



## **CONSTITUTION AND BYLAWS**

### **ERIE COUNTY DEMOCRATIC PARTY**

#### **\*PREAMBLE\***

We, the members of the Erie County Democratic Central and Executive Committees, in order to organize and perpetuate a representative, effective and responsible party organization at all levels in Erie County, Ohio, to affiliate with and advance the interests of the Ohio Democratic Party and the Democratic National Committee, to sustain and advance the principles of democracy, and to uphold human and civil rights and constitutional government, adopt this Constitution and Bylaws.

We dedicate ourselves to the principles and pledges of both the Ohio Democratic Party and the Democratic National Committee, and we subscribe to the principle of a party structure open to all Democrats. Our aim is to build the party structure from the present level up, to seek and extend cooperation with duly elected Erie County Democratic office holders and work toward the goals of a financially strong and viable party.

The Erie County Democratic Party shall further the election of Democratic candidates and the adoption of those policies which are supported by the Democratic National Committee, the Ohio Democratic Party and the Erie County Democratic Party.

## **ARTICLE I: Name and Affiliation**

- 1.01. The name of this organization shall be the “Erie County Democratic Party.”
- 1.02. Affiliation with the Erie County Democratic Party shall be open to all residents of Erie County, State of Ohio, who support the Constitution of the United States of America, the Constitution of the State of Ohio, the Constitution, Bylaws and Principles of the Erie County Democratic Party, the Ohio Democratic Party and the Democratic National Committee.
- 1.03. To be eligible as a member of the Erie County Democratic Party Central Committee, a person shall be elected by direct vote of the members of the Democratic Party as provided in Section 3517.02 of the Ohio Revised Code, except as otherwise provided in Section 3517.05 of the Ohio Revised Code. Their names shall be placed upon the official Primary ballot, and, notwithstanding Section 3513.23(B) of the Ohio Revised Code, the persons receiving the highest number of votes for committeepersons shall be the members of the Erie County Democratic Party Central Committee. Each member of the Erie County Democratic Party Central Committee shall be a resident and qualified elector of the precinct that she/he is elected to represent.

Should a person move into Erie County, is a newly registered voter and/or has not had an opportunity to vote in a Primary to declare party affiliation, said person may be appointed to an Erie County Democratic Party Central Committee or At-Large Committee open seat. Upon the immediate next Primary election, said person shall declare his/her party affiliation as Democrat.

- 1.04. No person may be affiliated with the Erie County Democratic Party who does not meet the aforesaid qualifications or who is a member of any other political party at that time.

## **ARTICLE II: Constitution, Bylaws and Laws**

Nothing herein shall conflict with the Constitution of the United States of America, the laws of the United States of America, the Constitution of the State of Ohio, the laws of the State of Ohio and the Democratic National Committee and the Ohio Democratic Party Constitution and Bylaws. Any matter that conflicts with any of the aforesaid shall be of no force and effect. All constitutional provisions and laws of the United States and the State of Ohio are hereby incorporated by reference and made a part hereof. Each clause of this Constitution and Bylaws shall be considered separately and the illegality of enforceability of any one clause shall not

affect any other clause. “Conflict”, as referred to herein, shall not be interpreted to preclude the Erie County Democratic Party Central Committee to organize in a manner other than as prescribed for the Ohio State Central Committee under Article III of the Ohio Democratic Party Constitution and Bylaws, so long as such organization is in conformance with state laws.

### **ARTICLE III: Central Committee**

- 3.01. The Erie County Democratic Party Central Committee shall consist of the regularly elected and/or appointed precinct committee persons – one (1) from each electoral precinct within the county as provided in Article I., Section 1.03.
- 3.02. In case of vacancy in the office of an Erie County Democratic Party Central Committee person caused by death, resignation, failure to elect or removal from the precinct from which such Erie County Democratic Party Central Committee person was elected or duly appointed, the Chairperson shall make recommendations of a person or persons to be considered for the filling of such vacancy, subject to the approval of the Erie County Democratic Party Executive Committee.
- 3.03. The Erie County Democratic Party Central Committee shall elect, subject to Article III., Section 3.04 and Article VIII., Section 8.03 and Section 8.04 hereinafter, from within its own membership the following officers:
  - (a) Chairperson
  - (b) Vice Chairperson
  - (c) Secretary
  - (d) Treasurer
  - (e) And such other officers as may be deemed advisable from time to time.
- 3.04. The Erie County Democratic Party Central Committee shall elect an Erie County Democratic Party Executive Committee, as defined hereinafter.

