

Proposed Bylaws of the Hays County Democratic Party

ARTICLE I. NAME

The name of this organization shall be the Hays County Democratic Party (HCDP). The name of the governing body is the Hays County Executive Committee (HCEC). The HCEC shall consist of the elected County Chair and Precinct Chairs.

ARTICLE II. Governance and Purpose

- A. The Hays County Democratic Party (HCDP) will conduct itself according to the laws of the Texas Election Code, rules of the Texas Democratic Party, other applicable laws, and the HCEC rules that follow, as adopted and amended by the HCEC. Should any conflict arise, the higher level of jurisdiction shall take precedence.
- B. Any qualified Hays County voter 18 years of age or older who supports the principles of the Democratic Party may participate fully in any HCDP meetings and may be elected to any Party Office, except where specifically prohibited by law or by these Bylaws and Operating Procedures (Texas Election Code 162, Regulating Participation in Party Affairs). If a person not so qualified requests to speak, the rules must be suspended by a two-thirds (2/3) majority of the HCEC members present and voting to allow that person to speak.
- C. The purpose of the HCEC is to support, promote, build, and perpetuate the Hays County Democratic Party at the county, state, and national levels, to help elect principled Democrats to office, and promote Democratic values in the community.
- D. All meetings of the Hays County Democratic Executive Committee (CEC) shall be conducted in accordance with *Robert's Rules of Order Newly Revised* [**SPECIFY EDITION**] except as it may be otherwise provided herein or as provided in *The Rules of the Texas Democratic Party* [2020], and applicable laws of the State of Texas (state law), including, without limitation, the Texas Election Code.

ARTICLE III: Guiding Principles and Vision

Section I. Guiding Principles

- A. HCDP hereby adopts in total the Texas Democratic Party's Statement of Principles and General Rules as the foundation for party activities at all levels. HCEC incorporates said principles into our county level bylaws and procedures by reference. *Link here to TDP principles and general rules*
- B. HCDP respects the dignity and worth of every person regardless of race, ethnicity, national origin, color, sexual orientation, gender identity or expression, religious affiliation, physical or mental ability, age, income, or education.
- C. HCEC shall remain committed to anti-racist policies and procedures, with a commitment to the elimination of structural and institutional racism.
- D. HCDP believes that our citizens and voters deserve openness, fairness, and the highest ethical standards from their HCEC representatives at all levels.
- E. The HCDP shall work in partnership with lawmakers, other county entities, other counties in the state, voters, national Democratic leadership, service providers, businesses, churches, clubs, and others to continually improve the quality of our leadership and services to the community.

- F. The HCDP believes that Hays County voters deserve conscientious stewardship of the public trust regarding planning for and coordinating of the primary and general election campaigns of the Democratic party's nominees.
- G. The HCEC shall not endorse or show preference to one Democratic candidate over another in primaries or special elections. Precinct chairs may personally endorse and/or support any Democrat in primaries or special elections, but not as "Precinct Chair." Any funds from the County Party shall be used solely for general GOTV, not in support of a particular Democratic candidate.
- H. In order to encourage full participation in the process of democracy and advocacy, the HCEC shall include, inform, and educate Hays County voters regarding Democratic nominees running for office in local, district, statewide, or national offices.
- I. The HCEC shall provide leadership and direction that fosters openness, inclusiveness, transparency, accountability, and grassroots participation of voters in the county.

Section II. Vision

The HCEC shall:

- A. Provide countywide vision and statewide cooperation with other counties in Texas for the Democratic Party.
- B. Commit to provide disciplined, principled investment of party and/or public funds to be used wisely and efficiently.
- C. Operate efficiently and be completely accountable.
- D. Focus on critical priorities as determined by the majority of the HCEC, the Texas Democratic Party, and/or the National Democratic Party and support the creation of a strong county Democratic party for our constituents[, OMIT] and the Hays County community.
- E. Be stewards of the public trust and handle our party responsibilities (precincts, committees, chairs, task forces, elections, etc.) in a fair, just, accountable, and responsible manner.
- F. Have an administration that is open and honest; pursue the high road rather than the expedient course; and be accountable to party constituents, contributors, and voters in general for our actions.
- G. Be sure that HCDP Precinct Chairs, party officers, and officials recognize that their power and authority are granted to them by the voters of Hays County, and that those making decisions and wielding the power of the HCEC must exercise their authority thoughtfully, transparently, and fairly
- H. Institute a series of checks and balances within the administration of the party activities so that accountability, transparency, and openness are evident; and
- I. Periodically review its activities, priorities, administration, etc. to determine what works and what does not work regarding its Bylaws and Operating Procedures.

