

**BY-LAWS OF THE MONTGOMERY COUNTY DEMOCRATIC
EXECUTIVE COMMITTEE**

**ARTICLE ONE
NAME AND PURPOSE**

Section 1: The name of the organization shall be the Montgomery County Democratic Executive Committee, which operates as the Montgomery County Democratic Party (hereafter "MCDP"). MCDP is a general purpose Political Action Committee, organized in accordance with Texas law and the requirements of the Texas Ethics Commission.

Section 2: The purposes of the MCDP are:

- (a) to represent the Democratic party in Montgomery County, Texas, disseminating its views and educating the public as to Democratic party principles;
- (b) to assist and promote Democratic party candidates at the local, state and federal levels, including in general elections;
- (c) to grow the Democratic party in Montgomery County, Texas;
- (d) to conduct Democratic party primaries in Montgomery County, Texas, in accordance with the law and applicable procedures;
- (e) to establish an Executive Committee to oversee the proper conduct of the affairs of the Montgomery County Democratic Party; and
- (f) to carry out whatever other functions the Executive Committee (as set forth herein) determines necessary and appropriate, consistent with the purposes of the MCDP.

**ARTICLE TWO
MEMBERS OF THE ORGANIZATION: THE EXECUTIVE COMMITTEE**

Section 1: The business of the organization will be conducted by its members. The "members" shall be defined as the qualified voting members of the Montgomery County Executive Committee, which is composed of the County Democratic Party Chair and the Democratic Precinct Chairs in the County, all of whom are elected in accordance with law and the rules of the Texas State Democratic party. To hold the office of County Chair or Precinct Chair, a candidate must (1) be a qualified voter residing within the geographic boundaries of the entity represented; (2) have voted in the last Democratic primary election; and (3) not be a candidate for or hold any other elected office.

Section 2: Regular meetings of the Executive Committee shall be held as required by the Rules of the Texas Democratic Party or the Laws of the State of Texas. Special meetings shall be held either upon a call by the County Chair or upon the written petition of a majority of the qualified members, exclusive of precincts where there is no precinct chair in place. At these meetings, the Executive Committee may take such actions as it

deems necessary in furtherance of the business of the MCDP, subject to state and federal law and the policies and procedures of the National or Texas Democratic Party, by a majority vote of the qualified members (unless a greater number is required by these By-laws or the rules of the National or Texas Democratic Party as to certain matters) exclusive of precincts where there is no precinct chair in place. Each member will have one (1) vote only and all votes must be cast in person.

Section 3: The method of voting at all Executive Committee meetings, generally by voice vote or roll call vote, shall be at the discretion of the County Chair in accordance with Article III of the Rules of the Texas Democratic Party. Proxy voting and secret ballots are not permitted.

Section 4: Resolutions or other matters to be brought before the Executive Committee must be submitted in writing to the County Chair thirty (30) days before a scheduled meeting of the Executive Committee to be considered for passage.

Section 5: In order for valid votes to be taken, there must be a quorum of qualified members present for the actual vote, exclusive of precincts where there is no precinct chair in place. Forty-percent (40%) of the members of the Executive Committee being present at any meeting of the Executive Committee shall constitute a quorum for the purpose of transacting any business that might come before the Executive Committee (provided that all Executive Committee members have been notified in writing of the meeting) unless State Law or the Rules of the National or Texas Democratic Party specifically provide other quorum requirements.

Section 6: Notice of all meetings, regular or special, shall be sent in writing to each member of the Executive Committee via U.S. Mail and should also be sent via email or telefax (where possible) at least ten (10) days before the day of the meeting. If any member of the Executive Committee shall not have received notice by U.S. Mail within the time period prescribed, but did receive email or telefax notification, then notice shall be deemed to be sufficient as to that member.

Section 7: Members may be removed from the Executive Committee if they miss three (3) consecutive properly noticed meetings. Members may also be removed for other cause as determined by the Executive Committee, including, but not limited to, openly supporting a Republican candidate for a position for which a Democrat has filed. Any removal will require a two-thirds majority of those present and qualified to vote. Any vacancies created by forcible removal under this paragraph shall remain unfilled until applicable deadlines for appeal have passed. After that time, any such vacancies may be filled by a majority vote of the members of the Executive Committee present and qualified to vote.

