

# **RULES OF THE MONTGOMERY COUNTY DEMOCRATIC PARTY COUNTY EXECUTIVE COMMITTEE**

## **ARTICLE ONE**

### **NAME AND PURPOSE**

**Section 1. Name.** The name of the organization shall be the Montgomery County Democratic Party County 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. Purpose.** The purposes of the MCDP are:

- (a) To represent the Democratic Party in Montgomery County, Texas, by 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 oversee the conduct of the affairs of the Montgomery County Democratic Party; and
- (f) To carry out whatever other functions the County Executive Committee (CEC) determines necessary and appropriate, consistent with the purposes of the MCDP.

## **ARTICLE TWO**

### **MEMBERS OF THE ORGANIZATION**

#### **THE COUNTY EXECUTIVE COMMITTEE**

**Section 1. Members.** The business of the organization will be conducted by its members. The "members" shall be defined as the County Democratic Party Chair and the Democratic Precinct Chairs in the County, all of whom are elected in accordance with The Texas Election Code and the Rules of the Texas Democratic Party.

To qualify for the office of County Chair or Precinct Chair, a candidate must

- (a) be a qualified voter residing within the geographic boundaries of the entity represented;
- (b) have voted in the last Democratic primary election or have signed an oath of affiliation with the Democratic Party
- (c) not be a candidate for or hold any other federal, state, or county elected office.

**Section 2. Meetings.** Regular meetings of the CEC 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 CEC may take such actions as it deems necessary in furtherance of the business of the MCDP, subject to most recent 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 Rules 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. Voting.** The method of voting at all CEC 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: Quorum.** 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 CEC being present at any meeting of the CEC shall constitute a quorum for the purpose of transacting any business that might come before the CEC (provided that all CEC members have been properly notified of the meeting) unless state law or the rules of the national or Texas Democratic Party specifically provide other quorum requirements.

**Section 5: Notice.** Notice of all meetings shall be sent to each member of the CEC by U.S. mail and/or email at least ten (10) days before the day of the meeting.

**Section 6: Acting Precinct Chair.** An acting precinct chair may be appointed if the incumbent precinct chair misses three (3) consecutive properly noticed meetings or fails to perform duties as set forth in section E. 1. d. (1). Rules of the Texas Democratic Party.

Upon creation of a new county electoral precinct an acting precinct chair may be appointed by the County Chair pursuant to these Rules.

**Section: 7. Vacancies.** Vacancies caused by voluntary resignation, abandonment of office, or the creation of new precincts may be filled by a majority vote of the CEC.

## ARTICLE THREE

### OFFICERS

**Section 1. Chair.** The Chair of the Montgomery County Democratic Party shall be elected by a majority vote in the Democratic Party primary election in even-numbered years by the qualified voters of Montgomery County.

The County Chair has the ultimate responsibility to assure the statutory duties of the CEC are met, to include, but not limited to:

- Ensure proper operation of the Democratic Primary Election;
- Collect filing fees from candidates;
- Determine the order of names on the primary ballot;
- Canvassing primary election results;
- Setting and publicizing times and places for County, Senatorial District and State conventions.

In addition, the County Chair is responsible for operation of the Montgomery County Democratic Party and has the unofficial duty to:

- Recruit enthusiastic responsible precinct chairs and volunteers;

- Ensure thorough training for precinct chairs and volunteers;
- Call and chair meetings of the CEC;
- Raise funds to support local Democratic Party efforts;
- Assist local Democratic Clubs and allied organizations;
- Develop and maintain a working relationship with local media;
- Recruiting and developing candidates;
- Establishing a budget;
- Execute and administer the primary election and primary fund.

**Section 2: Deputy Chair.** The CEC shall elect a Deputy Chair to serve a two-year term. The Deputy Chair will typically be chosen from the ranks of the CEC unless the CEC determines that qualifications or other factors make it more appropriate for the Deputy Chair to be someone who is not a member. If the Deputy Chair is not a member of the CEC, then they 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 CEC 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 3: Secretary.** The CEC shall elect a Secretary to serve a two (2) year term or such other term determined by the CEC. The Secretary will typically be chosen from the ranks of the CEC unless the CEC determines that qualifications or other factors make it more appropriate for the Secretary to be someone who is not a member. If the Secretary is not a member of the CEC, then they 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 CEC 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 CEC.

**Section 4: Treasurer.** The CEC shall elect a Treasurer to serve a two (2) year term or such other term determined by the CEC. The Treasurer will typically be chosen from the ranks of the CEC unless the CEC determines that qualifications or other factors make it more appropriate for the Treasurer to be someone who is not a member. If the Treasurer is not a member of the CEC, then they 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 CEC will have voting rights.

