

# SEVIER COUNTY BYLAWS

Adopted March 30, 2019

## ARTICLE I. - NAME AND OBJECT

**SECTION 1:** The name of this organization shall be the Sevier County Democratic Party (SCDP), Tennessee.

**SECTION 2:** The object of this organization shall be to promote the ideals, principles, and values of the Democratic Party and to aid in the election of Democrats and Democratic nominees at every level of public office.

## ARTICLE II. - GENERAL MEMBERSHIP

**SECTION 1:** Eligibility. All residents of Sevier County, Tennessee who are registered to vote in this county and who believe in the ideals, principles, and values of the Democratic Party are eligible to become general members of the Sevier County Democratic Party. Membership dues may never be imposed.

**SECTION 2:** Nondiscrimination. Membership shall not be denied on the basis of sex, race, age, color, creed, national origin, religion, economic status, gender, sexual orientation, gender identity, ethnic origin or identity, or disability.

## ARTICLE III. – POWERS AND RESPONSIBILITIES

**SECTION 1:** Governance. The governance and direction of the affairs of the Sevier County Democratic Party shall be vested in the Sevier County Democratic Party Executive Committee (the "Executive Committee") and in the officers of the Sevier County Democratic Party, hereinafter as 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 Party Democratic Executive Committee.

**SECTION 2:** Party Responsibilities. The Party shall have the following responsibilities:

- (a) Planning and conducting all county meetings and conventions.
- (b) Keeping and maintaining records of all Democratic Party meetings and business.
- (c) Assisting the duly selected nominees of the Democratic Party in their elections and the education of their voters.
- (d) Assisting in identifying loyal Democrats and obtaining their contact information for Party files.
- (e) Recruiting and supporting candidates for local offices.
- (f) Coordinating with the Sevier County Election Commission in the scheduling of Democratic primaries.
- (g) In the event that no primary is held, selecting identified primary candidates for local office in a special caucus called by the chair.
- (h) If deemed necessary by the Executive Committee, establishing a headquarters office for the Sevier County Democratic Party.
- (i) Actively participating in Voter Registration and GOTV efforts.
- (j) Helping provide appropriate poll workers for local elections.
- (k) Encouraging appropriate Democratic poll-watchers at local elections.
- (l) Encouraging contributions to qualified candidates who run for office as Democrats.
- (m) Providing ongoing communication and liaison with the State and National Democratic Parties.
- (n) Supporting the efforts of the Democratic National Committee (DNC) and Tennessee State Democratic Party (TNDP).

## ARTICLE IV. - EXECUTIVE COMMITTEE

### SECTION 1: Executive Committee Membership.

- (a) The Executive Committee shall demonstrate gender equity and shall be composed of 2 people of different gender per county commission district, plus those who become Executive Committee members pursuant to Article V, Section 1 (Officers).
- (b) Executive Committee members are responsible to take an active role in growth and outreach strategies aimed at aiding in the election of Democrats. These efforts are directed through committee work and organizing activities in their districts.
- (c) Members may only hold one position on the Executive Committee.
- (d) In the event that district level executive committee seats are not filled, an equivalent number of at large seats may be created and filled with members from any part of the county. These positions will be removed at the next re-organization.
- (e) At the discretion of the county party, one member representative from each of the County Federation of Democratic Women's Club, the County TN Young Democrats Club, and the TN College Democrats Chapter may be added to the Executive Committee with or without full voting privileges.
- (f) At the discretion of the county party, the most recent past Sevier County Party chair may be added to the Executive Committee. It is expected that this position would have full voting privileges.
- (g) If the additional positions in (d), (e), and (f) are added to the Sevier County Party, it must be determined that those included are committed to serve in an active and participating manner.

**SECTION 2: Manner of Election.** The district representatives to serve on the Executive Committee shall be elected during the County Convention, in county commission district caucuses, called for the purpose of electing Executive Committee members, at a date determined by the Executive Committee as per instructed 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, then it shall take effect upon receipt of such resignation by the Chair or Secretary. All resignations must be verified and documented in meeting minutes whether by letter or verbal.

**SECTION 4: Vacancies.** A vacancy shall be filled by nomination from the membership of the Executive Committee. Any vacancies occurring in the Executive Committee may be filled by the affirmative vote of a majority of the Executive Committee members present at any regular meeting, even though less than a quorum of the Executive Committee exists. In the event of a vacancy, whether resulting from a resignation, expulsion, or failure of any district to elect its Executive Committee members, the remaining members of the Executive Committee in attendance at any meeting may fill those Executive Committee positions from members of the County Democratic Party who reside in that district and who meet the same requirements of a duly elected member as prescribed in Article IV, Section 1.