### **ARTICLE IV: Executive Committee**

- 4.01. The governing body of the Erie County Democratic Party shall be the Erie County Democratic Party Executive Committee.
- 4.02. The Erie County Democratic Party Executive Committee shall consist of the following members:
  - (a) The Erie County Democratic Party Central Committee

- (b) Elected Erie County Democratic state and county officials residing within Erie County;
  - (c) The respective Presidents of any Democratic club or organization – i.e. the Democratic Women of Erie County, a local Democratic Club within Erie County and the Erie County Democratic Young Democrats
    - i. Each club/organization will be recognized by the Erie County Democratic Party after approval of their Constitution & Bylaws by the Erie County Democratic Party Executive Committee.
    - ii. In the instance(s) where the president of said club/organization is already an elected member of the Erie County Democratic Party Central Committee, the club/organization shall have the right to elect another person to serve as its member of the Erie County Democratic Party Executive Committee as an At-Large member.
    - iii. Once the club/organization Constitution & Bylaws are approved by the Erie County Democratic Party Executive Committee, the person elected as the club/organization At-Large member will then be appointed to the Executive Committee and have voting privileges as an At-Large member.
  - (d) No more than twenty-five (25) At-Large Democrats residing within Erie County (hereinafter called “At-Large Members”).
  - (e) Any Democratic State Senator, Representative or State Central Committee person residing outside of Erie County and representing the District including Erie County shall be included as Honorary Executive Committee Members. Retired State and Erie County Democratic elected officeholders shall be included as Honorary Executive Committee Members.
  - (f) The At-Large Members of the Erie County Democratic Party Executive Committee shall be elected by the Erie County Democratic Party Central Committee after the Erie County Democratic Party Central Committee receives the recommendations of the Chairperson as provided in Article V., Section 5.02(b) hereof.
- 4.03. Members of the Erie County Democratic Party Central Committee shall have full voting privileges that includes voting specifically to fill the unexpired term of an elected official according to Ohio Revised Code 305.02, to fill an open seat within the Erie County Democratic Party Central Committee and At-Large Member, to nominate a member to the Erie County Board of Elections Board and any business that comes before the body.
- 4.04. All members of the Erie County Democratic Party Executive Committee shall have voting privileges to fill an open seat for an At-Large Member, to nominate a member to

the Erie County Board of Elections and any business that comes before the body, unless otherwise noted.

- 4.05. Honorary Members do not have voting privileges.
- 4.06. The Erie County Democratic Party Executive Committee is authorized and directed to formulate operable agreements with all organizations working under the names “Democrats” or “Democratic”; to raise, collect and expend funds for the Erie County Democratic Party and campaign purposes in general at its own discretion; and to do any and all things necessary and incidental to the well-being, preservation and promotion of the Democratic Party and the principles for which it stands.
- 4.07. The Erie County Democratic Party Executive Committee shall recommend members for appointment to the Erie County Board of Elections in accordance with State of Ohio law and State of Ohio Secretary of State directives and/or recommendations. The Chairperson, should she/he not be then serving as a member of the Erie County Board of Elections, should be afforded the opportunity for appointment to the said Board when the next Democratic vacancy shall arise or the next Democratic appointment shall occur.

