

# TEXAS DEMOCRATS

## The Rules of the Texas Democratic Party

# 2019- 2020

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State Democratic Executive Committee  
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# RULES OF THE DEMOCRATIC PARTY OF TEXAS

## ARTICLE I STATEMENT OF PRINCIPLES

The Texas Democratic Party hereby adopts the following Statement of Principles as the foundation for Party activities at all levels:

### A. Beliefs

We believe that the Democratic Party, with its great diversity, its flexibility of organization, its historic adaptability to fruitful change, and its instinctive responsiveness to human needs and aspirations, can provide the leadership required in these challenging times. We further believe:

1. That we must join together with a renewed faith in our country, in our state, and in our Party to provide our people with responsive, responsible government;
2. That government functions best when it is closest to the people;
3. That our government is and should be of laws and not of favoritism or of arbitrary caprice, and therefore we condemn any resolution of conflicts, save through legal processes;
4. That the Texas Democratic Party stands for law and order, for total and unceasing war against crime, for strengthening law enforcement agencies, and for justice under law;
5. That all citizens, no matter what their religion or race or how humble or exalted their origin or station, have the duty to participate fully at every level of government and are entitled to an equal voice and to equal treatment at its hands;
6. That all Democrats are bound to defend, to protect, and to honor our nation, our state, and our Party, and that when they are right, it is our privilege to sustain them, but when they err, it is our duty to correct them; and
7. That, as Democrats, we are proud and upright citizens of the United States, that we are determined not only to serve our country, but also to stand shoulder to shoulder with citizens of other states in providing meaningful, responsible, and constructive leadership for our great nation.
8. That the Democratic Party stands against sexual harassment and abuse within its ranks.
9. That retaliation, in any form, express or implied, against any person who reports sexual harassment or abuse within the Democratic Party ranks is not tolerated.
10. That the Texas Democratic Party should endeavor to raise all funds for its operations and campaigns from entities and individuals who are aligned with the platform and values of the Party.

### B. Declarations

To achieve these principles, we hereby make these declarations and adopt the following Rules to govern Party activities at all levels:

1. No test of membership in, nor oaths of loyalty to, the Texas Democratic Party shall be required or used if it has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone, or support discrimination on the grounds of race, sex, sexual orientation, gender identity, age, color, creed, national origin, religion, ethnic identity, economic status or disability. Further, discrimination on the grounds of race, sex, sexual orientation, gender identity, age, color, creed, national origin, religion,

ethnic identity, economic status or disability in the conduct of the Democratic Party affairs is prohibited.

2. The Democratic Party at all levels shall support the broadest possible voter registration and participation without discrimination on the grounds of race, sex, sexual orientation, gender identity, age, color, creed, national origin, religion, ethnic identity, economic status or disability.
3. It shall be the duty of the State Chair and Party Officers at all levels to take affirmative steps to encourage young people, women and minorities to seek selection as Delegates to Party Conventions and as members of Party Committees so that they shall be represented in reasonable relationship to their presence in the state.
4. Every person who accepts a Party office at any level (including the position of Convention Delegate) must agree to support all of the Party's nominees or shall be removed.
5. Public meetings at all levels of the Texas Democratic Party shall be open to all members of the Party, regardless of race, sex, age, sexual orientation, gender identity, color, creed, national origin, religion, ethnic identity, economic status, philosophical persuasion or disability.
6. The time and place of all meetings of the Texas Democratic Party at all levels shall be publicized fully and in such manner as to assure timely notice to all interested persons. Such meetings shall be held in places accessible to all Party members and large enough to accommodate all interested persons.
7. The Texas Democratic Party shall publicize fully and in such manner as to assure notice to all interested parties a complete description of the legal and practical qualifications and procedures for selecting Democratic Party Officers and Representatives at all levels. Publication of these procedures shall be done timely and in such a fashion that all prospective and current members of the Democratic Party and all prospective candidates or applicants will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at each level of the Democratic Party organization and to compete for any elected or appointed position.
8. The Texas Democratic Party requires that all headquarters, conventions, events, and meetings of the Democratic Party at all levels meet the provisions of the 2010 Americans with Disabilities Act, as amended.
9. The Texas Democratic Party at all levels shall address in its employment policies sexual harassment on the basis of sex, sexual orientation, gender identity, or gender expression.
10. The Texas Democratic Party shall maintain on its website, a permanent record of official actions taken at any State Democratic Executive Committee meeting and at its biennial State Convention. This record shall include:
  - a. State Democratic Executive Committee meetings
    - (1) notices of meeting,
    - (2) agenda of meeting,
    - (3) any proposed agenda or minutes of any committee of the State Democratic Committee,
    - (4) roll of meeting,

- (5) rules proposed for adoption at a future meeting,
- (6) rules adopted at a meeting,
- (7) nominations committee report,
- (8) any resolutions adopted, and
- (9) approved minutes of meetings.

Any materials listed above that are considered confidential and proprietary may be withheld from posting on the TDP website by motion of the SDEC at the meeting at which those materials are distributed or discussed. That motion should include a description of the withheld materials and the reason for withholding their posting.

**b. State Democratic Convention**

- (1) List of known candidates for state party offices, Democratic National Committee members, State Democratic Executive Committee and convention committees,
- (2) List of persons who were elected as state party officers, State Democratic Executive Committee, Democratic National Committee members and convention committees,
- (3) Report of the Rules Committee,
- (4) Resolutions adopted by the convention, and
- (5) Convention officers.

**c. Allied and Auxiliary Groups on the State Democratic Executive Committee**

- (1) All organizations who have representation on the State Democratic Executive Committee shall file their bylaws with the State Chair and the bylaws shall be posted on the state party website.
- (2) If the bylaws of the organization do not state how the organization’s officers or representatives to the State Democratic Party Executive committee are elected, the organization will also post an explanation of their SDEC representative selection.

**d. Any local bylaws adopted by any County Democratic Party Executive Committee.**

- 11. Any Democrat who wishes to receive the announcements or notices or other general communications sent to the SDEC or County Chairs, may request to be placed on those distribution lists by notifying the Director of County Affairs of the Texas Democratic Party.

**ARTICLE II  
NAME, MEMBERSHIP AND OFFICERS**

**A. Name**

The name of this Party shall be the “Texas Democratic Party” or simply the “Democratic Party” or just the “Party.”

**B. Membership**

- 1. Any qualified Texas voter 18 years of age or older unless otherwise spelled out in these rules who supports the foregoing “Statement of Principles” of the Democratic Party may participate fully in any Party meetings and may be elected to any Party Office, except where specifically prohibited by law or by Party Rules.

- 2. Any other persons who support the foregoing “Statement of Principles” of the Democratic Party are encouraged to participate in Party activities but may not vote.

**C. Party Officers**

- 1. All Party Officers shall be residents of the precinct, district or other political subdivision which they represent, and moving residence outside the precinct, district or other political subdivision shall constitute an automatic vacancy.
- 2. The Party Officers covered by this provision include precinct chair, county chair, SDEC representative, State Chair, convention delegates, members of temporary convention committees and any other officer elected by a Party committee or convention.
- 3. Acceptance by any person of a Party Office and participation in that capacity constitutes an agreement to the provision in the Statement of Principles that “every person who accepts a Party Office at any level (including the positions of Convention Delegate and member of a temporary convention committee) must agree to support all of the Party’s nominees or shall be subject to removal.”

**ARTICLE III  
EXECUTIVE COMMITTEES**

It is a basic and fundamental precept of the Texas Democratic Party that always, and at all levels, there shall be no secret ballots, there shall be no fees charged for voting, and the meetings shall be open.

**A. Duties of Executive Committees**

- 1. The State Democratic Executive Committee (the “SDEC”) shall carry on the activities of the Party between State Conventions in compliance with the law and with the directives of the Convention.
- 2. All SDEC members are strongly encouraged to take specific and ongoing actions to maintain a strong Democratic presence throughout the state. It is requested all SDEC members voluntarily perform as many of the duties listed below as possible, as well as other such activities not enumerated; this is not a mandate.
  - a. Actively promote the TDP Platform, Democratic nominees, and straight Democratic ticket voting.
  - b. Serve as liaison to County Chairs and help Party leadership organize and conduct Primary Elections, County/Senate District Conventions, and State Conventions.
  - c. Participate in Senate District meetings, County Executive Committee meetings, and other local Democratic club meetings, TDP events, and activities.
  - d. Participate in TDP committee meetings, workshops, conference calls, webinars, and training sessions.
  - e. Help create and put forth Party messaging and other communications to and solicit input on same from the Democratic grassroots.
  - f. Assist local, county, and state Party officials in identifying, recruiting, training, and supporting candidates.
  - g. Work with County Chairs to develop lists of every public officeholder in the Senate District for future targeting and keep the state Chairman informed of changes.
  - h. Assist TDP fundraising efforts to the greatest extent possible.

- i. Understand the current edition of Robert’s Rules of Order and the TDP Rules.
  - j. Provide an email address and telephone number for listing on the state Party website.
  - k. Be responsible for their own personal travel and ancillary expenses to SDEC meetings either through personal funds or legally raised donations.
3. Other executive committees acting at the County level, the District level or any other level shall discharge their duties in compliance with the law and with the Party Rules.

**B. General Rules**

- 1. 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.
- 2. Committee 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 51% of the Committee membership.
- 3. At all Party Committee meetings other than Conventions, County Executive Committees and Convention Caucuses, 40% of the Committee membership shall constitute a quorum. If the meeting is to fill a vacancy in the office of precinct chair, the quorum shall be 25% of the committee membership. A majority participation of the Committee membership shall be required for a quorum to fill a vacancy in the office of county chair, as specified in State law.
- 4. Unless otherwise required by statute or by these Rules, the current edition of Robert’s Rules of Order, Newly Revised, shall be the parliamentary authority governing all Party Committee meetings and procedures.
- 5. The method of voting at all Party Committee meetings may be by voice vote, by (standing) division of the house, by signed written ballot, or by roll call vote. The method used shall be left to the discretion of the Chair, except that on request of any member (who need not be recognized by the Chair to voice such request), a standing division must be held, and the request of 10% of the members present shall require a roll call vote. Any vote that results in a tie shall be decided by a coin toss.
- 6. Minutes of each meeting shall be furnished to each Committee member at or prior to the next Committee meeting.
- 7. Proxy voting shall be permitted at SDEC meetings; provided, however, no person may hold or vote more than one proxy. Proxy holders for senatorial district representatives on the SDEC must reside in the same district as the member assigning the proxy. Proxy holders for representatives of organizations must be members of the organization. No proxy voting shall be permitted at meetings of any County, District or Precinct Executive Committee [As prohibited by §171.026]
- 8. No action of a subcommittee or any standing committee shall replace or supersede the actions or authority of the 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.
- 9. Upon the vote of 20% of the members of any Party Committee, a minority report can be prepared and presented. A minority report may be submitted for consideration either by way of amendment or as a substitute for a majority report.

- 10. 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.

**C. Election Matters**

- 1. **Certification of Candidates.** The SDEC shall certify the name of each candidate to appear on the primary ballot or delegate such certification to the State Chair. At the close of the filing period for candidates to be on the primary ballot, the State Chair shall certify to each County the listing on the Secretary of State website of the name of each candidate certified to appear on the primary ballot in that county. (Required in Texas Election Code §172.028)

- 2. **Referendum Issues.**

- a. Qualified voters may by petition require a referendum issue to be placed on the primary election ballot. Such petitions must be filed with the State Chair during the same filing period applicable to candidates for federal, state, and county office. In addition to the requirements mandated by state law (Required by Texas Election Code §172.088), all petitions must contain the following wording and information:

An oath or affiliation to the Party as part of the petition statement to read as follows:

“If I sign this petition, I hereby affiliate myself with the Texas Democratic Party, and I swear or affirm that during [insert election year] I will support the nominees of the Democratic Party and that I will not vote in a primary election or participate in a convention of another political party during [insert election year].

I further acknowledge that the purpose of this petition is to require the Texas Democratic Party to place the proposal described below on the ballot for the [election date] Democratic Primary Election.”

[signatures]

“Sworn to (or affirmed) and signed before me the (undersigned authority on this the \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
(Signature of person administering oath

\_\_\_\_\_  
(Printed name of person administering oath

\_\_\_\_\_  
(Address of person administering oath

\_\_\_\_\_  
(Telephone # of person administering oath

\_\_\_\_\_  
(Title of office and county of residence of person administering oath.”

- b. The person administering the oath may be either: a judge, clerk or commissioner of any court of record; a notary public; a justice of the peace; the Secretary of State of Texas; any member of the SDEC; any member of the County Executive Committee for the county in which the person signing the petition resides; or a per-

son expressly authorized in writing to administer the oath by the State Chair or a County Chair for the county in which the person signing the petition resides. The State Chair and any such County Chair shall keep as a permanent part of party records a true copy of any such authorization. Each person administering the oath must sign in the place shown, and print his or her name, address, office and county of residence.

- c. The form of the petition, including a description of the proposal that is to be submitted, the spacing and type-size and instructions to comply with this Rule must be approved by the State Chair. The oath of the petition signer and the description of the proposal shall be in bold type.
- d. The State Chair is hereby delegated all other authority necessary to effectuate this Rule.
- e. The SDEC shall prescribe the wording of the proposition submitting a proposal. (Required by Texas Election Code §172.088(g)).
- f. The petition shall be in both English and Spanish.

#### **D. State Democratic Executive Committee**

##### **1. Officers.**

- a. **Election.** The State Convention in gubernatorial years shall elect a State Chair. The Convention also shall elect a First Vice Chair who identifies as a different gender from the State Chair, a Vice Chair for Finance, a Secretary, and a Treasurer. These shall be the officers of the SDEC, and they shall be elected for a four-year term at the state convention held in gubernatorial election years or until their successors are elected. (Required by Texas Election Code §171.002(c) )
  - (1) In order to be qualified for any Texas Democratic Party office enumerated in Article III, D.1 (a) a candidate must file a Declaration of Candidacy for the specific office no later than 62 days prior to the Call to Order of that year's Texas Democratic Convention.
  - (2) The filing must be physically received in the Texas Democratic Party office no later than 6 PM on the 62nd day. Should the 62nd day fall on a weekend or holiday the filing period shall be extended to 6 PM on the next regular business day.
  - (3) There shall be no filing fee or petitions associated with a Declaration of Candidacy for any office subject to this section.
  - (4) Should there be only one candidate appropriately filed for any office subject to this section and that candidate withdraws, becomes incapacitated or is disqualified prior to the State Convention the declaration period shall be reopened for 30 days, from the date of official notice of the change in status or through the State Convention whichever comes first.
- b. **Voting.** On statutory matters, only the State Chair and First Vice Chair may vote; otherwise, on all other matters all officers may vote.
- c. **State Chair.** The State Chair shall be the principal and presiding officer of the SDEC, shall have all of the authority and duties implied by such title and expressed

or implied by these Rules, and shall have the authority to establish and to appoint committees with the advice and consent of the SDEC and deal with the affairs of the Party.

- d. **First Vice Chair.** The First Vice Chair shall assist the State Chair and shall have the duties and authority implied by such title or assigned by the Chair or by the SDEC. The First Vice Chair shall preside over meetings of the SDEC in the absence of the State Chair and shall fill any ex-officio position created for Party Vice Chairs, including membership on the National Committee.
- e. **Vice Chair for Finance.** The Vice Chair for Finance shall have responsibilities for fundraising under the direction of the State Chair and shall have other duties and responsibilities assigned by the Chair or by the SDEC.
- f. **Secretary.** The Secretary shall have the duties and authority implied by such title.
- g. **Treasurer.** The Treasurer's duties shall be to present a financial report at each SDEC meeting and to perform duties assigned by the State Chair. The disbursement of funds shall be the responsibility of the State Chair or of the Chair's designee(s), provided that the designee(s) be approved by the SDEC.
- h. **Standing SDEC Committee Membership.** Members of standing SDEC committees will be appointed by the State Chair with the advice and consent of the SDEC. The State Chair will appoint one chair and one vice co-chair who will be gender balanced, and the members of each of the committees will elect a second vice co-chair.
- i. **Operating Budget.** The State Chair shall submit an annual operating budget to the SDEC Finance Committee for approval by the full SDEC at the first SDEC meeting following January 1st of each year. In no event shall any TDP staff or officer, other than the State Chair, incur any debt on behalf of the Texas Democratic Party not authorized by the operating budget. In addition, any expenditure, proposal or project which would exceed a line item in the submitted annual operating budget by \$10,000, including but not limited to additional staff or pay raises, requires a majority vote of the State Chair, First Vice Chair, Vice Chair for Finance, Secretary, Treasurer, SDEC Finance Committee Chair, and SDEC Finance Committee Co- Chair before the funds may be expended or the obligation incurred.
- j. **Audit.** The State Chair shall cause an audit of the financial records of the SDEC to be made by a certified public accountant at least once each calendar year. A copy of the report of such audit shall be furnished to each member and officer of the SDEC.
- k. **Officer Vacancies.** When a vacancy occurs in any of these offices between State Conventions, a majority of the members of the SDEC shall elect a successor, who need not be a current member of the SDEC. Members shall receive written notice issued by the State Chair, or if that office be vacant, by the First Vice Chair, at least two weeks prior to the meeting at which an election will be held. Any member of the SDEC may nominate a candidate for the vacant office. When an interim vacancy in the office of the State Chair is filled by the SDEC, the term of office for the interim Chair shall be for the duration of the unexpired term.