Section 8: The Executive Committee shall elect a Deputy Chair to serve a two year term or such other term determined by the Executive Committee. The Deputy Chair will typically

be chosen from the ranks of the Executive Committee unless the Executive Committee determines that qualifications or other factors make it more appropriate for him or her to be someone who is not a member. If the Deputy Chair is not a member of the Executive Committee, then he or she must adhere to the Purposes set forth in Article One hereof and the general objectives of the Texas Democratic Party, but only members of the Executive Committee will have voting rights. The duties of the Deputy Chair shall be to assist in performance of the County Chair's responsibilities, including interfacing with committees and performing other tasks with which the County Chair needs help or is temporarily unable to perform.

Section 9: The Executive Committee shall elect a Secretary to serve a two (2) year term or such other term determined by the Executive Committee. The Secretary will typically be chosen from the ranks of the Executive Committee unless the Executive Committee determines that qualifications or other factors make it more appropriate for him or her to be someone who is not a member. If the Secretary is not a member of the Executive Committee, then he or she must adhere to the Purposes set forth in Article One hereof and the general objectives of the Texas Democratic Party. But only members of the Executive Committee will have voting rights. The duties of the Secretary shall be to take roll and insure a quorum is present for any vote; to keep the minutes of all meetings, maintain the master schedule of Democratic events, and such other duties as may be placed upon the Secretary herein, or by the Rules of the National or Texas Democratic Party, or by the laws of the State of Texas, or that may from time to time be assigned to the Secretary by the County Chair, or by the Executive Committee.

Section 10: The Executive Committee shall elect a Sergeant at Arms to serve a two year term or such other term determined by the Executive Committee. The Sergeant at Arms will typically be chosen from the ranks of the Executive Committee unless the Executive Committee determines that qualifications or other factors make it more appropriate for him or her to be someone who is not a member. If the Sergeant at Arms is not a member of the Executive Committee, then he or she must adhere to the Purposes set forth in Article One hereof and the general objectives of the Texas Democratic Party. But only members of the Executive Committee will have voting rights. The duties of the Sergeant at Arms shall be to resolve parliamentary disputes by application of Robert's Rules of Order and provide for any necessary security during meetings of the Executive Committee.

ARTICLE THREE BOOKS AND RECORDS

Section 1: All Records of the Montgomery County Democratic Executive Committee, including, but not limited to, minutes of meetings, reports of committees, candidate filing forms, returns of elections, checkbooks, bank statements, accounting records, and official correspondence and contracts shall be kept by the Chair in the official offices of the MCDP, or such other place designated by the Senior Advisory Committee (as

described in Article Four, below) and shall be available for inspection of any member of the Executive Committee. The Treasurer may also copy and maintain whatever records are reasonable and necessary for him or her to carry out the duties of the office.

Section 2: The Executive Committee shall elect a Treasurer to serve a two (2) year term or such other term determined by the Executive Committee. The Treasurer shall keep or cause to be kept an accurate record of all funds received and spent by the Executive Committee; maintain all bank accounts of the MCDP; make timely reports to the Texas Ethics Commission as required by law; present or have presented a financial statement at all meetings of the Executive Committee; and such other duties as may be placed upon the Treasurer by the Rules of the Texas Democratic Party, or by the laws of the State of Texas, or that may from time to time be assigned to the Treasurer by the County Chair, or by the Executive Committee. The Treasurer will typically be chosen from the ranks of the Executive Committee unless the Executive Committee determines that qualifications or other factors make it more appropriate for him or her to be someone who is not a member. If the Treasurer is not a member of the Executive Committee, then he or she must adhere to the Purposes set forth in Article One hereof and the general objectives of the Texas Democratic Party. But only members of the Executive Committee will have voting rights.

Section 3: All money that may be received by the Executive Committee shall be deposited to an account of the Committee with a financial institution as may be directed by the Chair and/or the Treasurer. Signatories on the accounts of the MCDP shall be the County Chair, Treasurer, and any other senior member(s) reasonably designated by the County Chair and Treasurer. Two signatures shall be necessary for all checks for expenditures in amounts of over \$500.00, unless the Executive Committee decides otherwise by a majority vote.