**SECTION 5: Attendance.** In order to be an effective and productive Executive Committee, attendance at all meetings is expected. Irregular attendance will subject members to forfeiture of their position. See Article IV, Sec 7 below.

**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. Under extraordinary circumstances, when it is necessary to conduct a vote of the Executive Committee to take an action or make an obligation of funds, the Executive Committee may be polled via email or phone.

### SECTION 7: Sanctions or Expulsion

- (a) Automatic Expulsion. Any member of the Executive Committee shall automatically forfeit their membership in said committee and the position shall be declared vacant for the following reasons:

- 1) In the event a member qualifies for political office as representing any political party other than Democratic Party or qualifies for political office as an Independent and opposes a duly qualified Democratic nominee.
- 2) No person shall be an officer or member of the Executive Committee if they shall not support nominees of the Democratic Party. (See Article V, Section 12)
- 3) If a member has six (6) unexcused absences or three (3) consecutive unexcused absences during a term. An absence is excused if notice is given to the Chair or the Secretary prior to the start of the meeting and the reason for the absence is one of the following:
  - a) illness;
  - b) family illness or death;
  - c) business; or out of town.

When such violations are brought to the attention of the Executive Committee, the Executive Committee shall immediately recognize the expulsion, note it in proper minutes, and be followed by notification sent to the member expelled.

(b) Discretionary Sanctions or Expulsions.

- 1) Sanctions may be imposed against an Executive Committee member or a member may be expelled if in the discretion of the Executive Committee a pattern of non-attendance is established, even if such absences are excused.
- 2) Sanctions may be imposed against an Executive Committee member or a member may be expelled if in the discretion of the Executive Committee the member has demonstrated 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.
- 3) Sanctions may be imposed against an Executive Committee member or a member may be expelled if in the discretion of the Executive Committee the member has exhibited repeated behavior that is detrimental to the Democratic Party or to Democratic candidates, or the member refuses to abide by the bylaws or otherwise has been obstructive or worked against the benefit of the Party.
- 4) The Executive Committee shall not impose discretionary sanctions or expel a member unless and until such a member is given an opportunity to be heard and two-thirds (2/3) of the membership present and voting concur on discretionary sanctions or expulsion. This section does not apply to Automatic Expulsion, Article IV, Section 7 (a).
- 5) The Executive Committee may vote to impose sanctions on or expel a member, but only if written notice is given that the issue will be taken up. A notice and the opportunity to be heard must be sent to the member in question not less than twenty (20) days prior to the meeting at which such action will be voted upon. The member, if present at said meeting, must be given the opportunity to be heard on the issues related to sanctions or expulsion.

## ARTICLE V. – OFFICERS

**SECTION 1: Officers.** The officers shall be chair, first vice-chair, second vice-chair, third vice- chair, secretary, and treasurer, all of whom shall be elected by the County Executive Committee for a two (2) year term or until their successors are duly elected and qualified.

**SECTION 2: Election of Officers.** The officers shall be elected by a simple majority of the members of the newly elected County Democratic Executive Committee present at the meeting held immediately following the convention. In the event a majority is not achieved, a runoff election shall be held until a majority prevails with the low vote getter being dropped from the next ballot.

**SECTION 3: Officers Not Required to be Executive Committee Members.** It is not required that persons nominated for officer positions be members of the Executive Committee. Any officer who is elected by the Executive Committee who is not an elected member of the Executive Committee shall, upon election as an officer, become a voting member of the Executive Committee.

**SECTION 4: Resignations.** The resignation of any officer of the Executive Committee shall be made in writing and shall take effect at the time specified therein; if no time is specified, then it shall take effect upon receipt of such resignation by the chair or secretary.

**SECTION 5: Vacancies.** Vacancies in any elected office for any reason may be filled by the Executive Committee for the unexpired portion of the term. See Art.IV, Sec. 4.

**SECTION 6: Chair.** The Chair shall serve as the spokesperson of the Sevier County Party. The Chair will supervise and manage the day-to-day business of the Party. The chair shall preside over any convention which may be called and over the meetings of the Executive Committee. The Chair 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 serves as ex-officio member of all committees.

**SECTION 7: Vice-Chairs.** In the absence of the chair or in the event of the chair's death or inability or refusal to act, the vice-chair shall perform the duties of the chair, and in so acting, shall have all the powers of and be subject to all restrictions on the chair. The vice-chair shall perform all duties incident to the office of vice-chair and such other duties as may be assigned to them by the chair or by the Executive Committee. This shall go in succession for first vice-chair, second vice-chair and then third vice-chair as required.