## 2. SDEC Members.

### a. Membership.

- (1) The SDEC shall be composed of two statutory members elected from every senatorial district and the following additional members:

two from the Texas Democratic County Chairs Association,  
two from the Texas Young Democrats,  
one from the Senatorial Democratic Caucus (non-voting),  
one from the House Democratic Caucus (non-voting),  
two from the Texas Democratic Women,  
two from the Texas Coalition of Black Democrats,  
two from the Hispanic Caucus,  
two from the Non-Urban/Agriculture Caucus,  
two from the Texas Stonewall Democrats,  
two from the Texas Environmental Democrats,  
two from the Democrats with Disabilities,  
two from the Asian American Democrats of Texas,  
two from the Texas Veterans Organization, and  
two from the Texas AFL-CIO as a representative of labor unions.

- (2) The Texas Democratic Party recognizes each entity, and any local chapters of those entities, listed in subsection (1) as an auxiliary organization of the Texas Democratic Party. Each auxiliary organization is governed by their individual bylaws, which must include provisions related to the time and method for electing officers and the duties thereof, which have been approved by vote of their membership. As necessary, the SDEC:

- (a) may designate additional entities as auxiliary organizations; and
- (b) shall ascertain that each entity granted auxiliary organization status remains a viable and active organization compatible with the Party.

- (3) As used in these Rules, an “auxiliary organization” means a statewide group that is not a part of the statutory party structure, which as a group, subscribes to the beliefs and principles advocated by the Texas Democratic Party and which offers opportunities for the growth and development of the Party, the primary purpose of which is to promote the principles of the Party stated in Rule I and to support Democratic nominees and priorities. The Hispanic Caucus shall be defined as any groups and the local chapters thereof that have held a caucus at the Democratic State Convention for at least two consecutive conventions. Designation of an entity that is not listed in Subsection (1) as an auxiliary organization, does not automatically entitle that entity to voting or non-voting representation on the SDEC.

- (4) As necessary, the SDEC may designate as a temporary alliance between the Texas Democratic Party and one or more groups to work with each other on issues on which the Party and the group(s) agree as a coalition. A coalition is not part of the statutory Party structure. Inclusion of a group in a coalition does not grant that entity any official

standing or privileges within the Texas Democratic Party, including voting or non-voting representation on the SDEC.

- (5) To maintain their membership on the SDEC, these caucuses and groups must hold or sponsor a caucus at the State Convention. If the group is an independent membership organization, the organization shall:

- (a) post its current bylaws on the Texas Democratic Party website;
- (b) allow for at-large memberships if the group consists of chapters and allow all members to vote in officer elections;
- (c) invite all convention delegates of the most current or the most recent state convention who meet the qualifications of the group to join and give notice of elections in a timely manner before elections are held; and
- (d) if elections are not held at the time listed in the bylaws, the SDEC representative shall be ineligible to serve on the committee and shall be removed until new elections are held and the State Chair is given notice of the new officers.

- b. **Election from Senatorial Districts.** The two members from every senatorial district shall be elected by the State Convention held in even-numbered years. Two persons who identify as different genders from each senatorial district shall be recommended by the Delegates from the counties composing the respective senatorial districts. Each county shall vote its full Convention strength divided proportionately among its Delegates present. In a multi-county senatorial district, the Delegates should strive to provide geographical representation by recommending their committee members to be from different counties; this is not a mandate.

- c. **Organization Representatives.** The chair or president and the next highest ranking officer who identifies as the different gender of the organizations (excepting Texas Democratic Women) providing additional members on the SDEC shall serve as the representative members of the SDEC. For the Hispanic Caucus, the representative members shall be two representatives elected by the Hispanic Caucus at the State Convention. In the event that any such person already is a member of the SDEC, the next highest ranking officer who identifies as the same gender shall be the additional member. They shall participate in the proceedings of the SDEC insofar as the Texas Election Code will permit.

- d. **Caucus Representatives.** The members representing the Senatorial Democratic Caucus and the House Democratic Caucus shall be non-voting, ex-officio members selected by their respective caucuses.

- e. **Terms.** SDEC members shall serve until their successors take office, which shall be on adjournment of the State Convention at which the new members are elected.

- f. **SDEC Vacancies.** When a vacancy occurs for a Senate District committee position on the SDEC, the vacancy shall be filled by the majority vote of the members of the SDEC. The new member shall be an eligible person who identifies as a different gender from the district’s other committee member and from the same senatorial district as the vacating member. The Senatorial District



Committee of the affected district shall meet to nominate a person for such position. The State Chair shall mail written notice of the meeting to consider such nomination to the members of the Senatorial District Committee and, if known, the Chair of the affected district's Senatorial District Caucus at the last State Convention, at least two weeks prior to the meeting. The Committee shall report its nominee to the SDEC. A vacancy shall be filled no later than the next meeting of the SDEC following written notice of the vacancy by at least five weeks.

**g. Caucus/Organization Representative Vacancy.** When a Caucus/Organization Representative vacancy occurs, then:

- (1) If representing an organization, the organization can name a replacement with the same gender of the person removed subject to ratification by the SDEC; or
- (2) If representing a caucus that only meets at State Convention, that seat will remain vacant until the next scheduled convention, at which time the caucus shall elect its representatives.

### 3. Removal.

- a. In addition to the procedures under Article III.H., any State Party Officer, including a member of the SDEC, may be removed for good cause by a two-thirds vote of the SDEC membership. All members must receive written notice from the State Chair at least 30 days before any meeting at which a removal will be considered. Balloting may not be done by mail.
- b. For removal of an SDEC member, one-third of the members of the SDEC or one-third of either the Senatorial District Committee or the Delegates to the State Convention from the Senatorial District at which the member was last elected must petition for removal of the SDEC member before proceedings shall be brought before the SDEC.
- c. A member of the SDEC who misses two SDEC meetings, without sending a proxy, shall be removed and a vacancy shall occur.
- d. For removal of other State Party Officers, either one-third of the members of the SDEC or one third of the County Chairs, or one-third of the Delegates to the State Convention at which the Officer was last elected must petition for the removal of the State Party Officer before removal proceedings shall be brought before the SDEC.
- e. In the event that the State Chair is subject to petition for removal under this section, then the First Vice Chair shall give notice of said petition to the SDEC and give proper notice by mail of said meeting.

**4. Advisory Committee.** The Texas Democratic Party Advisory Committee is created to provide an issues forum and an advisory group to the SDEC.

- a. It shall consist of the following:
  - (1) the elected officers of the SDEC;
  - (2) a Co-Chair to preside over this Committee with the State Chair. The Co-Chair shall be nominated by the State Chair and shall be approved by a majority vote of the SDEC;

(3) the participating groups, loyal to the principles of the Democratic Party and approved by the SDEC, shall be statewide caucuses and organizations of the Texas Democratic Party or the State Convention. Each participating group will elect two delegates and two alternates, balanced by gender where appropriate, at the State Convention.

- b. The Advisory Committee will meet twice a year at the call of the State Chair and the Co-Chair or a majority of the committee members.
- c. The SDEC shall govern any fundraising activities and expenditures. Contributions and disbursements shall be made through the Texas Democratic Party for proper accounting and reporting under Party Rules and related state and federal laws.
- d. The SDEC, as necessary, may provide additional rules and guidelines. The Rules of the Texas Democratic Party shall apply to the Advisory Committee. Proxy voting shall not be permitted.
- e. All members shall serve terms of two years commencing after each State Convention.

### E. County Executive Committee

#### 1. Members.

- a. Each county shall have a County Executive Committee composed of a County Chair and of one Precinct Chair from each election precinct in the county. (Required by Texas Election Code §171.022)
- b. The County Chair shall be elected by majority vote and precinct chairs shall be elected by plurality vote in the Party Primary Election held in even-numbered years. 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. . (Allowed by Texas Election Code §171.022)
- c. The term of office for members of the County Executive Committee shall begin on the twentieth day following the Runoff Primary and shall continue for two years or until their successors are elected and certified. (Required by Texas Election Code §171.022(c))
- d. Acting Precinct Chair Appointment Upon Failure of the Elected Chair to Perform Duties.
  - (1) If an incumbent Precinct Chair has failed to perform his or her duties for an extended period of time or missed three consecutive county executive committee meetings, the County Chair may appoint an Acting Precinct Chair. The County Chair may determine if such lack of performance of the incumbent Precinct Chair's duties or the incumbent Precinct Chair's three consecutive absences rise to a level to give written notice to the incumbent Precinct Chair to start the process of appointing an Acting Precinct Chair.
  - (2) The incumbent Precinct Chair must be given written notice by registered mail that an Acting Precinct Chair will assume the duties of the Precinct Chair for the remainder of the Precinct Chair's term. The written notice must include the specific performance of duty for an extended period of time that the incumbent Precinct Chair is alleged to have neglected or failed to perform or the specific three consecutive county executive committee meetings

the incumbent Precinct Chair has missed. The notice must include an outline of how the County Chair came to his or her determination that it warranted an Acting Precinct Chair's appointment and that if an Acting Precinct Chair were to be appointed the incumbent Precinct Chair would still maintain his or her statutory responsibilities. The written notice must specifically include the mailing address where a response to the written notice may be made. The written notice must also specifically note that the incumbent Precinct Chair has ten business days to respond and that the incumbent Precinct Chair may at any time notify the County Chair that the incumbent Precinct Chair will resume performing any of the duties of the Precinct Chair. The written notice must include a copy of the Party Rule's Article III, Section E (1)(d). A defect in the written notice would invalidate the process and require the County Chair to reissue correct written notice and restart the ten business days response time in order to cure such defects.

- (3) If the incumbent Precinct Chair does not respond in writing within ten business days of the written notice, the Acting Precinct Chair may be appointed by the County Chair and shall assume the non-statutory responsibilities of the incumbent Precinct Chair, including participation in executive committee meetings and votes. These duties, however, shall not include participating in any votes or actions required by state statute. A County Chair can only appoint an Acting Precinct Chair if the incumbent Precinct Chair does not respond to the written notice within ten business days. An Acting Precinct Chair must meet all the qualifications by statute of a Precinct Chair.
  - (4) If the incumbent Precinct Chair notifies the County Chair within ten business days of the written notice, then the County Chair cannot appoint an Acting Precinct Chair and the incumbent Precinct Chair still retains all duties and responsibilities of a precinct chair. Any written response, short of the incumbent Precinct Chair's resignation would be a sufficient response to the written notice.
  - (5) The incumbent Precinct Chair shall always have voting authority over the Acting Precinct Chair. If the incumbent Precinct Chair notifies the County Chair any time after the ten business days of the written notice, even after the appointment of an Acting Precinct Chair, that that incumbent Precinct Chair will resume performing his or her duties, then the Acting Chair shall defer to the elected incumbent Precinct Chair in all duties and responsibilities and the position of Acting Precinct Chair shall be vacated. The County Chair shall notify the Acting Precinct Chair in writing that the Precinct Chair is resuming his/her duties. The County Chair shall encourage the volunteer formerly serving as Acting Precinct Chair to continue any activity related to voter education, registration, voter identification, and get-out-the-vote effort in the precinct and make available to the volunteer any material, data system, or similar information or material.
- 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. The list as posted on the Texas Secretary of State website shall be the official members of the County Executive Committee for all purposes outlined under these Rules and Texas statutory requirements.

### **Eligibility to Vote on Replacements of County Chair or Candidate on the Ballot**

- (1) When due to the death, resignation, withdrawal, declaration of ineligibility, creation of a new office, or any other reason, a vacancy occurs in the office of County Chair or for the nomination of any office on the ballot and a county, district, or precinct executive committee is permitted or required by law to elect a new County Chair or nominate a replacement candidate for the ballot for the other office, the precinct chairs eligible to vote in the executive committee meeting to fill the vacancy are only those precinct chairs who are posted on the Secretary of State website on the date the vacancy occurred or on the twenty-fourth day after the last preceding runoff primary election day, whichever date is later.
- (2) Any precinct chairs appointed after the date of the vacancy and before the vote to fill the vacancy may participate in any discussion or debate but are ineligible to vote in the replacement election.
- (3) When an executive committee meets to appoint a person to fill a vacancy, the meeting to select the new County Chair or candidate on the ballot must be at least ten days after the date of the vacancy to the extent possible in relation to the final deadlines for appointment.

### **2. Officers.**

- a. The County Executive Committee shall elect a Secretary. If the County Executive Committee has not done so, the County Chair may appoint a Secretary until the committee acts. The Secretary need not be a member of the committee.
- b. The term of office of the Secretary, if one is elected or appointed, shall run concurrently with the term of office of the County Executive Committee.
- c. The combined amount of any compensation paid from the Primary fund to the Secretary and the Chair for their services shall be more than \$300.00 but in no case exceed the lesser of \$8,000.00 or 5% of the amount actually spent for necessary expenses in holding the Primary Election for that year, exclusive of the compensation paid to the Chair and Secretary. (Required by Texas Election Code §173.004)
- d. The Secretary shall be responsible for taking minutes of any County Executive Committee meeting.
- e. The Secretary legally is authorized to receive applications for a place on the Primary ballot, and an application received by the Secretary shall be filed officially.
- f. The County Executive Committee may, by majority vote, adopt continuing rules for the conduct of its business, so long as they are not prohibited by law or are not inconsistent with these Party Rules. Such rules shall be filed with the State Chair.

3. **Qualifications.** 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 (Required by Texas Election Code §161.005 (a)(1)) and voted in the most recent Democratic Primary, not including runoffs, or signed an oath of affiliation:

**Oath of Affiliation:**

“I swear that I have not voted in a primary election or participated in a convention of another party during this voting year. I hereby affiliate myself with the \_\_\_\_\_ Party.”; and

b. They are not candidates for, nor holders of, an elective office of the federal, state, or county government (Required by Texas Election Code §161.005(a)(2)); and

c. They are residents of the precinct or county from which they seek election (Required by Texas Election Code §171.023(a) and §161.005(a)(1)).

4. **Election Procedure.**

a. A qualified Party member may become a candidate for County or Precinct Chair by filing a written application in the county using a form which shall be provided by the County Chair upon request.

b. In addition, qualified Party members filing for the office of County Chair in a county with a population of 1 million or more shall include a petition containing the signatures of 10 percent of the current, incumbent Precinct Chairs serving on the County Executive Committee in the county using a form which shall be provided by the State Party. The petition shall contain the candidate’s sworn oath that the signatures thereon are valid and that each was signed in the presence of the candidate or candidate’s representative. (Required by Texas Election Code §172.021(f)).

c. The application, and petition, if applicable, shall be signed and duly acknowledged by the candidate and then filed with the County Chair or with the Secretary of the County Executive Committee if there is one. (Required by Texas Election Code §§171.022(a) (2), 172.021 and 172.023). A copy of the petition (if applicable) also shall be filed with the State Chair.

d. The application shall state the candidate’s occupation, county of residence, post office address, date of birth, and the office sought. The petition (if applicable) shall include the Precinct Chair’s signature, name, post office address and precinct number. A Precinct Chair may not sign the petition of more than one candidate for the same office in the same election. (Required by Texas Election Code 141.066) By signing the petition, the Precinct Chair is supporting the County Chair candidate’s appearance on the primary ballot, not the actual candidate.

e. Applications, and petitions, if applicable, shall be filed no later than 6 p.m. on the deadline for candidate filing for the Primary Election. This deadline shall be extended until the next working day if it falls on a weekend or a holiday.

f. An application filed by mail is considered to be filed at the time of its receipt by the appropriate authority. (Required by Texas Election Code §172.021(c):

g. No later than the day before the filing deadline, the County Chair shall post on the county or state party’s Internet website, a notice of the address at which the County Chair or the Secretary will be available to receive applications on the last day of the filing period. (Required by Texas Election Code §172.022(b))

h. No later than 20 days after the local canvass, the County Chair shall post on the Texas Secretary of State website, the name, address, and precinct number of each Precinct and County Chair elected. (Texas Election Code §172.118)

5. **Vacancies.**

a. 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. Upon the written request of any Committee member, however, the Secretary shall call one for a date not more than 20 days after receiving the request, giving each member notice of the time, place, and purpose. Should a Committee Secretary fail to act after being requested in writing to do so, the State Chair shall call the meeting in like manner. The officer calling the meeting shall designate a Temporary Chair to preside until the new Permanent Chair is elected. (Texas Election Code §171.025) An application of candidacy shall be submitted to the Secretary prior to the election.

b. A County Chair may appoint a person to fill a precinct vacancy at any time. A County Chair shall delete from the Secretary of State website the name of any County Executive Committee Member who resigns, dies, or vacates the position. The appointed chair shall assume the position upon appointment. The County Executive Committee shall confirm those appointed at the next business meeting of the committee. Any appointment by the County Chair to fill a precinct chair vacancy shall be ratified by majority vote of the County Executive Committee at a meeting at which a 25% of the membership shall constitute a quorum; or the Executive Committee, when a business quorum is present may call for a vote by mail, listing the precinct chairs to be appointed on a published ballot sent to all of its membership, to be signed and returned by a stated deadline (in keeping with the requirement that the Texas Democratic Party does not permit secret ballots) and provided that the vote will not be valid unless 25% of the membership have returned their signed ballots. The results of the votes shall be published within 7 days after the stated deadline. [Optional by Texas Election Code §171.024] If there is an additional candidate at the time of a ratification vote, then the County Executive Committee shall default to conducting a precinct chair election per its rules, and not conduct a ratification vote of the County Chair’s appointment. Notice of the replacement chair’s name and address shall be promptly posted on the Secretary of State website after ratification by the executive committee if one exists. Until confirmed by the County Executive Committee, the appointed precinct chair has only the non-statutory responsibilities of a precinct chair.

c. When the precinct boundaries are changed between primary elections and only one Precinct Chair resides within the new precinct, that Chair shall continue to serve in the new precinct until the end of the term of office. If no chair

resides within the new precinct, the office automatically shall become vacant and shall be filled as provided herein. (Required by Texas Election Code §171.023) If a new precinct contains the residence of two or more incumbent precinct chairs in office within the new boundaries, the County Chair shall ask the incumbent chairs to make a decision by consensus by a date certain as to who shall complete the term as the precinct chair. For those precincts where the incumbent precinct chairs cannot or do not decide by that date, the County Chair shall appoint a committee to make recommendation(s) to the full county executive committee of the chairs to complete the term in the same manner as the county uses to fill a vacancy in a precinct chair office.

