

# KENTUCKY DEMOCRATS

## BY-LAWS OF THE KENTUCKY DEMOCRATIC PARTY

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# BY-LAWS OF THE KENTUCKY DEMOCRATIC PARTY

## ARTICLE I - General Rules and Provisions

- A. **Supreme Power in Party Members, Exercised According to Law:** The supreme power of the Kentucky Democratic Party (hereinafter "KDP") rests in the members thereof as exercised by them in State Convention assembled. The organization and conduct of Party affairs shall be in accordance with the Constitutions and laws of the United States and the Commonwealth of Kentucky (Public Laws) and these Party Laws.
- B. **Defined Terms:**
- a. "Kentucky Democratic Party," or the "KDP" shall refer to the organization of the state Democratic Party. The KDP trains and supports (i) Democratic candidates for partisan office, and (ii) Democratic volunteers, including, without limitation, State and County Executive Committees, and Precinct and Legislative District Committees, while promoting policies that adhere to the most recent version of the Democratic Party Platform, as approved by the Democratic National Committee.
  - b. "At-large" shall refer to a position elected to serve an entire area (either at the county or state level, as applicable) rather than one of its subdivisions.
  - c. "County Convention" shall refer to a Convention held in all counties that contain six (6) or fewer legislative districts, wholly or partially, within its boundaries, the purpose of which is to elect Party Officials.
  - d. "County Executive Committee" or "CEC" shall refer to the committee that oversees County Party affairs, as further described in Article III herein, and that was elected at the Legislative District or County Conventions, as applicable, and as described in Article II herein.
  - e. "County Delegate(s)" shall refer to delegate(s) elected by precinct delegates or legislative district delegates, as applicable, at a County Convention and who then attend the State Convention, where they will elect members of the State Central Executive Committee.
  - f. "Legislative District Convention" shall refer to a convention held in only those counties with seven (7) or more State House legislative districts, wholly or partially, within its boundaries, the purpose of which is to elect the Legislative District Chair and Vice Chair, who then sit on the County Executive Committee.
  - g. "Party Official" shall refer to a member of a Precinct Committee, County Executive Committee, Legislative District Committee who is not the (i) Chair, (ii) Vice Chair, (iii) Secretary, (iv) Treasurer of such Committee, or (v) a member of a Nominating Committee, as defined herein.
  - h. "Party Leader" shall refer to a Democrat who holds an elected statewide office, a Democratic member of Kentucky's US Senate or Congressional delegation, a Democrat who holds a seat within the Kentucky General Assembly, the Chair of the KDP, the Executive Director of the KDP and any voting member of the State Central Executive Committee who does not hold the title of Chair or Vice Chair.
  - i. "Party Representative" shall refer to a member who sits on the State Central Executive Committee in either an ex-officio status or as a representative of an affiliated Democratic organization, council or caucus.
  - j. "Party Officer" shall refer to a Chair, Vice Chair, Treasurer and Secretary of the State Central Executive Committee, a County Executive Committee, a Legislative District Committee or a Precinct Committee.

- k. "State Central Executive Committee" or "SCEC" shall refer to the committee of elected members, chosen by State Delegates at the State Convention, which adopts Party policy to be executed by the Chair, Executive Director and staff of the Kentucky Democratic Party, who manage day-to-day Party business and affairs on behalf of the SCEC. The SCEC includes representative members of certain affiliate organizations, caucuses and councils and appointed ex-officio members.
  - l. "State Delegate(s)" shall refer to a Democrat who is elected at either a Legislative District Convention or a County Convention, as described herein, and whose role is to elect State Central Executive Committee members from the State Delegates' Congressional District and, additionally, to elect At-Large members of the State Central Executive Committee.
  - m. "Reorganization" shall refer to the process in which Precinct Committees, Legislative District Committees, County Executive Committees and the State Central Executive Committee elect new members and officers, as described further in Article II herein.
  - n. "Youth" shall refer to any registered Democrat under the age of 40.
- C. **Registered Democrats are Party Members:** Membership of the KDP shall consist of all persons who are registered to vote as Democrats in the Commonwealth of Kentucky.
- D. **No Discrimination in Registration:** The KDP, at all levels, shall support the broadest possible registration without discrimination based on age (if of voting age), gender identity, religion, economic status, sexual orientation, ethnic identity or physical disability.
- E. **No Discrimination in Party Meetings:** All public meetings at all levels of the KDP are open to all members of the KDP regardless of age (if of voting age), gender identity, religion, economic status, sexual orientation, ethnic identity or physical disability.
- F. **No Tests or Oaths Based on Discrimination:** No test of membership in, nor any oaths of loyalty to the KDP, shall be required or used which requires prospective or current members to acquiesce in, condone, or support discrimination on the grounds of sex, race, color, creed, or national origin.
- G. **Publication of Party Election Procedures:** The KDP shall publicize fully and in such manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels. Publication of these procedures shall be done in such a fashion that all prospective and current members of the Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection at all levels of the Democratic Party organization.
- H. **Publication of Qualifications for Party Office:** The KDP shall publicize fully and in such a manner as to assure notice to all interested parties a complete description of the legal and practical qualifications for all officers and representatives of the State Democratic Party. Such publication shall be done in a timely fashion so that all prospective candidates or applicants for any elected or appointed position within the State will have full and adequate opportunity to compete for office.
- I. **Democratic Primaries:**
- a. No Democratic Committee governed by these By-Laws, or any Democratic Party Officer acting in their official capacity, shall endorse or support one Democratic candidate over another Democratic candidate in a Democratic Primary Election.
  - b. No assets of the Democratic Party shall be used in a Democratic Primary Election unless they are made available equally to all Democrat Candidates in that specific primary election, except when action is taken by the State Central Executive Committee per Article I, Section I(b)(ii).
    - i. "Assets" shall include, but shall not be limited to, all documents, lists, data, contact information or other documents which were created by employees of the Democratic Party during the regular course of business and which were created with the intention that such materials be utilized for internal Party building or other Party business purposes and not for use by the general public.
    - ii. In the event of an incumbent Statewide Kentucky Constitutional Officer, US Senator or Member of Congress, the State Central Executive Committee may vote, by a three-fourths ( $\frac{3}{4}$ ) majority, to endorse an incumbent Statewide Kentucky Constitutional Officer for reelection and may provide this incumbent the support and resources during the Primary Election generally available to a Democratic nominee during the General

Election. The vote on such a motion should be made by secret ballot. Upon passage of such a motion, the Secretary shall notify the chairs of the County Executive Committees. Any Party Officer who maintains or provides support for other candidates in the primary shall not be subject to the disciplinary action processes outlined in Article I for non-support. If a non-endorsed candidate for Statewide Kentucky Constitutional Office wins the Primary Election, and therefore the nomination, all applicable provisions in these Bylaws shall automatically apply.

- c. Democratic Party Officers who are candidates in a Democratic Primary Election are not prohibited from listing their party position or party office in their campaign materials. Also, this does not prevent any Democratic Party Officer from supporting or endorsing the Democrat of their choice in a primary election as long as they are not acting in an official party capacity.
  - d. The SCEC may, at its discretion, vote to endorse a Democratic candidate in a nonpartisan primary in a county with seven or more State House legislative districts, wholly or partially within its boundaries.
  - e. County Executive Committees may, at their discretion, vote to endorse a Democratic candidate in a nonpartisan primary only if their endorsement process has been submitted to, and approved in writing by, the Chair of the SCEC.
- J. **Removal of Support for a Party Nominee or Elected Official.** The State Central Executive Committee may, by a three-fourths (3/4) majority, vote to remove party support from, or disassociate with, a Democratic nominee or a Democrat who currently holds elected office. The vote shall be taken upon the motion of a member of SCEC, which must include the cause(s) for the removal of support. Upon passage of such a motion, the Secretary shall notify the chairs of County Executive Committees located within the district impacted by the decision, or all County Executive Committees, if applicable.
- K. **Dismissal of Party Officers:** Any Democratic Party Officer or Party Leader who intentionally reveals Party information that has previously been declared confidential to an unauthorized person or source shall have their office declared vacant after a hearing and a majority vote of the appropriate Executive Committee as stipulated by these by-laws.
- a. If any Democratic Party Officer is accused of intentional failure to comply with the KDP By-Laws or precinct, Legislative District, County or State Convention calls or caucuses, the County Democratic Executive Committee or the State Democratic Central Executive Committee (hereinafter "SCEC"), as provided below, shall hold a hearing. Should it be found by a majority vote that the officer did intentionally so fail to comply; their office shall be declared vacant. This paragraph shall only apply to any action taken by a Party Officer after its adoption.
  - b. Any individual named as a party in a legal, quasi-legal or administrative action in which the KDP is an opposing party shall be prohibited from serving as a Party Officer or Party Leader until such matter has reached its final adjudication or conclusion.
  - c. Hearings for Precinct Officers shall be conducted by the County Democratic Executive Committee. Hearings for all other Party Officers shall be conducted by the SCEC. Any appeals from the hearings shall be covered by Article V of these By-Laws.
  - d. If the County Executive Committee fails to act within thirty days after being notified of this situation the chair of the SCEC has the authority to declare that office or position vacant.

