

**Constitution and Bylaws  
of the Democratic Party of Anderson County, Tennessee**

(Revised April 2, 2011)

Amended 2/14/1974, 11/29/1979, 5/20/1980, 8/25/1983, 9/21/1985, 7/10/1997, 9/2/1999, 3/31/2007  
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**Article I. Name and Purpose**

*Section 1. Name.* The name of this organization shall be the Anderson County Democratic Party (ACDP).

*Section 2. Purpose.* The purpose 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.* Membership is open to all residents of Anderson County, Tennessee, who are registered to vote.

*Section 2. Nondiscrimination.* Membership in the Anderson County Democratic Party shall not be denied because of race, color, sex, religion, age, disability, or ethnic origin.

**Article III. Powers and Responsibilities**

*Section 1. Governance.* The governance and direction of the affairs of the ACDP shall be vested in the Anderson County Executive Committee (the 'Executive Committee') and the Party Members, 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 Anderson County Democratic Party shall have the following responsibilities:

- a. Planning and conducting all ACDP county meetings, conventions, and fund-raising activities.
- b. Keeping and maintaining records of all Democratic Party meetings and business.
- c. Supporting the duly selected nominees of the Democratic Party.

**Article IV. Party Membership**

*Section 1. Party Membership.* The Democratic Party of Anderson County shall be organized according to these by-laws at a biennial county convention described in Article VI. The Party will strive to achieve as nearly as possible, equal numbers of men and women pledged and registered at the County Convention.

Additionally, all Anderson County Democrats holding public office or State Party office, elected by popular vote at a municipal, county, state, or national level shall be entitled to become members of the ACDP, as at-large members, during the tenure of their office, provided that no person elected on an Independent ticket shall be considered in this category. Elective offices such as, but not limited to, City Councils, Boards of Education, County Commissioners, and Constables, although not subject to the Democratic Primary, shall not be considered as Independents for the purpose of this section.

*Section 2. Manner of Organizing.* At the Biennial County Convention of the ACDP all Democrats of Anderson County will be invited to attend. Those who identify themselves as Democrats through a signed pledge or affidavit will be registered as members of the ACDP. At the convention the Party

will be organized into districts, as defined by Anderson County Commission districts. Each district will constitute a sub-convention of the ACDP (district caucuses) called for the purpose of electing district chairs and alternates as representatives of the district in the conduct of certain Party affairs. The organization of the Party will be held within the time frame specified by the Tennessee Democratic Party Executive Committee.

**Section 3. Resignations.** The resignation of any member of the ACDP shall be made in writing and shall take effect at the time specified therein, or if no time is specified, upon receipt of such resignation by the chair.

**Section 4. Vacancies.** A vacancy in the Executive Committee defined in Art. VIII, shall be filled by nomination from the Party membership. Any vacancies may be filled by the affirmative vote of a majority of the members present at any regular meeting, even if less than a quorum of the Executive Committee is present. In the event of a vacancy, whether resulting from a resignation, failure to meet an attendance requirement, or failure of any district to elect its Executive Committee members, the remaining members in attendance at any subsequent meeting may fill those positions from members of the ACDP who reside in that district and who meet the requirements of a duly elected member. Any person nominated to fill a vacancy on the Executive Committee must be present at the time of their election.

**Section 5. Attendance.** An officer or district chair who does not attend a regular meeting for six (6) months shall have his or her office declared vacant by the Party chair. The individual in question may remain a member of ACDP. After the officer or district chair in question has been absent for four (4) months, he or she shall be notified at least fourteen (14) days before the next meeting and by certified mail that such action is imminent. If the officer or district chair still fails to meet the attendance requirement, the position will be declared vacant without additional notice. The vacancy shall be filled in accordance with Article IV, Section 4, *Vacancies*.

If an officer or district chair has not met the attendance requirements, he or she shall not be eligible for election as an officer or district chair until the next County Convention. Additionally, if an officer does not attend 50% of the regular meetings during his or her two- (2) year term, he or she shall not be eligible for election as an officer at the next County Convention.