ARTICLE IV: Qualifications and Organizational Structure

- A. Qualifications: Democrats 18 years of age or older, are eligible for the offices of Precinct Chair or County Chair, provided they meet the criteria specified in the Texas Election Code and any other legal requirements, including:
 1. Live in the county or precinct from which they wish to be elected, (Sec. 171.023)
 2. Be a qualified voter in that county (Sec. 161.005)
 3. Not be a county, state, or federal public office holder or candidate for such office

4. In a general election year, be affiliated with the Democratic Party through voting in the Democratic primary election or runoff or by oath of affiliation (Sec. 162.001 – 162.012)

B. Organizational Structure:

1. **Membership:** The HCEC will be composed of a County Chair and a Precinct Chair from each election precinct in the county.
2. **Selection:** The County Chair shall be elected by the qualified voters of the county, and the Precinct Chairs by the qualified voters of their respective precincts. The Chair and Precinct Chairs will comprise the voting block Hays County Executive Committee.
3. **Term of Office:** The term of office for members of the HCEC shall begin on the twentieth (20th) day following the Runoff Primary and shall continue for two (2) years or until their successors are elected and certified.

ARTICLE V: Meetings

The presiding officer of the HCEC shall call the meeting to order at the time set and establish that a quorum is present. If a quorum is not present, the meeting will be recessed for fifteen minutes, at which time the presiding officer will again call the meeting to order. If no quorum is present the second time, the meeting is adjourned. Political organizations, candidates and other persons may make announcements. In the absence of the County Chair, the First Vice Chair shall call the meeting to order. If a meeting is called by the majority of the HCEC, and none of the officers are present to call the meeting to order, any member of the HCEC may call the meeting to order and select a temporary presiding officer to conduct the meeting. A Precinct Chair may request an item to be submitted for consideration for the agenda no later than seven (7) days before the meeting. The County Chair shall have the discretion to allow or disallow any item submitted within the seven-day window, but may add such items to the following month's agenda.

Texas Democratic Party rules require at least one meeting per quarter.

ARTICLE VI: OFFICERS AND ELECTIONS

A. OFFICERS: The officers of the HCEC shall be the County Chair, First and Second Vice-Chairs, Secretary, Treasurer and Parliamentarian. The Secretary and Treasurer need not be members of the CEC, but if they are not, they will have no vote on the HCEC. The Parliamentarian shall not be a member of the CEC. For the first term only (2021) the First and Second Vice Chairs shall serve until January 2023. At that time, new officers will be elected, and they will serve two-year terms. They are not precluded from a second term. The First and Second Chairs, Secretary and Treasurer will be elected by the HCEC by a simple majority vote. All officers (other than the County Chair, Secretary, and Parliamentarian) shall be elected in January in odd-numbered years.

1. Duties and Responsibilities

a. Statutory Duties of the HCEC:

1. County Chair:

- (a) Collecting filing fees; appointing poll watchers; determining date for drawing for the order of names on the ballot; canvassing Primary results; serving on the County Elections Board; and setting and publicizing times and places for County Conventions. Additional responsibilities as outlined in the Texas Election Code.
- (b) The Chair may establish such committees, sub-committees, or task forces as they deem appropriate to carry out their non-statutory duties or address other issues, and may appoint members to such committees, including those who are or are not members of the HCEC. The HCEC shall confirm such committees sub-committee or task forces.