- e. A member of the County Executive Committee may be removed from their position, for cause, by a majority vote of the CEC. "For cause" shall include, without limitation, fraud, misappropriation, other criminal acts, creating a hostile environment or behavior in which the local executive committee deems injurious to doing business or engaging and retaining members.
  - f. If any Democratic Party Officer fails to support the nominees of the National or Kentucky Democratic Parties, without consent of the State Central Executive Committee, they may be removed from office after a hearing of the appropriate Executive Committee. For removal, the Executive Committee must find, by majority vote, in the affirmative on these two questions: Did the officer fail to support the nominee? And was the failure to support the nominee inappropriate?
  - g. If any Democratic Party Officer disavows affiliation or allegiance to either the National or Kentucky Democratic Parties, they shall be removed from office after a hearing of the appropriate Executive Committee. For removal, an Executive Committee must find, by a majority vote, in the affirmative on this question: Did the officer disavow allegiance to either the National or Kentucky Democratic Parties?
  - h. Any person who is dismissed from any office or position in the Democratic Party for the above reasons shall be prohibited from holding any office or position within the Party for two years.
- L. **Minutes of Meetings:** All minutes of any meeting at every level of the Democratic Party are open to inspection by any registered Democrat upon request.
- M. **Adequate Notices of Times and Places for Party Meetings:** The time and place for all meetings of the KDP at all levels shall be publicized fully, and in such a manner as to assure adequate 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.
- N. **House and Senate Caucuses:** Decisions of the Democratic Senate and House Caucuses are not governed by these By-Laws.
- O. **Selection of Delegates to the National Convention:** Delegates to the Democratic National Convention are elected pursuant to a Delegate Selection Plan, as adopted and approved by both the SCEC and the Democratic National Committee. A Delegate to the Democratic National Convention shall be subject to the Bylaws of the Democratic National Committee or any other relevant rules of the Democratic National Convention Committee.
- P. **Democratic National Committee Members:** The State Central Executive Committee shall, at the SCEC meeting prior to a Democratic National Convention, elect two voting members to the Democratic National Committee of different genders in accordance with the rules of the Democratic National Committee. Total membership and diversity make up will be determined by the Democratic National Committee.
- Q. **Rules of Order:** Robert's Rules of Order shall apply in any case not covered by these party laws or national party rules.
- R. **Reorganization:** Reorganization, as defined herein, shall take place in the same calendar year as presidential elections. In order to accommodate the revised Reorganization, which the SCEC moved from the year following presidential elections (year 2025 only) to presidential election years (in connection with its historical practice), all Party Officers and Party Officials, at all levels currently serving pursuant to the rights and powers granted in these Bylaws, whether elected or appointed, shall remain in their respective offices until the conclusion of the 2025 State Convention, or such preceding Congressional District, County, Legislative District or Precinct Convention, as applicable to the respective office, which shall occur in the following Presidential Election year. This Article I, Section R shall sunset and be removed from these Bylaws at the completion of the 2025 State Convention.

## **ARTICLE II - REORGANIZATION: LOCAL AND STATE CONVENTIONS**

- A. **Purpose:** Every four years, during presidential election years, the Kentucky Democratic Party shall elect Party Officials, as defined in Article I herein, at the precinct, legislative district, county, congressional and state levels (each a "Convention Level") who will be responsible for carrying out the business of the Kentucky Democratic Party.
- B. **General/Common Provisions.**
- a. **Scope:** Each Convention Level shall follow the rules of this Article.
  - b. **Position Term:** Registered Democrats elected to serve as Party Officials or Party Officer shall serve a four (4) year term unless death, removal, or resignation occur, or until the conclusion of the following precinct, legislative district, county, congressional or state convention at which such position is elected.
  - c. **Eligibility to Run:** Any Democrat registered to vote within the applicable Convention Level (e.g. an individual running for a Precinct Committee position must be registered to vote within the Precinct in which they are running) can run for a position as a Party Official or Party Officer, as set forth in this Section.
  - d. **Convention Levels:**
    - i. Precinct Conventions elect Precinct Committee members, consisting of a two people of different genders and youth (of any gender), who serve as representatives to the Legislative District (if applicable) or County Convention.
    - ii. Legislative District Conventions, if applicable, elect Legislative District Committee members, consisting of a Chair and Vice Chair of opposite genders, that serve as County Executive Committee members and elect delegates to the Congressional District and State Conventions.
    - iii. County Conventions elect County Executive Committee members and delegates to Congressional District and State Conventions.
    - iv. Congressional District Conventions elect Congressional District delegates to the State Central Executive Committee.
    - v. State Convention delegates elect at-large members of the State Central Executive Committee and ratify the election or appointment of Chair and Vice Chair of the State Central Executive Committee. Separately, but concurrently, at the State Convention, applicable voting delegates elect DNC Delegates pursuant to the rules set forth in Article II, Section H.
  - e. **Time, Place, Location:** All Conventions will be held at a date and time approved by the SCEC. For informational purposes only, such Conventions are generally held in the spring preceding the Democratic National Convention. Chairs of CECs, in consultation with the CEC, shall determine the location of Precinct, Legislative District and County Conventions and shall communicate, in writing, the time, place and location of each to the Chair of the SCEC. The SCEC Chair, in consultation with the SCEC, shall determine the location of Congressional District and State Conventions, and shall communicate, in writing, the time, place and location of each to the members of the SCEC and all CECs. The KDP shall, as appropriate, use its digital resources and tools to support advertisement of all Conventions described herein. Time, place, and location of Precinct, Legislative District and County Conventions are eligible for waiver approval as set forth herein.

- i. **Waiver for Convention Date and/or Time:** A CEC may petition the Chair of the SCEC to change the date and/or time of a Precinct, Legislative District and/or County Convention due to extraordinary circumstances defined as: an act of God such as a tornado, flood, or earthquake; an officially declared state of emergency; a conflicting countrywide major event over which the County Executive Committee has no control; or any other event that the Chair of the SCEC agrees is an extraordinary circumstance. The waiver shall include the county, name of chair and secretary of the CEC, reason for request, and other relevant details. The waiver shall be approved or disapproved by the Chair of the SCEC no later than seven (7) days before the scheduled Convention.
  1. If the cause of the change is known ahead of time, the CEC must submit their waiver immediately upon determining that there is a conflict, and the SCEC Chair shall respond within seven (7) days. If the cause of the change is unforeseen, or knowledge of it occurs fewer than thirty (30) days preceding the scheduled convention date, the CEC must submit their waiver as soon as possible, and the SCEC Chair shall respond within twenty-four (24) hours of receipt of such waiver.
  2. The CEC shall advertise the change in accordance with Article I, Section M of the By-Laws. In case of an emergency or late-notice change as specified above, the CEC shall make a concerted effort to notify all interested parties of the revised date/time, complying with as many provisions of Article III, Section C as possible.
- f. **Advertisement/Notification of Conventions:** Not less than seven (7) nor more than thirty (30) days before a Convention, the CEC Chair and the Chair of the SCEC shall advertise as widely as possible the time, place and purpose for such Convention(s). The applicable County or State Executive Committee shall utilize a combination of at least three (3) of the following methods:
  - i. Public service notice or news item published in one or more local newspapers.
  - ii. Public service announcements or news item on one or more local radio or TV stations.
  - iii. Notice on the County Party's social media pages.
  - iv. Notice on the County Party's website.
  - v. Web-based organization and event builders, such as Mobilize or Facebook Events.
  - vi. E-mails to all members of the County Executive Committee as well as to all registered Democrats in the County Party's e-mail list; or US Mail to all members of the County Executive Committee; or Telephone calls to all members of the County Executive Committee. (If e-mail notification is used, County Executive Committee members who do not have e-mail shall be contacted by US Mail, telephone, or hand delivery of notice).
- g. **Convention Chair:** A Party Officer will serve as Convention Chair for their applicable Convention Level. In the event a Party Officer who would otherwise preside over a Convention is unavailable, a Convention Chair shall be appointed by the County Party Chair (for Precinct or Legislative District Conventions) or the State Party Chair (for County or Congressional Conventions).
- h. **Tellers to be Appointed:** The Convention Chair shall, upon request by any member of the convention or caucus, appoint tellers to count the members who

are entitled to vote and also to count the actual balloting. If the presiding officer refuses to make such an appointment, they may be replaced at such meeting by a majority vote of the members at the meeting and a presiding officer thus elected shall appoint tellers to make the requested count. Any action taken by any convention in violation of this rule shall be void.

**i. Method of Voting:**

- i. **Proxy Voting:** No proxy voting shall be permitted at any Convention described in Article II, herein.
  - ii. **Open Floor Nominations:** Any delegate to a convention may nominate candidates for delegate, including self-nominations, insofar as the nominee is a Democrat registered to vote in the Convention Level from which they are to be elected pursuant to this Article. Nominations shall be accepted by the Convention Chair until a motion is made and passed to close the nominations.
  - iii. **Voting:** If two or more persons are nominated for an office or position, the vote must be taken by secret ballot in all elections. Each voter will have one vote per Party Office and will vote for candidates individually (i.e. not as a slate, though slates may be used for campaigning purposes).
  - iv. **Tie Votes:** In the event that a vote of the Convention results in a tie, the winner shall be immediately determined by a runoff election for only those persons involved in the tie vote. If the runoff results in a tie, the opposing parties or candidates shall flip a coin immediately in the presence of the Convention to decide the winner.
- j. **Alternates:** After a Convention has elected the allotted number of delegates, it shall nominate and elect alternates, within the number permitted by the Call for Conventions, by the same process used to elect delegates.
- k. **Delegate Vacancies:** If a delegate dies, becomes ineligible or withdraws from a convention, alternates shall succeed to such vacancies. If any vacant delegate position remains unfilled, the delegate position loses its vote. If a delegate to the Democratic National Convention should die, resign or become ineligible, such vacancy shall be filled in accordance with the Delegate Selection Plan.
- l. **Convention Records and Reporting Requirements:** Within ten days following the Precinct, County or Legislative District Conventions, the newly elected County Party Chair shall submit all official Precinct, Legislative District, and County Convention minutes, officer forms, Congressional District and State Convention delegate forms, required sign-in sheets, and other requested information to the State Party Chair.
- m. **Appeals/Waivers:** See Article V for information regarding appeals and waivers

**C. Precinct Conventions:**

- a. **Purpose:** To elect two people of different genders and a youth (of any gender) to serve as Precinct Committee Members and, who will carry out the Committee's duties as described in Article III, herein.
- b. **Eligibility to Vote:** Any Democrat, residing and registered to vote in the Precinct in which they wish to cast their ballot to elect Precinct Committee members.
- c. **Precinct Chair:** Upon election of the committee, one member of this newly elected committee shall be chosen by the attendees to serve as Precinct Chair. This person will coordinate the activities of the Committee to assure that the duties of the Precinct Committee, as described in Article III, herein, are carried out.

**D. Legislative District Conventions:**

- a. **Purpose:** The purpose of a Legislative District Convention, which shall only be used for counties containing seven (7) or more legislative districts, is to elect a

Legislative District Chair and Vice Chair, of different genders, who will (i) represent the Legislative District on the County Executive Committee, (ii) be responsible for organizing and implementing the goals of the County Executive Committee, SCEC and party more broadly, at the Legislative District level, (iii) elect the allocated number of delegates, as provided by the SCEC, to the Congressional District and State Conventions, and (iv) conduct other business as assigned by SCEC in the Call to Convention(s).

