified mail, return receipt requested, at least fourteen (14) days in advance and an opportunity to be heard at the next business meeting.
- (b) Automatic Expulsion. A member of the EC shall automatically forfeit his/her membership in the EC (and the position shall be declared vacant) in the event he/she qualifies for political office as an Independent or representing any political party other than the Democratic Party and opposes a duly qualified Democratic nominee.
- (c) Discretionary Sanctions or Expulsions. A member may be expelled at the discretion of the EC if a pattern of non-attendance is established, even if such absences are excused. Sanctions may be imposed against a member, or he/she may be expelled at the discretion of the EC, for demonstrating disloyalty to the Democratic Party, either in the form of a public announcement of support of a candidate of another party in a pending election, or by working for or giving financial support to any such candidate running against a duly nominated candidate of the Democratic Party. The EC shall not impose discretionary sanctions or expel a member unless three-fourths (3/4) of the members present and voting concur in discretionary sanctions or expulsion.

**SECTION 8: Ex-Officio Members.** The Chair may confer ex-officio membership status to select members of the Democratic community by virtue of office. Ex-officio members have right of voice but not of vote.

## **ARTICLE V. - MEETINGS**

**SECTION 1: General.** All meetings of the RCDP or of the EC shall be publicized fourteen (14) to twenty-one (21) days prior to the date of the meeting. All members of the EC shall be notified via electronic mail. All meetings shall be held at convenient times and locations, and shall be open to the general public and media representatives, except where legal counsel otherwise indicates based upon a legal need for a closed meeting.

**SECTION 2: Business Meetings.** Business meetings of the EC shall be held on the second Saturday of alternate months during odd-numbered years, beginning in January; and on the second Saturday of every month in even-numbered years, beginning in January. Business meeting dates may be changed by a majority vote of the EC. Other business meetings may be called by the Chair or by petition of one-third (1/3) of the members of the EC.

**SECTION 3: Special Meetings.** If more than sixty (60) days have passed since the last previous business meeting, and if the Chair has not called a meeting, one-third (1/3) of members may call a business meeting

by petition. All members of the EC must be notified via electronic mail at least seven (7) days prior to such a meeting. If fewer than sixty (60) days have passed since the last previous business meeting, one-third (1/3) of members may call a special meeting by petition provided seven (7) days prior notice is given via electronic mail to members of the EC. Any notification of a meeting must include time and location.

**SECTION 4: Caucuses.** The EC may decide by a majority vote at a business meeting to forego primary elections in favor of a nomination caucus. The purpose of such caucus shall be to establish nominees representing the Democratic Party for county-wide Constitutional offices. The rules governing such caucuses are as follows:

- (a) The EC shall be the sole nominating authority in such caucus.
- (b) The nomination of each candidate for office shall be determined by a majority vote of a quorum of members present at such caucus of the EC.
- (c) Each candidate for nomination shall affirm, in writing, his/her loyalty to the Democratic Party.
- (d) Each candidate for nomination shall be interviewed by the EC and/or RCDP Officers for the purpose of establishing the candidate's qualifications, Democratic Party loyalty, and ethical fitness to serve in the office that he/she seeks.

**SECTION 5: Quorum.** Thirty-three percent (33%) of the members of the EC shall constitute a quorum for the transaction of business at a business meeting. If less than a quorum is present at a business meeting, a majority of the members present may adjourn the meeting.

**SECTION 6: Business Meeting Following Biennial County Reorganization Convention.** A business meeting shall be held without other notice than these bylaws immediately after, and at the same place as, the Biennial County Reorganization Convention.

**SECTION 7: Open Membership Meetings.** A regular open membership meeting shall be held every month. Open membership meetings shall be called by the Chair. The purpose of the open membership meeting is to engage new and returning volunteers. Open membership meetings place an emphasis on committee projects and to keep all attendees informed of on-going projects.

## **ARTICLE VI. - BIENNIAL COUNTY REORGANIZATION CONVENTION**

**SECTION 1: Biennial County Reorganization Convention.**

- (a) A Biennial County Reorganization Convention (hereinafter "Reorganization Convention") of the members of the RCDP shall be held at the time and date specified by the Tennessee Democratic Party. The purpose of the Reorganization Convention is to elect the RCDP EC. At the subsequent business meeting, the Officers of the EC shall be elected.
- (b) The Reorganization Convention shall have ultimate authority and absolute power over all affairs of the RCDP pursuant to the Tennessee Democratic Party Constitution and Bylaws.
- (c) The number of properly authorized Voting Delegates in attendance at the Reorganization Convention shall constitute a quorum.