Section 4: The Executive Committee shall have a fiscal year commencing on June 1 and ending on May 31st. If practicable, the Executive Committee shall adopt a budget each May covering operations presented by the County Chair after review by the Senior Advisory Committee (as described in Article Four, below). Adoption of the budget shall constitute authorization to spend up to the amount specified for each category of expenditures. The budget may be amended or supplemented by action of the Executive Committee.

ARTICLE FOUR SENIOR ADVISORY COUNCIL

Section 1: A Senior Advisory Council shall be constituted to provide counsel and advice to the County Chair and the Montgomery County Democratic Party in general. The Senior Advisory Council shall consist of the following members:

- (a) Deputy Chair;
- (b) Secretary;

- (c) Treasurer;
- (d) Sergeant at Arms;
- (e) A member of the County Executive Committee from each County Commissioner precincts, elected by the members of the Precinct Executive Committee for that Commissioners precinct;
- (f) A member of the County Executive Committee from each of the following interest groups, elected by the County Executive Committee, unless the Executive Committee determines that qualifications or other factors make it more appropriate for him or her to be someone who is not a member or a member of the interest group is not a member of the County Executive Committee. If the elected individual is not a member of the Executive Committee, then he or she must adhere to the Purposes set forth in Article One hereof and the general objectives of the Texas Democratic Party. But only members of the Executive Committee will have voting rights.
 - (i) African-American Democrats
 - (ii) Hispanic Democrats;
 - (iii) LGBT Democrats; and
 - (iv) Young Democrats

Section 2: The Senior Advisory Committee shall act on behalf of the Executive Committee in between meetings of the Executive Committee except in such financial matters that would exceed the budget as approved by the Executive Committee or otherwise violate the By-laws, the policies of the national or state Democratic Party, or applicable law. All material actions taken by the Senior Advisory Council shall be subject to ratification at the next Executive Committee meeting.

ARTICLE FIVE COMMITTEES

Section 1: The County Chair may appoint such committees and members of committees (subject to the advice and consent of the County Executive Committee) as he or she deems necessary, charged for purposes and created for terms that are appropriate under the individual circumstances. These committees shall carry out the charges given to them by the County Chair and report back to the County Executive Committee as needed. Committee members need not be members of the County Executive Committee. Participation in the committees is open to all Democrats appointed by the County Chair or Committee Chair. The following committees shall be Standing Committees of the Montgomery County Democratic Party:

- a) Outreach;
- b) Elections;
- c) Finance;

- d) Rules; and
- e) Headquarters.

ARTICLE SIX CLUBS AND ORGANIZATIONS

Section 1: The MCDP supports and encourages the formation of affiliated clubs and other organizations that foster and seek to disseminate the values and principles espoused by the federal and state Democratic parties, and the MCDP. However, the opinions and distributions of such clubs and organizations remain those of those individual groups, and do not necessarily reflect the platform or views of the MCDP or the national or state party.

ARTICLE SEVEN VACANCIES IN MEMBERSHIP

Section 1: Vacancies caused by voluntary resignation, removal pursuant to Article Two, section 7 hereof or the creation of new precincts may be filled by a majority vote of the Executive Committee. Interested persons should apply to the County Chair and appear in person at the Executive Committee meeting for the vote. Provided, however, the County Chair may in his or her discretion determine that it is in the best interests of the MCDP to submit the applicant's name to the Executive Committee without the candidate's physical presence at the meeting. If possible, this election will be the first item on the agenda at the Executive Committee meeting where it is to be considered.

ARTICLE EIGHT AMENDMENT

Section 1: These By-laws may be amended by a majority of vote of the Executive Committee provided the proposed amendment is submitted in writing to the Executive Committee thirty (30) days in advance of the vote. Any material substitutions or changes to the proposed amendment must be available in writing for all Executive Committee members prior to the vote in sufficient time, in their sole discretion, for consideration. Resolutions can be withdrawn by the person(s) offering them at any time prior to the vote.

ARTICLE NINT DISSOLUTION

Section 1: The MCDP can only be dissolved in accordance with the requirements of the Texas Business Corporations Act, the Texas Election Code, the Texas Ethics Commission, or otherwise as state law dictates.

ARTICLE TEN
CONFLICTS

Section 1: Any conflicts between the provisions of these By-laws and the Rules of the National or Texas Democratic Party shall be resolved in favor of the rules of the National or Texas Democratic Party.