- b. **Eligibility to Vote:** Only duly elected Precinct Committee members may vote in Legislative District Conventions. Precinct Committee members must cast their ballot in the Legislative District within which their precinct falls.
- c. **At-Large Members:** At close of the Legislative District Convention, newly elected LD Chairs and Vice Chairs shall meet to elect eighteen (18) at-large members of the County Executive Committee and Committee officers.

**E. County Conventions:**

- a. **Purpose:** The purpose of the County Conventions are to elect County Executive Committees and the allocated number of delegates, as provided by the SCEC, to the Congressional District and State Conventions, and conduct other business as assigned by SCEC in the Call to Convention(s).
- b. **Eligibility to Vote:** Only duly elected Precinct Committee Members may vote at a County Convention.

**F. Congressional District Conventions:**

- a. **Purpose:** To elect four people, no more than two which may be of the same gender, and one youth (of any gender) to represent the CD on SCEC and to conduct additional duties as assigned by the SCEC.
- b. **Eligibility to Vote:** County Delegates elected by the County Convention.
- c. **Apportionment of Delegates:**

County or Legislative District Democratic Registration	Total number of delegates fixed by the SCEC for State Convention
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Total Kentucky Democratic  
Registration

**THEN**

County or Legislative District Democratic Registration in the two most recent Presidential Elections	x	Total number of delegates fixed by the SCEC for State Convention
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Total Kentucky Democratic vote in  
the two most recent Presidential  
Elections

- a. The products derived from application of the preceding formulae shall be added and then divided by two, and the resulting quotient shall be the number of delegates (and alternates) to which such Congressional District shall be entitled.

The SCEC shall state the apportionment of delegates and alternates from each county or Legislative District in the Call to Convention.

- i. Apportionment of Delegates from Split Legislative Districts and Counties to Congressional District Conventions: If a legislative district or county falls within the boundaries of two or more Congressional Districts, the delegates elected from such Legislative District or County shall be apportioned among the two congressional districts according to the percent of registered Democrats who live in each portion of the affected legislative district or county.
  1. The County Chair shall announce at the convention of each County or Legislative District falling within the boundaries of two or more congressional districts the apportionment of the delegates (as supplied by State Democratic Headquarters) to the said Congressional District Conventions.

**G. State Convention:**

- a. **Purpose:** To elect nine (9) at-large members to the State Central Executive Committee, ratify the Chair and Vice Chair and the bylaws, and other business as assigned by SCEC.
- b. **Eligibility to Vote:** State Delegates elected by the County Convention or Legislative District Convention, as applicable.

**H. Democratic National Convention Delegate Selection:** The Democratic National Committee promulgates the rules for Democratic National Convention Delegate selection. Prior to each presidential election year, staff of the KDP shall draft a Kentucky Delegate Selection Plan which includes all pertinent definitions, descriptions, rules and regulations to govern the selection of delegates for the Democratic National Convention, and which shall be approved by the Democratic National Committee in accordance with its rules and regulations.

- a. **Purpose:** To elect delegates to the Democratic National Convention, who will then formally nominate the Democratic candidates for President and Vice President of the United States and conduct other national party business.
- b. **Conflict of Provisions:** In the event the Democratic National Committee rules and/or the approved Kentucky Delegate Selection Plan conflict with these Bylaws, the Kentucky Delegate Selection Plan shall supersede these Bylaws.

## **ARTICLE III - Precinct, Legislative District and County Executive Committees**

### **A. General Provisions:**

- a. **Proxy Voting:** Voting by proxy will not be permitted in the election or removal of an individual to or from any office or position in the Party.
  - i. Proxies can be used at any State or County Executive Committee meeting to conduct regular or special business other than that of electing or removing individuals as stated above. Proxies shall be given and used only by a member of such committee, unless otherwise allowed by this section. Proxies used in such meetings must be in writing and the member giving a proxy must state how and for what purpose it shall be voted.
  - ii. If the president of a state or local Young Democrats or Woman's Club chapter is absent from an Executive Committee meeting, their proxy may be assigned by the president, with proper notice to the committee Secretary, to an officer of the chapter.
  - iii. If the president of a state or local Young Democrats or Woman's Club chapter holds a voting position on the Executive Committee in their own right, then a permanent proxy may be granted to the chapter officer whose role it is incumbent upon to exercise authority in the absence of the chapter president per the chapter's governing documents.
- b. **Meeting Removal:** Any individual who is not a member of a Committee or Executive Committee referenced herein may be removed from a meeting of the party for violation of the rules of order and decorum, per standard parliamentary procedure outlined in Robert's Rules of Order.
  - i. For extraordinary circumstances, an Executive Committee, by a vote of three-fourths (3/4) majority, may ban an individual from attending meetings for cause. The motion to ban shall include both the reason for the ban and the period of time it is in effect.
  - ii. No ban shall exceed the current terms of the Executive Committee.
  - iii. A motion to reconsider such a ban may be made at any future meeting of the Executive Committee and the ban lifted by a majority vote.

### **B. Precinct Committee:**

- a. **Election:** Members of a Precinct Committee shall be elected pursuant to Article II herein.
- b. **Purpose:** A Precinct Committee, consisting of a two people of different genders and a youth from the relevant precinct, shall be the primary Party Officials responsible for organizing and building Democratic power within its precinct. Such duties shall include, but shall not be limited to: working to support the CEC's organizing goals, including developing and implementing voter contact and volunteer recruitment efforts within the precinct, hosting phonebanks and other organizing events, and other duties as assigned by the CEC. Precinct Committee members also serve as delegates to the Legislative District Convention or County Convention, whichever is applicable.
- c. **Filling Vacancies in Precinct Committees:** When a vacancy exists on any Precinct Committee, the Legislative District Chair in Counties within portions of six or more Legislative Districts, or the County Chair in all other counties, shall notify the SCEC of such vacancies. The County Executive Committee shall fill any such vacancy within ninety (90) days of notification of the SCEC. If the vacancy exists longer than ninety (90) days, the Chair of the SCEC shall fill the vacancy. This procedure also applies to Precinct Committee positions not filled at the Precinct Conventions.

### **C. Legislative District Committee:**

- a. **Election:** Members of a Legislative District Committee shall be elected pursuant to Article II herein.

- b. **Purpose:** A Legislative District Committee, consisting of a Chair and Vice Chair of opposite genders, shall serve as representatives of that state House District on the County Executive Committee, and shall be responsible for organizing and building Democratic support within that state House District. Such duties shall include, but shall not be limited to: working to support the CEC's organizing goals, including developing and implementing voter contact and volunteer recruitment efforts within the District, hosting phonebanks and other organizing events, and other duties as assigned by the CEC. Duties shall also include electing delegates to the Congressional District and State Conventions.

#### **D. County Executive Committee**

- a. **Powers and Duties:** The executive power of the Democratic Party of each County shall be vested in the County Executive Committee, which shall have all the powers and duties relevant to the county which are given to the SCEC for the state as a whole.
  - i. The elected County Chair, or Vice-Chair in their absence, shall have the same powers and duties within the County as the Chair and Vice-Chair of the SCEC have within the state, and as described in Article IV, herein.
  - ii. In the event of a dispute or contest under these Bylaws, the affected County Executive Committee shall conduct a hearing and issue a ruling on the dispute or contest. Any registered Democrat feeling aggrieved by the decision of the County Executive Committee shall have the right to appeal to the SCEC in compliance with Article V, of these Bylaws.
- b. **Election of County and/or Legislative District Party Officers:** The Precinct Committee members attending the County or Legislative District Convention shall elect their County Executive Committee, and/ or Legislative District Chair and Vice Chair by one of the following methods:
  - i. **Counties containing portions (wholly or partially) of six or less Legislative Districts:** The Precinct Committee members attending their County Convention shall nominate and elect a County Executive Committee consisting of no fewer than ten (10) and no more than twenty (20) members. The number of members elected during the County Convention shall constitute the full membership of their County Executive Committee.
  - ii. In addition, the President of the Young Democrats Club, the President(s) of the Democratic Woman's Club(s) and the Democratic representative on the County Board of Elections in each County shall be a voting member of the County Executive Committee. TProvided, if there are more than one (1) Democratic Woman's Club in the County, then, in that event, the County Executive Committee shall decide which President(s) shall be recognized as voting member(s).
  - iii. No more than one-half of the membership of the County Executive Committee may be of the same gender. The County Executive Committee must also include one person age forty (40) or under. A good faith effort shall be undertaken to ensure that the composition of the County Executive Committee shall reflect the age, gender, and minority populations of the County.
  - iv. All members of the Executive Committee must live in and be registered Democrats in that respective county.
  - v. The members of the Committee so elected shall meet immediately following the close of the County Convention to elect a Chair and Vice Chair of a different gender. The County Chair and Vice Chair must be selected from the persons previously elected to the County Executive Committee by the Precinct Committee members attending the County Convention. Nominations for Chair and Vice Chair can only be made by members of the County Executive Committee.
  - vi. The elected County Chair shall have thirty (30) days following their election to appoint a Secretary and a Treasurer, who shall be ex-officio, non-voting members of the County Executive Committee, unless otherwise elected to the Committee, and who shall serve at the pleasure of the Chair.

