

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

(Revised April 2, 2011)

Amended 2/14/1974, 11/29/1979, 5/20/1980, 8/25/1983, 9/21/1985, 7/10/1997, 9/2/1999, 3/31/2007
Substituted and adopted 9/21/1993, 10/25/1997, 10/16/1999, 4/7/2001, 4/2/2011

Article I. Name and Purpose

Section 1. The name of this organization shall be the Anderson County Democratic Party.

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

Article II. Membership

Section 1. Eligibility. Membership is open to all residents of Anderson County, Tennessee, who are registered to vote.

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

Article III. Powers and Responsibilities

Section 1. Governance. The governance and direction of the affairs of the Anderson County Democratic Party shall be vested in the Anderson County Executive Committee (the 'Executive Committee') and in officers of the Anderson County Democratic Party, as hereinafter set forth in these bylaws, subject to the laws of the State of Tennessee and such rules as may be established by the Tennessee State Democratic Executive Committee.

Section 2. Party Responsibilities. The Anderson County Democratic Party shall have the following responsibilities:

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

Article IV. Executive Committee

Section 1. Membership. The Executive Committee shall be composed as nearly as possible of equal numbers of men and women elected at the sub-convention (precinct caucuses) of a biennial county convention described in Article VI, plus those who become members pursuant to Article VIII, Section, 1, *Officers.*

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

Section 2. Manner of Election. The Executive Committee members shall be elected at the sub-convention (precinct caucuses) called for that purpose. The election shall be held in odd-numbered years on a date

recommended by the officers within the timeframe specified by the Tennessee Democratic Party Executive Committee.

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

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

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

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

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

Section 7. Removal of Voting Status.

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

Article V. Meetings

Section 1. General. All meetings of the Anderson County Democratic Party or of the Executive Committee shall be well publicized through e-mail, postcard, or newsletter notification sent to members at

least fourteen (14) days prior to the date of the meeting, and through notification to the public in county-wide news media. All meetings shall be held at convenient times and locations and shall be open to the general public and media representatives (except where legal counsel otherwise indicates need for a closed meeting).

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

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

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

Article VI. Conduct of Convention

Section 1. Convention. The election of Executive Committee members and chairs of the individual precincts will be conducted at the biennial county convention of Anderson County Democrats. The provisions for the holding of the county convention shall be as follows:

- a. The convention shall be well publicized in the local news media. At least fourteen (14) days prior notice must be given.
- b. All members of the Anderson County Democratic Party who are registered voters are invited to attend the convention and are eligible to vote and to be candidates for the Executive Committee after attesting they are bona fide Democrats by execution of affidavits or affirmations to that effect.
- c. The convention shall be called to order by the incumbent chair of the Anderson County Democratic Executive Committee. Attendees from each precinct will caucus separately as sub-conventions. In each sub-convention, a chair shall be duly elected and the chair shall then call for nominations for each Executive Committee position. Separate elections shall be held for each Executive Committee position. Each precinct may elect one alternate for each Executive Committee position. A nominee must be present at the County Convention to be elected at the convention as an Executive Committee member or alternate. If there are vacancies in any precinct after the County Convention, those who were unable to attend may be elected at a subsequent Executive Committee in accordance with Article IV, Section 4, *Vacancies* and Article VI, Section 1(b). Each precinct shall be entitled to elect one Executive Committee member for each twenty-five votes, or major fraction thereof, cast in that precinct for the Democratic candidate in the last gubernatorial election. These positions shall be divided as evenly as possible between males and females. A plurality shall prevail for each election.
- d. After nominations cease, the ballot is closed and the elections shall commence. Upon the Completion of the election of the appropriate number of Executive Committee members and alternates who have been elected from that precinct, the convention shall reassemble and each precinct shall report the Executive Committee members who have been elected from that precinct. The convention shall then adjourn, and a meeting of the newly elected Executive Committee shall begin.

Article VII. Proxies

Section 1. No Proxies Allowed. No proxy shall be allowed at any meeting of the Executive Committee.

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

Article VIII. Officers

Section 1. Officers. The officers of the Anderson County Democratic Party shall be chair, immediate past-chair, 1st vice-chair, 2nd vice-chair, secretary, newsletter editor, and treasurer, all of whom shall be elected by the Anderson County Executive Committee for a two- (2-) year term, or until their successors are duly elected and qualified. No officer may be elected to more than two consecutive two-year terms.

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

Section 3. Vacancies. Vacancies in any office for any reason may be filled, in accordance with Article IV, Section 4, *Vacancies*, by the Executive Committee for the unexpired portion of the term.