**SECTION 2: Preparing for the Reorganization Convention.**

- (a) Prior to the calling of the Reorganization Convention, the Chair, in cooperation with the EC, shall appoint the following committees:
  - a. Sergeant at Arms Committee.
  - b. Credentials and Rules Committee: Committee to present rules for approval to be used in conducting the Reorganization Convention and to settle grievances.
- (b) The Reorganziation Convention shall be well publicized in the local news media fourteen (14) to twenty-one (21) days prior to the convention.

**SECTION 3: Holding the Reorganization Convention.** The provisions for the holding of the Reorganization Convention shall be as follows:

- (a) The Reorganization Convention shall be well publicized in the local news media fourteen (14) to twenty-one (21) days in advance.
- (b) All voting age residents of Rutherford County who attest in writing that they are bona fide Democrats and it is verified that they are registered to vote in Rutherford County are eligible to vote at the Reorganization Convention and to be candidates for the EC and for RCDP Officers.
- (c) The Chair, before voting takes place, shall appoint an adequate number of Sergeants-at-arms to assure that only bona-fide Democrats are present for the voting process. The duly appointed representative(s) shall verify the affirmations of all attendees.
- (d) Proxy voting is prohibited. Only bona fide Democrats in attendance at the Reorganization Convention shall be permitted to vote.
- (e) Separate elections shall be held for each EC position.
- (f) The Reorganization Convention shall be called to order by the incumbent Chair of the RCDP. The convention shall then divide into caucuses to be held for each county commission district. One man and one woman shall be elected by each district caucus. A plurality shall prevail for each election. In the case of a tie, a runoff between those tied shall be held to decide the winner. Upon the completion of the election of all district EC members, the Reorganization Convention shall reassemble and each district shall report the EC members who have been elected from that district.
- (g) All eligible voters in attendance at the Reorganization Convention shall then elect seven (7) at-large EC members by ballot.
- (h) The Reorganization Convention shall then adjourn, as its business has been completed.
- (i) After the close of the convention, a regular business meeting shall be held immediately. The bylaws in effect during the previous term shall remain in effect until new bylaws are adopted by the newly elected EC. The newly elected EC members shall then elect the Officers of the RCDP.

## ARTICLE VII. – PROXIES

**SECTION 1: No Proxies Allowed.** No proxy shall be allowed at any business meeting.

**SECTION 2: Unit Rule.** No voting by the unit rule shall be allowed at any business meeting.

**SECTION 3: Open Voting.** All votes shall be public and shall not be by secret ballot, except for the election of at-large EC members and RCDP Officers, which shall be done by secret ballot.

## ARTICLE VIII. – OFFICERS

**SECTION 1: Officers.** The Officers of the RCDP shall be Chair, First Vice-Chair, Second Vice-Chair, Recording Secretary, Corresponding Secretary, and Treasurer, all of whom shall be elected by the EC for a term of two (2) years, or until their successors are duly elected. All Officers are expected to assist the Chair when possible in the same general duties as those assigned to EC members.

**SECTION 2: Election of Officers.** The Officers shall be elected by a simple majority of the members of the EC present at the business meeting held immediately following the Reorganization Convention. In the event a majority is not achieved, a runoff election shall be held until a majority prevails with the candidate receiving the least number of votes being dropped from the next ballot. A complete list of all Officers and EC members shall be forwarded to the Chair of the Tennessee Democratic Party within ten (10) days after their election. Upon election, Officers become voting members of the EC and shall resign any other EC voting position.

**SECTION 3: Vacancies.** Vacancies in any Office shall be filled for the unexpired portion of the term by nominations made by EC members, followed by a majority vote of the EC members present at any regular business meeting.

**SECTION 4: Chair.**

- (a) The Chair shall preside over all conventions, caucuses, and meetings of the RCDP and EC. He/she shall perform all duties incident to the Office of Chair and such other duties as may be prescribed by the EC members from time to time.
- (b) The Chair shall appoint all chairs and members of standing committees.
- (c) In the event that the Recording Secretary must be absent from a meeting, the Chair shall designate a person to take minutes.