- vii. A waiver for any provision in Article III, Section D(b)ii-v may be requested by the Chair of the County Executive Committee or 40% of the County Executive Committee to the Chair of the SCEC. The waiver shall include the county, name of chair and secretary of the CEC, reason for request, efforts to avoid the waiver, and other details as requested by the Chair. The approval or disapproval of the waiver will be returned to the Chair of the County Executive Committee within ten (10) days of the request.
1. **Failure to meet minimum membership requirement at County Convention:** If, during the County Convention, the number of members elected is fewer than ten (10) but more than six (6), the SCEC Chair shall, within ten (10) days, notify the nominees for the County Executive Committee that the minimum membership requirement has not been met.
    - a. Upon this notification, the nominees shall, within ten (10) days, form a Provisional County Executive Committee and elect from among themselves a Temporary County Chair who may request, in writing to the SCEC Chair, an extension of ninety (90) days in which to bring the membership number up to the minimum of ten (10). Upon obtaining permission to do so, the Temporary County Chair shall advertise the vacancies, in the same manner as outlined in Article I, Section M, for not less than fourteen (14) days prior to election of the permanent County Executive Committee. The members of the Provisional County Executive Committee shall remain in nomination, and Precinct Committee members may make additional nominations to bring the membership up to at least ten (10) and not more than twenty (20) members, equally divided by gender. The newly elected County Executive Committee shall then elect, from among themselves, a County Chair and Vice-Chair.
    - b. If the Committee fails to achieve the minimum membership requirement within ninety (90) days and notify the SCEC, the Committee shall be declared null and void and will revert to the provisions for counties without a valid County Executive Committee as outlined in Article II, Section D(d), unless the Temporary County Chair submits a waiver, pursuant to the specifications laid out in Article III, Section D(b)(vii) and detailing the reasons why the Committee should be allowed to stand, despite failing to meet the minimum membership requirements.
  2. **Expansion of Membership of County Executive Committee:** An organized County Executive Committee may vote to expand its membership to no more than thirty (30) members at any regular meeting after the close of the State Convention. A motion to declare vacant any positions up to thirty (30) unfilled by the County Convention must pass with a seventy-five (75) percent majority vote of the full Executive Committee membership.
    - a. The County Chair shall then advertise the vacancies per Article I, Section M for not less than fourteen (14) days prior to election of the new members. Any registered Democrat in the county may nominate new members for election by the Executive Committee to bring the membership up to not more than thirty (30) members. The nominations and elections of additional members to bring the number to thirty (30) may continue until ninety (90) days prior to the next regular County Convention.
    - b. These procedures do not affect the manner in which vacancies are filled as described in other Articles, herein.
  - c. **Counties containing portions (wholly or partially) of seven or more Legislative Districts:** The Precinct Committee members attending the Legislative District Convention shall nominate and elect a Legislative District Chair and Vice-Chair of a different gender.

- i. The Legislative District Chair, together with the other Legislative District Chairs within the County shall constitute that County's Executive Committee. The Legislative District Vice-Chair becomes a voting member of the County Executive Committee only in the event the Legislative District Chair is absent from any meeting of the County Executive Committee unless otherwise authorized to be a voting member in accordance with the County Executive Committee Bylaws
- ii. The Committee so elected shall meet immediately following the close of the Legislative Conventions and elect a County Chair and Vice-Chair of a different gender. This meeting shall be chaired by the incumbent County Chair who shall not have a vote unless newly elected as a Legislative District Chair. They shall act as such until the new Chair is elected.
- iii. Nominees for County Chair need not be one of the newly elected Legislative District Chairs; however, nominees for Vice-Chair must be a Legislative District Chair. Only members of the County Executive Committee can nominate and vote on the County Chair and Vice-Chair.
- iv. The President of the Young Democrats Club in each County shall be a voting member of the County Executive Committee. The President(s) of the Democratic Woman's Club(s) in each County shall be a voting

member of the County Executive Committee. Provided, if there are more than one (1) Democratic Woman's Club in the County, then, in that event, the County Executive Committee shall decide which President(s) shall be recognized as voting member(s). Minimum of one (1).

v. The County Executive Committee so elected shall also elect within thirty-five days, eighteen (18) additional members, two of whom shall be thirty-five years of age or under, who shall serve as members of the Executive Committee for a four-year term, with the same powers and duties as members of the Executive Committee serving as Legislative District Chairs and Vice-Chairs and are subject to the same conditions of removal.

1. The eighteen (18) additional members must be selected to reflect the proportion of registered Democrats in each Legislative District (example: if one LD has 10,000 of the 20,000 (50%) registered Democrats in the county, then 50% of the additional members must reside and vote in that LD)

2. Each of the eighteen additional members shall be elected by the majority vote of the entire County Executive Committee which shall be comprised of the Legislative District Chairs, County Chair and Vice-Chair.

**d. Requirements for Creating a County Committee between Conventions where No Valid Executive Committee Exists:**

i. If a county fails to participate in the regularly scheduled reorganization; abide by the rules for conducting conventions; elect the minimum number of CEC members without taking measures to bring the number up to the minimum per Article III, Section D(b)vi(1); follow the terms of an approved waiver; or conduct meetings as prescribed by the By-Laws; the Chair of the SCEC may take action as follows:

1. Declare that the county has no valid County Executive Committee.

2. Inform the Executive Director that the County Executive Committee has been declared invalid or nonexistent.

3. Appoint an ad-hoc committee of local democrats, including SCEC members, elected officials, and parties from adjacent counties to identify and support the establishment of a new CEC for 120 days.

4. Ad-hoc committee shall also have one (1) or more members of the SCEC, including at least one (1) member of the By-Laws Committee, to work with the Executive Director to contact the County Chair, if one exists, and/or other active Democrats in the county to offer assistance and recruit participants to rebuild the County Party.

5. If after the 120 days no CEC has been established, the ad-hoc committee must report the the Chair of the SCEC issues identified within the county and determine next steps.

ii. When the Executive Director notifies the SCEC Chair that the committee is ready to proceed with a single county reorganization, including Precinct Conventions and County Convention to be conducted on the same day, the SCEC Chair shall, within ten (10) days, issue an Official Call to Convention outlining the details for conducting the Conventions.

**e. Duties of Officers of the County Executive Committee:**

i. **Duties of Chair:** The Chair of the County Executive Committee shall serve as the chief strategist and governing officer of the County Executive Committee, working with the CEC to develop and implement a plan to grow the Democratic infrastructure within the relevant County, while also conducting the necessary business of the CEC, as described herein.

1. **Meetings:** The Chair of the County Executive Committee shall call meetings of the Executive Committee and shall preside at such meetings.

- a. All meetings of a County Executive Committee shall be open to all Democrats, except when the Executive Committee votes to move into executive session.
  - b. Upon written request of twenty-five percent (25%) of the members of the County Executive Committee, the Chair shall call a meeting to be held within fourteen (14) days from receipt of such request, giving the County Executive Committee members not less than five (5) days notice of the time, place, and purpose of the meeting. If the Chair fails to respond within five (5) calendar days of receipt of the request by calling the meeting, the requesting members may issue the call for a meeting to be held within fourteen (14) days thereafter, giving every member no less than five (5) days written notice of the time, place, and purpose of the meeting. Written notice shall consist of US mail, hand-delivered notice, or electronic communication and stating "Notice of Special County Executive Committee Meeting."
  - c. The Chair must hold at least one Executive Committee meeting per quarter. Additional meetings may be held, as determined by the Chair.
  - d. These quarterly meetings shall occur during February, May, August and November on a date specified by the County Chair.
2. **Record Retention:** When the Chair or Vice Chair resigns or is removed from this position, all documents will be returned to the County Executive Committee within fifteen (15) days of leaving the position.
- ii. **Duties of the Secretary:** The Secretary of each County Executive Committee shall maintain a record of all Democratic organization personnel (official and unofficial) including the names, addresses and phone numbers of all Precinct Committee members, Legislative District Chair and Vice-Chairs and County Executive Committee members, in addition to the minutes of all meetings. They shall make this information available upon request to any registered Democrat.
    1. **Meeting Minutes:** The Secretary shall file the minutes of all committee meetings with the Chair of the SCEC and the Executive Director of the KDP within ten (10) days of such meetings.
    2. **Record Retention:** When the Secretary resigns or is removed from this position, all documents will be returned to the Chair of the County Executive Committee within fifteen (15) days of leaving the position.
  - iii. **Duties of the Treasurer:** The Treasurer of each County Executive Committee shall maintain the finances and financial records of a CEC, and shall ensure that all receipts and expenditures of the CEC comply with both Kentucky and federal compliance rules and regulations.
    1. **Filing of Reports:** Pursuant to all relevant Kentucky Revised Statutes and other relevant Kentucky laws and regulations, the Treasurer of a CEC shall file regular reports with the Kentucky Registry of Election Finance and, to the extent necessary, with the Federal Election Commission.
    2. **Oversee Executive Committee funds and payment of expenses:** The Treasurer shall oversee any and all County Executive Committee accounts, and ensure all County Executive Committee expenses are paid directly from such accounts. No County Executive Committee shall pay for expenses with the personal funds of its officers or members, except when such payment is to be recorded as an in-kind contribution.
    3. **Record Retention:** When the Treasurer resigns or is removed from this position, all documents will be returned to the Chair of the County Executive Committee within fifteen (15) days of leaving the position.
- f. Resignation and Removal of County Party Officers and Officials:**

- i. **Removal of Chair:** The Chair of the County Executive Committee may be removed without cause by a majority vote of the entire Executive Committee.
  - ii. **Removal of CEC members:** Any member of the CEC may be removed for cause by a majority vote of the CEC. For cause shall include, without limitation, fraud, misappropriation, other criminal acts, creating a hostile environment or behavior in which the local executive committee deems injurious to doing business or engaging and retaining members.
  - iii. If any Committee member dies, moves from the County or Legislative District, becomes disabled or disqualified to serve the area from which they were elected, or notifies the County Executive Committee in writing that they are resigning, their office shall be declared vacant by a majority vote of the members of the County Executive Committee.
- g. **Conditions Causing Automatic Vacancies:** If any CEC member fails to attend, in person or by written proxy, two successive meetings of the County Executive Committee or fails to attend fifty percent (50%) of the annual meetings in person, their office shall be deemed and declared vacant by the County Chair.
- h. **Filling Vacancies on County Executive Committees:** When a vacancy exists because of situations outlined in Article III, herein, in the position of County Chair, Legislative District Chair or Vice Chair, or on the County Executive Committee, the Secretary of such committee shall report the vacancy to the CEC and to the Chair of the SCEC.
- i. The County Executive Committee shall then have ninety (90) days from the date of such vacancy within which to fill such vacancy and to furnish the name, address, email address, and telephone number of the new officer to the SCEC. If the County Executive Committee does not fill such vacancy within ninety (90) days of its occurrence and report the identity of the new officer to the Chair of the SCEC, the Chair of the SCEC shall fill the vacancy, notify the new officer, and furnish the name, address, telephone number, and email address of the new officer to the Secretary of the affected County Executive Committee.
  - ii. The above procedures do not apply to vacant positions caused by the absence of a County Convention.
- i. **Vacancies Caused by Redistricting in Counties Containing (Wholly or Partially) Seven or More Legislative Districts:** In years when the general assembly draws new legislative district boundaries, the position of any Executive Committee member who no longer resides in the legislative district they were elected to represent, will become vacant on July 1.
  - i. The County Executive Committee will have 60 days to fill any vacancies created due to new legislative district maps. Upon filling the vacancies, the County Secretary shall report the new County Executive Committee roster to the State Party Chair. Vacancies that remain vacant after 60 days can be filled by appointment from the State Party Chair.
  - ii. The quorum required to fill the vacancies shall be 50% of the remaining non-vacated positions on the County Executive Committee. Those elected to fill the vacancies created by redistricting shall take office as the last order of business in the same meeting they were elected.
  - iii. If a County Chair also holds a Legislative District Chair, Vice Chair, or At-Large position and no longer resides in that legislative district, then only the LD Chair, Vice Chair, or At-Large position is vacated but the County Chair position is not.
  - iv. If a County Vice Chair no longer resides in the district they were elected as a Legislative District Chair both the LD Chair position and the County Vice Chair position are vacated due to the eligibility requirement set in Article V, Section B(2). After all the LD Chair vacancies are filled, then the County Executive Committee shall elect a County Vice Chair from among the Legislative District Chairs who are of a different gender than the County Chair.
- j. **Tie Vote:** A tie vote of a County Executive Committee shall be broken by a vote of the SCEC.