#### **ARTICLE V: Officers**

- 5.01. The officers of the Erie County Democratic Party Central Committee shall also serve as the officers of the Erie County Democratic Party Executive Committee. Should a Central Committee office be vacant when the Executive Committee is formed, then any member of the Executive Committee may serve as an officer of the Erie County Executive Committee. Should a person serving as an officer of the Erie County Democratic Party no longer be a member of the Central Committee or Executive Committee for whatever reason, the office in which she/he was serving shall be deemed vacant. Election to fill the open position shall follow Article VIII: Rules of Order
- 5.02. The Chairperson’s duties and obligations shall be as follows:
  - (a) The Chairperson shall be the chief executive officer and shall be subject to the directions and be responsible to the Erie County Democratic Party Executive Committee.
  - (b) The Chairperson, as Chairperson of the Erie County Democratic Party Central Committee, shall, within thirty (30) days after the reorganization meeting of the Central Committee as provided in Ohio Revised Code Section 3517.04, recommend to said Committee the list of names of additional Erie County Democrats At-Large to be elected to the Erie County Democratic Party Executive Committee.

- (c) The Chairperson, as Chairperson of the Erie County Democratic Party Executive Committee, shall fill by appointment vacancies occurring within the At-Large Members of the Erie County Democratic Party Executive Committee, subject to the approval of the Erie County Democratic Party Executive Committee.
- (d) The Chairperson shall also be authorized, with the concurrence of the Erie County Democratic Party Executive Committee, to appoint and/or hire such person(s) as necessary to conduct the business of the Erie County Democratic Party.
- (e) The Chairperson shall appoint, with the concurrence of the Erie County Democratic Party Executive Committee and have filled at all times, the following Standing Committees comprised of members of the Erie County Democratic Party Executive Committee:
  - i. Auditing Committee. Said committee shall consist of no less than three (3) members and shall conduct an annual audit during the first quarter of each year of all books of account, including receipts and expenditures of the Erie County Democratic Party, and shall submit a written report of the results to the Erie County Democratic Party Executive Committee within sixty (60) days.
  - ii. Nominating/Endorsement Committee. Said committee shall be responsible for recruiting and/or interviewing qualified candidates for public office. In addition, said committee shall make recommendations to the Erie County Democratic Party Executive Committee for endorsement(s) of Democratic candidates who are certified by the Erie County Board of Elections to be on a special, primary and/or general election ballot.
  - iii. Policy Committee. Said committee shall be responsible to review and to make recommendations on issues that are certified by the Erie County Board of Elections to be on a special, primary and/or general election ballot. Such issue(s) must be presented by a member of the Erie County Democratic Party Executive Committee.
  - iv. Ways and Means Committee. Said committee shall be responsible for soliciting contributions and promoting fundraising activities for the Erie County Democratic Party.
- (f) The Chairperson shall be an ex officio member of all committees except the Nominating Committee.
- (g) The Chairperson shall preside at all meetings of the Erie County Democratic Party Central and Executive Committees, may appoint such

additional committees from time to time which shall serve at such Chairperson's pleasure, and shall have such additional authority and obligations as the Erie County Democratic Party Central and Executive Committees may assign.

- 5.03. The Vice Chairperson, in order of succession, shall act as the Chairperson in case of death, resignation, incapacity, disqualification, removal or absence of the Chairperson or Chairperson's predecessor, and shall, in such event, have the same powers, duties, rights and responsibilities as the Chairperson until such time as the Erie County Democratic Party Central Committee shall duly elect a new Chairperson. To ensure gender diversity, the Vice Chairperson must be of the opposite gender of the Chairperson.
- 5.04. The Secretary shall be in charge of all official documents of the Erie County Democratic Party Central and Executive Committees and of the preparation of the necessary notes, minutes and other records. A list of the names and addresses of the members and officers of the Erie County Democratic Party Central Committee and the Erie County Democratic Party Executive Committee shall be filed by the Secretary in the offices of the Erie County Board of Elections and the Ohio Secretary of State promptly after the organization of such committees; all changes occurring in said membership after such filing shall be reported promptly. The Secretary shall preserve and maintain files, records and the governing documents of the Erie County Democratic Party. Such data shall be opened for examination at convenient and appropriate times at the request of any duly elected and/or appointed member of the Central or Executive Committees or other individuals authorized by law.
- 5.05. The Treasurer shall have custody of the funds of the Erie County Democratic Party and shall render to date such financial reports as required and reasonably requested by the Erie County Democratic Party Central and/or Executive Committees or other individuals authorized by law. The Treasurer shall be accountable for all receipts and expenditures of the party. All records shall be subject to the Erie County Democratic Party Audit Committee, State of Ohio Auditor's office and State of Ohio Secretary of State's office for audit. The Treasurer shall compile, complete and submit campaign finance reports as required by law. The Treasurer and any other party officer responsible for the handling of party funds shall be under sufficient bond, the amount of which shall be determined by the Erie County Democratic Party Executive Committee.
- 5.06. No individual shall hold more than one (1) office at the same time.
- 5.07. Tenure for all Erie County Democratic Party Officers, Erie County Democratic Party Central and Executive Committee members shall be for four (4) years from the date of election or appointment, or, from the date of appointment in case of At-Large Members.