- d. Changes in precinct boundaries made by the Commissioners Court shall not become effective to alter membership of the County Executive Committee until February 1 after the changes are ordered. (Required by Texas Election Code §171.023)
- e. Removal of precinct chair or county chair for abandonment of office.
  - (1) A Precinct or County Chair who has failed to perform statutory duties provided by this code or failed to attend four or more consecutive meetings of the County Executive Committee may be removed for abandonment of office as provided by this section.
  - (2) If authorized by a resolution passed by the County Executive Committee, a County Chair may send a notice to a Precinct Chair that states that the Precinct Chair is considered to have abandoned the office of Precinct Chair and the duties of the office. The notice must:
    - (a) state the reasons the County Executive Committee believes the Precinct Chair has abandoned the office;
    - (b) be sent by certified mail; and
    - (c) request a response from the Precinct Chair not later than the seventh day after the date the Precinct Chair receives the notice.
  - (3) If authorized by a resolution passed by the Democratic State Executive Committee, the State Chair may send a notice to a County Chair that states that the County Chair is considered to have abandoned the office of County Chair and the duties of the office. The notice must:
    - (a) state the reasons the state executive committee believes the County Chair has abandoned the office;
    - (b) be sent by certified mail; and
    - (c) request a response from the county chair not later than the seventh day after the date the county chair receives the notice.
  - (4) A Precinct or County Chair must respond to a notice under Subsection (2) or (3) on or before the seventh day after the date the chair receives the notice and state whether the Chair wishes to continue in office. A Chair's failure to respond and affirmatively state that the Chair wishes to remain in office results in a vacancy in the office of Precinct or County Chair, as applicable. The vacancy shall be filled as provided by these Rules.

## 6. Duties and Responsibilities.

- a. Statutory duties of the County Executive Committee include collecting filing fees (Required by Texas Election Code §172.021 and §172.022); appointing watchers (Required by Texas Election Code §33.03); determining the order of names on the ballot (Required by Texas Election Code §172.082 and §172.084); canvassing primary results (Required by Texas Election Code §172.116); and setting and publicizing times and places for Precinct and County and Senatorial District and State Conventions (Required by Election Code §174.022 and §174.063). Additional required responsibilities are outlined in the Texas Election Code in Chapters 171, 172, 173, and 174 as well as Sections 31.032, 32.006, 32.034, 32.093, 32.111, 34.007, 42.009, 43.003, 51.002, 51.003, 51.035, 52.002, 123.001, 123.033, 124.065, 125.031, 143.033, and 145.036.
- b. In addition to its statutory duties, the County Executive Committee shall have primary responsibility for planning and for coordinating the General Election campaigns of the Democratic Party's nominees within the county. In the case of nominees running for office in districts which include areas outside of the county, the County Executive Committee shall work with the Senatorial District Committee (as described in Article III.F. below). This responsibility shall include raising funds for conducting local campaigns, supporting the state-wide effort for the entire ticket, producing materials and coordinating local services for all Democratic campaigns.
- c. The County Executive Committee may establish such committees as it deems appropriate to carry out its non-statutory duties and may elect or appoint committee members who are not members of the County Executive Committee. Unless the County Executive Committee's continuing rules provide for such committees to elect their own Chair, the Chair of such committees may be elected or appointed by the County Executive Committee. The term of office of the Chair of such committees shall run concurrently with the term of office of the County Executive Committee.

## 7. Meetings.

- a. A statutory meeting of the County Executive Committee shall be held in December of odd numbered years for the purposes of actions required for conduct of the primary and organizational matters for conducting county and senatorial conventions.
- b. Precinct Chairs and the secretary of the executive committee shall be notified by written or electronic mail notice at least five days in advance of all meetings, which shall include minutes of the previous meeting and a proposed agenda for the upcoming meeting, excluding emergency situations.

8. **Expenditure of Funds.** Expenditure of funds by the County Executive Committee, unless otherwise specified by law, shall require the approval of at least 51% of its members present.

9. **County Executive Committee Quorum.** Non-Statutory Business – At County Executive Committee (CEC) meetings, the quorum for conducting non-statutory business shall consist of not less than 25% of the membership, excluding vacancies.

**10. Meeting of the County Executive Committee.** The County Executive Committee (CEC) shall meet at least quarterly throughout the two year term between elections. Statutory meetings called for by the Texas Election Code may be counted toward the quarterly meeting requirement of the CEC. The County Executive Committee (CEC) meetings shall not be scheduled during the week of the biennial state convention and county/Senatorial district convention, except to a) fill a ballot vacancy, b) endorse a candidate in a special election or c) if the nature of the business is such that it cannot wait until the adjournment of that convention. If a county chair fails to issue a written call for a County Executive Committee meeting within six months of the previous County Executive Committee meeting, 25% of the members of the CEC may call a CEC meeting by written demand. Notice of such meeting, including an agenda of the business to be considered, shall be mailed or sent by electronic mail to all members of the county executive committee at least fourteen (14) days prior to the date of the meeting and shall state the time, date and place and the names of the persons issuing the call. The County Executive Committee meetings shall be chaired by the County Chair. If the County Chair is not present, then the Secretary or any qualified Democrat may conduct the meeting.

#### **F. District Executive Committee**

**1. Members.** Each senatorial district shall have a Senatorial District Executive Committee, sometimes referred to as the "District Committee," to be formed as follows:

- a. In a senatorial district composed of only a part of one county, the Precinct Chairs within the district shall constitute the District Committee. No later than the statutory meeting of the County Executive Committee in December of odd years, such Precinct Chairs shall elect one of their numbers to serve as Chair of their District Committee. (Texas Election Code §171.053)
- b. For a senatorial district composed entirely of one whole county, the County Executive Committee shall constitute the District Committee, and the County Chair shall be the District Chair. (Texas Election Code §171.052)
- c. For a senatorial district made up of more than one county or parts of more than one county, the District Committee's membership shall be composed of the members of each county executive committee who reside in the district.
- d. The state chair shall call a meeting of the district executive committee to convene either as a whole in one location or separately in each county in the district at any time after the precinct chairs take office to fill a vacancy in a nomination or to transact any other business by the committee. The state chair shall notify the members of the district executive committee in advance of the meeting of the time, place, and purpose of any meeting or meetings.
- e. If a vacancy exists in the office of senatorial district chair for a county immediately before the date for conducting the regular drawing for a place on the general primary ballot, the appropriate county executive committee members shall convene on that date at the hour and place specified by the county chair to elect that officer.
- f. If the district executive committee is meeting as a whole in one location, the members of the committee shall elect a chair at the committee's first meeting from

among the committee membership. If the district executive committee is meeting separately in each county, the members meeting in each county shall elect a chair at the committee's first meeting from among the committee membership in that county.

- g. For the purposes of filling a vacancy in a nomination, the state chair shall canvass the votes of the district executive committee when meeting separately in each county and make the certification required by Section 145.037 of the Texas Election Code.
- h. A quorum of any executive committee shall be 25% of the number of chairs posted on the secretary of state website at the time of the meeting.

#### **2. Officers.**

- a. A District Committee may elect officers in order to accomplish its business. Any Democrat qualified to hold Party office may hold any District Committee office other than that of Chair. Chairs must be either a Precinct or County Chair.
- b. Within 3 days after the meeting of each County Executive Committee at which District Committee members are elected, each County Chair shall forward to the State Chair the names and addresses of the District Committee members and of the District Chair selected at the meeting. (Required by Texas Election Code §171.053(a) and §171.054(b))

**3. Duties.** District Committees shall have those responsibilities assigned by Texas statutes, such as filling certain vacancies in nominations for District officials. (Required by Texas Election Code, Chapter 145) They also shall be responsible for any duties in connection with Party activities which may be assigned by the SDEC. They may and should, on their own initiative, undertake such efforts on behalf of the Party and its candidates which are appropriate on the district level.

**4. Other "District Committees."** Certain statutory provisions occasionally may require specific action by a "District Committee," other than those based on state senatorial districts. The membership of such District Committees shall be determined by the same general rules applying to the formation of Senatorial District Committees, except that the geographical boundaries used shall be those pertaining to the relevant district.

**5. Meetings.** When a District Committee composed of more than one county or of parts of more than one county must meet and organize before it has a permanent District Chair as provided in these Rules, the State Chair shall designate one member of the District Committee to serve as Temporary Chair to call the meeting to order and to preside until the Committee elects its own Chair. The permanent District Chair so elected shall serve for the remainder of the term of office and shall call any subsequent meetings held during that time. (Required by Texas Election Code §171.054(1)(e))

#### **G. Precinct Executive Committee For the Purpose of Filling a Commissioner or Justice or Constable Precinct Candidate Vacancy**

At a meeting called by the County Chair to fill a Commissioner Precinct or Justice Precinct vacancy, the Precinct Chairs in each Commissioner precinct and each Justice precinct shall select one of their number to serve as Chair of a Precinct Executive Committee for each respective Commissioner precinct and Justice precinct. The Precinct Chairs of the election precincts within the Commissioner precinct or Justice precinct shall constitute the

Precinct Executive Committee. However, if any such precinct contains fewer than three county election precincts, the County Executive Committee shall be the Precinct Executive Committee and the County Chair shall serve as Chair of the Committee. (Required by Texas Election Code §§ 171.071, 171.072, and 171.073)

#### **H. Removal From Office For Endorsing Opposing Party or Candidate**

1. A Party Officer shall be removed from office if during the current term of office such officer publicly supports or endorses an opposing party or nominee of an opposing party, a person seeking the nomination of an opposing party, or a non-Democratic candidate seeking an office in an election in which candidates may file by party affiliation and a Democrat is seeking the office in question.
2. The terms “publicly supports” and “endorses” shall include, but not be limited to, serving on a campaign committee; giving financial support, including contributing money or its equivalent such as equipment loans, services or supplies; willingly and knowingly allowing the officer’s name to be used in any kind of letter, public endorsement, news release, or advertisement; or actively soliciting votes by making a public appearance or a door-to-door solicitation of votes.
3. The following procedure shall be used for removal of a Party Officer:
  - a. A complaint may be filed only by a qualified voter who must be a Democrat and who resides in the political subdivision represented by the subject officer.
  - b. Complaints concerning a State Party Officer or SDEC member, a National Committee member, or a Senatorial District Chair or a County Chair shall be filed with the State Chair. Complaints concerning other Party Officers (except convention delegates) shall be filed with the County Chair.
  - c. Immediately upon receiving a written complaint, together with specific evidence that a Party Officer has violated this rule, the appropriate Chair shall notify the subject Party Officer by certified mail, return receipt requested, deliver to addressee only, stating the nature of the complaint and the evidence submitted and providing a copy of these rules. The subject Party Officer shall be advised that unless he or she delivers to the appropriate Chair within ten (10) days after receiving the notice a written denial signed by the Party Officer specifically denying the claims, the appropriate Chair shall declare the office held by such Party Officer vacant.
  - d. If the Party Officer fails to deliver the written response as required above, the Chair immediately shall declare the office held by such Party Officer to be vacant.
  - e. If the Party Officer delivers a written denial to the appropriate Chair within the time prescribed above, the Chair within five days thereafter shall determine whether the denial fairly and specifically denies the allegations in the complaint.
  - f. A Chair who determines that the denial does not fairly and specifically deny the allegation shall declare the office held by such Party Officer to be vacant, and the Chair immediately shall mail written notice of such decision to the Party Officer and the complaining person.

4. Either party may seek review of the decision or action taken by a County Chair by filing a written request with the State Chair within 10 days after receiving notice of the County Chair’s decision. If the County Chair fails to mail a notice of the decision required above within 21 days from the date the notification of the complaint was mailed to the Party Officer, the complaining party may seek review by the State Chair by filing a written request within 10 days after the 21-day period.
5. No vacancy shall be filled during the time allowed to request review or while a review is under consideration.
6. Within 10 days after receiving a request for review, the State Chair shall determine whether the action or inaction of the County Chair shall be sustained or reversed. The only grounds for review shall be:
  - a. Whether the complaint against the Party Officer fairly and specifically states an allegation of conduct violating these Rules;
  - b. Whether the response filed by the Party Officer fairly and specifically denies the allegations in the complaint; and
  - c. Whether there are procedural deficiencies, including failure to follow the notice requirements, involving handling the complaint.
7. The State Chair immediately shall mail written notice of the decision regarding the review to the County Chair, to the Party Officer, and to the complaining person. If the State Chair’s decision declares a vacancy, the County Chair shall initiate the steps necessary to fill it.
8. If a County Chair fails to send the original notice required by section 3(c) above within three days after receiving a complaint, the complaining person may present the complaint to the State Chair, who, upon receiving the complaint, shall assume the duties of the County Chair prescribed above.
9. Any Party Officer so removed shall be ineligible to serve as a Party Officer for the remainder of that term.

#### **I. Duties of District Committees in Special Elections**

1. When for any reason a vacancy occurs in an office requiring a special election, the appropriate District Committee shall meet at the call of the State Chair for the purpose of considering the endorsement of a candidate for the open office. A District Committee may endorse a candidate in a special election, even if more than one Democrat is seeking election.
2. The District Committee shall be composed of the same members who would convene to fill a statutory ballot vacancy for the open office. The State Chair or the State Chair’s designee shall preside over the meeting, and a Secretary shall be elected by the Committee to keep and prepare minutes.
3. The Chair shall provide at least 72 hours notice of the meeting after learning a vacancy has occurred or shall occur. In no case shall a meeting be called later than 14 days after the actual occurrence of the vacancy.
4. As the first order of business, balloting for or against an endorsement shall be conducted by recorded roll call vote or signed paper ballot. If an endorsement is approved, the same procedure shall be utilized in voting on candidates for the endorsement.

## ARTICLE IV PARTY CONVENTIONS

It is a basic and fundamental precept of the Texas Democratic Party that always, and at all levels, there shall be no secret ballots, there shall be no fees charged for voting, and the meetings shall be open.

### A. General Rules Governing Party Conventions

1. **Compliance with Rules.** Delegates to all Party Conventions shall be selected in accordance with state law and with these Party Rules and in compliance with the rules, regulations, and official directives of the previous National Convention and of the Democratic National Committee, as such directives pertain to the next National Convention.
2. **Publicizing Meetings.** The State Party, in conjunction with County Parties, shall develop a plan to publicize the County and Senatorial District Conventions prior to the Primary and on the day of the Primary Election. The notice shall be posted at the polling place on election day and include the time, place and purpose of the convention. Such notice shall also contain the URL of the State Party website for preregistering to attend the precinct convention at the county or senatorial convention.
3. **Rules.**
  - a. It shall be the duty of the presiding officer at the opening of each convention to explain the rules governing that convention and the ways in which convention actions will influence important Party actions and decisions at subsequent convention levels.
  - b. The current edition of Robert's Rules of Order, Newly Revised, shall govern parliamentary procedure in all conventions, caucuses, and convention committees, except where contrary rules or procedures are specified in these Party Rules or by state law.
  - c. A copy of all standing Party Rules which pertain to the conduct of the State Convention shall be printed in the official program of such Convention to be distributed to each Delegate during registration and shall be posted on the State Party website.
  - d. The specific time and place for each State Convention Committee to meet shall be established in advance of the Convention. This information shall be printed in the appropriate place in the official Convention program distributed to delegates prior to the opening of the Convention and shall be posted on the State Party website.
  - e. The State Chair, any Permanent Standing Committees, or any duly-elected Party Officer shall be empowered to charge a nominal fee, which is to be no greater than the unit cost of printing and postage, for any materials required by these Rules to be provided to interested persons on request.
  - f. In any precinct in which a ballot is required by law to be printed in English and any language other than English, any precinct convention in a presidential election year may be conducted in English and in each such other language. If needed, an attendee may bring attendants or interpreters (language or sign language) of their choice, and the attendants and interpreters need not comply with the requirements of Article 4, Section B4 or be a delegate to the convention.
  - g. In any County or Senatorial District that contains one or more precincts subject to Subsection (f), the county or Senatorial district convention may be conducted in

5. A candidate receiving a two-thirds vote of those present shall become the endorsed Democratic Party candidate in the special election. If no candidate receives a two-thirds vote on the first ballot, balloting shall continue until one candidate receives a two-thirds vote. If no candidate has received a two-thirds vote after the fifth ballot, the low vote getter will be removed from the list of eligible candidates before the sixth ballot is taken and this procedure will continue with every succeeding ballot until one candidate receives a two-thirds vote. If a tie shall occur between the bottom two vote-getters on or after the fifth ballot, there will be a coin flip with the loser being removed from the eligible list before the next ballot. In the event that five ballots between only two candidates does not result in one candidate receiving a two-thirds vote, the candidate receiving the majority vote shall be endorsed. If an unresolvable tie occurs (one lasting through five ballots) between the top two vote-getters, then the meeting shall be adjourned and there shall be no formally endorsed Democratic Party candidate. A majority of the District Committee can petition the State Chair to re-convene the Committee at any time up to ten days prior to the election.
  6. The District Committee's endorsed candidate will receive the help and support of the Democratic Party as if he or she were the Democratic nominee in the General Election. The provisions of the Party Rules allowing for removal of Party Officers for failure to support the Democratic nominee shall not apply to an officer supporting a Democrat other than the one endorsed through this process.
- J.** In any election to replace a county chair (or other party office) or for the nomination of the Party for any vacant office on the ballot, a majority vote of the applicable county, district, or precinct executive committee is required for election to the Party office or receive the Party's nomination for a place on the general election ballot. If no candidate for such Party office or Party nomination (as the case maybe) receives a majority vote of members voting in the first vote of the applicable executive committee, a runoff vote shall be conducted immediately and the procedures described in Texas Election Code § 2.023 shall be employed to govern the runoff vote and determine the Party officer or Party nominee, as the case may be.
- J.** In any election to replace a county chair (or other party office) or for the nomination of the Party for any vacant office on the ballot, a majority vote of the applicable county, district, or precinct executive committee is required for election to the Party office or receive the Party's nomination for a place on the general election ballot. If no candidate for such Party office or Party nomination (as the case maybe) receives a majority vote of members voting in the first vote of the applicable executive committee, a runoff vote shall be conducted immediately and the procedures described in Texas Election Code § 2.023 shall be employed to govern the runoff vote and determine the Party officer or Party nominee, as the case may be.
- K.** No meeting of any executive committee at any level (county, district, or precinct) shall be conducted on a date when any Democratic Party Convention (including the Democratic National Convention) is being held and if such convention is in a county other than the county where the executive committee meeting is to occur, the executive committee meeting shall not occur on the day before or the day after the convention. Nothing in this Rule shall prohibit the holding of senatorial district caucuses held in connection with and as a part of a State convention, or meetings of the State Democratic Executive Committee at any time such meetings shall be called and scheduled.