**Section 6. Manner of Acting.** The act of a majority of the members present shall be the act of the Party, unless a greater number be required by law or elsewhere in these bylaws.

**Section 7. Removal of Voting Status.**

- a. **Notice and Opportunity To Be Heard.** The Executive Committee may vote to remove the voting rights of an Executive Committee member or other Party member, but only if all Party members, including the member in question, are given a letter, enclosed in an envelope for confidentiality, that specifies the reason for such action at least fourteen (14) days prior to the meeting in which such action is to be voted. The member in question must be given fourteen (14) days written notice and an opportunity to be heard.
- b. **Reasons for Removal of Voting Rights.** Reasons for removal may include, but are not limited to, the following: (i) qualifying for political office as an Independent or representing any political party other than the Democratic Party and opposing a duly qualified Democratic nominee; or (ii) 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.
- c. **Majority Required for Removal of Voting Rights.** An Executive Committee member shall not be denied voting rights unless and until such a member is given an opportunity to be heard and a three-fourths (3/4) majority of the Executive Committee members present at the meeting vote for removal of his or her voting rights.

## Article V. Meetings

**Section 1. General.** All meetings of the Anderson County Democratic Party or of the Executive Committee shall be well publicized through e-mail, postcard, or newsletter notification sent to members at least fourteen (14) days prior to the date of the meeting, and through notification to the public in county-wide news media. 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 need for a closed meeting).

**Section 2. Regular Meetings.** Regular meetings of the Party shall be held monthly in an election year, bimonthly in a nonelection year, or when called by the chair or one-third (1/3) of the Party members.

**Section 3. Quorum.** Fifteen percent (15%) of the members of the Party shall constitute a quorum for the transaction of business at all meetings. If less than a quorum is present at a meeting, a majority of the members present may adjourn the meeting.

**Section 4. Convention Meeting.** A regular meeting of the ACDP shall be held without other notice than these bylaws immediately after the convention, at the same meeting place.

## Article VI. Conduct of Convention

**Section 1. Convention.** The election of officials of the Anderson County Democratic Party and chairs of the individual districts will be conducted at the biennial county convention of Anderson County Democrats. The provisions for the holding of the county convention shall be as follows:

- a. The convention shall be well publicized in the local news media. At least fourteen (14) days prior notice must be given.
- b. All Anderson County Democrats who are registered voters are invited to attend the convention and are eligible to vote and to be candidates for the Executive Committee *after attesting they are bona fide Democrats by execution of affidavits or affirmations to that effect.*
- c. The convention shall be called to order by the incumbent chair of the Anderson County Democratic Party. Attendees from each district will caucus separately as sub-conventions. In each sub-convention, a chair shall be duly elected as representative of the Members within the given district. Each district may elect one alternate for its chair position. A nominee must be present at the County Convention to be elected to any office within the ACDP. If there are vacancies in any district after the County Convention, those who were unable to attend may be elected at a subsequent Party meeting in accordance with Article IV, Section 4, *Vacancies* and Article VI, Section 1(b). A plurality shall prevail for each election.
- d. After the election of the chair and alternate within each district, the convention shall reassemble and each district shall report the elected chair, the alternate, and the number of declared members from that district.

## Article VII. Proxies

**Section 1. No Proxies Allowed.** No proxy shall be allowed at any meeting of the Party.

**Section 2. Unit Rule.** No voting by the unit rule shall be allowed at any meeting of the Party.

## Article VIII. Officers and Executive Committee

**Section 1. Officers.** The officers of the Anderson County Democratic Party shall be chair, immediate past-chair, 1<sup>st</sup> vice-chair, 2<sup>nd</sup> vice-chair, secretary, newsletter editor, and treasurer, all of whom shall be elected at the time of the County Convention by the ACDP members. All officers are elected for two- (2-) year terms, or until their successors are duly elected and qualified. No officer may be elected to more than two consecutive two-year terms.