Tenure cannot be extended beyond the next date of election of Central Committee Members as provided in Ohio Revised Code Section 3517.03.

## **ARTICLE VI: Meetings**

- 6.01. The Erie County Democratic Party Executive Committee shall meet at least six (6) times per year, at a location that is ADA accessible within Erie County, Ohio, selected by the Chairperson.
- 6.02. An organizational meeting shall be conducted no earlier than six (6) days nor later than fifteen (15) days after the certification of the primary ballot according to the laws of the State of Ohio.
- 6.03. All meetings of the Erie County Democratic Party Central Committee shall be convened as follows:
  - (a) At the call of the Chairperson, or in his/her absence at the call of the Vice Chairperson; or
  - (b) At the call of the Secretary within ten (10) days following receipt by such Secretary of a petition signed by not less than fifteen (15) members of the Erie County Democratic Party Executive Committee requesting a special meeting and stating the purpose(s) of such meeting.
- 6.04. Each call for a meeting, whether regular or special, shall state the date, time, place and purpose(s) of the meeting, any issues that may require the Erie County Democratic Party Executive Committee to vote on, and shall be issued to each member of the Erie County Democratic Party Executive Committee via electronic mail and/or U.S. Postal Service not less than seven (7) days in advance of the meeting. Notice of such meeting shall be provided to local news media via news release and/or posted on the Erie County Democratic Party's website and social media.
- 6.05. All meetings of the Erie County Democratic Party Executive Committee shall be open meetings, except when a majority of such members present vote to go into Executive Session, at which meeting only duly elected and/or appointed members of the Executive Committee shall be present. Such meetings shall conform to Ohio's Sunshine Laws.
- 6.06. Minutes shall be taken of all meetings of the Erie County Democratic Party Central and Executive Committees, except when in Executive Session.



- 6.07. A quorum for each meeting duly convened shall consist of forty percent (40%), in person or electronically, of the Erie County Democratic Party Executive Committee Members, to conduct business at a regular meeting unless otherwise noted.
- 6.08. Appointed members of the Erie County Democratic Party shall be disqualified from membership if he/she misses three (3) consecutive meetings, unless excused prior to said meetings.

## **ARTICLE VII: Endorsements**

- 7.01. Members of the Erie County Democratic Party will be given an opportunity to consider endorsement of National and Statewide candidates before both the Primary and the General Elections in accordance with the Ohio Democratic Party Endorsement Policy: If the Ohio Democratic Party endorses in any race, the Erie County Democratic Party is bound by those endorsements. If the Ohio Democratic Party does not endorse in any race, then the Erie County Democratic Party has the ability to endorse by following the procedures herein.
- 7.02. The Erie County Democratic Party may endorse and may donate to candidates for any office for which the officeholder is elected by a statewide vote in Ohio, including U.S. President/Vice President, U.S. Senator, Governor/Lt. Governor, Attorney General, Auditor, Secretary of State, Treasurer, the offices of Chief Justice and Justice of the Supreme Court of Ohio.
- 7.03. Members of the Erie County Democratic Party shall support candidates endorsed by the Erie County Democratic Party to the best of each member's ability.
- 7.04. A Nominating/Endorsement Committee shall be a Standing Committee of this organization.
  - (a) The Nominating/Endorsement Committee shall consist of five (5) members of the Erie County Democratic Party appointed by the Chairperson.
  - (b) The terms of members of the Candidates Committee shall be the same as term of the Chairperson. Members may serve successive terms on the committee.
- 7.05. It is the responsibility of candidates – or his/her campaign representative – to request endorsements and donations from the Erie County Democratic Party. Candidates' requests for endorsements and/or donations shall be referred to the Nominating/Endorsement Committee for a recommendation.
  - (a) Candidates requesting a donation shall request a specific amount of money to be donated, provide the Nominating/Endorsement Committee with a campaign