English and each such other language required by Subsection (f). If needed, an attendee may bring attendants or interpreters (language or sign language) of their choice, and the attendants and interpreters need not comply with the requirements of Article 4, Section B4 or be a delegate or alternate to the convention.

#### 4. Voting.

- a. **Methods of Voting.** The following methods of voting may be used in all conventions, caucuses, and convention committees: voice vote, (standing) division of the house, roll call vote, teller vote or signed written ballot. Unless otherwise specified in these Rules, the presiding officer may determine the voting method to be used on each particular question, except that on request of any qualified participant (who need not be recognized by the chair to voice such request), a standing division vote must be held, and the request of one-fifth of the qualified participants shall require a roll call vote. Any vote that results in a tie shall be decided by a coin toss.
- b. **Secret ballots are specifically prohibited.**
- c. **Roll Call Votes.** The Rules on roll call votes shall be as follows: In a Precinct Convention, the roll shall be the list of all qualified Party members present; in a County or Senatorial District Convention, the list of all precincts within that county or senatorial district; and in the State Convention, the list of senatorial districts within the state. A motion to require a roll call vote shall take precedence over any other item of business.
- d. **Voting For Officers.** Voting for the following Party Officers, if there be more than one nominee, shall be by roll call or by written ballot. A written ballot shall record each delegate's name, county, Senatorial district and delegate's choice of candidate. Each Officer shall be voted on separately and not as a slate: Permanent Chair of the State Convention, (if the State Chair is absent or declines the position), Chair of the SDEC ("State Party Chair" in these Rules), and National Committeemen and Committeewomen.
- e. **Unit Rule.** The use of the unit rule or the practice of instructing delegations shall not be permitted at any level of the convention process.
- f. **Proxy Voting.** Proxy voting may only be used in the case of absence of all delegates from a county at a state convention. In any case, a county delegation must have held and filed minutes from their county convention to be eligible to be represented by proxy. No proxies from any county shall be recognized at any convention or caucus, so long as there is a Delegate present to cast the vote of the county. No person shall be permitted to hold or to vote a proxy for more than one county. A proxy for an absent county delegation must be filed in writing or by electronic means with the State Chair before the state convention is called to order at the meeting of the state executive committee. A proxy may also be filed with the State Chair or Delegation Chair by the last remaining delegate from a county at the State Convention before said delegate leaves the Convention. (Permitted by Texas Election Code §174.096)
- g. **Voting Full Delegate Strength.**
  - (1) Each multi-county Senatorial district shall vote the full Delegate strength to which it is entitled, divided proportionately among the counties in attendance

according to each county's voting strength within the district. (Permitted by Texas Election Code §174.096)

- (2) Each unit at each Convention shall vote the full Delegate strength to which it is entitled, divided proportionately to the vote of its Delegates in attendance. (Permitted by Texas Election Code §174.068 and §174.096) The voting strength of each county in the Senatorial District or County Caucus shall be the same as the vote of that county on the floor of the Convention.
  - (3) For any county which has no Delegates present in person or by proxy, those votes shall be apportioned based upon the vote of the Senatorial District so that the Senatorial District can vote its full Delegate strength.
5. **Media.** Representatives of the news media shall have the right to attend all conventions for purposes of reporting the proceedings. (Required by Texas Election Code §174.002)
  6. **Minority Reports.** Upon the vote of 20% of the Delegates to any convention or the members of any convention committee, a minority report shall be prepared and presented to the convention as a whole. Such minority report may be submitted to the convention for consideration either by way of amendment or as a substitute for a majority report; provided, however, that additional nominations for any Party office always may be made from the floor of the convention by any Delegate, except where Delegates or Party Officers are elected by smaller units or are subject to different requirements as provided in these Rules.
  7. **Resolutions.** A resolution is a formal expression of opinion or intention which, if adopted, becomes the official position of the Party. Resolutions are vehicles for expressing a request for action on a matter of concern, for sending a message to a person or organization regarding policy or actions, or for recognizing contributions of an individual or group to the purposes the Party's serves. In order to be considered at State Convention, a written resolution must either have passed at a county or senatorial district convention or have been referred favorably to the Convention through the petition process.
  8. **Rules.** In order to be considered at State Convention, a proposed rule change must either have passed at a county or senatorial district convention or have been referred favorably to the Convention through the petition process.
  9. **Petition Requirements.** A petition signed by 20% of the Delegates attending any convention, other than the State Convention, shall automatically place a specified item of business on that Convention's agenda.
  10. **Presidential Preference.** In presidential years, all persons nominated for Delegate or for any Party Committee dealing with the Delegate selection process shall make known their presidential preference or uncommitted status to the relevant assembly prior to their election.
  11. **Balancing Delegations.**
    - a. In selecting Delegates and Alternates at all levels, the Nominations Committee and the Convention itself shall make every effort to select persons in the district or state so that the delegation as a whole shall reasonably reflect the presidential preferences (in presidential years), include young people and people with disabilities, and reflect diversity in race, sex, gender identity, ethnicity, and sexual orientation.



- b. No more than two-thirds of the delegates elected at any convention level shall identify as the same gender.

## 12. Ex-Officio Delegates.

- a. There shall be no automatic ex-officio Delegates included in convention delegations at any level, except that members of the Democratic National Committee, Officers and members of the SDEC, Democratic County Chairs and former Texas State Democratic Party Chairs shall serve as ex-officio voting Delegates to all conventions held by the Texas Democratic Party. Any county chair who is retiring at the end of their term shall be eligible for automatic delegate status to the state convention immediately following their term. These ex-officio Delegates shall be added on as a part of their County or Senatorial District delegation. In years when redistricting has changed district boundaries and numbers, SDEC members shall have the option of having their automatic delegate position be to either the district in which they were elected or to their new geographic district. In redistricting years, automatic delegates will inform the State Chair of their Senatorial District choice by no later than the SDEC meeting immediately preceding the State Convention.
- b. Any Democratic officeholder of any state or federal office may attend any Democratic Convention governed by these Rules, at any level, without being a Delegate, and may exercise all floor privileges except voting. These floor privileges shall include speaking on any question and serving as a Convention Officer. (Required by Texas Election Code §174.097)

13. **Public Officials.** No person shall be ineligible to run for the position of Delegate by reason of holding any public office.

## 14. Nominations.

- a. **From the Floor.** In case there are floor nominations to fill an office that is to be held by more than one person (such as National Committeeman or Committeewoman or At-Large Delegate to a higher Convention), a person making a floor nomination shall identify both the floor nominee and nominee of the Nominations Committee against whom the floor nominee will be running. Proportional representation mandated by other Rules shall not be violated by the nomination or election of floor nominees.
- b. **Closing Nominations.** Unless otherwise stated in these Rules, nominations may not be closed until either no further nominations are forthcoming from the floor or a motion to close nominations has passed by a two-thirds vote. Such a motion, however, shall not be in order until a “reasonable time” has elapsed.
- c. The Nominations Committee for SDEC officers and SDEC members recommended by Senatorial District Caucuses, and in presidential years, members of the Democratic National Committee and Presidential Electors, may make a recommendation for any office of a single nominee or may recommend the delegates hold a floor vote among two or more nominees. The nominees for SDEC offices sent to the delegates for a floor vote must have filed for these offices in accordance with these rules (62 days in advance of the date of the opening session of the State Convention). (NOTE: This section to be voted for adoption at the June 21, 2018 SDEC meeting).

15. **Non-Attendance at Prior Convention.** No one shall be barred from election as a Delegate to any convention because of nonattendance at that or any preceding convention, if such nominee otherwise qualifies for the post.

16. **Appearing at Committees.** Any Delegate attending any convention shall have the right to appear before any Convention Committee to make recommendations, either orally or in writing, before the Committee takes final action on its report. The Committee may establish by majority vote reasonable time limits for such presentations and shall allot equal time to all wishing to appear.

17. **Establishment of Districts.** The respective districts from which the members of Party Committees and Convention Delegates at all levels are elected in any given voting year—whether Delegates be elected by popular vote in the Primaries or by Party Convention—shall be the same as the corresponding districts used in the Primary and General Election of that voting year.

18. **Succession of Delegates at National Conventions.** The succession of Alternate to Delegate status at National Conventions shall be governed by the following rules:

- a. A vacant Alternate position shall be filled by the Texas Delegation. The replacement shall be of the same presidential preference, shall be from Texas, and otherwise shall be eligible to serve as a Delegate.
- b. A Delegate who is to be absent or resigns may select from among the Alternates elected by the State Convention from which the Delegate was elected that particular Alternate of the same presidential preference, if possible, who shall assume Delegate status.
- c. When the Alternate is selected by the Delegate, the date for determining that the Delegate and the Alternate have the same preference shall be their preferences as of the date when the Delegate selects an Alternate.

19. **Actions Recommended at the Statutory Meeting of the County Executive Committee in December of odd years and required to be completed by January 31 of even numbered years.**

A County Executive Committee (or Precinct Chairs within districts), pursuant to statute and these Rules shall:

- a. Determine and announce the time and location of the County Convention or Senatorial District Convention.
- b. Group precincts within the county or Senatorial district which did not contain sufficient votes for Governor in the preceding gubernatorial election to qualify for a delegate to the state convention.
- c. In counties with multiple Senatorial districts, elect a Senatorial District Chair and Secretary if not previously done.
- d. In counties with multiple Senatorial districts, decide whether there will be a Senatorial District Convention held in each Senatorial district, or whether two or more districts will meet at the same location.

## B. County and Senatorial District Conventions

1. **Time and Place.** Each County and Senatorial District Convention shall be held on the third Saturday after the First Primary; however, if that date occurs during Passover or on the day following Good Friday, the Convention shall be held on the next Saturday that does not occur during Passover or on the day following Good Friday. The Convention shall be

held in a place easily accessible to the public and large enough to accommodate all participants. (Permitted by Texas Election Code §174.063)

- a. **County Conventions.** A County Convention shall be held at a time of day and place set by the County Executive Committee pursuant to the timeframe in Art. IV (A) (19) and be posted on the State Party website calendar and local party websites where available.
- b. **Senatorial District Conventions.** Pursuant to the timeframe in Art. IV (A) (19), the Precinct Chairs for the election precincts which will select Delegates to each Senatorial District Convention, or on their failure to act, the Senatorial District Chair shall determine the exact time and place where each respective Senatorial District Convention shall be held. Each Chair shall post such order electronically on the county and state party's internet website at least 10 days before the Convention. Should any Chair fail to post the order and to file the notice, any member of the County Executive Committee entitled to participate in the decision may post and file such notice. Should more than one do so, the first posting and filing in point of time shall prevail. (Required by Texas Election Code §174.064)

## 2. Conditions for Holding Senatorial District Convention.

- a. When parts of one county belong to more than one Senatorial district, there shall be held, in lieu of a County Convention, a District Convention for each part of the county falling into a different Senatorial district.
- b. Any county containing portions of two or more Senatorial districts may elect to combine the Senatorial District Conventions of two or more adjoining Senatorial districts into a single County or sub-county "Regional" Convention. The Precinct Chairs in each Senatorial district involved must, by majority vote, adopt a resolution to hold such Convention at a meeting for which 30 days prior notice has been mailed or sent by electronic mail to all members of the County Executive Committee.
- c. Any such Convention [referred to in foregoing paragraph (b) above] shall:
  - (1) Elect Convention Committees proportionately representative of each Senatorial district in attendance;
  - (2) Group precincts solely within Senatorial districts;
  - (3) Elect At-Large Delegates from each Senatorial district in such manner as to insure that each Senatorial district receives its proportionate number of Delegates and that such Delegates reflect the political preference if any (in non-presidential years) or the presidential preference (in presidential years) of that Senatorial district;
  - (4) Allow only members of a Senatorial district to make nominations and vote on the election of At-Large Delegates from that senatorial district on the floor of the Convention.

## 3. Qualifications and Eligibility to Participate.

Any qualified Democratic voter who will be 18 years of age or older on the date in November of the of the General Election in November who resides in the county or senatorial district (as applicable) where the convention will be held and who has voted in the Democratic Primary, whether early, by mail, or in person, or who signs an oath affiliation to the Democratic Party and has not voted in another party's pri-

mary, convention, or supported a candidate of another party, shall be eligible to attend, to participate in, and to be a candidate for any Party Office or for any Delegate or Alternate position to be filled at that convention, including the positions of delegate or alternate to the Democratic National Convention. (Texas Election Code §174.021)

## 4. Temporary Roll.

- a. To attend a Precinct, County or Senatorial District Convention a person may preregister for the convention by electronic means through an online registration system maintained on the state party website. Precinct, County and Senatorial District Chairs shall advertise and make the registration site accessible through local websites.
- b. The online registration shall require the person's name, voting address, city, and zip code. The system shall require the county and voting precinct of each registrant and the voter's unique identification number (VUID) as assigned on their voter registration. However, failure to fill in one of these data items does not disqualify a participant from participating. It shall be the responsibility of the County or Senatorial District Chair or their designee to complete the registration form by adding missing data that is available through the Voter Action Network (VAN).
- c. In a presidential election year, the registrant will make a declaration of support for presidential candidates or a statement of uncommitted status. A person may change their presidential status until the Chair of the County or Senatorial District Convention has announced that registration for precinct conventions has closed.
- d. The online and in-person registration must include the statement described by Texas Election Code Section 162.004(a) and require a preregistering attendee to affiliate with the party by taking the oath described in Section 162.007(b). By preregistering online, the registrant shall affirm that they have read and attest to both oaths.
- e. The preregistration shall open on the first day of filing for office for the general primary and close 48 hours prior to the county or senatorial convention.
- f. A person who does not preregister to attend a convention under this section may register in person at the convention and must have voting rights identical to those of a person who preregistered.
- g. Any person without access to the electronic registration may register in writing with the County Chair. Such registration shall contain all the data elements required in this section and shall include the statements required by subsection (d) and an affirmation to the oaths. Upon receipt of written registration, the Chair or their designee shall enter the registration into the online system.
- h. Each county chair or their designees shall have access to download the list of preregistered convention attendees for their county or Senatorial district convention.
- i. Each attendee at a county convention who has preregistered shall write their original signature on the list as they arrive at the convention. All eligible persons who did not preregister online shall have the right to register at their convention and provide all the required data in subsection (b) and an affirmation to the oaths.
- j. The list of persons who preregistered or registered on site shall become the temporary roll of the convention.

Only those listed thereon may vote on the temporary organization of the Convention.

- k. If for any reason, the preregistration roll is not available or in a case of technology failure, the Chair shall allow on-site registration in writing for all attendees as long as all data elements to the extent possible from subsection (b) and the oaths in subsection (e) are maintained along with an original signature for each registrant.

**5. Committees.** Convention Committees shall be the Committees on Credentials, Nominations, Platform and Resolutions, and Rules and Procedures. Each committee shall be composed of between 5 and 15 members. These committees shall be appointed from among persons who have preregistered to attend the Convention by the County Chair or the Senatorial District Chair and ratified by the Precinct Chairs within the respective conventions at the statutory meeting after the First Primary.

**6. Resolutions.**

- a. Any person qualified or eligible to participate in the Precinct, County or Senatorial District Convention may submit to the County or Senatorial District Convention Chair or a designee a proposed resolution for consideration by the Convention. Resolutions may be submitted to the Chair for referral to the Resolutions Committee beginning on the date of the canvass of the vote of the First Primary.
- b. Resolutions shall be printed on the form available on the TDP website, in Appendix A of these rules, or from the County Chair/ Senatorial District Chair. Instructions for preparing resolutions are available from the same sources. The Chair shall announce at the beginning of the convention where and with whom resolutions shall be filed. The period for filing resolutions shall be open for at least one hour from the time of said announcement. The Convention may waive this one hour period if there is no objection from any attendee.
- c. The Committee on Resolutions may meet prior to the Call to Order of the County or Senatorial District Convention to organize their work and make preliminary recommendations of submitted resolutions.

**7. Rules.**

- a. Any person qualified or eligible to participate in the Precinct, County or Senatorial District Convention may submit to the County or Senatorial District Convention Chair or a designee a proposed change to the Texas Democratic Party Rules for consideration by the Convention. Proposed rules may be submitted to the Chair for referral to the Rules Committee beginning on the date of the canvass of the vote of the First Primary.
- b. The County or Senatorial District Convention Chair shall announce at the beginning of the convention where and with whom rules shall be filed. The period for filing proposed changes to the rules shall be open for at least one hour from the time of said announcement. The Convention may waive this one hour period if there is no objection from any attendee.
- c. The Committee on Rules may meet prior to the Call to Order of the County or Senatorial District Convention to organize their work and make preliminary recommendations of proposed changes to the rules.