**SECTION 8: Secretary.** The secretary shall:

- (a) shall receive all records from their predecessor within 14 days of election;
- (b) keep the minutes of Executive Committee;
- (c) distribute the minutes of each meeting to the full Executive Committee in order that they can be approved at the subsequent meeting;
- (d) conduct a verbal roll call of all the Executive Committee at every business meeting,
- (e) keep attendance records for every meetings of the Executive Committee,
- (f) keep the minutes of any conventions which may be held;
- (g) see that all notices are duly given in accordance with provisions of law and these bylaws;
- (h) be custodian of the records of the Executive Committee;
- (i) keep membership records and have general charge of membership books of the Executive Committee;
- (j) in general, perform all duties incident to the office of secretary and such other duties as from time to time may be assigned by the chair or by the Executive Committee, or which may be required by law;
- (k) maintain all records related to the position for a period of 5 years;
- (l) transfer all records to their successor within 14 days of election.
- (m) render to the chair or to any member of the Executive Committee whenever it may require or request it, the records of the activities of the executive committee and its subcommittees.

**SECTION 9: Treasurer.** The treasurer shall:

- (a) shall receive all records from their predecessor within 14 days of election;
- (b) have charge and custody of and be responsible for all funds and securities of the Party from any source whatsoever, and shall deposit all such monies in the name of the Sevier County Democratic Party in such bank or other depositories as shall be selected in accordance with the provisions of these bylaws;
- (c) keep and maintain, open to inspection by any member of the Executive Committee at all reasonable times, adequate and correct accounts of the funds and transactions of the Executive Committee which shall include all matters required by law;

- (d) disburse the funds of the Executive Committee as may be ordered by the Executive Committee through approved motions;
- (e) present a monthly itemized statement of income and expenditures to Executive Committee;
- (f) render to the chair and secretary, or to the Executive Committee, whenever it may require or request it, an account of all transactions as treasurer and a financial statement in form satisfactory to them, showing the condition of the County Party;
- (g) in general, perform all of the duties incident to the office of treasurer and such other duties as may be assigned by the chair or Executive Committee;
- (h) if required by the Executive Committee, give a bond, to be paid for by the Executive Committee for the faithful discharge of the duties in such sum and with such corporate surety or sureties as the Executive Committee shall determine;
- (i) maintain all records related to the position for a period of 5 years; and
- (j) transfer all records to his/her successor within 14 days of election.

**SECTION 10: One Seat/One Vote.** No person shall serve in more than one position on the Executive Committee. This rule applies to all members of the Executive Committee.

**SECTION 11: Neutrality.** The Sevier County Party shall not endorse or campaign for any specific Democratic Primary Candidate prior to or during a contested local, state, or national Democratic Primary Election. With the exception of the Chair, County Party Officers, acting apart from their party office, may support and participate in campaigns for local, state, or national candidates of their choice in contested Democratic Primaries. All who seek to become Democratic National Convention Delegates must register in support of a specific Presidential Candidate prior to the delegate nominating procedure. Should the County Party Chair seek to become a delegate, the Chair may declare personal support for a specific Presidential candidate.

**SECTION 12: Must Support Nominees of the Democratic Party.** No person shall be an officer or Executive Committee member if they shall not support nominees of the Democratic Party. Failure to support the nominees of the Democratic Party is cause for Automatic Expulsion. Officers will be removed under Article IV, Section 7, (a) 2).

## ARTICLE VI. – MEETINGS

**SECTION 1: General.** All meetings of the Sevier County Democratic Party or of the Executive Committee shall be publicized 7 days prior to the date of the meeting. 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 indicated based upon a legal need for a closed meeting*).

**SECTION 2: Regular Meetings.** Regular meetings of the Executive Committee shall be held monthly.

**SECTION 3: Special Called Meetings.**

- (a) The chair may call an emergency meeting at any time by providing seven (7) days notice to all voting members of the Executive Committee.
- (b) If more than sixty (60) days have passed since the last meeting, and if the Chairperson has not called a meeting, any one-third ( 1/3 ) of the Executive Committee members may call a meeting by notifying all members at least seven (7) days prior to such a meeting.
- (c) If fewer than sixty (60) days have passed since the last meeting, one-third ( 1/3 ) of the members may call a special meeting provided seven (7) days prior notice is given.
- (d) Any notification of a special meeting must include the reason for the meeting, time and location, and may be delivered by mail, email, or phone to the Executive Committee membership.