2. Precinct Chairs:

- (a) The HCEC shall have primary responsibility for getting their precincts out to vote in all elections.
- (b) No member of the HCEC may publicly support a candidate other than Democratic ones in partisan elections.
- © This responsibility shall include the approval of expenditure of funds via the Hays County Democratic Party budget or other extra expenditures. Such expenditure, unless otherwise specified by law, shall require the approval of at least 51% of its members present.

b. Non-Statutory Duties of the HCEC:

- 1. The Hays County Executive Committee shall have primary responsibility for planning and for coordinating the General Election campaigns of the Democratic Party's nominees within the county. In the case of nominees running for office in districts which include areas outside of the county, the County Executive Committee shall work with the Senatorial District Committee. This responsibility shall include raising funds for conducting local campaigns, supporting the statewide effort for the entire ticket, producing materials and coordinating local services for all Democratic campaigns
- 2. The HCEC may delegate non-statutory duties to the County Chair. Such delegation shall not replace or supersede actions or authority of the HCEC as a whole. These delegated actions shall be subject to the review and approval by the superior authority of the full HCEC.

2. Officers

- (a.) Chair: The Chair is elected by the Democrats in Hays County during the primary in even-numbered years, concurrently with the Primary elections, for a term of two (2) years.
 - (1) Besides the Statutory Duties outlined above, the chair shall have the ability to create and disassemble, with HCEC approval, temporary committees to focus on particular issues or events. These committees shall follow the same rules and regulations as standing committees.
 - (2) The Chair shall be ex-officio member on all standing Committees, task forces and subcommittees, and shall only vote only in the case of a tie.

(3) The Chair shall appoint yearly audit committee to review all financials.

b. First Vice Chair

- (1) The First Vice Chair shall attend all Hays County Executive Committee meetings and conduct HHCEC meetings in the absence of the Chair.
- (2) The First Vice Chair shall chair the Elections Committee and have a knowledge of how to use the Voter Activation Network (VAN) or obtain such knowledge, completing the Texas Democratic Party's trainings within sixty (60) days of election.

c. Second Vice Chair

- (1) The Second Vice Chair shall attend all Hays County Executive Committee meetings.
- (2) The Second Vice chair shall be in charge of GOTV and shall be proficient with the Texas VAN and MiniVAN.
- (3) The Second Vice Chair will be in charge of Precinct Chair Training, including the VAN. This person will assist Precinct Chair Leads in teaching precinct chairs to create their walk and phone lists as needed.

d. Secretary

- (1) The Secretary shall attend all Hays County Executive Committee meetings.
- (2) The Secretary shall be elected at the first HCEC meeting following the election of the County Chair and shall serve the same term as the chair, as per Texas Democratic Party rules.
- (3) The Secretary legally is authorized to receive applications for a place on the Primary ballot, and an application received by the Secretary shall be filed officially.
- (4) The Secretary shall keep the minutes of all meetings of the HCEC and shall provide a copy of those minutes for review at least five (5) days before the next HCEC meeting.
- (5) The Secretary shall keep custody of all HCEC records and shall make such records available for inspection by any member of the HCEC or the Texas Democratic Party. A copy of all records must also be maintained online, in the form of a Google Doc, or other similar online platform. Members of the HCEC shall all have access to view, but not edit, these files.
- (6) The Secretary shall send email notices of upcoming meetings from the Chair and give updates to the webmaster, so the website has up-to-date information. For Precinct Chairs who do not have access to email, the Precinct Chair shall be responsible for letting the Secretary know the method of notification for that Precinct Chair.
- (7) The Secretary may appoint a committee to assist with their duties.
- (8) The Secretary, on completion of the term of office, shall provide all records to the incoming Secretary on the twentieth (20th) day following the election of a successor.
- (9) A County Chair or Precinct Chair who has been elected by the voters or has been appointed to fill a vacancy must be posted to the website of the Secretary of State. The County Chair, County Executive Committee Secretary, or their designee shall add any Chair who is appointed and remove any Chair who resigns, dies or is removed from office during the term of their office. The list as posted on the Texas Secretary of State website shall be the official members of the County Executive Committee for all purposes outlined under these Rules and Texas statutory requirements.
- (10) The Secretary must take attendance and report in the minutes HCEC officers and members plus guests present at all meetings and should notify the Chair if a Precinct Chair has missed three (3) or four (4) consecutive meetings. (*See "Vacancies"*)

(11) Other duties as assigned by the chair.