**8. Convention Officers.**

- a. The County or Senatorial District Convention Chair shall submit the names and information about Delegates to the State Convention and all resolutions to the State Chair within five days after the Convention.
- b. The County Chair shall be the chair of the County Convention unless the County Chair is absent or declines the position. In such case, the delegates shall elect from among themselves a chair by majority vote.
- c. **Chair at Senatorial District Convention.** The Chair of the Senatorial District Committee shall be the Chair in a Senatorial District Convention composed of only part of one county. The Senatorial District Committee member (not to be confused with the SDEC member for the senatorial district) shall be the Chair of the Senatorial District Convention for a part of a county which is joined with another territory in a senatorial district. In the case that the Chair of the Senatorial District Committee is absent or declines the position, the delegates shall elect from among themselves a chair by majority vote.
- d. **Submission of Delegate.** The County or Senatorial District Chair or their designee shall submit the minutes of the convention and the list of Delegates to the State Convention through an online electronic system on the website of the state party. The Chair shall retain a written copy of the minutes which shall contain signatures of the County or Senatorial District Chair and the Secretary of the Convention. The Chair or Secretary should bring this original copy to the State Convention in the event a challenge to the delegation occurs.

**9. Order of Business.** The order of business at County and Senatorial District Conventions shall be as follows:

- a. Call to Order.
- b. Establishment of Temporary Roll of Delegates. (Art. IV B 4.)
- c. Report of Credentials Committee. The credentials report shall include recommendations regarding challenges of attendees and shall be considered according to the Rules in Article V, and shall be acted upon before other business is considered.
- d. Report of the Rules and Procedures Committee and action on its report.
- e. Election from among those present of a Convention Chair if the County Chair or Senatorial District Chair is absent or declines the position, a Permanent Secretary, and other officers necessary to conduct Convention business. (Texas Election Code §174.065)
- f. In presidential years, completion of the presidential preference or uncommitted status poll. (Art. IV(B)(10)(g)).
- g. Election of Delegates to the State Convention by each Precinct or Grouped Precinct Conventions as set forth in Art. IV (B) (10) or (11).
- h. Other Business: Committee reports, resolutions, etc.
- i. Adjournment.

**10. Election of Delegates from County and Senate District to the State Convention.**

- a. **Apportionment.** The ratio for the selection of Delegates to the State Convention shall be one Delegate for each

300 votes or major fraction thereof cast in the county for the Party's candidate for Governor in the last General Election. Each County or Senatorial District Convention, however, shall elect at least two Delegates to the State Convention.

- b. The County or Senatorial District Chair shall provide all required registration rolls and reporting forms to the Precinct Conventions. The Precinct Chair shall be responsible for all documentation prior to the call to order and election of the Precinct Convention officers. In the case of Grouped Precincts, the Precinct Chair of the largest precinct by population shall have this responsibility. In the absence of that Precinct Chair, the attendees that are grouped in that precinct shall elect among themselves a Precinct Chair to represent their Grouped Precincts. In the event that no Precinct Chair is elected, then the County or Senatorial District Chair shall appoint the Precinct Convention Chair. If no appointment is made, any participant may assume this duty.
- c. **Duties of Precinct Officers.** The Precinct Chair shall preside over the precinct convention. The Secretary shall complete precinct convention reports and return them in a timely manner to the County Chair or Senatorial District Chair or Convention Committees as designated by them. The Chair and Secretary shall jointly be responsible for and shall affix their signature to all reports and minutes to ensure that an accurate written record of convention proceedings is kept, including the list of persons present and a list of Delegates elected to the State Convention. The lists shall include residence addresses and cities or towns and any other information as directed by these Rules. (Texas Election Code §174.027)
- d. **Participants in Precinct Convention.** All persons pre-registering for the convention or registering in person at the who reside in the precinct (or grouped precincts) are eligible to participate. Persons arriving late who are otherwise qualified to participate may participate in proceedings subsequent to their arrival. Such persons, however, may not vote on matters previously voted upon or on which a vote has been called for by the Chair. The Precinct Chair, if present, shall chair the precinct convention and call the convention to order. If the precinct convention consists of grouped precincts, the participants shall select a Chair by majority vote from among the various Precinct Chairs to lead the meeting. If no Precinct Chair is present, or the elected Precinct Chair(s) declines the position, the County or Senatorial District Chair may appoint any participant to preside over the election of the Convention Chair. If no appointment has been made, any participant may lead this election process. The attendees shall elect a person by majority vote to be Chair. If only one nomination is made, that nominee is elected automatically upon closing of nominations.
- e. The convention shall elect a secretary to take notes and complete all required reporting forms. The Chair and the secretary shall jointly be responsible for timely submission of reporting forms or minutes to the Chair of the Convention or their designee.
- f. A person otherwise qualified need not be present at the convention to be elected a Delegate. Although a precinct or grouped precincts might be allocated delegates, if no person is in attendance to participate in that convention, or if a precinct does not wish to elect delegates to fill

any of their allocation, those delegate seats become automatically assigned to the Nominations Committee to fill as At-Large delegates.

- g. **Election Procedure In Precinct Conventions in Presidential Years.** In presidential years, delegates are elected proportionately to the number of supporters for a presidential candidate or uncommitted status. All qualified participants shall have entered their names, residence addresses, and cities or towns on the online preregistration or in person as they entered the Convention. In a presidential year, they shall also indicate their presidential preference or uncommitted status when they preregistered or signed in at the Convention. Any person who preregistered may change his or her presidential preference or uncommitted status at any point until the Chair of the County or Senatorial District Convention has announced that registration for precinct conventions has closed. This announcement must not occur earlier than the time the final person in line at the time the County or Senatorial Convention was called to order has completed their registration. When it is time in the Order of Business to elect Delegates to the State Convention, the procedure shall be as follows:
  - (1) The Precinct Convention Chair shall announce the number of eligible voting members in attendance and the number of Delegates the Convention is entitled to elect to the State Convention.
  - (2) Participants may nominate themselves or any qualified voter (Article IV.B.3) who resides in the precinct for the position of Delegate. Nominations shall be open from the floor until a motion is made, seconded, and passed by a two-thirds vote to close nominations. Each nominee for delegate must disclose his/her presidential preference. The Precinct Chair will confirm the preference from the roll.
  - (3) Each participant may cast a number of votes equal to the number of Delegates allocated to such Precinct. For example, if there are three positions to be filled, each participant may cast three full votes in any of the following manners:
    - (a) one vote for each of three candidates;
    - (b) two votes for one candidate and one vote for one other candidate: or
    - (c) three votes for a single candidate.Persons receiving the highest number of votes shall be the Delegates elected by the Precinct Convention. In the case of a tie vote for Delegate, the Delegate shall be determined by lot or chance.
- (d) If the number of persons wishing to be elected delegate is equal to or less than the number of delegates the precinct is entitled to elect, the voting requirement in subsection (a) shall be suspended, and the slate of nominees may be elected by acclamation. If the attendees by consensus discussion develop a list of delegates to fill the precinct allocation, then said slate may be elected by unanimous consent without taking formal nominations and votes.
- (e) Only a full vote may be cast; fractions of a vote are prohibited.
- (f) Adjournment of convention.

**11. Election Procedure in Non-Presidential Years. In Non-Presidential years the procedure shall be as follows:**

- a. The Precinct Convention Chair shall announce the number of eligible voting members in attendance and the number of Delegates the Convention is entitled to elect to the State Convention.
- b. Participants may nominate themselves or any qualified voter who resides in the precinct for the position of Delegate. Nominations shall be open from the floor until a motion is made, seconded, and passed by a two-thirds vote to close nominations.
- c. Each participant may cast a number of votes equal to the number of Delegates allocated to such Precinct (or grouped Precinct) Convention. For example, if there are three positions to be filled, each participant may cast three full votes in the following manner:
  - (1) one vote for each of three candidates;
  - (2) two votes for one candidate and one vote for one other candidate: or
  - (3) three votes for a single candidate.Persons receiving the highest number of votes shall be the Delegates elected by the Group. In the case of a tie vote for either Delegate, the shall be determined by lot or chance.
- d. If the number of persons wishing to be elected delegate is equal to or less than the number of delegates the precinct is entitled to elect, the voting requirement in subsection (a) shall be suspended, and the slate of nominees may be elected by acclamation. If the attendees by consensus discussion develop a list of delegates to fill the precinct allocation, then said slate may be elected by unanimous consent without taking formal nominations and votes.
- e. Only a full vote may be cast; fractions of a vote are prohibited.
- f. Adjournment of convention.

**12. Determination of At-Large Delegates.**

- a. The delegate nominations made by the precinct conventions shall be forwarded immediately to the Nominations Committee and shall be included in the list of Delegates to the State Convention. The Nominations Committee shall select other nominees for At-Large Delegates to bring the total to the full number authorized for the county or senatorial district. Following any additional nominations for At-Large Delegates which may be made from the floor subsequent to the Nominations Committee report, the Convention as a whole shall ratify the election of Delegates recommended by the precincts and shall elect the At-Large Delegates needed to complete the delegation.
- b. Upon the Chair's announcement of the closing of the period for registration for the Convention, results shall be tabulated by a committee appointed by the Convention Chair and composed of at least one person for each known presidential preference or uncommitted status. The Chair then shall announce the tabulation results to the convention by number and percentages of votes received by each presidential preference, including uncommitted. The tabulation then shall be written into the permanent records of the Convention and shall be re-

ported as part of the minutes. The preregistration and on-site registration documents shall be retained by the County or Senatorial District Chair as part of the official files of the Convention for at least six months. Such records shall be open to public inspection at reasonable hours upon request.

- c. All convention preregistration and on-site registration shall include all known presidential preferences and uncommitted status of registrants in presidential years, but shall not limit the right of any registrants or group of registrants to indicate their preference in any manner which they choose.
- d. The results of the presidential preference tabulation shall be used by the Nominations Committee and by the Convention as a whole as the basis for nominating and for electing At-Large Delegates so as to ensure the fairest possible representation of the Convention participants as a whole within the total delegation, without disturbing the Precinct Convention election results. The threshold will be the lowest allowed by the National Committee (which at present is 15%).

**13. Election of Delegates to State Convention by Acclamation.**

- a. When the Chair closes registration, and the Credentials Committee has made their report and the convention has accepted the roll of the convention, the Nominations Committee will announce the number of persons who have indicated upon signing in that they wish to attend the state convention. If that number is less than or equal to the number of delegates the county is allocated, then a motion may be made to suspend the precinct caucuses and the selection of at-large delegates and to elect all persons who have indicated a desire to attend the state convention by acclamation.
- b. If the delegation is still not filled after elections as set out in (a), the chair may entertain a motion to add the names of any person who pre-registered for attendance at the convention but is not present to the list of delegates to the state convention.
- c. Additional persons may be added for thirty days to complete the state delegation after adjournment of the convention by the convention chair until the number of allocated persons is reached. In a presidential year, the balance of presidential preference must be maintained to the greatest extent possible. Additional names submitted after the initial list shall be sent to the staff of the state party in electronic format including the delegate's name, address, and phone and email if available.

**14. Appointment of Delegates by State Chair Where No Convention Held**

If there is no county chair or if a county chair or a local person fails to hold a convention, the State Chair shall list all pre-registered persons as delegates to the state convention from the county. The chair shall give first priority to those persons who indicated they wished to attend the state convention on their pre-reregistration. If there are more pre-registered persons than delegate slots, the State Chair shall inquire, after the deadline for minutes to be submitted to the state party, by email to determine which person wish to attend the state convention. If there are still more applicants than delegate slots, the State Chair shall conduct a drawing by gender to determine as equal as possible those to be appointed delegate.

15. Delegation Chair. The County or Senatorial Convention either shall elect a Delegation Chair or shall assign this responsibility to the delegation, either by action or inaction.

### C. State Convention

1. **Time and Place.** The Texas Democratic Party shall hold its State Convention on a date selected by the State Executive Committee. The time for convening the State Convention and the date and place shall be selected by the SDEC at least three years in advance so as to maximize participation. (Allowed by Texas Election Code §174.092 and §174.093)
2. **Notice.** The notice of the Convention shall be posted on the state party website along with a copy of the Party Rules, any supplemental rules which may apply, and the proposed Convention agenda.
3. **Eligibility to Participate.**
  - a. The State Convention shall be composed of Delegates duly-elected from County and Senatorial District Conventions. Additionally, members of the Democratic National Committee, officers and members of the SDEC, Democratic County Chairs, and former State Chairs shall serve as ex-officio voting Delegates to the State Convention.
  - b. Any person who holds two or more ex-officio positions at the time of the convention may only cast a single vote. The additional vote(s) allocated to the positions held by the person shall be apportioned to the delegation in the same manner as the votes of absent delegates on any convention vote.
  - c. Retiring Chair shall be defined as the County Chair who is on office on the date of the County or Senate District Convention who will be leaving office at the end of the term in June.
4. **Purpose.**
  - a. The purpose of the State Convention shall be to elect a State Chair, First Vice Chair, Vice Chair for Finance, Secretary and Treasurer; to elect the 62 members of the SDEC from their respective senatorial districts; to adopt a platform which embodies the basic principles of the Democratic Party and which sets forth its positions on current issues of statewide significance for the November General Election; to announce the nominations for Governor and other state offices; and to attend to any other appropriate business.
  - b. Additionally, in presidential years the Convention shall elect Delegates and Alternates to the Party's National Convention; elect the Party's official nominees from Texas for the Democratic National Committee (such nominees shall be elected formally by the National Convention in accordance with National Committee Rules); and select the official slate of Presidential Electors.
5. **Officers and Committees.**
  - a. **Temporary Officers.** The State Chair may designate such Temporary Officers and assistants deemed necessary to plan, to arrange, and to conduct the necessary work of the Convention until Permanent Officers are elected. These appointees shall have those duties which are assigned to them.
  - b. **Permanent Officers.**
    - (1) **The State Chair shall serve as the Chair of the State Convention.** The Permanent Officers of the

Convention shall be a Chair, Vice Chair, Secretary and Parliamentarian. The Convention may elect such additional Permanent Officers as the SDEC may recommend to carry on Convention business.

- (2) The SDEC shall, by majority vote, nominate a Permanent Chair if the State Chair is absent or has declined to Chair the State Convention, a Permanent Vice Chair of the opposite sex of the State Chair, a Permanent Secretary and a Parliamentarian at least one month before the State Convention. Additional nominations accompanied by a petition signed by at least one percent of the duly-elected Delegates to the Convention shall be accepted from the floor of the State Convention from any Delegate. No Delegate may sign more than one nominating petition for any given office.
  - (3) The Permanent Officers of the Convention shall be elected by a majority of the State Convention Delegates. Each Permanent Officer shall be voted on separately and not as part of a slate.
- c. **Temporary Credentials Committee.**
- (1) A Temporary Credentials Committee composed of 15 members shall be appointed by the State Chair, who shall also appoint the Committee Chair. The State Chair shall ensure that the Temporary Credentials Committee is broadly representative of the state's population in terms of geography, age, sex, sexual orientation and gender identity, ethnic identity, race and philosophical persuasion.
  - (2) Its duties shall be to hold such preliminary meetings and hearings as it deems necessary to gather facts about challenges to the credentials of individual Delegates or delegations to the State Convention and to report to the SDEC, which shall establish the Temporary Roll of the Convention.
  - (3) The committee shall set out their procedures at least thirty days prior to the state convention and post it on the website created for posting information about the State Convention. The committee shall take testimony if necessary from those making the challenge and from those challenged.
  - (4) Challenges to Delegates or Delegations. Any challenge to a delegate or delegation shall be made in writing and submitted to the State Chair. The State Chair shall refer each challenge to the Temporary Credentials Committee for consideration. The challenge shall state the reason for the challenge and the recommended solution to the issue. A challenge must name specific persons to be removed or added, including name, and if known, the address, precinct (if appropriate), phone and email of all proposed delegates.
  - (5) The committee's written report shall be submitted to the State Democratic Executive Committee to expedite the latter's work and avoid undue delays in the orderly progress of the Convention.
- d. **Temporary Resolutions Committees.**
- (1) The Chair shall convene a Temporary Resolutions Committee to consider and recommend to the State Convention Permanent Resolutions Committee, Permanent Platform Committee and Permanent Rules Committee resolutions submitted by County and Senatorial District Conventions.

- (2) The Temporary Resolutions Committee shall consist of one member of the SDEC from each Senatorial District. The members of each district shall decide which member shall serve. If both wish to serve, the State Chair shall conduct a coin toss to determine the member to serve. If neither are able to serve, the State Chair shall appoint a replacement from that district with the advice and consent of the applicable SDEC committee members where the vacancy occurred. The State Chair shall appoint the Chair of the Committee. The Chair does not have to be chosen from among those selected as members of the Committee.
- (3) The Temporary Resolutions Committee shall meet at a time and place and as often as necessary as determined by the State Chair. A quorum of the Committee shall be 10 members.
- (4) All resolutions passed by a County or Senatorial District Convention shall be submitted with the minutes of the Convention to the State Party Chair. The Chair shall refer all such resolutions to the Temporary Resolutions Committee.
- (5) The Temporary Resolutions Committee shall determine if any resolutions or substantially similar resolutions have passed ten or more County or Senatorial District Conventions. Any such resolution shall be referred directly to the Permanent Resolutions Committee for consideration. Any other resolution that was submitted by a convention shall be considered by the committee and must obtain a 2/3 vote of the quorum present at the meeting to be recommended to the Permanent Resolutions Committee at the State Convention for consideration. The Temporary Resolutions Committee shall have the discretion to non-substantively re-write and format resolutions to make them appropriate for consideration. Such changes and formatting shall not require a vote of the committee for the changes to be made.
- (6) All memorial and congratulatory resolutions shall be referred directly to the Permanent Resolutions Committee of the State Convention. The Permanent Committee may recommend them as one motion for adoption by the Convention with a direction for the Party staff to prepare the adopted resolutions for presentation to the group, person, or their family, as appropriate.
- (7) Any resolution that addresses a local issue or policy that does not rise to statewide significance should not be recommended by the Temporary Resolutions Committee for a State Convention vote. Such resolutions have served their purpose upon adoption by the local County or Senatorial District Convention.
- (8) All resolutions that pertain to the Rules of the Texas Democratic Party, party procedural matters or other party governance issues shall be referred by the Temporary Resolutions Committee to the Permanent Rules Committee of the State Convention.
- (9) Any resolution that considers an idea or policy that should be considered for inclusion in the Party Platform shall be referred by the Temporary Resolutions Committee to the Permanent Platform Committee of the State Convention.