**SECTION 5: First Vice-Chair.** The First Vice-Chair shall assume the duties of the Chair in his/her absence; incapacity; death; or refusal to act and, in so acting, shall have all the powers of, and be subject to all restrictions on, the Chair. He/she shall assist the Chair in all duties and, to the best of his/her ability, shall perform whatever duties the Chair or the EC shall ask him/her to fulfill.

**SECTION 6: Second Vice-Chair.** The Second Vice-Chair shall assume the duties of the Chair if both the Chair and First Vice-Chair cannot act due to absence; incapacity; death; or refusal to act and, in so acting, shall have all the powers of, and be subject to all restrictions on, the Chair. He/she shall assist the Chair in all duties and, to the best of his/her ability, shall perform whatever duties the Chair or the EC shall ask him/her to fulfill.

**SECTION 7: Recording Secretary.** The Recording Secretary shall:

- (a) Maintain and update RCDP records, including bylaws, give copies to the Officers, and, if requested, to any member of the EC.
- (b) Keep and update an inventory of property belonging to the RCDP and a record of all purchases and sales.
- (c) Collect and maintain a database of Rutherford County Democrats.
- (d) Keep concise and accurate minutes of all RCDP meetings, caucuses, and conventions, including those meetings attended only by Officers. Copies of these minutes shall be given to the Officers no later than the beginning of the next called meeting. Such records shall also be made available to any member of the EC upon request.

- (e) In general, perform all duties incident to the office of Recording Secretary and such other duties as, from time to time, may be assigned by the Chair or by the EC, or which may be required by law.

**SECTION 8: Corresponding Secretary.** The Corresponding Secretary shall:

- (a) Maintain a list of all EC members and Officers. This list shall be sent to the Tennessee Democratic Party within ten (10) days after the Reorganization Convention and when any changes are made to the make-up of the EC and Officers. Copies of sign-up sheets for local RCDP functions shall be forwarded to the Tennessee Democratic Party.
- (b) Be responsible for invitations for all RCDP functions and for local functions of Democratic candidates.
- (c) Notify all members of the EC fourteen (14) to twenty-one (21) days before business meetings to encourage attendance and participation.

**SECTION 9: Treasurer.** The Treasurer shall:

- (a) Have charge and custody of, and be responsible for, all funds and securities of the RCDP from any source whatsoever, and deposit all such monies in the name of the Rutherford County Democratic Executive Committee in such bank or other depositories as shall be selected in accordance with the provisions of these bylaws.
- (b) Keep and maintain, open to inspection by any member of the EC at all reasonable times, adequate and correct accounts of the funds and transactions of the EC, which shall include all matters required by law.
- (c) Promptly disburse RCDP funds for amounts less than or equal to two hundred and fifty dollars (\$250.00) as he/she may be ordered by the Chair; disburse RCDP funds for amounts over two hundred and fifty dollars (\$250.00) only as approved by the Chair and one other duly elected Officer. This section shall not apply to political or charitable contributions which are addressed in sub-section d.
- (d) Not disburse any RCDP funds to any political, charitable or non-profit organization unless such contribution be approved by a roll-call vote of the EC in a regular or specially called meeting.
- (e) Register with the Tennessee State Democratic Election Commission and file any and all reports required by the State Election Commission (SEC) and Federal Election Commission (FEC) should the EC choose to become a registered Political Action Committee (PAC).
- (f) In general, perform all of the duties incident to the Office of Treasurer and such other duties as may be assigned by the Chair or EC.
- (g) If required by the EC, give a bond, to be paid for by the EC, for the faithful discharge of his/her duties, in such sum and with such corporate surety or sureties as the EC shall determine.

**SECTION 10: Officers Not Required to be Members.** It is not required that persons nominated for election as Officers be members of the EC. Any Officer who is elected by the EC shall, upon his/her election as an Officer, become a voting member of the EC and shall resign any other EC voting position.

**SECTION 11: Neutrality.** The RCDP shall not support a candidate in a Democratic primary, unless the candidate is unopposed, in order to maintain neutrality. This section does not prohibit EC members and Officers from supporting Democratic primary candidates as individuals.

**SECTION 12: Resignations.** The resignation of any Officer of the EC shall be made in writing or via electronic mail and shall take effect at the time specified therein, or if no time is specified, then it shall take effect upon receipt of such resignation by the Chair or Recording Secretary.