The duties of the Treasurer shall be to keep or cause to be kept an accurate record of all funds received and spent by the CEC; 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 CEC; 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 CEC.

**Section 5. Sergeant at Arms.** The CEC shall elect a Sergeant at Arms to serve a two-year term or such other term determined by the CEC. The Sergeant at Arms will typically be chosen from the ranks of the

CEC unless the CEC determines that qualifications or other factors make it more appropriate for the Sergeant at Arms to be someone who is not a member. If the Sergeant at Arms is not a member of the CEC, then they 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 CEC 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 CEC.

## **ARTICLE FOUR**

### **BOOKS AND RECORDS**

**Section 1. Records.** All records of the Montgomery County Democratic Party CEC, including, but not limited to, minutes of meetings, reports of committees, candidate filing forms, returns of elections, financial 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 Council (as described in Article Five, below) and shall be available for inspection of any member of the CEC. The Treasurer may also copy and maintain whatever records are reasonable and necessary for the Treasurer to carry out the duties of the office.

**Section 2. Banking.** All money that may be received by the CEC shall be deposited to an account of the CEC 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 CEC decides otherwise by a majority vote.

**Section 3. Budget.** The CEC shall adopt a budget at the CEC meeting held during the 4<sup>th</sup> quarter of each year covering operations presented by the County Chair after review by the Senior Advisory Council. 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 CEC.

**Section 4. Fiscal Year.** The CEC shall have a fiscal year commencing on January 1 and ending on December 31.

## **ARTICLE FIVE**

### **SENIOR ADVISORY COUNCIL**

**Section 1. Purpose.** 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 CEC from each County Commissioner Precinct, elected by the members of the CEC for that Commissioner Precinct;
- (f) A member of the CEC from each of the following interest groups, elected by the CEC members who are themselves members of an interest group. If the elected individual is not a member of the CEC, then they 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 CEC will have voting rights.

- (i) African American Democrats
- (ii) Hispanic Democrats
- (iii) LGBT Democrats
- (iv) Young Democrats

The term of office of the members of the Senior Advisory Council (both CEC members and non-CEC members) shall be concurrent with the term of the members of the CEC.

**Section 2: Actions.** The Senior Advisory Council shall act on behalf of the CEC in between meetings of the CEC except in such financial matters that would exceed the budget as approved by the CEC or otherwise violate these rules, 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 CEC meeting.

**Section 3: Quorum.** In order for valid votes to be taken at a Senior Advisory Council meeting there must be a quorum of qualified voting members present for the actual vote. Forty percent (40%) of the voting members present, exclusive of unfilled positions on the Senior Advisory Council, shall constitute a quorum.

**Section 4: Removal.** A member of the Senior Advisory Council may be removed upon failure of the member to attend four (4) consecutive duly called meetings of the Senior Advisory Council.

**Section 5: Vacancies.** Vacancies that occur by reason of voluntary resignation or removal by the CEC shall be filled by a majority vote of the members of the CEC as provided for in Article 5, Section 1 above.

## ARTICLE SIX

### COMMITTEES

The County Chair may appoint such committees and members of committees (subject to the advice and consent of the CEC) as they deem 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 CEC as needed. Committee members need not be members of the CEC. Participation in the committees is open to all Democrats appointed by the County Chair or Committee Chair. The following committees are the current Standing Committees of the Montgomery County Democratic Party:

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

- (d) Rules
- (e) Headquarters
- (f) Communications
- (g) Campaign Support
- (h) Fundraising
- (i) Voter Registration

## **ARTICLE SEVEN**

### **CLUBS AND ORGANIZATIONS**

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 national 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 EIGHT**

The rules contained in **Robert's Rules of Order: Newly Revised** shall govern meetings where they are not in conflict with the Rules of the Montgomery County Democratic Party CEC or the national or state party.

## **ARTICLE NINE**

### **AMENDMENT**

**Amendment.** These Rules may be amended by a majority vote of the CEC provided the proposed amendment(s) is submitted in writing to the CEC thirty (30) days in advance of the vote. Any material substitutions or changes to the proposed amendment(s) must be available in writing for all CEC members prior to the vote in sufficient time for consideration. Proposed amendments or changes thereto can be withdrawn by the person(s) offering them at any time prior to the vote.

## **ARTICLE TEN**

### **DISSOLUTION**

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 ELEVEN**

### **CONFLICTS**

Any conflicts between the provisions of these Rules 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.

### **CERTIFICATION**

I hereby certify that these Rules were adopted by the CEC at its meeting held on June 23<sup>rd</sup>, 2019 and supersedes all other rules or by-laws.

By: \_\_\_\_\_  
Secretary