- k. **Quorum:** At all meetings of the County Executive Committees, forty percent (40%) of the elected committee members must be present (in person or by proxy) before a vote can be taken on any business before the committee. Proxies cannot be counted to establish a quorum to conduct an election or dismissal of any Party officer.
- l. Should a County Executive Committee fail to meet the minimum requirements required herein, or fail to file three consecutive reports with the Kentucky Registry of Election Finance, the Chair of the SCEC may present to the SCEC the facts and evidence regarding failure to meet such requirements and/or failure to file such legally required reports and ask for the SCEC to declare that County Executive Committee inactive. Upon the motion and second by voting members of the SCEC, the Chair shall declare such County Executive Committee dissolved. The Chair and KDP shall then proceed with working with the dissolved CEC to obtain its remaining funds, which shall be transferred to the KDP, and creating a new County Executive Committee pursuant to Article III, Section D(d), herein.

## ARTICLE IV - State Central Executive Committee

- A. **Executive Power:** The Executive Body of the KDP shall be the SCEC which shall have jurisdiction, supervision, and control over the party organization, state party bylaws, the calling of all conventions and the nomination of candidates in compliance with the election laws of Kentucky.
- a. The SCEC shall have in addition to the other powers herein conferred upon it, the authority to promulgate, alter, or amend the method and procedure for the selection of delegates to the Democratic National Convention, provided that such promulgation, alteration or amendment shall conform to the applicable rules and regulations of the National Democratic Party.
  - b. The SCEC shall have the power to adopt and amend the Party Bylaws between State Conventions; however they must be ratified at the next State Convention to remain in effect. All proposals for amendments to the Bylaws to be considered by the SCEC between State Conventions shall be provided to all SCEC Members at least 30 days prior to their consideration and vote.
  - c. All Bylaw amendment(s) approved by the SCEC shall be recorded verbatim in the minutes of the meeting at which they were approved. The bylaw amendment(s) may be included as an attachment to the minutes.
  - d. The SCEC may adopt a budget or budgets from time to time, and maintain appropriate books and records according to generally accepted accounting practices for the receipt, control, disbursement and management of all funds raised for or coming into the hands of the Democratic State Party organization, including campaign committees or organizations authorized by the SCEC to manage or conduct Democratic Party campaigns.
  - e. Neither the SCEC nor the Democratic Party shall be responsible for or pay any unauthorized indebtedness of any kind. No loan shall be taken out in the name of the KDP or the SCEC, nor shall any asset of the KDP act as collateral in any loan, without a vote of the entire SCEC.
  - f. Except as otherwise provided in this Article, the SCEC shall not transact any business unless twenty (20) members are present in person or virtually. Members may vote and act by written proxy given to any other voting member of the committee; however, proxies cannot be used in any transaction that involves the election or dismissal of a party officer.
  - g. Unless otherwise provided by these bylaws, in any event requiring action by the SCEC, the Chair may poll its members by telephone, fax, mail, email, or other secure electronic means. In conducting such polls, all members of the SCEC must be contacted. If a member cannot be reached, the person taking the poll must document dates, time and all telephone numbers called or faxed, and email addresses, if emailed. This information must be included in the official report of the poll. No less than twenty (20) members must participate to transact business in such a poll.
  - h. A majority of votes of those members shall bind the SCEC. The Secretary of the Committee shall immediately record the question thus put to the Committee, and the individual votes thereon, and notify immediately all members by mail or email as to the question and the vote on it.
- B. **Powers and Duties of Chair:** The Chair of the SCEC shall be the Chief Executive Officer of the SCEC and they shall implement the decisions of the SCEC. The Chair shall call meetings of the SCEC as needed, at times and places designated by them upon reasonable written notice to all committee members. The Chair must call at least one meeting per quarter. A tentative schedule of these quarterly meeting dates shall be sent to all committee members by the Chair prior to January 15th of each year. The Chair may revise this tentative schedule at any time upon reasonable written notice to all committee members.

- a. Upon written request of twenty-five percent (25%) of the members of the SCEC, the Chair shall call a meeting to be held within thirty (30) days from receipt of such request, giving the State Central Executive Committee members not less than seven (7) days notice of the time, place, and purpose of the meeting. If the Chair fails to respond within seven (7) calendar days of receipt of the request by calling the meeting, then the requesting members may issue the call for a meeting to be held within thirty (30) days thereafter, giving the members of the SCEC not less than seven (7) days written notice of the time, place, and purpose of the meeting. Written notice shall consist of US mail, hand-delivered notice, or electronic communication and stating "Notice of Special SCEC Meeting."
  - b. If the Democratic National Committee requests appointments of persons to serve temporarily on standing committees or in other capacities prior to the time of the State Convention where they may be chosen, or prior to the time of a meeting of the Kentucky delegation to the Democratic National Convention where they may be chosen, the Chair of the SCEC shall have the authority to name such person to such temporary positions.
- C. **Powers of the Vice-Chair:** The Vice-Chair of the SCEC shall preside at meetings of the SCEC in the absence of the Chair. Upon the death, resignation, or incapacity of the Chair, the Vice-Chair shall succeed to the powers and duties of the Chair until a new Chair is elected by the SCEC.
- D. **Election of Chair and Vice-Chair:** The SCEC shall elect the Chair and Vice-Chair of the SCEC in the event of a vacancy in either position using one of the following processes:
- a. If there is a sitting Democratic Governor, they may present an individual for consideration and vote to the SCEC.
  - b. In all other situations, a nominating committee shall be formed to locate and screen applicants for these positions. The nominating committee shall consist of a member from each of the elected six (6) Congressional District committee members, a member of the State at-Large committee members, a person selected by the Democratic Senate Caucus, a person selected by the Democratic House Caucus and a representative of each elected Democratic Statewide constitutional officer. The Congressional District members and the State at Large members shall be determined by a caucus of their respective groups. This committee shall present their recommendations to the full SCEC for consideration and vote.
  - c. This election shall be ratified at the next State Convention. The Vice-Chair shall be of a different gender than the Chair. Neither of these officers need be previously elected as members of the SCEC.
  - d. Each of these officers may be removed without cause by a majority vote of the entire SCEC.
- E. **Voting Members of the Committee:** The voting members of the SCEC shall be as follows:
- a. Four members (of any age) of which no more than two can be of the same gender and one youth member (thirty-five years of age or younger), elected by each Congressional District Convention;
  - b. National Committee members (number to be determined by the DNC), elected by the SCEC at the regular meeting of the SCEC immediately preceding the National Democratic Convention.;
  - c. Nine members from the state-at-large, elected by the State Convention;
  - d. A Chair and Vice-Chair ratified by the State Convention;
  - e. Four members, two of whom shall be elected by the Democratic members of each Chamber of the Kentucky General Assembly. Such persons shall be members of the General Assembly, and they shall serve until the next regular session of the General Assembly, at which time their successors shall be elected at the regular Democratic caucus;
  - f. Presidents of the Kentucky Young Democrats, High School Democrats and College Democrats, and the President of the Democratic Woman's Club of Kentucky shall be automatic voting members as a result of their election in convention by their respective organizations.
  - g. Chairs of official recognized caucuses and councils as described in Article VIII herein.

- F. **Non-Voting Members of the Committee:** The non-voting members of the SCEC shall include: (1) Three members, KDP Executive Director, Legal Counsel of the SCEC and Treasurer of the SCEC, who shall be appointed as non-voting members by and serve at the pleasure of the Chair of the SCEC; (2) All Kentucky Statewide Constitutional Officers, All Kentucky Democratic US Congressmen and Congresswomen and all Kentucky Democratic US Senators shall be ex-officio, non-voting members of the SCEC.
- a. The Chair of the SCEC may appoint, with the approval of the Committee, up to three (3) additional non-voting ex-officio members of the SCEC. These appointed ex-officio members' terms shall end on the date of the next State Democratic Convention. There shall not be more than three (3) appointed ex-officio members on the SCEC at any one time. All presently serving appointed ex-officio members' terms shall end on the date of the next State Democratic Convention.
  - b. No ex-officio member shall be entitled to have someone other than a SCEC Member represent them at any SCEC Meeting unless specifically authorized by the Committee.
- G. **Removal of Members:** Members of the SCEC shall be subject to the standards for dismissal from office as outlined in Article I, Section K.
- a. If any voting member of the SCEC moves from Kentucky, or if a Congressional District Representative moves from the district from which they were elected, dies, or becomes disabled and cannot otherwise serve, or notifies the SCEC in writing that they are resigning, their office shall be declared vacant by the Chair.
  - b. If any voting member fails to attend two successive meetings in person or by written proxy or fails to attend fifty percent (50%) of the meetings, in person, in any 12 month period their office shall be declared vacant by the chair. Vacancies shall be filled in accordance with Section H. of this Article.
- H. **Filling of Vacancies: Vacancies in the SCEC shall be filled as follows:**
- a. Vacancies in the membership elected by the Democratic members of the General Assembly shall be filled by vote of the Democratic members of the House or Senate from which the Committee member was originally elected;
  - b. A vacancy in the Office of Legal Counsel, Secretary or Treasurer shall be filled by the Chair of the SCEC; and;
  - c. When a vacancy occurs among the members who represent each Congressional District, the SCEC Chair shall, within seven (7) days, notify the SCEC, immediately empowering the remaining representatives of that District to form a caucus to fill the vacancy by a majority vote of the caucus. The caucus shall seek (nonbinding) input from the Chair of the SCEC, and Executive Committee Chairs of the Counties in their respective District, all who will have fourteen (14) days to offer their input. If the vacancy consists of the youth member from a Congressional District, the State President of the Kentucky Young Democrats also will be included in those from whom non-binding input will be sought. A tie vote of the caucus shall be decided by a majority vote of the SCEC. Any vacancy not filled for thirty (30) days shall be filled by a majority vote of the remaining SCEC members.
  - d. When a vacancy occurs among the nine (9) At Large members, the SCEC Chair shall, within seven (7) days, notify the SCEC, immediately empowering the remaining At Large members to form a caucus to fill the vacancy by a majority vote of the caucus. The caucus shall seek (nonbinding) input from the Chair of the SCEC, the County Organizing Director (if one exists), and the remaining members of the SCEC, all who will have fourteen (14) days to offer their input. A tie vote of the caucus shall be decided by a majority vote of the SCEC.
  - e. Any vacancy not filled for sixty (60) days after notification of the vacancy as described above shall be filled by appointment by the Chair of the SCEC and approved by a majority vote of the remaining SCEC members.