- (b) budget and shall inform the Nominating/Endorsement Committee of the use the candidate intends to make of the Erie County Democratic Party’s donation.
  - (c) Factors to be considered by the Nominating/Endorsement Committee in making its recommendation shall include, but not be limited to whether the candidate’s positions and values are consistent with the positions and values of the Democratic Party, whether the candidate is a viable candidate for the office which she/he seeks and whether the candidate has a feasible plan to win her/his election. The Nominating/Endorsement Committee shall obtain additional information as it deems appropriate to make its recommendation.
- 7.06. When a candidate in a contested Democratic primary election requests an endorsement and/or donation, the Nominating/Endorsement Committee shall make all reasonable efforts to obtain the same information from all Democratic candidates in that primary election so that all Democratic candidates receive equal consideration before an endorsement and/or donation may be made. In addition, all candidates – or a designated campaign representative – must be allowed the opportunity “the right to appear” equally before the Erie County Executive Committee before any endorsement can be made according to the Ohio Democratic Party Bylaws Chapter 7 Party Structure State Guidelines, Section 5 Right of Appearance.
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- 7.07. The Nominating/Endorsement Committee shall inform the Erie County Democratic Party’s Executive Committee of its recommendation on each request for an endorsement and/or donation, including the reasons for the recommendation.
- (a) An endorsement of and/or donation to a candidate by the Erie County Democratic Party must be voted on by the Erie County Democratic Party Executive Committee at a regular or special meeting.
  - (b) Notice of the meeting shall be provided as stipulated in Article VI., Section 6.04 of this Constitution and Bylaws. The notice shall specifically state that the meeting will include a vote on an endorsement of and/or donation to a candidate, including the name of the candidate and the office to which she/he seeks election.
  - (c) The endorsement and/or donation shall be made if a majority of the members present at the meeting vote in favor of that action. A member is present at the meeting when the member is physically present at the meeting site or when the member participates by electronic means through which the member can see and hear all information presented at the meeting and through which the member can unambiguously communicate her/his vote.
  - (d) A vote to endorse a candidate does not obligate the Erie County Democratic Party to donate money to that candidate.
  - (e) A separate vote on donating a specific dollar amount of money to the candidate must occur to authorize a donation. A donation shall be made if a majority of the members present at the meeting vote in favor of that action. That vote may occur

at the same meeting at which the Erie County Democratic Party votes to endorse the candidate or at a subsequent meeting.

- 7.08. When circumstances become known that may warrant withdrawal of an endorsement made by the Erie County Democratic Party, any member may request the Chairperson to call a meeting of the organization to consider such withdrawal.
- (a) The request shall provide the reason(s) why the endorsement should be withdrawn. The Chairperson shall communicate that request to the other members of the Erie County Democratic Party Executive Committee.
  - (b) A meeting of the Erie County Democratic Party Executive Committee members shall be held as provided in Article VI., Section 6.04 of this Constitution and Bylaws.
  - (c) The notice of the meeting shall state that a vote on withdrawing an endorsement will occur, including the name of the candidate involved and the office to which she/he seeks election.
  - (d) The Erie County Democratic Party may withdraw its endorsement of a candidate if a majority of the members present at the meeting vote in favor of that action. A member is present at the meeting when the member is physically present at the meeting site or when the member participates by electronic means through which the member can see and hear all information presented at the meeting and through which the member can unambiguously communicate her/his vote. The Chairperson will notify the candidate in writing of the withdrawal of his/her endorsement by the Erie County Democratic Party.
- 7.09. All donations made by the Erie County Democratic Party shall comply with all applicable state and federal laws.