**e. Resolution Recommendation or Adoption by Petition.**

- (1) Any delegate to the State Convention may submit to the Chair or a designee a proposed resolution for consideration by the Convention. The resolution shall be filed between the hours of 9 am and 6 pm on Friday of the State Convention. It shall be assigned a Resolution Number and given a short title.
- (2) Proponents of the resolution will be given a prescribed petition form for the purpose of obtaining signatures. It shall be the responsibility of the proponents of the resolution to reproduce sufficient copies of the petition.
- (3) Each signature must be accompanied with the Senatorial District number of the signer.
- (4) Any resolution for which signatures have been obtained from 30% of the number of Delegates to the Convention (as certified by the Credentials Committee as the Permanent Roll) shall be presented to the Convention for discussion and a vote. A submission of such resolution shall immediately be recognized as being before the Convention as the next order of business after completion of any item then under consideration. Any resolution for which signatures in excess of 50% of the number of Delegates to the State Convention have been obtained shall be adopted by the Convention upon submission to the Permanent Chair and shall not require a vote of the Convention. The Permanent Chair shall announce the adoption of such resolution.

**f. Temporary Rules Committee.**

- (1) The State Chair shall convene a Temporary Rules Committee to consider and recommend to the State Convention Permanent Rules Committee proposed rule changes submitted by County or Senatorial District Convention and shall consist of one member of the SDEC from each Senatorial District. The members of each district shall decide which member shall serve. If both wish to serve, the State Chair shall conduct a coin toss to determine the member to serve. If neither are able to serve, the State Chair shall appoint a replacement from that district with the advice and consent of the applicable SDEC committee members where the vacancy occurred. The State Chair shall appoint the Chair of the Committee. The Chair does not have to be chosen from among those selected as members of the Committee.
- (2) The Temporary Rules Committee shall meet at a time and place and as often as necessary as determined by the State Chair.
- (3) All proposed rules passed by a County or Senatorial District Convention shall be submitted with the minutes of the Convention to the State Party Chair. The Chair shall refer all such proposed rule changes to the Temporary Rules Committee.
- (4) The Temporary Rules Committee shall determine if any proposed rule changes or substantially similar proposed rule changes have passed multiple County or Senatorial District Conventions. Any such proposed rules changes shall be referred directly to the Permanent Rules Committee for consideration. Any other proposed rule change that was

submitted by a convention shall be considered by the Committee and must obtain 2/3 vote of the quorum present at the meeting to be recommended to the Permanent Rules Committee at the State Convention for consideration. The Temporary Rules Committee shall have the discretion to non-substantively re-write and format the proposed rule changes to make them appropriate for consideration. Such changes and formatting shall not require a vote of the Committee for the changes to be made.

- (5) Any proposed rule change that addresses a specific local issue or policy that does not rise to statewide significance should not be recommended by the Temporary Rules Committee for a State Convention vote.

**g. Submission of Proposed Changes to the Rules by Petition.**

- (1) Any Delegate to the State Convention may submit to the Chair or a designee a proposed change to the Rules for consideration by the Permanent Rules Committee. The proposed rule changes shall be filed between the hours of 9:00 am and 6:00 pm on Friday of the State Convention. It shall be assigned a rule number and given a short title.
- (2) Proponents of the proposed rule changes will be given a prescribed petition form for the purpose of obtaining signatures. It shall be the responsibility of the proponents of the proposed rule changes to reproduce sufficient copies of the petition.
- (3) Each signature must be accompanied with the Senatorial District number of the signer.
- (4) Any proposed rule changes for which signatures have been obtained from 30% of the number of Delegates to the Convention (as certified by the Credentials Committee as the Permanent Roll) shall be presented to the Permanent Rules Committee for discussion and a vote.

**h. Selection of Party Officers, Democratic National Committee members, permanent convention committee members, presidential electors, and State Democratic Committee Persons, and candidates for National Delegates.**

**Online filing for offices.** The party shall maintain an online announcement and filing system for candidates for party officers, State Democratic Executive Committee, Permanent Convention committee representatives from each senate district, Democratic National Committee members, presidential electors and candidates who have filed for national delegates.

- (1) The system shall open for filing for offices on the date of and upon adjournment of the county and senatorial district conventions.
- (2) A candidate shall be required to list their name, senate district, office sought, address, phone and email directly on the site.
- (3) All candidates shall file by 5:00 p.m. on the Monday prior to the the convention in order to appear on a paper ballot for the offices of State Democratic Executive Committee, presidential elector, national delegate and any permanent convention committee.

- (4) A person may withdraw from candidacy by submitting a request in writing or by email to the state chair or their designee.
- (5) Candidates for national delegate shall submit their statement of candidacy as required by the Delegate Selection Plan and the State Chair shall post those applications on the website.
- (6) Candidates for Democratic National Committee shall indicate their demographic characteristics of gender, age, sexual orientation, ethnicity or political caucuses they may represent.
- (7) Candidates for State Chair, Vice Chair, Vice Chair of Finance, Secretary and Treasurer shall be posted on the website by the State Chair on the date they file pursuant to these rules.
- (8) Although the online filing system must contain the required personal identifying information of address and date of birth, the State Chair shall not publicly post that information and any other data deemed private on the website.
- (9) Unless otherwise prohibited in these rules, a candidate may be nominated from the floor at the time of the election or placed in nominations by a committee without having filed online. If the district is using paper ballots, the candidate's name must be done as a write-in candidate. However, candidates for statewide party officers and national delegates must have filed in advance pursuant to these rules and the Delegate Selection Plan.
- (10) A delegate who does not have access to the online application may submit their information in writing and the state chair will have it entered online for the delegate.
- (11) Notice shall be given to all delegates of this application process by a posting on the state party website and notice to the delegates by the state chair by email if the delegate has provided an email address. Information about announcing for or filing for these offices shall also be announced at each county or senate district convention.
- (12) The State Chair shall provide lists of all announced candidates for each position for distribution to each senate caucus before it convenes.
- (13) Any delegate may self nominate for any of these positions at the senate district caucus of the state convention without having previously announced through the online application.
- (14) Elections for these offices at the senate caucus shall be done by a:
  - (a) show of hands in the senate district caucus and a runoff held if no person wins a majority vote; or
  - (b) written signed ballot.
- (15) The state committeeman and state committeewoman shall decide before the county or senate district convention and announce at that convention if the votes for the offices listed in subsection (1) shall be by the show of hands or written ballot, including type of written ballot voting. If the committee persons do not agree on a method, then the county



chairs and delegation chairs of partial counties within the district shall be polled and the majority vote shall prevail. If the senate district convention is wholly within a senate district, and the committee persons disagree, the senate district chairperson shall break the tie. If necessary, the convention delegates shall be called upon to make this decision by a majority vote at the senate district convention.

- (16) Those senate districts which will use a written signed ballot shall notify the State Chair. The state party will provide ballots that are uniformly designed for these districts which state the process for voting and instructions for instant runoff balloting, if used.
- (17) Written ballots may provide for a instant runoff ballot ranking of the first three candidates. If no candidate wins a majority, the person with the lowest vote total shall be removed from the count and their ballot awarded to the candidate who is the next highest ranked person. This process shall continue until a candidate obtains a majority of the votes.
- (18) Use of paper ballots by senate district caucus:
  - (a) If the statutory senate district executive members have chosen to use paper ballots, the state party shall post that information on their website. All candidates for any position in those senate districts should file their candidacy online to be listed on a ballot.
  - (b) A person may also self nominate at the senate district caucus and delegates may write in the person's name on their ballot.
  - (c) A person without computer access may submit their information by written notice prior to the deadline to the state chair who will post it online.
  - (d) A person may run for multiple positions elected at the senate district caucus. If a person wins more than one convention committee position, the candidate must announce which committee they will serve on, and the person with the second highest vote total shall assume the other committee position.
  - (e) A person may also be a candidate for national delegate in a presidential year.
- (19) All paper ballots used at a state convention will be retained by the Texas Democratic Party until the adjournment of the convention.
- (20) In all senate districts, whether voting by division of the house or paper ballots, the member of the Permanent Credentials Committee shall be elected by a show of hands vote as the first order of business in order for those members to be able to meet upon the Chair of the Convention calling for the Credentials Committee to meet after the convention is called to order on Friday.

**i. Permanent Committees.**

**(1) Composition.**

- (a) The Permanent Committees of the State Convention shall be those of Credentials, Nominations, Platform, Resolutions, and Rules. In

presidential years, there shall also be the Nominations Committee for At-Large Delegates to the National Convention.

- (b) Each Permanent Committee except Credentials, Nominations Committee for At-Large Delegates to the National Convention, and Presidential Preference Delegate Recommendation Committees shall be composed of 34 members, one member to be elected to each Committee by each Senatorial District Caucus and three members to be appointed by the Permanent Convention Chair. The Nominations Committee for At-Large Delegates to the National Convention shall be composed of three members to be appointed by the Permanent Convention Chair (one of which shall be the Chair), along with members elected from the Presidential Preference Delegate Recommendation Committees. The Presidential Preference Delegate Recommendation Committees shall consist of one member per presidential candidate per Senate District, provided that Senate District is electing at least one National Delegate for that presidential candidate. In a multi-county senatorial district, the Delegates should strive to provide geographical representation by recommending their committee persons to be from different counties; this is not a mandate.
- (2) **Chair.** The Permanent Convention Chair shall designate one member of each Permanent Committee to be Chair. The Temporary Credentials Committee Chair shall serve as an ex-officio member of the Permanent Credentials Committee, but shall not vote unless that person is one of the members elected by a Caucus or one of the two officers appointed by the State Chair.
  - (3) **Order of Business.** The first order of business of each Permanent Committee shall be to elect a Permanent Secretary from among its membership.
- j. Duties.** The duties of the Permanent Committees shall be as follows:
- (1) The Permanent Credentials Committee shall make recommendations to the Convention as to the final resolution of all challenges regarding the credentials of Delegates to the State Convention.
  - (2) The Nominations Committee shall nominate the officers of the SDEC and the SDEC members recommended by their respective Senatorial District Caucuses, and in presidential years, the DNC representatives.
  - (3) The Platform Committee shall write and recommend to the Convention a Party Platform for the November General Election.
  - (4) The Resolutions Committee shall consider and recommend all resolutions submitted to the Convention, other than those within the proper jurisdiction of the Platform Committee.
  - (5) In presidential years, the Nominations Committee for At-Large Delegates to the National Convention and Presidential Preference Delegate Recommendation Committees shall attempt to meet the Texas Democratic Party's affirmative action goals by

nominating At-Large Delegates accordingly. The process for that will be as follows:

- (a) Members of the Presidential Preference Delegate Recommendation Committees will meet in groups according to their Presidential preference with the authorized representative for that Presidential campaign.
- (b) Each group will elect a chair, plus one additional representative to the Nominations committee for At-Large Delegates to the National Convention for every decile (10%) of the primary vote that candidates receiving 15% of the primary vote earned.
- (c) The group will determine their preferred list of At-Large Delegates for their Presidential preference by creating lists of proposed delegates, placing them in priority order for selection, and indicating which affirmative action goal(s) they could fill.
- (d) The chairs, Delegate Selection Committee representatives, and authorized Presidential campaign representatives will then convene as the Nominations committee for At-Large Delegates to the National Convention to negotiate the list of At-Large Delegates in accordance with the Texas Democratic Party's affirmative action goals for the delegation.
- (e) This list of At-Large Delegates shall be the Nominations Committee for At-Large Delegates' committee report, to be ratified by the convention body during the general session.

**6. Order of Business.** The order of business at the State Convention shall be as follows:

- a. Call to order by the State Chair following the State Democratic Executive Committee on Thursday for the purpose of announcing the Temporary Roll and convention procedures. This shall occur in the same location and upon adjournment of the SDEC meeting. No votes of the full Convention shall occur until after the Friday Opening Ceremonies.
- b. SDEC Report on the Temporary Roll.
- c. State Chair announces the time and place for Senatorial District Caucuses to be held.
- d. State Chair announces time and location for the Permanent Credentials Committee to meet. Chair announces the Chair's appointment of a Permanent Chair and a Secretary of such Committee. The Permanent Credentials Committee shall begin its deliberations at the appointed hour or as soon thereafter as a quorum is established. Members arriving after the Committee has made a decision on any given challenge may not vote on a motion to reconsider, but may vote and debate on all other motions subsequent to their arrival.
- e. State Chair announces a time certain for Opening Ceremonies and announces that the convention stands at recess until the Opening Ceremonies.
- f. State Chair calls Convention back to order On Friday at previously announced time, followed by presentation of colors, the national and state anthems and the invocation. (Texas Election Code, Section 174.094).

- g. State Chair introduces the Temporary Officers of the State Convention.
- h. Remarks by Chair, Welcome Address, etc., and speeches by invited dignitaries.
- i. Report of the Permanent Credentials Committee Chair and action on report.
- j. Report from the SDEC on its nomination for Permanent Convention Chair if the State Chair is absent or declines to chair the State Convention, followed by nominations from the floor.
- k. Election of Permanent Convention Chair, if necessary.
- l. Elected Chair assumes duties, if election was required.
- m. Convention Chair announces the Chair's appointment of Temporary Chairs and two additional members of each Permanent Committee and announces where the Committees will meet the following morning at 8 am.
- n. In a presidential year, Convention Chair announces the allocation of At-Large Delegates, Pledged Elected and Party Official Delegates and Pledged Alternates to each presidential preference. Convention Chair announces the number of presidential electors to be elected by each senate district caucus.
- o. Each Senatorial District Caucus is held at the time and place on Friday assigned by the State Chair. The Caucus may be called to order by either the SDEC member, or if absent, by any delegate from said District. The Caucus shall elect a Permanent Chair of the Caucus. The Permanent Chair shall appoint a clerk to fill out all necessary forms and reports of caucus results.
- p. Convention Chair further announces that the Convention will recess until the following morning so that the Permanent Convention Committees may transact their business.
- q. Senatorial District Caucus Chairs deliver written report on the results of their Caucuses to the Chair or designee immediately upon completion of their caucuses.
- r. Convention reconvenes on the second day of the Convention and the Convention Chair calls the Convention back to order.
- s. Report from the SDEC on its nominations for Permanent Officers of the Convention (other than Convention Chair), followed by nominations from the floor.
- t. Election of Permanent Officers (other than Convention Chair).
- u. Report of Rules Committee and action on report.
- v. Report of Nominations Committee and action on report, including the Committee's nominations for State Party Officers and for SDEC members recommended by their respective Senatorial District Caucuses, and in presidential years, the Committee's recommendations for National Committee members and Presidential Electors.
- w. Convention Chair reads list of Senatorial District nominees to SDEC, followed by formal vote of ratification by Convention.
- x. In presidential years, the following shall occur at this point in the order of business:

- (1) Convention Chair reads list of all National Convention Delegates elected by Senatorial District Caucuses.
- (2) Report of Nominations Committee for At-Large Delegates and Alternates and action on report.
- y. Report of Platform Committee and action on report.
- z. Report of Resolutions Committee and action on report.
- aa. Announcements and further business.
- bb. Adjournment.
- cc. Because of the uncertainty of the length of any particular Permanent Committee meeting, the Convention Chair may take Committee reports out of this order. Further, the Reports of any Committee may be divided and partial reports given and adopted as necessary. Specifically, the report of the Committee on Resolutions can be made by the Chair of the Resolutions Committee forwarding individual resolutions as they are recommended by the Committee to the Convention Chair for action.

## 7. Senate District Caucuses

- a. The Senatorial District Caucus is composed of the SDEC Members, Democratic National Committee members, County Chairs, retiring County Chairs and elected delegates from each senate district.
- b. The Caucus shall be conducted by the SDEC Committeeman and Committeewoman.
- c. If delegation chairs were not elected at the County or Senate District convention or are not present, then the delegation shall hold, as its first order of business in the senate district caucus, an election for Delegation Chair. The Delegation Chair's only duty at the senate district caucus meeting at the state convention is to count votes and allocate the county's votes to full delegation strength in any caucus election or when a floor vote occurs in a General Session of the convention and to report those totals to the SDEC members conducting the caucus. The delegation chair may hold or disseminate training or information to the delegation prior to the state convention. Delegation chairs shall be provided a list of the persons elected in their delegation five days after the delegation list is completed (thirty days after the county or senate district convention) by signing a non-disclosure agreement provided by the party.
- d. All elections in this meeting shall be conducted in a manner established by these Rules. Each election shall require votes to be allocated to full county delegation strength as listed on the Texas Democratic Covention website. If paper ballots are used, the SDEC committee members shall count and allocate to county delegation strength, and reallocate votes and delegation strength for any instant runoff. Delegation Chairs may observe the counting and verify it for their county delegation.
- e. The Senate District Caucus shall elect one member to each of the following Permanent Committees of the Convention and other positions as listed:
  - (1) Credentials Committee,
  - (2) Platform Committee,
  - (3) Resolutions Committee,
  - (4) Rules Committee,

- (5) Nominations Committee for SDEC officers and SDEC members recommended by Senatorial District Caucuses, and in presidential years, members of the Democratic National Committee and Presidential Electors,
- (6) Recommendation for SDEC Committeeman,
- (7) Recommendation for SDEC Committeewoman,

### *In presidential years:*

- (8) Nominations Committee for At-Large Delegates for ratifying recommendations of presidential campaigns for their allotted at-large delegates to the National Convention,
- (9) Recommendation for Presidential Elector(s) as allotted to those Caucuses under these Rules, and
- (10) Delegates and Alternates to the National Convention as allocated by the primary to them. These elections must comply with the Delegate Selection Plan.