**Section 2. Election of Officers.** The officers shall be elected by a simple majority of the members of the Anderson County Democratic Party present at the meeting held immediately following the convention. In the event a majority is not achieved, a runoff election shall be held until a majority prevails with the person receiving the lowest vote being dropped from the next ballot. A complete list of all officers and members shall be forwarded to the Chair of the Tennessee Democratic Party within ten (10) days after their election and such list shall be available to any member.

**Section 3. Vacancies.** Vacancies in any office for any reason may be filled, in accordance with Article IV, by the members for the unexpired portion of the term.

**Section 4. Chair.** The chair shall preside over any convention which may be called and over the meetings of the Party. He or she shall perform all duties incident to the office of chair and such other duties as may be prescribed by the members from time to time. The chair shall be an ex-officio member of all committees.

**Section 5. Immediate Past Chair.** The past chair shall perform ad hoc assignments and assist the chair as needed to ensure a smooth transition in leadership and continuity of purpose.

**Section 6. 1<sup>st</sup> Vice-Chair.** In the absence of the chair or in the event of his or her death or inability or refusal to act, the 1<sup>st</sup> vice-chair shall perform the duties of the chair and, in so acting, shall have all the powers of, and be subject to all the restrictions on, the chair. He or she shall perform all duties incident to the office of vice-chair and such other duties as may be assigned to him or her by the chair or by the members.

**Section 7. 2<sup>nd</sup> Vice-Chair.** The 2<sup>nd</sup> vice-chair shall assume the duties of the chair in the absence of both the chair and the 1<sup>st</sup> vice-chair.

**Section 8. Secretary.** The secretary shall:

- a. Keep the minutes of the party meetings, including attendance records for the officers and district chairs;
- b. Keep the minutes of any conventions which may be held;
- c. Be custodian of the records of the Party;
- d. Keep membership records and have general charge of membership books of the Party members;
- e. Perform all duties incident to the office of secretary and such other duties as from time to time may be assigned to him or her by the chair or by the Executive Committee, or which may be required by law;
- f. See that all notices are duly given in accordance with the provision of law and these bylaws;
- g. Maintain copies of all correspondence received or sent;
- h. Prepare correspondence for signature of the appropriate officer or member as directed by the chair.

**Section 9. Newsletter Editor.** The newsletter editor shall prepare and send the newsletter, ensuring that it is mailed in time to give adequate notice, in accordance with these bylaws, or regular meetings or other meetings, as directed by the chair. Announcements will be sent via e-mail.

**Section 10. Treasurer.** The treasurer shall:

- a. Have charge and custody of, and be responsible for, all funds and securities of the Party from any source whatsoever and deposit all such monies in the name of the Anderson county Democratic Party 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, at all reasonable times, adequate or current accounts of the funds and transactions of the Party, which shall include all matters required by law;
- c. Disburse the funds of the Party ordered by the Executive Committee;
- d. Present an itemized written statement of income and expenditures and the current financial condition of the Party to members at each regularly scheduled meeting or any other meeting as requested by the Chair or the members;
- e. Perform all of the duties incident to the office of treasurer;
- f. If required by the Party, give a bond, to be paid for by the members, for the faithful discharge of his or her duties, in such sum and with such corporate surety or sureties as the members shall determine.

**Section 11. Neutrality.** No officer shall openly support a candidate in a Democratic Primary, thus the officers shall present neutrality in order to maintain Party loyalty.