e. Treasurer

- (1) The Treasurer shall be elected at the first meeting following the acceptance of these bylaws, and thereafter in odd-numbered years, serving a 2-year term.
- (2) The Treasurer shall attend all Hays County Executive Committee meetings or shall submit a written report in advance when unable to attend.
- (3) The Treasurer shall deposit all contributions received by the HCEC to an account of the HCEC in the financial institution approved by the CEC. If change of financial institution is desired, the Chair shall bring it before the HCEC to be approved by a majority of the HCEC before any funds are deposited in it.
- (4) The Treasurer shall reimburse only budget approved amounts, and only with signed vouchers with the appropriate receipts. (Vouchers will be available online, either on the website or the google (or similar) folder.)
- (5) The Treasurer shall establish internal audit controls for the operating budget and financial transactions of the HCEC.
- (6) The Treasurer shall provide a financial report at HCEC meetings, including a report of all fiscal activity of the Hays County Democratic Party, including deposits, revenues, expenditures, and operating budget reports.
- (7) The Treasurer shall maintain the HCEC checkbook and be responsible for paying authorized billing invoices incurred by the Hays County Executive Committee.
- (8) Upon completion of the term of office, the Treasurer shall provide all records to the incoming Treasurer on the twentieth (20th) day following the election of a successor.
- (9) The Treasurer will be responsible for filing Texas Ethics Committee (TEC) financial reports and, when applicable, Federal Election Commission (FEC) financial reports according to their due dates.
- (10) The Treasurer shall maintain an excel list (or other spreadsheet) of all donations and expenditures.
- (11) Yearly, the treasurer shall make available to an audit committee, appointed by the Chair, to audit the expenditures and income of the Party by January, following the end of the fiscal year.
- (12) Should the treasurer resign before the end of their term, an audit committee from the Finance Committee shall audit the books and make a report within 30 days.
- (13) Other duties as assigned by the chair.

f. Parliamentarian

- (1) The Chair shall appoint a Parliamentarian. At the chair's discretion, the Parliamentarian may be appointed for a single meeting or for a term to match the Chair's. The Parliamentarian shall not be a member the CEC
- (2) A Parliamentarian shall attend all Hays County Executive Committee meetings.
- (3) The Parliamentarian assures that the Hays County Executive Committee Rules and the Texas Democratic Party Rules are followed. The Parliamentarian should also be familiar with Roberts Rules of Order.
- (4) The Parliamentarian serves as the presiding officer on rules and interpretation of the rules as they relate to the Hays County Democratic Party.
- (5) The Parliamentarian is a non-voting Officer of the HCEC.

3. Swearing In

The County Chair and the Precinct Chairs shall be sworn in at the Hays County Democratic Party Convention held on the date specified by Party Rules (or as soon as possible thereafter.) The term of office for members of the County Executive Committee shall begin on the twentieth day following the Runoff Primary and shall continue for two years or until their successors are elected and certified. (Required by Texas Election Code §171.022(c). Any Democratic elected office holder (active or retired) may be asked to conduct the swearing in ceremony.

ARTICLE VII: VACANCIES

- A. Vacancy by the chair of the HCDP either by resignation or by death, will result in an election among HCEC members for the vacant position.
 - 1. A meeting shall be called more than 10 days but not more than 20 days after the vacancy has occurred. HCEC members shall be provided at least 7 days' notice of the vacancy prior to the CEC vote. Eligibility for nomination must meet eligibility requirements for a precinct chair. A quorum must exist for voting on a new county chair. A simple majority is required for election of the vacancy.
 - 2. Notice of the vacancy shall be posted on HCDP website at least seven (7) days prior to the vote.
- B. Vacancy by any officers or precinct chairs shall follow the same procedure as a vacancy in a Precinct Chair, according to the nomination and election process above. The quorum for these vacancies is 25% of the HCEC.
- C. Vacancy by a committee chair shall result in the committee electing a new chair.
- D. As per Texas Democratic Party rules, there shall be no secret votes, and the meeting must be open to the public. (*See Policies and Procedures on how to vote in person or online.*)
- E. Acting Precinct Chair Appointment upon Failure of the Elected Chair to Perform Duties. If a Precinct Chair has missed 3 or more consecutive meetings, an acting precinct chair may be appointed. (*link, pg. 13 TDP*)
- F. Removal for abandonment of office upon Failure of the Elected Chair to Perform Duties. If a Precinct Chair has missed 4 or more, they may be removed for abandonment of office. (*Link to pg. 16 of the TDP rules, which explains these procedures*)
- G. The County Chair may appoint a person to fill a precinct vacancy at any time. The County Chair (or chair may designate the Secretary) shall delete from the Secretary of State website the name of any County Executive Committee member who resigns, dies, or vacates the position. The appointed chair shall assume the position upon appointment.
- H. The County Executive Committee shall confirm those appointed at the next business meeting of the CEC. Any appointment by the County Chair to fill a precinct chair vacancy shall be ratified by majority vote of the County Executive Committee at a meeting at which 25% of the membership shall constitute a quorum; or the Executive Committee, when a business quorum is present, may call for a vote by mail, listing the precinct chairs to be appointed on a published ballot sent to all its membership, to be signed and returned by a stated deadline (in keeping with the requirement that the Texas Democratic Party does not permit secret ballots) and provide that the vote will not be valid unless 25% of the membership have returned their signed ballots. The results of the votes shall be published within 7 days after the stated deadline. (*Texas Election Code 171.024*) If there is an additional candidate at the time of a ratification vote, then