**SECTION 4: Quorum.** (minimum of 40%) of the members of the Executive Committee shall constitute a quorum for the transaction of business at a meeting of the Executive Committee. If less than a quorum is present at a meeting of the Executive Committee, a majority of the members present may adjourn the meeting.

**SECTION 5: Convention Meeting.** A regular meeting of the Executive Committee shall be held without other notice than this bylaw immediately after, and at the same place as, the convention.

## ARTICLE VII. – PROXIES

**SECTION 1: No Proxies Allowed.** No proxy shall be allowed at any meeting of the County Party.

**SECTION 2: Unit Rule.** No voting by the unit rule shall be allowed at any meeting of the County Party.

**SECTION 3: Open Voting.** All votes shall be public and shall not be by secret ballot.

## ARTICLE VIII. – COMMITTEES

**SECTION 1: Committees Appointed By Chair.** The chair may establish committees, with the approval of the executive committee. The Chair will appoint all Committee Chairs. Committees may be composed solely of Executive Committee members or partly Executive Committee members and partly others, as deemed appropriate to fulfill the object of this organization outlined in Article I, Section 2. The Chair is an Ex-Officio member of all committees.

**SECTION 2: Term of Office.** Each member of a committee shall serve at the pleasure of the Chair, but no longer than until the next convention or until the committee is terminated.

**SECTION 3: Removal of any Member of the Committee.** Any member of any committee may be removed by the Chair whenever, in their judgment, the best interest of the Party shall be served by that removal.

**SECTION 4: Standing Committees.** The Sevier County Party may establish standing committees. Membership of standing committees will follow the same rules and process as above. The following committees will be deemed Standing Committees: Finance Committee, Fundraising Committee, Outreach Committee, and Political Action Committee (PAC).

- (a) **Finance Committee:** The Finance Committee will provide ongoing oversight of financial matters. This Committee shall consist of not less than three (3) people with demonstrated knowledge, expertise, and experience in related fields, such as auditing, bookkeeping, accounting, and financial management. The Treasurer shall be a member of this committee, but shall not serve as chair of the committee. The Finance Committee will develop an annual budget and propose its approval by the full Executive Committee and produce an Annual Financial Report.
- (b) **Fundraising Committee:** The Fundraising Committee's purpose shall be to identify possible events and opportunities for fundraising. This Committee shall consist of not less than three (3) people with a desire to assist in raising funds for operations, expenses and election efforts. The Committee will present events and opportunities to the Executive Committee for consideration on action.
- (c) **Outreach Committee:** The Outreach Committee will serve to develop different strategies to reach out to Democrats and the general public in Sevier County. This Committee shall consist of not less than three (3) people with a commitment to devising methods and activities to engage local participation in the

activities of the Sevier County Democratic Party. The Committee will present methods and activities to the Executive Committee for consideration on action.

- (d) Political Action Committee (PAC): The Chair will appoint the PAC Treasurer, who will register with the State Election Commission and file any and all reports required by the State Election Commission (SEC) and Federal Election Commission (FEC) should the Executive Committee choose to become a registered Political Action Committee (PAC). This PAC Treasurer shall have all the responsibilities and duties listed under Article V, Section 9 as Treasurer as they relate to the PAC.

## **ARTICLE IX. - BUSINESS AT MEETINGS**

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

- (a) Call to Order
- (b) Invocation (optional)
- (c) Pledge of Allegiance
- (d) Roll call
- (e) Reading and approval of the minutes of previous meeting
- (f) Treasurer's report
- (g) Chair report
- (h) Reports of committees
- (i) Resolutions
- (j) Unfinished business
- (k) New business
- (l) Elections (if necessary)
- (m) Announcements
- (n) Adjournment

## **ARTICLE X. - RESOLUTIONS**

All proposed resolutions must be submitted to the chair at least one (1) week prior to a meeting. Emergency resolutions may be brought before the body by consent of a two-thirds (2/3) majority of those present. Resolutions may be adopted by a majority vote of the Executive Committee present and voting in favor.

## **ARTICLE XI. - CONTRACTS AND EXPENDITURES**

**SECTION 1: Contracts; Expenditures; Bill Retention.** All Executive Committees are urged to operate under an approved budget. Except in the case of an emergency for items not designated in the budget, no expenditures or bills shall be made or contracts entered into which purport to 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. Unexpected expenditures for less than Two Hundred Dollars (\$200.00) per month, obligating the Executive Committee, may be authorized by the chair of the Executive Committee. The treasurer shall present a monthly-itemized statement of income and expenditures to Executive Committee members. All paid bills shall be retained by the treasurer for a period of five (5) years.