- I. **Election of Chair Pro Tem:** If both the Chair and Vice-Chair of the SCEC are absent from a meeting of the SCEC, the members of such committee in attendance shall elect one of their own members to preside as Chair Pro Tempore.
- J. **Chair May Vote:** The Chair, Vice-Chair or Chair Pro Tempore of the SCEC shall cast only one vote each if they choose to vote.
- K. **Role of the Secretary:** The Secretary shall be appointed by and serve at the pleasure of the Chair. The Secretary of the SCEC need not be a member of the SCEC.
  - a. **Secretary's Duties:** The Secretary shall keep accurate records of the proceedings and meetings of the Committee and shall maintain a roster of the membership of the various County, Legislative District and SCECs. The Secretary's records shall be furnished to any member of the SCEC upon request.
  - b. The Secretary shall vote only if otherwise a member of the SCEC.
- L. **Finance Committee:** The SCEC shall establish a finance committee consisting of the Party Treasurer, Chair, Executive Director, two (2) at-large members and a member of each of the six (6) congressional districts who shall be chosen by a caucus of all committee members from their respective districts.
  - a. This committee shall prepare and submit an annual budget to the SCEC, recommend salaries, staffing levels, recommend fundraising goals for SCEC members, and ensure that the finances of the KDP are managed properly. This committee shall give a financial report at each meeting of the SCEC.
- M. **Recognition of Organizations or Committees:** The SCEC shall not recognize any organization or committee that carries the title of Democrat that is not formed in accordance with the by-laws of the KDP and the National Democratic Party.
- N. **Strategic Planning Committee:** The SCEC shall establish a Strategic Planning Committee consisting of the KDP Executive Director, Chair of the SCEC, a Committee Chair and, one (1) SCEC selected member from each Congressional District, all who must be members of SCEC, the Chair of each SCEC standing Committee, and up to three (3) At-Large members appointed by the Chair of the SCEC. The At-Large members may be, but are not required to be, members of the SCEC. The appointed committee members shall serve at the pleasure of the Chair of the SCEC.
  - a. This Strategic Planning Committee shall approve and monitor a three-year strategic plan which includes built-in measurements and accountability factors; and, shall be updated annually and revised every three (3) years as needed and as approved by the SCEC. The strategic plan will be created, submitted, and implemented by KDP staff.
- O. **By-Laws Committee:** The SCEC shall establish a By-Laws Committee. The KDP Chair shall appoint the committee chair, who shall be an elected voting member of the SCEC, Legal Counsel of the KDP, and not less than four (4), nor more than eight (8), additional members of this committee. The committee members shall serve at the pleasure of the KDP Chair. This committee shall review and recommend for approval or disapproval, by a majority vote of the Committee, to the SCEC all proposed amendments to these Bylaws.
- P. **Appellate and Waiver Committee:** The SCEC shall establish an Appellate and Waiver Committee. Membership consists of the Chair of the SCEC or their designee and one(1) member per Congressional District who shall be chosen by all voting members of the SCEC from their respective caucus. . The Appellate and Waiver Committee shall be responsible for hearing appeals and waivers in accordance with Article V.
  - a. The Chair of the SCEC, or their designee, shall be chair of the Appellate and Waiver Committee.
  - b. The Appellate and Waiver Committee shall be convened immediately upon the conclusion of a Congressional District Convention and shall remain in session until all Congressional District Conventions are completed and all appeals have been heard and adjudicated.
  - c. The Appellate and Waiver Committee may be assigned additional duties by the KDP chair.
- Q. Other committees may be established at the discretion of the Chair.

## ARTICLE V - Appeals and Waivers

- A. **PRECINCT CONVENTION AND PRECINCT ELECTION APPEAL:** In the event of an appeal arising out of any Precinct Convention or Precinct Election, the aggrieved party shall have three (3) days to file a written appeal with the Chair of the County Executive Committee. The Chair of the County Executive Committee shall file said written appeal with the Chair of the SCEC on the same day the written appeal is received by the County Chair.
- a. **Hearing at the County Level:** The Chair of the County Executive Committee shall call a meeting of the County Executive Committee within three (3) days of receipt of the Written Appeal. At the meeting, a hearing will be held to determine the Appeal. The County Chair shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the County Executive Committee. Such determination shall be final.
    - i. The aggrieved party and the adverse party shall have ready access to documents submitted to the County Executive Committee by all interested parties at least one (1) day prior to the hearing, shall have written notice from the County Chair of the date of the meeting immediately after said meeting is called by the County Chair, and shall have the right to be represented by counsel at the meeting and during the appeals hearing.
    - ii. A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chair of the County Executive Committee. If the appeal is served via hand delivery, the serving party must provide the County Executive Committee with a receipt of service signed by the adverse party or parties on or before the day of the hearing.
  - b. **Appeal and Hearing at the State Central Committee Level:** Any aggrieved party that is not satisfied with the decision of the County Executive Committee may appeal the decision of the County Executive Committee to the SCEC. An aggrieved party shall have five (5) days after the date of the County Executive Committee decision to file a written appeal with the Chair of the SCEC. Written appeals must be either hand delivered to the State Chair or served on the State Chair via certified, U.S. Mail.
    - i. The Chair of the SCEC shall call a meeting of the SCEC within seven (7) days of receipt of the Written Appeal. At the meeting, a hearing will be held to determine the Appeal. The State Chair shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the SCEC. Such determination shall be final and conclusive.
    - ii. A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chair of the SCEC. If the

appeal is served via hand delivery, the serving party must provide the SCEC with a receipt of service signed by the adverse party or parties on or before the day of the hearing.

- iii. The aggrieved party and the adverse party shall have ready access to documents submitted to the SCEC within three (3) days prior to the meeting, shall have written notice from the State Chair of the date of the meeting immediately after said meeting is called by the State Chair, and shall have the right to be represented by counsel at the meeting and during the appeals hearing.

**B. LEGISLATIVE DISTRICT CONVENTION OR COUNTY CONVENTION APPEAL: In the**

event of an appeal arising out of any action of a Legislative District Convention or County Convention, such appeal shall be in writing and filed with the Chair of the SCEC within seven (7) days after the Legislative District Convention or the County Convention. Written appeals must be either hand delivered to the State Chair or served on the State Chair via certified, U.S. Mail.

- a. Upon receipt of the Written Appeal, the Chair of the SCEC shall call a meeting of the SCEC within fifteen (15) days of receipt of the Written Appeal. At the meeting, a hearing will be held to determine the Appeal. The State Chair shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the SCEC. Such determination shall be final and conclusive.
- b. A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chair of the SCEC. If the appeal is served via hand delivery, the serving party must provide the SCEC with a receipt of service signed by the adverse party or parties on or before the day of the hearing.
- c. The aggrieved party and the adverse party shall have ready access to documents submitted to the SCEC within three (3) days prior to the meeting, shall have written notice from the State Chair of the date of the meeting immediately after said meeting is called by the State Chair, and shall have the right to be represented by counsel at the meeting and during the appeals hearing.
- d. **APPEAL FROM CONGRESSIONAL DISTRICT CONVENTION:** In the event of an appeal arising out of any action of a Congressional District Convention, such appeal shall be in writing and filed with any member of the Appellate Committee upon the convening of the committee.
  - i. The Appellate Committee shall convene at a time fixed prior to the convening of the State Convention. At the meeting, (a) hearing(s) shall be held to determine all appeals. The State Chair or her or his designee shall preside over the hearing(s). All interested parties shall be given an opportunity to present their position on the appeal. Once all interested parties have been heard, the appeal will be determined by a majority vote of the Appellate Committee. Such determination shall be final and conclusive and shall remain in effect until affirmed or reversed at a subsequent hearing of the SCEC. In the event of an appeal arising out of the decision of the Appellate Committee, such appeal shall be in writing and filed with the Chair of the SCEC on or before seven (7) days after the decision of the Appellate Committee. Written appeals must be either hand delivered to the State Chair or served on the State Chair via Certified U.S. Mail.

- ii. The State Chair shall call a meeting of the SCEC within thirty (30) days of the receipt of the written appeal. At the meeting, a hearing will be held to determine the Appeal. The State Chair shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the SCEC. Such determination shall be final and conclusive.
- iii. A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chair of the SCEC. If the appeal is served via hand delivery, the serving party must provide the SCEC with a receipt of service signed by the adverse party or parties on or before the day of the hearing.
- iv. The aggrieved party and the adverse party shall have ready access to documents submitted to the SCEC at least three (3) days prior to the meeting, shall have written notice from the State Chair of the date of the meeting immediately after said meeting is called by the State Chair, and shall have the right to be represented by counsel at the meeting and during the appeals hearing.

C. **APPEAL FROM STATE CONVENTION:** In the event of an appeal arising out of any action of a State Convention, such appeal shall be in writing and filed with the Chair of the SCEC on or before seven (7) days after the conclusion of the State Convention. Written appeals must be either hand delivered to the State Chair or served on the State Chair via certified, U.S. Mail.