### **ARTICLE VIII: Rules of Order**

- 8.01. Any matters regarding the conduct of the affairs of the Erie County Democratic Party Central and Executive Committees not governed by this Constitution and Bylaws, by the Constitutions of the Ohio Democratic Party and the Democratic National Committee or by the laws of the State of Ohio shall be governed by Robert's Rules of Order latest newly revised edition.
- 8.02. Members of the Erie County Executive Committee may bring forward issues/motions to the body for consideration and vote. Such issues/motions must be provided to the Chairperson to ensure compliance to Article VI. Section 6.04.

8.03. Voting on all issues – including elections of officers and recommendations of member(s) to the Erie County Board of Elections Board – brought before the Erie County Democratic Party Executive Committee shall be conducted by one of the following methods:

- (a) Voice Vote – If requested by majority present, the voice vote may be divided into nays, yeas and abstentions.
- (b) Hand Vote – If requested by majority present, the hand vote may be divided into nays, yeas and abstentions.
- (c) Standing Vote – If requested by majority present, the standing vote may be divided into nays, yeas and abstentions.
- (d) Ballot Vote – If requested by majority present, the ballot must have each voting members' name printed on the ballot and the voting member must sign the ballot before casting ballot. Per the Records Retention Schedule, Appendix G-733 of the Election Official Manual for Ohio County Boards of Election, said ballots must be retained for twenty-two (22) months and then destroyed provided the election is not contested.
  - i. If a hybrid-style meeting is being conducted and a Ballot Vote is requested by majority present, those members on electronic means will be required to be visible in order to be identifiable and to vote by Hand Vote according to Article VIII., Section 8.03(b).
  - ii. Names of the voting members and their Hand Vote will be recorded and retained per the Records Retention Schedule as outlined in Article VIII., Section 8.03(d).

8.04. Officers shall be elected with all candidates properly nominated and elected according to the Democratic National Committee and Ohio Democratic Party procedures. No proxies shall be taken.

- (a) If more than two individuals are seeking election as Chairperson, Vice Chairperson, Secretary and/or Treasurer, the following method of voting will be conducted:
  - i. In order to win the election, a candidate must receive a 50% + 1 majority of those members present.
  - ii. If no candidate receives a majority on the first ballot, a second ballot is taken with all candidates still eligible.
  - iii. If no candidate receives a 50% + 1 majority on the second ballot, the candidate that received the fewest number of votes is dropped and a third vote is taken of the candidates remaining.
  - iv. The same procedure is followed for each subsequent round of voting until one candidate has received a 50% + 1 majority of those present.

- 8.05. All issues, including the election of officers and nomination(s) to the Erie County Board of Elections Board, shall be controlled by simple majority of votes.
- 8.06. The only exception to Section 8.05. is when modification, amendment or suspension of the Constitution and Bylaws herein shall require a majority vote of sixty percent (60%) of the total membership of the Erie County Democratic Party Executive Committee. Each member of the Erie County Democratic Party Executive Committee shall receive the following for review:
- (a) Current Constitution and Bylaws language
  - (b) Language modification(s) being proposed – new language shown in italics and edited/deleted language struck through
  - (c) Proposed Constitution and Bylaws language

During the organizational meeting, one (1) reading shall be required of proposed modification(s) and/or amendment(s) with a vote taken by the Erie County Democratic Party Central Committee immediately after the reading.