**Section 12. Executive Committee.** The Party shall have an Executive Committee which shall consist of the Party chairman (who serves as the Committee chair), immediate past chairman, 1<sup>st</sup> and 2<sup>nd</sup> vice chairmen, secretary, treasurer, district chairs, and State Committee Members from Anderson County. The executive committee is authorized to act upon the Member's behalf on planning, arranging, formulating issues and sundry items germane to the Party and its functions that are to be presented to the full membership for approval, and to act on all issues which require prompt action between regularly scheduled Party meetings, except issues relating to the election or removal of Members, the filling of vacancies, or other matters that the bylaws reserve for consideration by the full Party membership. Issues may be brought to the Executive Committee by e-mail, which may be discussed and voted through an e-mail voting policy, duly adopted by the Committee

**Section 13. Officers Must Support Nominees of the Democratic Party.** No person shall be an officer or member of the Party who does not support nominees of the Democratic Party. Failure to support the nominees of the Democratic Party shall be cause for removal from office. Any removal shall be in accordance with Article IV, Section 7. However, no officer, or member of the Executive Committee, or member of the Democratic Party is obligated to support a candidate who was affiliated with another party, or ran as an Independent, or refuses to execute an affidavit in accordance with Article VI, Section 1(b).

**Section 14. Resignations.** The resignation of any officer of the Executive Committee shall be made in writing 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.

## Article IX. Standing Committees and Duties

### *Section 1. Committees Appointed by Chair.*

The chair may establish committees, to be composed solely of Party. Each committee shall provide a written report to the officers and to the ACDP as a whole. The permanent committees shall be as follows:

- a. Resolutions,
- b. Political,
- c. Budget,
- d. Publicity,
- e. Rules,
- f. Social,
- g. Ways and Means, and
- h. Audit.

### *Section 2. Duties of Committees.*

- a. The Resolutions Committee will consist of five (5) Party members appointed by the party chair. The Resolutions Committee will serve at the pleasure of the chair and officers and at the direction of the Executive Committee. The purpose of the Resolutions Committee is to receive proposed resolutions referred to it by the Executive Committee and to develop a final draft resolution to be resubmitted to the Party members for final approval. Upon final approval by the members, the Resolutions Committee shall forward the resolution in its final form to the appropriate officials as directed by the resolution.
- b. The Political Committee is charged with formulating and implementing strategy for the election to office of Party nominees for public office. It shall maintain a comprehensive file of Democratic voters of Anderson County. It shall take no action in primary elections.
- c. The Publicity Committee under the direction of the officers and the Executive Committee shall be responsible for obtaining newspaper, radio, and television publicity for the Democratic Party and its candidates.
- d. The Rules Committee shall study the bylaws and at the direction of the Executive Committee or upon the request of five (5) or more Party members or of twenty-five or more voting Anderson County Democrats shall consider proposals for their amendment. The Rules Committee chair, or a member of the committee designated by the committee chair, with the approval of the Party Chair, shall act as parliamentarian of the Party deliberations in accordance with Robert's Rules of Order, Newly Revised.
- e. The Social Committee shall plan and arrange for Party functions with approval of the Executive Committee.
- f. The Ways and Means Committee shall work with the treasurer and plan such fundraising activities as deemed necessary.
- g. The Budget Committee shall prepare a budget of anticipated expenditures for the upcoming year and submit it at the January meeting for approval of the members.
- h. The Audit Committee shall audit the books of the Party no later than January 31<sup>st</sup> of each year and report at the next regular meeting. Additional special audits may be required by the chair. The Audit Committee shall establish a set of financial procedures to be reviewed and approved by the Executive Committee.

## **Article X. Conduct of Business at Meetings**

**Section 1.** The regular order of business at ACDP meetings shall be as follows:

- a. Call to Order
- b. Pledge to the Flag,
- c. Roll Call,
- d. Minutes of Previous Meeting,
- e. Treasurer's Report,
- f. Resolutions,
- g. Announcements,
- h. Old Business,
- i. New Business,
- j. Elections,
- k. Adjournment.