- a. The Chair of the SCEC shall call a meeting of the SCEC within fifteen (15) days of receipt of the Written Appeal. At the meeting, a hearing will be held to determine the Appeal. The State Chair shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the SCEC. Such determination shall be final and conclusive.
- b. A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chair of the SCEC. If the appeal is served via hand delivery, the serving party must provide the SCEC with a receipt of service signed by the adverse party or parties on or before the day of the hearing.
- c. The aggrieved party and the adverse party shall have ready access to documents submitted to the SCEC at least three (3) days prior to the meeting, shall have written notice from the State Chair of the date of the meeting immediately after said meeting is called by the State Chair, and shall have the right to be represented by counsel at the meeting and during the appeals hearing.

**D. APPEALS OF DECISION BY COUNTY EXECUTIVE COMMITTEE UNDER ARTICLE**

V, SECTION A: Any person feeling aggrieved by a decision of a County Executive Committee under Article III, which is not addressed in Article V, of these By-Laws, may appeal said County Executive Committee's decision. In the event of an appeal arising out of decision of a County Executive Committee under Article III, which is not addressed in Article V of these By-Laws, the aggrieved party shall have five (5) days from the date of the decision at issue to file a written appeal with the Chair of the County Executive Committee. The Chair of the County Executive Committee shall file said written appeal with the Chair of the SCEC on the same day the written appeal is

received by the County Chair.

- a. **Hearing at the County Level:** Upon receipt of the Written Appeal, the Chair of the County Executive Committee shall call a meeting of the County Executive Committee within fifteen (15) days of receipt of the Written Appeal. At the meeting, a hearing will be held to determine the Appeal. The County Chair shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the County Executive Committee. Such determination shall be final.
    - i. The aggrieved party and the adverse party shall have ready access to documents submitted to the County Executive Committee by all interested parties at least three (3) days prior to the hearing, shall have written notice from the County Chair of the date of the meeting immediately after said meeting is called by the State Chair, and shall have the right to be represented by counsel at the meeting and during the appeals
    - ii. A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chair of the County Executive Committee. If the appeal is served via hand delivery, the serving party must provide the County Executive Committee with a receipt of service signed by the adverse party or parties on or before the day of the hearing.
  - b. **Appeal and Hearing at the State Central Committee Level:** Any aggrieved party that is not satisfied with the decision of the County Executive Committee may appeal the decision of the County Executive Committee to the SCEC. An aggrieved party shall have seven (7) days after the date of the County Executive Committee decision to file a written appeal with the Chair of the SCEC. Written appeals must be either hand delivered to the State Chair or served on the State Chair via certified, U.S. Mail.
    - i. Upon receipt of the Written Appeal, the Chair of the SCEC shall call a meeting of the SCEC within thirty (30) days of receipt of the Written Appeal. At the meeting, a hearing will be held to determine the Appeal. The State Chair shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the SCEC. Such determination shall be final and conclusive.
    - ii. A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chair of the SCEC. If the appeal is served via hand delivery, the serving party must provide the SCEC with a receipt of service signed by the adverse party or parties on or before the day of the hearing.
    - iii. The aggrieved party and the adverse party shall have ready access to documents submitted to the SCEC at least three (3) days prior to the meeting, shall have written notice from the State Chair of the date of the meeting immediately after said meeting is called by the State Chair, and shall have the right to be represented by counsel at the meeting and during the appeals hearing.
- E. **ALL OTHER APPEALS:** In the event of a dispute or contest under these By-laws, or any proceeding hereunder, which is not addressed in herein, the aggrieved party may

appeal the dispute or contest to the SCEC.

- a. In the event of such appeal, the aggrieved party shall have five (5) days from the date of the dispute or contest to file a written appeal with the Chair of the SCEC. Written appeals must be either hand delivered to the State Chair or served on the State Chair via certified, U.S. Mail.
  - b. The Chair of the SCEC shall call a meeting of the SCEC within thirty (30) days of receipt of the Written Appeal. At the meeting, a hearing will be held to determine the Appeal. The State Chair shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the SCEC. Such determination shall be final and conclusive.
  - c. A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chair of the SCEC. If the appeal is served via hand delivery, the serving party must provide the SCEC with a receipt of service signed by the adverse party or parties on or before the day of the hearing.
  - d. The aggrieved party and the adverse party shall have ready access to documents submitted to the SCEC at least ten (10) days prior to the meeting, shall have written notice from the State Chair of the date of the meeting immediately after said meeting is called by the State Chair, and shall have the right to be represented by counsel at the meeting and during the appeals hearing.
- F. **Exhaustion of Appeal Procedures:** No member of the Kentucky Democratic Party shall bring legal action against any County Executive Committee, Legislative District Committee, or SCEC without first exhausting all appeal procedures and remedies set forth in these By-Laws.
- a. If a member of the Democratic Party of Kentucky exhausts all appeals procedures and remedies set forth in these By-Laws, remains aggrieved and wishes to pursue legal action against any County Executive Committee, Legislative District Committee, or SCEC, the member of the Democratic Party of Kentucky seeking to bring legal action shall bring such legal action before and agree to submit to jurisdiction and venue in the Franklin County Circuit Court, Franklin County, Kentucky.
- G. **Precinct and County/Legislative District Convention Waivers:** The Chair of the CEC or the ad-hoc committee may request a waiver to the rules for the Precinct or County/Legislative District Conventions. The Chair of the SCEC or the Executive Director of the KDP and the Appellate and Waiver Committee have the authority to approve waivers.
- a. Waivers must provide detailed reasons for the request and attempts made by the CEC to avoid the request. The request shall be for reasonable cause, including but not limited to, an act of God such as a tornado, flood, or earthquake; an officially declared state of emergency; a conflicting countrywide major event over which the County Executive Committee has no control; or any other event that the Chair of the SCEC agrees is a reasonable circumstance.
  - b. Waivers will include the county, name of the County Chair and Secretary, reason for request, efforts to avoid the request, and other information as requested by the Chair.
  - c. Waivers shall be requested in writing at the time the Chair is made aware of the need and no less than 15 days prior to the SCEC approved convention schedule.
    - i. If there is a reasonable circumstance emergency, such as an act of God or an official declared state of emergency, the County Chair may request

an emergency waiver via phone, text, or email no less than 1 hour before the SCEC approved schedule.

- ii. Approval by the Appellate and Waiver Committee will not be required for emergency waiver requests.
  - d. The Chair of the SCEC shall call a meeting of the Appellate and Waiver Subcommittee 10 days prior to the SCEC approved convention schedule to review and approve/disapprove waiver request.
  - e. The Chair of the SCEC shall inform the Chair of the CEC of the status of the waiver request within twenty-four (24) hours of the close of the Appellate and Waiver Committee.
- H. **County Executive Committee Rules Waiver:** The Chair of the CEC or forty percent (40%) of the sitting County Executive Committee may request a waiver for rules governing local parties.
- a. Waivers shall include the county, name of Chair and Secretary of the CEC, reason for request, efforts to avoid the waiver, and other details as requested by the Chair.
  - b. Waivers shall be submitted to the Chair of the SCEC.
  - c. Once received, the Chair of the SCEC shall call a meeting of the Appellate and Waiver Committee for review and approval/disapproval of waiver. The CEC will be informed of the time of this meeting and should be available during this time for any questions or concerns from the Committee
  - d. In the event additional information is needed, the Chair of the SCEC shall inform the county within twenty-four (24) hours.
  - e. The county shall then submit responses within forty-eight (48) hours.
  - f. The Chair of the SCEC shall inform the county of the Committees decision no later than fifteen (15) days after the Committee made a decision.

## **ARTICLE VI - Committees for the Purpose of Nominating Candidates for Special Elections and Selecting Replacement Candidates**

### **A. Congressional, State House of Representatives, State Senate, and Other District Nominating Committees in Multi-County Districts:**

#### a. Congressional Nominating Committees in Multi-County Districts:

The Nominating Committees of Congressional Districts comprised of precincts in more than one county shall be composed of the Democratic Party County Chairs of each county or portion thereof within such district.

- b. The Chair of the county that cast the largest Democratic vote in precincts within the district at the preceding Presidential election shall be the Chair of said Nominating Committee, but if they are absent or unable to act, then the Chair of the county that cast the next largest Democratic vote in precincts within the district at the preceding Presidential election shall act as Chair.

### **B. State House of Representatives, State Senate, and other District Nominating Committees in Multi-County Districts:**

- a. The Nominating Committees of State House of Representatives, State Senate, and other Districts comprised of precincts in more than one county shall be composed of the voting members of the Executive Committee of each county or portion thereof who reside within such district.

- b. If less than two (2) voting members of the Executive Committee of an affected county reside within the district, then the precincts within the affected district of said county shall be represented on said Nominating Committee by the Precinct Committee Members within such district.

- c. Only those Democrats who are Executive Committee Members or Precinct Committee Members, as described within this paragraph, at the time the vacancy occurs shall be entitled to vote.

- d. The Chair of the county that cast the largest Democratic vote in precincts within the district at the preceding Presidential election shall be the Chair of said Nominating Committee, but if they are absent or unable to act, then the Chair of the county that cast the next largest Democratic vote in precincts within the district at the preceding Presidential election shall act as Chair.

### **C. Congressional, State House of Representatives, State Senate, and other District Nominating Committees in One-County Districts:**

- a. Congressional, State Senate, Magisterial, Constabulary, and entire-county Districts wholly within only one county containing seven or more Legislative Districts: The Nominating Committees of Congressional, State Senate, Magisterial, Constabulary, and entire-county Districts comprised of precincts wholly within only one county containing seven (7) or more Legislative Districts shall be composed of the Chairs of every Legislative District wholly or partially within such district.

- i. Only those Democrats who are Legislative District Chairs at the time the vacancy occurs shall be entitled to vote.

- ii. The Chair of the County Executive Committee shall be the Chair of said Nominating Committee. If such Chair is absent or unable to act, then the

Vice-Chair of the County Executive Committee shall be the Chair of said Nominating Committee. If such Vice-Chair is absent or unable to act, then the Chair of the Legislative District that cast the largest Democratic vote in precincts within the district at the preceding Presidential election shall act as Chair.

- iii. Any presiding officer of said Nominating Committee shall not have a vote unless they are a Legislative District Chair wholly or partially within the district at the time the vacancy occurs.

- b. **State House of Representatives Districts wholly within only one County containing seven or more Legislative Districts:** The nominating committee shall consist of precinct committee members residing within the legislative district. Only those Democrats who are precinct committee members at the time the vacancy occurs shall be entitled to vote.