## 8. Allocation of National Delegates by Results of Statewide Primary Vote.

The Nominations Committee shall select all At-Large Delegates in the same proportion as the results of the statewide presidential primary votes. However, no candidate that received less than 15% of the vote shall be allocated any delegates. The votes for candidates receiving less than 15% of the vote shall have their votes disregarded and the percentage of delegates will be allocated using the remaining votes.

The Chair shall announce the results of the Primary election as a whole by number and percent of votes received by each presidential or uncommitted preference and by the number of Pledged Party and Elected Official Delegates and number of At-Large Delegates allocated to each presidential or uncommitted preference.

- 9. **Election of National Delegates/Alternates.** The election of Delegates and Alternates to the National Convention shall be governed by the Texas Delegate Selection Plan adopted by the SDEC and approved by the National Committee for that presidential year.
- 10. **Election of National Committee Members.** At the State Convention held in presidential years, the Convention shall elect, by majority vote, the Texas nominees to the Democratic National Committee (DNC). The number of these members shall be set by the DNC, and their election shall be subject to formal ratification by the National Convention, as provided by the Rules of the National Committee.
  - a. **Qualifications.** The qualifications for National Committeemen and National Committeewomen shall be the same as those prescribed for Party membership in Article II.B. of these Rules.
  - b. **Pledge of Support.** The National Committeemen and Committeewomen must declare affirmatively in favor of the Party's nominees for President and Vice President within one month after the National Convention or they shall be subject to removal from office by the National Committee.
  - c. **Terms.** The term of office for National Committee members shall begin immediately following the National Convention which ratifies their selection or following ratification by the National Committee if a member is elected to fill an unexpired term. The regular four-

year term shall extend through the first National Convention held subsequent to the election of such members or until their successors are elected and qualified.

- d. **Nominations.** In presidential years, the Nominations Committee shall consider all recommendations made to it by Convention Delegates and all nominations made by Committee members for National Committee members. The Committee's report to the Convention may include more than one nomination for any position on the National Committee.
- e. **Elections.** After the Nominations Committee presents its report to the Convention, minority reports which comply with Party Rules shall be presented, followed by additional nominations, if any, from the Convention floor. The Convention as a whole then shall elect each of its National Committee members by majority vote.
- f. **Vacancies.** Any vacancy in these offices which occurs after a National Convention and before the next presidential State Convention shall be filled promptly by a majority of the SDEC, provided that members receive written notice at least 30 days before the meeting at which the election will be held. Any member of the SDEC may nominate a candidate for the vacant office.

**11. Election of Presidential Elector Candidates.** At its State Convention, in presidential years, the Party shall nominate as many Presidential Elector candidates as the total number of U.S. Senators and U.S. Representatives to which the state legally is entitled at that time.

- a. **Qualifications.** The qualifications for Presidential Elector candidates shall be the same as those prescribed for Party membership in Article II.B of these Rules. Legally, however, a Presidential Elector may not be a member of the United States Congress or anyone who "holds any other federal office of profit or trust." (Texas Election Code §192.002)
- b. **Duties.** The duties of Presidential Electors shall be to meet in the Capitol Building at Austin on the first Monday after the second Wednesday in December following their election (or at such other time and place as may be required by law), and to vote for President and Vice President of the United States, making such return thereof as is required by federal law.
- c. **Election Procedure.** Presidential Elector candidates shall be chosen in the following manner:
  - (1) Each Senatorial District Caucus shall elect by majority vote one candidate for Presidential Elector. If Texas is entitled to more than 31 Electors, each senatorial district shall be entitled to one Elector and the remaining Elector positions shall go to the senatorial districts with the highest vote for the Democratic nominee in the preceding presidential election in descending order, until all positions are allocated.
  - (2) The names of all Electors so chosen by the Senatorial District Caucuses shall be submitted to the Convention's Permanent Nominations Committee for SDEC members. The Committee shall compile a list of these Electors to report to the Convention and shall make any additional nominations or any determinations by lot necessary to make the slate

numerically correct. The required number of Presidential Elector candidates shall be certified to the Secretary of State by the State Chair and Secretary at least 70 days before the election. (Texas Election Code §192.031)

- d. **Affidavit.** After the Party's National Convention and prior to September 1, each Presidential Elector candidate shall file with the State Chair a written affidavit attesting their intention to support the Party's Presidential and Vice Presidential nominees. Any Elector candidate chosen at the State Convention who fails to file such an affidavit shall be replaced by the SDEC with an Elector from the same senatorial district.
- e. **Vacancies.** If for any cause, before the General Election, a Party's chosen Elector becomes legally disqualified, the State Chair shall certify the replacement name and address to the Secretary of State. If for any cause, after the General Election, a Party's chosen Elector fails to attend the meeting of the Electors and vote as required by law, or if an Elector becomes legally disqualified, a majority of the qualified Electors present after having convened may appoint a successor and shall report such action immediately to the Secretary of State. (Required by Texas Election Code § 192.004 and § 192.007)

**12. Applications for Appointment to National Convention Committees.** The Texas Democratic Party shall collect applications for persons wanting to be considered for appointment to the Standing Committees of the National Convention. The submission will be done through the signing and notarizing of a form to be turned into the Texas Democratic Party, similar to filing for National Delegate, utilizing the same cutoff date. In turn, the forms will be presented to the presidential campaigns authorized representative in Texas for their consideration in filling the appointments from the state of Texas. The role of the Texas Democratic Party in this process will only be a ministerial one of passing on the information from these potential appointees to the presidential campaigns.

## ARTICLE V CHALLENGES

- A. **Grievance Process.** The following rules shall govern any challenges and disputes regarding the rules of the Texas Democratic Party to the extent permitted by the Texas Election Code:
  - A. Grievance Process.** The following rules shall govern any challenges and disputes regarding the rules of the Texas Democratic Party to the extent permitted by the Texas Election Code:
    - 1. **Grievance Review Commission.**
      - a. The Grievance Review Commission shall be composed of seven (7) members selected according to the following guidelines:
        - (1) four (4) members of the Rules Committee of the State Democratic Executive Committee, and who are duly appointed by the State Party Chair.
        - (2) three (3) Democrats who are not members of the State Democratic Executive Committee, and who are duly appointed by the State Chair, with the advice and consent of the State Democratic Executive Committee.
      - b. The Grievance Review Commission shall elect a Chair and Vice Chair from within its membership.

- c. A quorum shall be a simple majority. The Grievance Review Commission may meet by telephone or other means of simultaneous electronic communication. A ruling by the Grievance Review Commission is made by simple majority of the complete membership of the Grievance Review Commission, otherwise no action is taken. Deliberations made by the Grievance Review Commission may be exempt under the open meetings requirement under the Texas Democratic Party Rules.
2. **Complaints.** Any Democratic Party Official, as defined by the Texas Democratic Party Rules, may bring forth a complaint before the Grievance Review Commission.
- a. All complaints must be commenced by the filing of a written complaint with the Texas Democratic Party staff no later than fourteen (14) calendar days after the alleged violation occurred. The Texas Democratic Party staff shall promptly deliver the complaint to the Grievance Review Commissioner Chair. Upon a showing of good cause, sustained by unanimous vote, the Grievance Review Commission may waive the 14 day requirement but in no event shall a grievance be considered that concerns conduct that occurred more than one year before the filing of the grievance.
- b. The written complaint must contain the following:
- (1) A statement of the decision, action or failure to act from which the complaint is taken;
  - (2) The points on which the complaint is based;
  - (3) The individual(s) for whom the complaint is taken;
  - (4) What provisions of the Party Rules have been violated or disregarded; and
  - (5) What relief, correction or other action is sought by the appellant.
- c. **Initial Review:** The Committee shall appoint, for a one year term, one person to make initial review of all filed grievances. The initial reviewer may or may not be a member of the Committee. Upon receipt of a grievance, the initial reviewer shall determine whether a grievance has stated a non-frivolous complaint. The initial reviewer must make such a determination no later than fourteen (14) days after the filing of the complaint. A finding by the initial reviewer that a complaint is frivolous can be appealed no later than twenty-one (21) days after notice was given of that ruling. It is in the discretion of the Grievance Review Commission as to whether to take up an appeal of a grievance found to be frivolous by the initial reviewer. In the event the Commission does not take up a grievance found to be frivolous by the initial reviewer on or before thirty (30) days from the date the appeal was filed, the grievance is denied and no further appeal is permitted. In the event the initial reviewer determines that a grievance is non-frivolous, the Commission shall conduct a hearing on the Grievance upon the consent of three (3) members of the Grievance. In the event the Commission does not take up a grievance found to be non-frivolous by the initial reviewer on or before thirty (30) days from the date the initial review decision was made, then the grievance is denied and an appeal may be taken.
- d. Upon the decision to review a complaint by the Grievance Review Commission, notice by the shall promptly be given to any affected parties in a manner deemed reasonable by the Committee. These affected parties may submit a written response to the Committee no later than twenty-one (21) days after notice was given. Non -affected Democrats may also submit a response to a grievance no later than twenty-one (21) days after notice was given.
- e. The Grievance Review Commission shall have the power and authority to take such actions as are necessary to provide a fair and just remedy, insofar as such remedy is permitted by the Rules of the Texas Democratic Party, state law and/or federal law.
- f. Any decision or judgment by the Grievance Review Commission shall be delivered electronically in writing to the affected parties, as well as to the State Chair and the full State Democratic Executive Committee, within seven (7) days of the final hearing.
- g. Any final judgment by the Grievance Review Commission may be appealed to the full State Democratic Executive Committee, at its next meeting, which may or may not take action on the appeal. The State Chair and/or the Rules Committee Chair may, sua sponte, initiate an appeal of any Grievance Review Commission ruling/judgment, within fourteen (14) days. to the full State Democratic Executive Committee. Any final judgment of the State Democratic Executive Committee may be appealed by any member of the State Democratic Executive Committee, or any affected person, to the Rules Committee of the next State Convention which may or may not choose to review the matter. The Rules Committee of the next State Convention may not review judgments that were not first decided upon appeal by the State Democratic Executive Committee.
- (1) Notice of appeal must be given to the Initial Reveiwer within fourteen (14) days of the final judgment. If appealed to the State Democratic Executive Committee, the Initial Reviewer will notify the State Party Chair. If appealed to the Rules Committee of the next State Convention, the Initial Reviewer will notify the Chair of the Rules Committee of the next State Convention after such appointment of the Chair of the Rules Committee of the next State Convention is made.
  - (2) All appeals will proceed de novo.
  - (3) All decisions, rulings, judgments made by the Grievance Review Commission shall be affirmed unless otherwise stated by decision of the State Democratic Executive Committee or Rules Committee of the next State Convention.
  - (4) A judgment is overturned by the State Democratic Executive Committee or Rules Committee of the next State Convention by a simple majority of those members present.
  - (5) If the Grievance Review Commission's judgment falls within fourteen (14) days of an State Democratic Executive Committee meeting or the State Convention, then the State Democratic Executive Committee shall review the appeal at the next State Democratic Executive Committee meeting after the fourteen (14) day appeal notice period. An appeal initiated the State Chair and/or the Rules Committee Chair may be reviewed by the State Democratic Executive Committee meeting within the fourteen (14) day appeal notice period.

(6) If the State Democratic Executive Committee's judgment falls within fourteen (14) days of the State Convention, then the Rules Committee of the next State Convention shall review the appeal at the next State Convention meeting after the fourteen (14) day appeal notice period.

h. The Texas Democratic Party shall have no duty to expend money or resources defending in Court, a ruling by the Grievance Review Commission unless required by the State Chair or a majority vote of the State Democratic Executive Committee.

i. Nothing herein grants the right of judicial review to any decision derived from this process including any complaint concerning the administration of this process. The Texas Democratic Party specifically denies that state or federal courts have subject matter jurisdiction to consider a petition of complaint concerning this process.

## **B. Credentials Committee Challenges.**

The following rules shall govern credentials challenges at County, Senatorial District and State Conventions:

1. Any Democrat may challenge any Delegate or any group of Delegates certified to any Convention, provided the challenger and the challenged parties reside in the same county (or senatorial district) whose Convention elected the challenged Delegate(s). In the case of the County or Senatorial District Convention, the challenger shall deliver the copy of the challenge to the County or Senatorial District Chair and to the challenged Delegate(s) at least 3 days before the date of the Convention. In the case of a State Convention, the challenger shall deliver a copy of the challenge to the State Chair and to the challenged Delegate(s) within 16 days after the date of the County and Senatorial District Conventions.
2. Delegations, Delegates, may be challenged for allegations of violations of these Party Rules.
3. The challenge shall be in writing and shall include the name and address of the Delegate(s) challenged and the precise grounds on which the challenge is based.
4. The State Chair shall send all challenges to the Chair of the Temporary Credentials Committee of the State Convention and to the Delegates who are challenged. This shall be done as soon as possible after the challenges are received at the State Party Headquarters.
5. The Chairs of the Permanent Committee on Credentials of County and Senatorial District Conventions and the Chair of the Temporary Credentials Committee of the State Convention shall convene their respective Committees at the site of the Convention in question at least 24 hours before the time when the Convention is to meet.
6. The Credentials Committee of any Convention shall consider any statements from the challenger, from the Delegates being challenged, and from any other person who wishes to testify on the challenge. In hearing a challenge, the Credentials Committee may allot a period of time within which the challenger and the challenged shall be granted equal time to make their statements.
7. In the case of a challenge, the Credentials Committee shall report to the Convention the names of the Delegate(s) whom the Committee believes are entitled to participate in the Convention. A minority of 20% of the Committee may present a minority report on any challenge to the Convention. When a number of challenges are to be resolved, the Credentials

Committee shall report on each in alphabetical or numerical order by county or by precinct in which the Delegate(s) or Alternate(s) being challenged reside.

8. The Convention shall vote separately on each challenge presented as part of the report of the Credentials Committee. The report of the Credentials Committee on each challenge must be approved by a majority vote of the Convention before a Delegate or Alternate being challenged may participate further in the Convention. No challenged Delegate or Alternate may vote on the report of the Credentials Committee which involves the Delegate's or Alternate's respective challenge.

## **ARTICLE VI ADOPTION, STATUS, AMENDMENT, PUBLICIZING OF RULES AND PARLIAMENTARY PROCEDURE**

### **A. Adoption and Status**

1. These Rules shall continue in force until rescinded or permanently changed by action of the State Convention, or as temporarily amended by the SDEC as provided herein, and are enforceable by mandamus proceedings as provided under Texas law.
2. Notwithstanding anything in these Rules to the contrary, the laws of the State of Texas take precedence over these Rules in the event of a conflict, so long as application of those laws does not infringe on the Party's rights of self-government under the Constitutions of the United States and the State of Texas.
3. Without limiting the generality of the foregoing, any statute that burdens the Delegate selection process in such a way as to create a conflict with National Party Rules relating to Delegate selection or instruction shall not be given effect if, in the opinion of the SDEC, such statute would imperil the participation of the Texas Democratic Party in National Party affairs. Such determination shall be made by the SDEC after 30 days notice and by a two-thirds vote of the membership.

### **B. Amendment**

1. These Rules may be permanently amended, altered or repealed only by a majority vote of the State Convention.
2. Between State Conventions, they may be temporarily changed for good cause by three-fourths vote of the SDEC; provided, however, that the vote to amend shall constitute three-fourths of the entire Committee membership and also provided that each member of the SDEC receive written notice, including the full text of any proposed amendments, at least one month in advance of a meeting held for this purpose. All such amendments shall be presented to the next State Convention for approval, although they shall be in effect and binding until such Convention is held.
3. If any amendment attached by the SDEC be rejected by the State Convention, it may not be proposed again until the following State Convention.

### **C. Publicizing of Rules**

1. The State Party shall post the most current copy of these Rules on its website within thirty days of the adoption of changes. The State Chair, County Chairs and members of the SDEC shall make every effort to publicize the Rules well in advance of each Convention and to explain them summarily at the opening of each Convention.

2. A copy of any amendment to these Rules shall be filed promptly with the Secretary of State and shall be included in all sets of Rules distributed from the State Headquarters.

#### D. Parliamentary Authority

The parliamentary authority of the Texas Democratic Party, its clubs and affiliated organizations shall be the current edition of Robert's Rules of Order, Newly Revised. The parliamentary authority shall govern all meetings, committees and conventions except where superseded by federal and state laws and these Rules.