## **Article XI. Resolutions**

**Section 1.**

- a. All proposed resolutions shall be submitted to the party chair in writing or by e-mail at least thirty days prior to a scheduled Party meeting in order to be placed on the meeting agenda.
- b. Upon receipt, the chair shall present the proposed resolution to the Executive Committee for review and consideration. The Executive Committee shall then submit the proposed resolution to the full membership with their recommendation to approve or not approve. The recommendation from the Executive Committee must be in the form of a motion to either approve or not approve, and such a motion shall follow the standard rules of procedure as set forth in Robert's Rules of Order.
- c. Upon approval by a simple majority vote, the draft of the resolution shall be forwarded to the Resolutions Committee as set forth in Article IX, Section 2, subsection (a). The final draft of the resolution shall be presented by the Resolutions Committee to the members at the next scheduled meeting of the Party for final approval.
- d. All proposed resolutions shall state the purpose of the resolution and give instruction as to where the resolution shall be forwarded.
- e. Resolutions which are not presented to the party chair at least thirty (30) days prior to a scheduled meeting may be presented to the Executive Committee for consideration but shall require a 2/3 majority vote of those members present to be placed on the meeting agenda.

## **Article XII. Parliamentary Procedures**

**Section 1.** The current edition of Robert's Rules of Order, Newly Revised shall govern meetings of the Democratic Party in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order which may be adopted.

## **Article XIII. Amendments**

**Section 1.** These bylaws may be amended or substituted by a two-thirds (2/3) vote of Party members in session at any meeting of the Democratic Party called for that purpose, or any regular meeting of the

Executive Committee for which a rules change has been published fourteen (14) days in advance and announced as an item on the agenda of the meeting so advertised.

#### **Article XIV. Contracts and Expenditures**

**Section 1. Contracts, Expenditures, Bill Retention.** No expenditures or bills shall be made or contracts entered into which obligate the Party unless such expenditures or contracts are authorized by a majority vote of those present at a duly called meeting at which a quorum is present, except those expenditures for not more than two-hundred fifty dollars (\$250.00) obligating the Party may be authorized by the chair of the Executive Committee. Expenditures for not more than five-hundred dollars (\$500.00) may be made by the chair with the simple majority approval of the Executive Committee between meetings when it is not practical to delay until the next meeting of the Party. The chair shall report the reason for the expenditure at the next Party meeting. All paid bills shall be retained by the treasurer for a period of six (6) years. All expense items or bills incurred on behalf of the Party shall be reported, together with verification, to the treasurer within thirty (30) days from the date on which said expense or bill is incurred. The treasurer shall pay said expense or bill as soon as practicable. The time set out herein may be waived for good cause shown.

**Section 2. Audits.** Auditors shall be designated by the Executive Committee, who shall audit and examine the books of account of the Anderson County Democratic Party and shall certify to the Executive Committee 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 XV. Rules**

**Section 1.** The Anderson County Democratic Party shall insure that Party nominees for elected offices are bona fide Democrats as defined in Section 2, below. The Executive Committee of the ACDP may challenge a candidate for any office be it municipal, county, state or federal, against appearing on the ballot as a Democrat for failing to vote in at least three of the immediate prior five Democratic primaries. The challenge shall be referred to the full ACDP membership, which shall by simple majority vote, make a recommendation to the Party Chair. The Chair shall decide whether or not the candidate may appear on the ballot as a Democrat. The county party or the candidate has the right to appeal the Chair's decision to the full Executive Committee which may overturn the Chair's decision by a two-thirds vote of those present. The Party, the Executive Committee or Party Chair, in descending order of authority, shall have the right to waive the foregoing prohibition against a candidate appearing on a ballot as a Democrat for good cause and when justice so requires.

**Section 2.** A bona fide Democrat is defined as an individual whose record of public service, actions, accomplishments, public writings and/or public statements affirmatively demonstrates that he or she is faithful to the interests, welfare and success of the Democratic Party of the United States and of the State of Tennessee. The ACDP may make exceptions to this rule on a case by case basis in the spirit of an inclusive and a growing Party.

**Section 3.** The Anderson County Democratic Party is a constituent part of the Tennessee Democratic Party. State Party rules take precedence over the bylaws of the Anderson County Democratic Party.