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

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

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

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

Section 8. Secretary. The secretary shall:

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

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

Section 10. Treasurer. The treasurer shall:

- a. have charge and custody of, and be responsible for, all funds and securities of the Party from any source whatsoever and deposit all such monies in the name of the Anderson county Democratic Executive Committee in such bank or other depositories as shall be selected in accordance with the provisions of these bylaws;
- b. keep and maintain, open to inspection by any member of the Executive Committee, at all reasonable times, adequate or current accounts of the funds and transactions of the Executive Committee, which shall include all matters required by law;
- c. disburse the funds of the executive Committee as ordered by the Executive Committee;
- d. present an itemized written statement of income and expenditures and the current financial condition of the Executive Committee to members at each regularly scheduled meeting or any other meeting as requested by the Chair or the Executive Committee;
- e. perform all of the duties incident to the office of treasurer; and
- f. if required by the Executive Committee, give a bond, to be paid for by the Executive Committee, for the faithful discharge of his or her duties, in such sum and with such corporate surety or sureties as the Executive Committee shall determine.

Section 11. Officers Must Support Nominees of the Democratic Party. No person shall be an officer or member of the Executive Committee who does not support nominees of the Democratic Party. Failure to support the nominees of the Democratic Party shall be cause for removal from office. Any removal shall be in accordance with Article IV, Section 7. However, no officer, or member of the Executive Committee, or member of the Democratic Party is obligated to support a candidate who was affiliated with another party, or ran as an Independent, or refuses to execute an affidavit in accordance with Article VI, Section 1(b).

Section 13. Resignations. The resignation of any officer of the Executive Committee shall be made in writing and shall take effect at the time specified therein, or if no time is specified, then it shall take effect upon receipt of such resignation by the chair.

Article IX. Committees and Duties

Section 1. Committees Appointed by Chair.

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

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

Section 2. Duties of Committees.

- a. The Resolutions Committee will consist of five (5) Executive Committee members appointed by the party chair. The Resolutions Committee will serve at the pleasure of the chair and officers and at the direction of the Executive Committee. The purpose of the Resolutions Committee is to receive proposed resolutions referred to it by the Executive Committee and to develop a final draft resolution to be resubmitted to the Executive Committee for final approval.

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

Article X. Conduct of Business at Meetings

Section 1. The regular order of business at Executive Committee meetings shall be as follows:

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

Article XI. Resolutions

Section 1.

- a. All proposed resolutions shall be submitted to the party chair in writing at least thirty Days prior to a scheduled Executive Committee meeting in order to be placed on the meeting agenda.
- b. Upon receipt, the chair shall present the proposed resolution to the officers of the Executive Committee for review and consideration. The officers shall then submit the proposed resolution to the Executive Committee with their recommendation to approve or not approve. The recommendation from the officers must be in the form of a motion to either approve or not approve, and such a motion shall follow the standard rules of procedure as set forth in Robert's Rules of Order.

- c. Upon approval by a simple majority vote, the draft of the resolution shall be forwarded to the Resolutions Committee as set forth in Article IX, Section 2, subsection (a). The final draft of the resolution shall be presented by the Resolutions Committee to the Executive Committee at the next scheduled Executive Committee meeting for final approval.
- d. All proposed resolutions shall state the purpose of the resolution and give instruction as to where the resolution shall be forwarded.
- e. Resolutions which are not presented to the party chair at least thirty (30) days prior to a scheduled Executive Committee meeting may be presented to the Executive Committee for consideration but shall require a 2/3 majority vote of those members Present to be placed on the meeting agenda.

Article XII. Parliamentary Procedures

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

Article XIII. Amendments

Section 1. These bylaws may be amended or substituted by a two-thirds (2/3) vote of the members of the Executive Committee in session at any meeting of the Executive Committee called for that purpose, or any regular meeting of the Executive Committee for which a rules change has been published fourteen (14) days in advance and announced as an item on the agenda of the meeting so advertised.

Article XIV. Contracts and Expenditures

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

Section 2. Audits. Auditors shall be designated by the Executive Committee, who shall audit and examine the books of account of the Anderson County Democratic Party and shall certify to the Executive Committee the annual balances of the books which shall be prepared at the close of the fiscal year, by, or under the direction of, the treasurer.

Article XV. Rules

Section 1. The Anderson County Democratic Party is a constituent part of the Tennessee Democratic Party. State Party rules take precedence over the bylaws of the Anderson County Democratic Party.