### ARTICLE VII

## NATIONAL DELEGATE SELECTION RULES

#### A. Delegates

1. In presidential years, the Party shall hold a presidential preference primary election (the "presidential primary") at the same time, in the same manner, and using the same ballot as for the general primary election (the "First Primary"). (Texas Election Code §191.004)
2. To qualify for a place on the presidential primary ballot, a candidate must:
  - a. Timely file all documents, if any, required by the Texas Affirmative Action Plan or the Texas National Delegate Selection Plan.
  - b. File an application for a place on the presidential primary ballot in accordance with the same Election Code provisions applicable to a candidate for the United States Senatorial, including submission of an appropriate petition subject to the limitations of Section 191.002 of the Texas Election Code or payment of the same filing fee. The oath on the application of a presidential candidate shall be:

"I, \_\_\_\_\_ (name), of \_\_\_\_\_ (city), \_\_\_\_\_ (county/ parish), \_\_\_\_\_ (state), being a candidate for the Office of President of the United States, swear that I will support and defend the Constitution and laws of the United States. I further swear that I will fully support the Democratic nominee for President, whoever that shall be."
3. The names of all candidates qualifying to appear on the presidential primary ballot shall be certified in accordance with Article III.C.1. of these Rules, except that the State Chair also shall certify all presidential preferences to the Secretary of State. The SDEC shall, at the meeting required in Article III.C.1., decide by majority vote whether to include "Uncommitted" as an alternative on the presidential primary ballot. (Texas Election Code §191.004)
4. Results of the presidential preference primary election shall be canvassed at the same time and in the same manner as for the First Primary, except that the SDEC shall also certify the results of the presidential preference primary election totaled by senatorial district.
5. The total number of Delegates and Alternates to the National Convention shall be that number allocated by the National Committee in its official Call to the Convention.
6. The process for selection of Delegates and Alternates to the National Convention shall be governed by the Texas National Delegate Selection Plan adopted by the SDEC for the presidential year. If the Plan and these Rules conflict as relates to the selection of Delegates and Alternates to the

National Convention, the Plan shall be considered to supersede these Rules for that purpose alone.

7. Each elected Delegate shall be entitled to cast one vote at the National Convention, and the total vote permitted the State's delegation shall not exceed the number of its Delegates in attendance at the Convention.
8. **Apportionment of Delegates**
  - a. At least 75% of the base number of Delegates, not including designated Party and Elected Official Delegates, shall be elected by Senatorial District Caucuses at the State Convention. The exact number (between 75% and 100%) to be so elected shall be determined by majority vote of the SDEC at its meeting in January of presidential years and shall be included in the official Call to the State Convention of that year.
  - b. Such Delegates shall be apportioned among the 31 senatorial districts by a formula giving equal weight to: (a) the Democratic vote in the last gubernatorial election; and (b) the Democratic vote in the last presidential election. The formula may be stated mathematically as follows:

Let P equal a given district's percentage of the statewide Democratic vote in the last gubernatorial election, and let V equal that district's percentage of the total statewide vote for the Democratic nominee in the last presidential election (district vote/state vote).

$$(P + V) \text{ divided by } 2 = \text{that district's percentage of the total number of Delegates to be elected by the senatorial districts, as opposed to the number to be elected at large.}$$
  - c. To apply the apportionment formula, multiply the resulting percentage times the total number of Delegates to be elected from all Senatorial District Caucuses. Assign each Senatorial District Caucus the whole number of Delegates resulting from this product. Assign remaining Delegates to Senatorial District Caucuses in descending order of fractional remainder, until all allocated Delegates have been assigned.
9. The remaining Delegates to the National Convention (between 0% and 25%) shall be elected at-large by majority vote of the State Convention as a whole. Such At-Large Delegates shall be nominated by the Convention's Permanent Nominations Committee for At-Large Delegates and/or from the floor, in accordance with these Rules.
10. The explicit number of National Convention Delegates to be elected by each senatorial district and the explicit number to be elected at-large by the Convention according to the above procedures shall be announced by the State Chair and certified to the Secretary of State at least 30 days prior to the County and Senatorial District Conventions.
11. **Process for Electing District Level Delegates**
  - a. The authorized representative of each presidential candidate eligible to elect delegates will notify the State Chair by thirty days before the state convention of the person who will be responsible for calling the presidential candidate's caucus to order in each senate district and holding an election of a presidential preference caucus chair. When filing these persons, the list shall include a cell phone and email that will available during the state convention. This Person must be a delegate from the senate district caucus.

The elected caucus chair shall conduct the elections of that candidate's delegates that were awarded by the results of the presidential primary in each of the appropriate senate districts.

- b. Only delegates who register in support of a presidential candidate upon receiving their state convention credentials shall participate in the election of delegates for that candidate within their senate district. Any delegate that registered for a presidential candidate or uncommitted status that was not allocated delegates by the primary may not participate in any selection of delegates for other candidates.
  - c. The state chair will produce a ballot containing the names of filed candidates for national district level delegate for each presidential candidate eligible in the district.
  - d. The ballot must contain a space for the delegate to sign and print their name. Any ballot cast without a signature or with an illegible signature shall be declared void.
  - e. When a delegate is credentialed for the state convention, the delegate shall sign their name, their senate district, and list their presidential preference or uncommitted on their delegate credential. They will be given their ballot for presidential district delegate(s) if that presidential preference is eligible to select national delegates. The delegate shall sign and print their name on the ballot at time of credentialing.
  - f. Ballots shall be collected at the senate district caucus and all ballots must be submitted no later than first adjournment of the caucus or 5:00 p.m. whichever comes first. Ballots may only be submitted to the person appointed by the presidential candidate's authorized representative for the senate district caucus. This authorized person for each presidential caucus shall supervise the counting of the ballots for their senate district with at least three other persons present. Vote counters do not have to be delegates. Results consisting of the names of the national delegates, their email and residence address and phone number shall be turned in to the state chair on reporting forms created by the state chair. The presidential candidate's representative and at least three witnesses present during the counting shall sign this report form. All report forms must be submitted promptly so that the Nominations Committee for At-Large Delegates and Alternates may begin their work at 8:00 a.m. Saturday.
  - g. Ballots will contain instructions for voting based on the number of delegates allocated to the presidential candidate as certified by the state chair and the gender designation.
  - h. A delegate shall vote for as many persons as are allocated to the presidential candidate in that district.
  - i. The gender parity within each senate district shall be maintained to the largest extent possible
  - j. If a presidential candidate is to elect an even number of national delegates, then the ballot shall be arranged so that those identifying as male and those identifying as female candidates are done in separate elections, with candidates listed in alphabetical order, and with the delegate voting for the same number of candidates for each gender.
- (1) For electing two: "Instructions: Vote for one candidate for delegate identifying as male and one candidate for delegate identifying as female.. The highest vote total for the top person for each gender shall be elected."
  - (2) For electing four: "Instructions: Vote for two candidates for delegates identifying as male and two candidates for delegates identifying as female. The highest vote total for the top two persons for each gender shall be elected."
  - (3) For electing six: "Instructions: Vote for three candidates for delegates identifying as male and three candidates for delegates identifying as female. The highest vote total for the top three persons for each gender shall be elected."
  - (4) For electing eight: "Instructions: Vote for four candidates for delegates identifying as male and four candidates for delegates identifying as female. The highest vote total for the top four persons for each gender shall be elected."
  - (5) For electing ten: "Instructions: Vote for five candidates for delegates identifying as male and five candidates for delegates identifying as female. The highest vote total for the top five persons for each gender shall be elected."
- k. The state executive committee shall conduct a drawing to determine the gender of the odd district delegate in any district with an odd number of delegates. The gender assigned to this odd delegate shall be mandated for the presidential candidate who had the most votes in the presidential primary for the senate district.
  - l. If every presidential candidate in the senate district is to elect only one national delegate, the delegates shall be elected in the following manner:

    - (1) For the candidate with the highest vote total in the primary, the presidential caucus will elect their delegate of either gender. In this case, the ballot shall list all candidates identifying as male and candidates identifying as females together in alphabetical order. For electing one national delegate for the presidential candidate with the next highest vote total: "Instructions: Vote for one candidate for delegate. The person with the highest vote total shall be elected."
    - (2) For electing one delegate for the presidential candidate with the next highest vote total in the primary, the delegates for that presidential candidate shall hold an election for both a person identifying as male and a person identifying as female delegate using a ballot with persons identifying as male and identifying as female candidates listed separately. The winner of the delegate seat shall be the person who identifies as the opposite gender of the national delegate for the presidential candidate in subsection (1). "Instruction: Vote for one person identifying as a man and for one person identifying as a woman. The winner of the national delegate seat shall be the person identifying as a man or person identifying as a woman with the highest vote total that is of the opposite gender of the delegate elected in this senate district for the presidential candidate who had the highest vote total in the Democratic primary.



m. For electing three, five, seven, or nine national delegates, the ballot shall be prepared with persons identifying as male and persons identifying as female delegates separately listed. The instructions shall denote the gender of the odd delegate to be elected as a result of the SDEC drawing. The presidential candidate who received the highest vote in each senate district elects their odd delegate of the gender assigned by the SDEC gender drawing. Any other presidential candidate who is electing an odd delegate shall elect the candidate of the opposite gender of the highest vote total presidential candidate's odd delegate, alternating by presidential preference till all odd delegate places are set. The state chair shall adapt the ballot instructions to state the gender of odd delegate for each presidential preference election.

- (1) For three national delegates: "Instructions: Vote for one person who identifies as male and one person who identifies as female delegate. Additionally vote for a third delegate identifying as either gender. The winners shall be the person identifying as male with the highest vote total, the person identifying as female with the highest total and the candidate of either gender with the next highest vote not already elected that identifies as (male / female).
- (2) For five national delegates: "Instructions: Vote for two persons identifying as male and two persons identifying as female delegates. Additionally vote for a fifth delegate of either gender. The winners shall be the two persons identifying as males with the highest vote total, the two persons identifying as females with the highest vote total and the candidate identifying as either gender with the next highest vote not already elected that is identifying as (male / female).
- (3) For seven national delegates: "Instructions: Vote for three persons identifying as male and three persons identifying as female delegates. Additionally vote for a seventh delegate identifying as either gender. The winners shall be the three persons identifying as males with the highest vote total, the three persons identifying as females with the highest vote total and the candidate identifying as either gender with the next highest vote not already elected that identifies as (male / female).
- (4) For nine national delegates: "Instructions: Vote for four persons identifying as male and four persons identifying as female delegates. Additionally vote for a ninth delegate identifying as either gender. The winners shall be the four persons identifying as males with the highest vote total, the four persons identifying as females with the highest vote total and the candidate identifying as either gender

with the next highest vote not already elected that identifies as (male / female).

- n. All paper ballots used at a state convention to elect national delegates will be retained by the Texas Democratic Party until the adjournment of the convention.

## B. Alternates

1. Alternates to the National Convention shall be nominated by the Committee for Nomination of At-Large Delegates and Alternates. The Alternates shall be allocated to presidential candidates based on the presidential primary statewide vote for each presidential preference. A candidate must reach a threshold of 15% of the vote to be allocated any delegates. The Alternates must also reflect the representational goals in the same percentages for historically underrepresented groups as set out for Delegates. The two groups are to be considered as distinct groups for these allocations.
2. Following the election of At-Large Delegates by the Convention, At-Large Alternates shall be elected in the same manner.

C. **Succession of Alternates to Delegate Status.** Alternates shall succeed to Delegate status according to the procedures outlined in Article IV.A.18 of these Party Rules

## D. Guidelines for Representation of the Delegation

1. The Convention shall make every feasible effort to encourage representation on the National Convention Delegation of women, ethnic minorities, sexual orientation minorities, and youth in reasonable relationship to their presence in the population of the state.
2. Candidates for Delegate or Alternate shall be required to make known their presidential preference or uncommitted status to the relevant assembly prior to their election.

## ARTICLE VIII JUDICIAL OFFICEHOLDER AND CANDIDATE POLITICAL CONTRIBUTIONS

Pursuant to Section 253.1611 (e-1), Election Code, (e-1) a judicial candidate or judicial officeholder may make a political contribution, for the purpose of sponsoring or attending an event, to a political committee affiliated with:

- A. an organization that is hereby designated as an auxiliary, coalition, or county chair association of the Texas Democratic Party as provided by these rules or
- B. a local chapter of an organization described by subdivision (1).

Those organizations are those groups listed in Article III, Section D, subsection 2 (a) (1) and their local chapters. The Hispanic Caucus shall be defined as any groups and the chapters thereof that have held a caucus at the Democratic State Convention for at least two consecutive conventions.

# TEXAS DEMOCRATS

## AFFILIATION WITH THE TEXAS DEMOCRATIC PARTY

**“I swear that I have not voted in a primary election or participated in a convention of another party during this voting year. I hereby affiliate myself with the Democratic Party.”**

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_ Email \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

Signature of Witness \_\_\_\_\_

***This form must be mailed to: Texas Democratic Party, P.O. Box 116, Austin, TX 78767.***

----- *Detach here and return portion below to the voter.* -----

## AFFILIATION CERTIFICATE – DEMOCRATIC PARTY

\_\_\_\_\_ has affiliated with the Democratic Party for all purposes during this election year. This certificate allows voter to participate in all activities of the Democratic Party as a member of the Party.

Signature of Issuer \_\_\_\_\_ Date \_\_\_\_\_

Pol. Adv. paid for by the Texas Democratic Party • [www.txdemocrats.org](http://www.txdemocrats.org)  
This communication is not authorized by any candidate or candidate’s committee.

# TEXAS DEMOCRATS

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Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_ Email \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

Signature of Witness \_\_\_\_\_

***This form must be mailed to: Texas Democratic Party, P.O. Box 116, Austin, TX 78767.***

----- *Detach here and return portion below to the voter.* -----

## AFFILIATION CERTIFICATE – DEMOCRATIC PARTY

\_\_\_\_\_ has affiliated with the Democratic Party for all purposes during this election year. This certificate allows voter to participate in all activities of the Democratic Party as a member of the Party.

Signature of Issuer \_\_\_\_\_ Date \_\_\_\_\_

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This communication is not authorized by any candidate or candidate’s committee.

***For Resolutions Committee Use Only***

Referred to Platform    Referred to Rules    Referred to TRC

Action by TRC \_\_\_\_\_

Adopted (as amended) by SDEC Resolutions    Not adopted

***Resolution form for submission to Texas Democratic Party***

**A Resolution**    in support of    in opposition to \_\_\_\_\_

WHEREAS [type or block print]

AND WHEREAS (if needed)

AND WHEREAS (if needed)

THEREFORE, BE IT RESOLVED THAT

AND BE IT FURTHER RESOLVED (if needed)

Submitted by \_\_\_\_\_

Approved by \_\_\_\_\_ County Convention

OR  Approved by \_\_\_\_\_ Senate District Convention

Name \_\_\_\_\_ Email \_\_\_\_\_

Phone \_\_\_\_\_ Convention Secretary \_\_\_\_\_

For **Memorial/Honorary Resolutions only**, give name and address of where to send acknowledgment.

Name \_\_\_\_\_

Street Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_

TO DO THIS <sup>1</sup>	YOU SAY THIS	MAY YOU INTERRUPT THE SPEAKER?	MUST BE SECONDED?	IS THE MOTION DEBATABLE?	IS THE MOTION AMENDABLE?	WHAT VOTE IS REQUIRED?
Adjourn the meeting	I move that we adjourn.	May NOT interrupt the speaker	MUST be seconded	NOT debatable	NOT amendable	MAJORITY vote required
Recess the meeting	I move that we recess until ...	May NOT interrupt the speaker	MUST be seconded	NOT debatable	AMENDABLE	MAJORITY vote required
Complain about noise, room temperature, etc.	Point of privilege	MAY interrupt the speaker	NO second needed	NOT debatable <sup>2</sup>	NOT amendable	NO vote required; Chair decides.
Suspend further consideration of something	I move we table it.	May NOT interrupt the speaker	MUST be seconded	NOT debatable	NOT amendable	MAJORITY vote required
End debate	I move the previous question.	May NOT interrupt the speaker	MUST be seconded	NOT debatable	NOT amendable	TWO-THIRDS vote required
Postpone consideration of something	I move we postpone this matter until ...	May NOT interrupt the speaker	MUST be seconded	DEBATABLE	AMENDABLE	MAJORITY vote required
Have something studied further	I move we refer this to a committee.	May NOT interrupt the speaker	MUST be seconded	DEBATABLE	AMENDABLE	MAJORITY vote required
Amend a motion	I move this motion be amended by ...	May NOT interrupt the speaker	MUST be seconded	DEBATABLE	AMENDABLE	MAJORITY vote required
Introduce business (a primary motion)	I move that ...	May NOT interrupt the speaker	MUST be seconded	DEBATABLE	AMENDABLE	MAJORITY vote required
Object to procedure or to a personal affront	Point of order	MAY interrupt the speaker	NO second needed	NOT debatable	NOT amendable	NO vote required; Chair decides
Request information	Point of information	If urgent, may interrupt speaker	NO second needed	NOT debatable	NOT amendable	NO vote required
Ask for a vote by actual count to verify a voice vote	I call for a division of the house.	May NOT interrupt the speaker <sup>3</sup>	NO second needed	NOT debatable	NOT amendable	NO vote required unless one objects <sup>4</sup>
Object to considering some undiplomatic or improper matter	I object to consideration of this question.	MAY interrupt the speaker	NO second needed	NOT debatable	NOT amendable	TWO-THIRDS vote required
Take up a matter previously tabled	I move we take from the table ...	May NOT interrupt the speaker	MUST be seconded	NOT debatable	NOT amendable	MAJORITY vote required
Reconsider something already disposed of	I move we now (or later) reconsider our action relative to....	MAY interrupt the speaker; motion is debatable	MUST be seconded	DEBATABLE if original	NOT amendable	MAJORITY vote required
Consider something out of its scheduled order	I move we suspend the rules and consider ...	May NOT interrupt the speaker	MUST be seconded	NOT debatable	NOT amendable	TWO-THIRDS vote required
Vote on a ruling by the Chair	I appeal the Chair's decision.	May NOT interrupt the speaker	MUST be seconded	DEBATABLE	NOT amendable	MAJORITY vote required

<sup>1</sup> **ABOVE** thick line: The motions or points above are listed in established order of precedence. When any of them is pending, you may not introduce another that is listed below it, but you may introduce another that is listed above it.

**BELOW** thick line: The motions, points and proposals listed above have no established order of precedence. Any of them may be introduced at any time – except when the meeting is considering either a motion to adjourn, a motion to recess or a point of privilege.

<sup>2</sup> In this case, any resulting motion is debatable. <sup>3</sup> But division must be called for before another motion is started. <sup>4</sup> Then majority vote is required.