**SECTION 2: Audits.** Auditors shall be designated by the Executive Committee, who shall audit and examine the books of accounts of the Sevier 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 XII. - PARLIAMENTARY PROCEDURES

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 the bylaws and any special rules of order which may be adopted.

## ARTICLE XIII. – AMENDMENTS

These bylaws may be amended or substituted by a two-thirds (2/3) affirmative vote of the total elected membership of the Executive Committee. This action must only take place at any meeting of the Executive Committee called for the purpose of amending these bylaws. Bylaws changes voted on by the elected membership of the Executive Committee must then be submitted to the chair of the TNDP County Party Development Committee for review and approval.

## ARTICLE XIV. – RULES

The Sevier County Democratic Party is a constituent party of the Tennessee Democratic Party, created by the Tennessee Democratic Party Executive Committee and with the State Democratic Executive Committee having full authority in all matters over the Sevier County Democratic Party, including the establishment of minimum standards. Any conflict between the county bylaws and the bylaws of the Tennessee Democratic Party, the bylaws of the Tennessee Democratic Party prevail.

## ARTICLE XV. - CONDUCT OF BIENNIAL COUNTY REORGANIZATION CONVENTION

### SECTION 1: Biennial Reorganization Convention

- (a) A Biennial Reorganization Convention of the membership of the County Democratic Party shall be held at the time and date specified by the Executive Committee as per instructed by the Tennessee Democratic Party. The purpose of the Reorganization Convention is to elect Executive Committee members and Officers and adopt the Standard County Bylaws as prescribed by the Tennessee Democratic Party.
- (b) The Reorganization Convention shall have ultimate authority and absolute power over all affairs of the Sevier County Party pursuant to the *Constitution and Bylaws*.
- (c) All members of the County Democratic Party who are registered voters in the county and who attest they are bona fide Democrats by execution of pledges or affirmations to that effect are eligible to be Voting Delegates at the Reorganization Convention and to be candidates for the Executive Committee and vote.
- (d) The number of properly authorized Voting Delegates in attendance at the Convention shall constitute a quorum.

### SECTION 2: Prepare for the Reorganization Convention:

- (a) Prior to the calling of the Biennial Convention, the Chair, in cooperation with the Executive Committee shall appoint the following committees as a minimum:
  - 1) Sergeant at Arms Committee;

- 2) Credentials and Rules Committee: Committee to present rules for approval to be used in conducting the Reorganization Convention and to settle grievances.
  - 3) Bylaws Committee: Committee to review the Bylaws and recommend changes and adoption at the Reorganization Convention following existing Bylaws.
- (b) The Reorganization Convention shall be well publicized in the local news media, social media, email, radio and other methods available to the County Party seven (7) to fourteen (14) days prior to the convention.

**SECTION 3: Holding Reorganization Convention.** The provisions for the holding of the Biennial County Reorganization Convention shall be as follows:

- (a) The Reorganization Convention shall be called to order by the incumbent Chair of the Sevier County Democratic Party Executive Committee.
- (b) The Convention will first vote on the adoption or re-adoption of the standardized Bylaws.
- (c) The Reorganization Convention shall then divide into caucuses by district. In each caucus, a chair shall be selected. The chair shall then call for nominations for each of the District Representative Executive Committee positions, as defined in Article IV, Section A. Separate elections shall be held for each position, ensuring that each district is represented by people of different gender. After the nominations cease, the ballot is closed and the elections shall commence. A plurality shall prevail for each election. In the case of a tie, a runoff between those tied shall be held to decide the winner. Upon the completion of the election of the District Representative Executive Committee members, the convention shall reassemble and each district shall report the Executive Committee members who have been elected from that district.
- (d) The Reorganization Convention shall then adjourn, as its business has been completed. A meeting of the newly elected Executive Committee will follow, for the purposes of electing officers.
- (e) Following the Election of Officers, the full Executive Committee will take the OATH OF OFFICE, and sign the forms notifying the TNDP of Sevier County Party Executive Committee election results.

**OATH OF OFFICE:**

I (name) do hereby solemnly promise, before my fellow Democrats, to fulfill the duties of the office to which I have been elected, to the best of my ability. I also promise to support the nominees of the Democratic Party. I further promise that if for any reason I cannot perform these duties I shall resign so that a replacement may be obtained. I also understand that a violation of this oath can result in removal from office.

Adopted on \_\_\_\_\_