- 8.07. For Erie County Democratic Party Executive Committee meetings, the regular Order of Business shall be as follows:
- i. Call to Order and Pledge of Allegiance
  - ii. Roll Call
  - iii. Secretary’s Report, Reading of Minutes, Communications
  - iv. Treasurer’s Report, Acting on Bills
  - v. Reports of officers, elected officials, committees, organizations, candidates
  - vi. New Business
  - vii. Old Business
  - viii. Adjournment

## **ARTICLE IX: Accounting, Finance and Reimbursement**

- 9.01. Allowable expenses when properly documented with receipts:
- (a) When necessary, the most economical transportation shall be used while on Erie County Democratic Party business. Air transportation, rental cars and/or taxis may be used with prior approval from the Chairperson. If said expenses are for the Chairperson, the Treasurer shall give prior approval.
  - (b) Personal automobile expenses will be allowed at the current IRS rate per mile. Tolls and other such expenses are allowable.

- (c) Allowable meal expenses will be at the current standard IRS rate per day as a maximum per diem. In addition, tipping will be reimbursed and not to exceed 20% of the meal bill. Alcoholic beverages will not be reimbursed.
- (d) Reasonable and adequate hotel accommodations will be provided and reimbursed when necessary.
- (e) Reasonable telephone, e-mail and/or other communications expenses will be reimbursed.
- (f) Registration fees, donations and/or contributions incurred on behalf of the Erie County Democratic Party to attend Democratic seminars, trainings, functions and/or events will be reimbursed.

9.02. Expense reimbursement procedures:

- (a) The Chairperson will approve all expenses prior to costs being incurred. If the expense is for the Chairperson, the Treasurer will approve such expenses.
- (b) Reimbursement for expenses is accomplished by submitting a record of all expenses to the Treasurer on the Erie County Democratic Party Expense Report form, along with all required receipts, vouchers and/or transportation tickets.
- (c) The Erie County Democratic Party Expense Report shall include the following information:
  - The nature of the business for which the reimbursement is being requested.
  - The name, address, telephone number of the person requesting reimbursement.
  - The form must be signed by the person requesting reimbursement and approved by the Chairperson and/or Treasurer.
- (d) All requests for reimbursement shall be made within a reasonable time frame, but no longer than sixty (60) days of when costs were incurred. Exceptions may be made during election cycles by the Chairperson and/or Treasurer.
- (e) The Treasurer will issue a check within fifteen (15) days of receipt of a properly submitted expense report form.

9.03. Members of the Erie County Board of Elections shall not be eligible for expense reimbursement for transportation, mileage, accommodations, communications, meals, trainings, seminars, functions and/or events provided through the Secretary of State's office due to the monthly stipend received for being appointed to said Board.

## **ARTICLE X: Party Structure – National Guidelines**

### 10.01. National Convention

The Erie County Democratic Party shall be guided by and shall comply with the guidelines required by the Ohio Democratic Party and the Democratic National Committee.

### 10.02. Participation

The Erie County Democratic Party shall seek as broad a base of support as possible. All meetings of the Erie County Democratic Party shall be open to all members of the Democratic Party regardless of race, gender identity, language, national origin, religion, age, disability or sexual orientation. No test for members in or oaths of loyalty to the Erie County Democratic Party shall be required or used to that have the effect of requiring prospective or current members of the Erie County Democratic Party to acquiesce in, condone or support discrimination on the grounds of gender identity, race, color, creed or national origin, religion, age, disability or sexual orientation.

The time and place of meetings of the Erie County Democratic Party should be publicized fully and in such a manner as to assure timely notice to all interested persons. Publication of these procedures should be done in such fashion that all prospective and current members of the Erie County Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate at all levels of the Erie County Democratic Party.

### 10.03. Access

The Erie County Democratic Party shall provide easy access and frequent opportunity for qualified residents of Erie County to become members of the Erie County Democratic Party and shall support any legislation that so provides.

## **ARTICLE XI: Party Structure – State Guidelines**

### 11.01. County Constitutions and Bylaws

Each Democratic County Central and Executive Committee in the State shall adopt a Constitution and Bylaws that shall comply with and be consistent with the Constitution and Bylaws of the Ohio Democratic Party. Each such Democratic organization shall submit a copy of said Constitution and Bylaws to the Chairperson of the State Executive Committee. Any amendments, changes or modifications in said Constitution and Bylaws shall also be immediately reported to the Chairperson of the Ohio Democratic Party.