the County Executive Committee shall default to conducting a precinct chair election per its rules, and not conduct a ratification vote of the County Chair's appointment. Notice of the replacement chair's name and address shall be promptly posted on the Secretary of State website after ratification by the County Chair or Secretary. Until confirmed by the County Executive Committee, the appointed chair has only the non-statuary responsibilities of a precinct chair.

- I. When the precinct boundaries are changed between primary elections: *(This will be a click through from TEXAS DEMOCRATIC PARTY rules)* (When the precinct boundaries are changed between primary elections and only one Precinct Chair resides within the new precinct, that Chair shall continue to serve in the new precinct until the end of the term of office. If no chair resides within the new precinct, the office automatically shall become vacant and shall be filled as provided herein. (Required by Texas Election Code §171.023) If a new precinct contains the residence of two or more incumbent precinct chairs in office within the new boundaries, the County Chair shall ask the incumbent chairs to make a decision by consensus by a date certain as to who shall complete the term as the precinct chair. For those precincts where the incumbent precinct chairs cannot or do not decide by that date, the County Chair shall appoint a committee to make recommendation(s) to the full county executive committee of the chairs to complete the term in the same manner as the county uses to fill a vacancy in a precinct chair office.)
- J. Always default to current TEXAS DEMOCRATIC PARTY rules and/or TX Election Code 171.025 in filling a vacancy if there are extenuating circumstances or challenge(s) by CEC members.

ARTICLE VIII. STANDING COMMITTEES

A. Budget Committee: The purpose of the Budget committee is to establish the annual budget, and to help the CEC stay on budget.

B. Candidate Committee: The purpose of the Candidate Committee shall be responsible for helping to recruit candidates to run for partisan races in Hays County. There shall be a Sign Subcommittee. The purpose of the Sign Subcommittee is to assist candidates with getting their signs out and back in a timely manner.

C. Communications Committee: The purpose of the Communications Committee is to develop and implement messaging strategies and disseminate news and information across variety of media to advance the objectives of the county party. The Communications Committee Chair will report to the HCDP Chair.

D. Elections Organization Committee: The purpose of the Elections Organization Committee is to assist the Chair with the myriad tasks involved in holding primaries, runoffs and elections.

E. Fundraising Committee: The purpose of the Fundraising Committee is to raise funds for all needs of the Hays County Democratic Party.

F. Get Out the Vote Committee (GOTV): The purpose of the GOTV Committee is to develop strategies to educate, encourage, and motivate voters to vote in elections.

G. Legislative Advocacy Committee: The purpose of the Legislative Advocacy Committee is to research, organize and communicate efforts to advocate for legislation and policy reflective of Democratic values and ideals. We will create a network of issue-oriented caucuses across the county, to be sure we are up to date on issues and topics.

H. Outreach Committee: The purpose of the Outreach Committee is to provide year-round outreach programs to various constituencies in the county.