- i. The nominating committee shall be chaired by the Legislative District Chair. In the LD Chair's absence, the nominating committee shall be chaired by the Legislative District Vice Chair. In the absence of both the LD Chair and Vice Chair, the nominating committee shall be chaired by the At-Large member residing in the legislative district with the longest tenure on the Executive Committee.

- ii. Upon notice of the vacancy, the Legislative District Chair shall convene a meeting of the members of the County Executive Committee who reside in the Legislative District (Legislative District Chair, Vice Chair,

At-Large(s) and any officer) to serve as an organizing committee to determine the date, time, and location of the nominating committee meeting and establish the nomination process.

- iii. The LD Chair shall be responsible for notifying precinct committee members of the date, time, and location of the nominating committee meeting and the guidelines established for the nomination process.

- iv. The vote of each precinct committee member attending the nominating committee shall be equal to the total number of registered Democrats in the precinct they represent.

- v. In the event of a tie in the nominating committee vote, the tie shall be broken by the County Chair.

- c. **State House of Representatives, State Senate and other Districts wholly within only one county containing six or less Legislative Districts:** The Nominating Committees of State House of Representatives, State Senate, and other Districts comprised of precincts wholly within only one county containing six (6) or less Legislative Districts shall be composed of the voting members of the County Executive Committee who reside within such district.

- i. If less than three (3) voting members reside within the district, then the Nominating Committee shall be composed of the Precinct Committee Members within such district. Only those Democrats who are above described party officials at the time the vacancy occurs shall be entitled to vote.

- ii. The Chair of the County Executive Committee shall be the Chair of said Nominating Committee. If such Chair is absent or unable to act, then the Vice-Chair of the County Executive Committee shall be the Chair of said Nominating Committee.

- iii. Any presiding officer of said Nominating Committee shall not have a vote unless they are otherwise a voting member of the said Nominating Committee.

**D. County Commissioners are considered to be County-wide officers.**

- a. **Committee Nominations for Elective Office to be by Vote in Proportion to Democratic Registration:** Whenever, pursuant to public or party laws a Nominating Committee shall be authorized to make any nomination for elective office or to fill any vacancy occurring in such nomination, each member of said Committee shall cast a vote, unless otherwise specified, proportionate to the number of registered Democrats at the preceding General election that are both within the district and also within the political subdivision that the member represents.

- i. EXAMPLES: Precinct Committee Officers will cast a vote equal to the number of registered Democrats in their precinct divided by three so that the total votes to be cast will equal the number of registered Democrats in the precinct; or
  - ii. Legislative District Chairs will cast a vote equal to the number of registered Democrats in their Legislative District who reside within the district; or
  - iii. County Chairs will cast a vote equal to the number of registered Democrats in their county who reside within the district; or
  - iv. County Executive Committee Members entitled to vote will cast a vote equal to the number of registered Democrats in their county who reside within the district divided by the total number of voting members of the County Executive Committee who reside within the district at the time the vacancy occurs, so that the total votes to be cast will be equal to the number of registered Democrats in the county who reside within the district. For instance, if there are 20,000 registered Democratic voters in a county and district, and there are 20 members of a County Executive Committee who reside within the district, each County Executive Committee Member will have a weighted vote equal to 1000 (20,000 divided by 20).
- E. **Statewide Nominating Committee:** The Nominating Committee of Statewide Elected Offices shall be composed of the voting members of the SCEC. Only those Democrats who are SCEC voting members at the time the vacancy occurs shall be entitled to vote.
- a. The Chair of the KDP shall be the Chair of said Nominating Committee. If the Chair is absent or unable to act, then the Vice Chair of the KDP shall act as chair.
  - b. The vote of each voting member of the SCEC shall be equal weighted.
- F. **Nominating Committees to be Governing Authority:** All Nominating Committees established under this Article V shall be the governing authority to determine how all nominations within its district for special elections and selecting replacement candidates shall be made and to declare all nominees not inconsistent with public or party law.
- a. All Nominating Committees shall have the discretion, by a majority vote, to include other Democratic Party Officials as voting members of the Nominating Committee. For example (and not by way of limitation), should the Nominating Committee be composed of the County Chairs or Legislative District Chairs, that Nominating Committee may, by a majority vote, include as voting members of the Nominating Committee those Democrats who are Precinct Committee Officers in the district at the time the vacancy occurs.

## ARTICLE VII - Caucuses and Councils

### A. General Provisions:

- a. The SCEC may, at its discretion, grant official recognition to statewide caucuses<sup>1</sup> and councils<sup>2</sup> of Democrats sharing similar identity, common interests and objectives. These organizations are meant to encourage similarly situated Democrats to support the goals of, and take an active role in, the Democratic Party.
- b. **Purpose:** Upon receiving official recognition by the SCEC, caucuses and councils shall be permitted to participate in Party policy discussions and decisions, and participate in the functions of the SCEC, to the extent outlined below. Their main goal, however, should be to organize and build Democratic support within the community or communities which their organization was created to serve, consulting with the SCEC and Party Leaders, Party Officers and KDP staff, as outlined below.

### B. Official Recognition: Recognition is subject to the following provisions:

- a. A proposed caucus/council must present a proposal and a draft mission statement to the Chair of the SCEC, with a copy provided to both the Executive Director of the KDP and the Secretary of the SCEC.
- b. The proposal shall include a statement describing why that particular caucus/council is needed, how its creation and recognition by the SCEC meets that need, and any other relevant information regarding how the caucus/council will assist in growing the Democratic base and supporting Democratic electoral successes.
- c. The proposal shall also include the signatures of at least thirty (30) individuals, registered to vote as Democrats within the Commonwealth of Kentucky, who share similar identities or common objectives, and who are willing to become active members of the proposed caucus/council. These individuals must represent at least three (3) of Kentucky's Congressional Districts.
- d. Upon receipt of the caucus/council proposal and draft mission statement, the SCEC Chair shall appoint a committee consisting of the SCEC Chair, the SCEC Vice-Chair, the By-Laws Committee Chair, one (1) SCEC member from each Congressional District, one (1) member from the SCEC At Large members.
  - i. This committee shall then meet to review and discuss the proposal and draft mission statement, issuing its approval if a majority of its members believe the aforementioned documents illustrate a need for the creation and recognition of the proposed caucus/council by the SCEC.
  - ii. The Executive Director of the KDP and the General Counsel and/or Deputy General Counsel of the KDP shall serve as non-voting advisory members of the committee.
- e. Upon receiving approval from the committee as described in Section B(iv), above, the proposed caucus/council must then submit a draft copy of its proposed by-laws ("proposed by-laws") to the SCEC By-Laws Committee.
  1. The By-Laws Committee and Strategic Planning Committee shall then review the proposed by-laws to ensure adherence to the

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<sup>1</sup> Caucuses will be composed of groups of people who share immutable characteristics. An immutable characteristic, in this case, is defined as any sort of physical attribute which is perceived as being unchangeable, entrenched and innate, and that could conceivably cause the individuals to be left out or discriminated against.

<sup>2</sup> Councils will be composed of groups of people who share common interests and objectives. These might include labor councils, education councils, rural councils, etc.

goals and SCEC Bylaws, the SCEC'S missions and objectives and the missions and objectives of the KDP as defined in any written strategic planning documents which may exist.

2. Should either Committee find that the proposed by-laws do not meet this standard, the Chair of the Bylaws Committee shall work with the individuals who submitted the proposed bylaws to ensure the standard has been met, after which time the Chair of the Bylaws Committee shall then recommend the caucus/council for approval, by either a written or verbal report, to the SCEC.

- f. To achieve official recognition by the SCEC , the caucus or council must be approved by a majority of the members of the SCEC who are present and voting. Upon meeting this standard, such caucus/council may be known as the "(insert caucus/council name) of the Kentucky Democratic Party."
  - g. Official recognition of a caucus or council extends until the SCEC votes, by a majority of the entire membership of the SCEC, to remove recognition, or until it fails to meet the standards described in Paragraph E, below.
- C. **Seat on the SCEC:** The Chair of the recognized caucus or council will be entitled to a seat on the SCEC when it is first approved and thereafter so long as it annually meets the following standards:
- a. The caucus or council shows that it has at least 30 active members representing at least four (4) of the six (6) Congressional Districts..
  - b. The caucus or council continues to recruit members to create a statewide organization.
  - c. The caucus or council meets at least quarterly, after giving the SCEC a minimum of 30 days advance notice of the meetings.
  - d. The caucus or council makes a written report to the Chair after each quarterly meeting showing substantial political organizing activity in at least 4 of the 6 Congressional Districts which shall include but shall not be limited to community or political event participation, voter registration, direct voter contact, volunteer recruitment, in addition to the required semi-annual meetings.
  - e. A caucus or council meeting the requirements in this Paragraph C will elect one registered Democrat delegate and one registered Democrat alternate to the SCEC.
- D. **Membership:** Membership with full voting rights in an officially recognized caucus or council is open to all registered Democrats who meet the membership requirements.
- E. **Bylaws Provisions:** Caucus or council by-laws must include a statement declaring that the caucus/council will support only Democratic elected officials and Democratic nominees in partisan races.
- a. Caucus or council bylaws must include a provision by which the caucus or council can remove a caucus or council officer upon a majority vote by the caucus or council's members.
  - b. Should a caucus or council wish to engage in its own fundraising efforts, a request to pursue such efforts must be submitted to the Chair of the SCEC and Executive Director of the KDP, in writing, with the caucus or council describing the reason it wishes to fundraise, the proposed use of such funds, the legal structure which will govern the fundraising (e.g. Political Issues Committee, Political Action Committee, etc.) and any other relevant information.
    - i. Upon written approval by the Chair of the SCEC and Executive Director of the KDP, a caucus or council may proceed with fundraising, however, it must submit a quarterly report, via email, to the Chair of the SCEC and Executive Committee, wherein it provides an accounting of all funds raised and expended, the purpose of each and the status of all applicable state or federal election finance reports required to be submitted by the caucus or council.
  - c. Failure to comply may result in a vote by the SCEC to remove recognition of the caucus or council. If recognition is removed, the caucus/council may reapply for

recognition through the SCEC by submitting evidence that the caucus/council has achieved and maintained compliance for one (1) year.

- F. In the first quarter of every year, each caucus or council must present the SCEC with a report of its membership, attendance and activities for the preceding calendar year.