**SECTION 13: Outgoing Officers.** When an Officer ceases to occupy an Office with the RCDP, that person is responsible for transmitting all RCDP records and property in his/her possession to his/her successor.

**SECTION 14: Sanctions.** All sanctions described in Article IV, Section 7 as applying to EC members shall also apply to RCDP Officers.

## **ARTICLE IX. - COMMITTEES**

**SECTION 1: Committees Appointed by the Chair.** The Chair may establish committees, to be composed solely of EC members or partly EC members and partly others, as he/she deems appropriate.

**SECTION 2: Term of Office.** Each member of a committee shall serve at the pleasure of the Chair, but no longer than until the next Reorganization Convention or until the committee is terminated.

**SECTION 3: Removal of any Member of a Committee.** Any member of any committee may be removed by the Chair whenever, in his/her judgment, the best interest of the RCDP shall be served by that removal.

## **ARTICLE X. – AGENDAS FOR BUSINESS MEETINGS AND OPEN MEMBERSHIP MEETINGS**

The regular order of business at business meetings shall be as follows:

- (a) Call to order
- (b) Moment of silence
- (c) Pledge of Allegiance (optional)
- (d) Roll call
- (e) Reading and approval of the minutes of previous meeting
- (f) Treasurer's report
- (g) Reports of committees
- (h) Resolutions
- (i) Unfinished business
- (j) New business
- (k) Open discussion and comments for all Democrats in attendance
- (l) Elections (if necessary)
- (m) Announcements
- (n) Adjournment

The regular order of business at open membership meetings shall be as follows:

- (a) Call to order
- (b) Moment of silence
- (c) Pledge of Allegiance (optional)
- (d) Introductions by the Chair
- (e) Guest Speaker
- (f) Committee intros
- (g) Committee break outs

- (h) Committee report backs
- (i) Adjournment

## **ARTICLE XI. – RESOLUTIONS**

All proposed resolutions must be submitted to the Chair in writing or via electronic mail at least one (1) week prior to a business meeting and shall be forwarded to all EC members as soon as possible. Emergency resolutions may be brought before the body by consent of a two-thirds (2/3) majority of those present.

## **ARTICLE XII. - CONTRACTS AND EXPENDITURES**

### **SECTION 1: Contracts; Expenditures; Bill Retention.**

- (a) No expenditures or bills shall be made, or contracts entered into, which purport to obligate the EC unless such expenditures or contracts are authorized by a majority vote of those present at a duly called or regular business meeting at which a quorum is present, except that those one-time expenditures of less than or equal to two hundred and fifty dollars (\$250.00), obligating the EC, must be authorized by the Chair and the Treasurer.
- (b) Any expense incurred without prior authorization shall be the personal liability of the individual(s) incurring the expense.
- (c) The Treasurer shall present a monthly itemized statement of income and expenditures to EC members. All paid bills shall be retained by the Treasurer in his/her records until such records are turned over to his/her successor.

**SECTION 2: Audits.** Auditors may be designated by the EC, who shall audit and examine the books of account of the RCDP and shall certify to the EC the annual balances of the books which shall be prepared at the close of the fiscal year by, or under the direction of the Treasurer.

## **ARTICLE XIII. - PARLIAMENTARY PROCEDURES**

The current edition of Robert's Rules of Order Newly Revised shall govern meetings of the EC in all cases to which they are applicable and in which they are not inconsistent with the bylaws and any special rules of order which may be adopted.

## **ARTICLE XIV. - AMENDMENTS**

These bylaws may be amended or substituted by a two-thirds (2/3) vote of total members of the EC at any business meeting called for the purpose of amending these bylaws. Proposed amendments must be submitted to all EC members via electronic mail fourteen (14) days in advance of the meeting at which they will be voted upon. The complete bylaws shall be submitted along with any proposed changes. The Recording Secretary shall promptly amend the bylaws of record with any approved changes and record the date of approval.

## **ARTICLE XV. - RULES**

The Rutherford County Democratic Party is a constituent party of the Tennessee Democratic Party. The Rutherford County Democratic Executive Committee is an organization created by the Tennessee State



Democratic Executive Committee, with the Tennessee State Democratic Executive Committee having full authority in all matters over the Rutherford County Democratic Executive Committee. In any conflict between the Rutherford County Democratic Party bylaws and the bylaws of the Tennessee Democratic Party, the bylaws of the Tennessee Democratic Party bylaws prevail.