- I. Precinct Chair Captains Committee: The purpose of Precinct Chair Captains is to support and train the precinct chairs in their designated area.
- J. Technology Committee: The purpose of the Technology Committee is to develop and maintain the backend systems essential for county party business. It will also analyze data trends generated by various committees, including communications and outreach.

ARTICLE IX: AMENDMENTS

- A. HCEC shall review the bylaws no less than once every two years to ensure that bylaws are updated to reflect any changes within TEXAS DEMOCRATIC PARTY rules, or other necessary revisions. This review shall commence no later than the summer after the election of the chair in primary years. The review shall be conducted by the by-laws review committee, which shall be appointed by the Chair, and confirmed by the HCEC.
- B. Any proposed changes to bylaws shall be made public on the website and sent to the HCEC via email at least two weeks prior to the vote so that the public is notified about these potential changes.
- C. Bylaw-revisions or changes shall be read and discussed at one meeting, and then voted at the next month's meeting. Members shall vote to ratify changes to the bylaws by a 2/3 majority vote. In the cases where email is not available for a PC, whatever method of notification that the secretary uses for meeting notices will also be used for Amendments notices.

IX: REVIEW and AMENDMENTS

- A. HCEC shall review these Bylaws at least once every two years to ensure they are updated reflect any statutory changes, TDP Rule modifications, or other necessary revisions. This review shall commence no later than the summer after the election of the County Chair in primary years. The review shall be conducted by an ad-hoc Bylaws Review Committee, appointed by the chair.
- B. Any proposed changes to these Bylaws shall be made publicly available at least two weeks prior to the vote so that the public is notified about these potential changes.
- C. Proposed Bylaws revision or changes shall be read and discussed at one meeting, and then voted at the next month's meeting.
- D. Any proposed amendment to these Bylaws must be ratified by 2/3 of the voting members present to be adopted.

ARTICLE X: GRIEVANCE PROCEDURE

Any formal grievance regarding violation of these Bylaws shall be submitted to the Chair in writing. Upon receipt of such a grievance, the Chair shall randomly select five (5) members from HCEC voting bloc to review the grievance (the "Grievance Committee"). The Grievance Committee shall meet and conduct an initial review of the written grievance within thirty (30) days of its receipt. Upon a thorough review of the grievance, the Grievance Committee shall provide a written recommendation to HCEC to address the grievance. Note that if the grievance is against the Chair, then the Secretary shall receive the grievance and select the committee at random.

ARTICLE XI: CONFLICT OF INTEREST

A. Prior to commenting or voting on a rule, endorsement, resolution, or policy (an “Official Action”), any voting member/officer who has received or will receive compensation or remuneration of any kind resulting from either the adoption or defeat of such Official Action, shall disclose this financial interest to the HCEC before the agenda item is discussed. For purposes of this Article, a voting member’s/officer’s duty to disclose applies to compensation or remuneration that has been received or will be received by his/her/their family members. Such disclosures shall be included in the HCEC’s minutes of the discussion of such Official Action. If this rule is violated, the presiding officer shall declare the vote on the Official Action to be out of order. The HCEC may affirm such Official Action by a new vote once the voting member’s interest has been disclosed.

B. Officers of the HCEC are under a continuing obligation to avoid the appearance of a conflict of interest (whether actual or potential conflicts exist). Accordingly, Officers shall not: (1) enter into or propose any transactions or financial relationship between (a) the HCEC and (b) the Officer, a family member of the Officer, or an entity in which the Officer or the Officer’s family member has a financial interest; (2) solicit or accept any remuneration, compensation, or gift from any person or entity with whom the HCEC has a business or financial relationship; or (3) accept any remuneration, compensation, or gift for advocating or opposing any Official Action before the HCEC.

C. HCEC members shall avoid any conduct that gives the appearance of impropriety. Any HCEC member with an actual conflict shall not vote on any Official Action in which they have an interest. All HCEC members are strongly encouraged to recuse themselves from voting on any Official Action where they have a potential interest.

ARTICLE XII. Bylaws effective date

These bylaws go into effect upon passage.

Adopted _____, 2021, Hays County.

By-laws developed by HCEC By-laws Committee, Kathi Thomas, chair, Mark Trahan, Donna Haschke, Jourdan Spence, Dr. Michelle Cohen & Deborah Chavez 2021