#### 11.02. Participation

No Democratic State or County Central or Executive Committee shall permit any rules which tend to limit participation in said organization except on the basis of residency and general qualifications set out in Article I., Sections 1.02 and 1.03 of the Erie County Democratic Party Constitution and Bylaws.

#### 11.03. Donation Limitations

No Democratic candidate shall be required to contribute, lend, give or donate anything of value to any Democratic Committee or Party official as a condition of his/her endorsement for elective office. No member, candidate, Party official or Democratic elected or appointive official, acting for him/herself individually or for any Democratic Committee, shall request or receive any financial contribution, donation, gift or other form of economic remuneration as a condition for securing an endorsement of any Democratic candidate for elective or appointive office.

#### 11.04. Document Availability

All Party Constitutions and Bylaws, rules, regulations, membership lists, lists of officers or committee members, minutes and other documents must be available to every Democrat upon written request.

#### 11.05. Right of Appearance

Every Democrat who desires to be a Democratic candidate for any public office shall have the right to appear before the County Executive Committee, if said office is decided in countywide election, or other such committee as is authorized by the County Executive Committee to make endorsements if said office is decided on a county or district basis at a regularly scheduled meeting(s) established for such purpose to discuss the campaign issues or his/her candidacy and any endorsements to be made by such committees.

#### 11.06. Voting Restrictions

- (a) No Democratic County Central or Executive Committee shall permit the use of the unit rule in voting on any matter.
- (b) No Democratic County Central or Executive Committee shall permit proxy voting on any matter.
- (c) No Democratic County Central or Executive Committee shall permit election of its officers by slate.

Every vote taken for the election of its officers or the endorsements and/or selection of person(s) for public office shall be in accordance with the standards set by the Charter and Bylaws of the Democratic Party of the United States.



## **ARTICLE XII: State and County Cooperation**

- 12.01. The Chairperson of the Erie Democratic Party Executive Committee shall consult and cooperate with the Chairperson of the Ohio Democratic Party and its Executive Committees on all matters relating to the business of the Erie County Democratic Party.
- 12.02. The Chairpersons of the Ohio Democratic Party and its Executive Committees shall consult with the Erie County Democratic Party Executive Committee and its Chairperson on all matters relating to the business of the Erie County Democratic Party.

## **ARTICLE XIII: Party Unity**

All members of the Erie County Democratic Party, candidates for office, Democratic Board Members of the Board of Elections and appointed staff, Party officers, Party committees and organizations and elected Democratic officials shall support the principals of the Erie County Democratic Party, Ohio Democratic Party and the Democratic National Party. By doing so, each person will be deemed a member in good standing of the Erie County Democratic Party.

## **ARTICLE XIV: Violation of Constitution and Bylaws**

- 14.01. Censure  
Willful and intentional conduct by any Party official or Party organization in violation of the Constitution and Bylaws of the Erie County Democratic Party shall be cause for censure – including removal from office – and such other sanctions as may be adopted by the Executive Committee.
- 14.02. Grievance Committee  
The Chairperson of the Erie County Democratic Party Executive Committee shall nominate three (3) Democrats to act as a Grievance Committee to examine any violations of the Constitution and Bylaws.
- The primary duty of the Grievance Committee is to investigate any violations of the Constitution and Bylaws referred to them by means of a complaint or by majority vote of sixty percent (60%) of the Erie County Democratic Party Executive Committee.
- 14.03. Complaint  
A complaint in writing signed by three (3) complainants specifying violation(s) of any provision of the Constitution and Bylaws by any person or group may be presented to the Chairperson of the Erie County Democratic Party Executive Committee.

The Chairperson shall then designate one (1) of the members of the Grievance Committee to investigate any such complaint within thirty (30) days after its receipt by the Chairperson.

The Grievance Committee shall investigate the complaint as thoroughly as possible and shall provide for a fair hearing to all parties. All parties shall be permitted to present briefs, evidence and/or witnesses. The Grievance Committee shall attempt to mediate the complaint to the satisfaction of all parties.

#### 14.04. Report and Decision

The Grievance Committee must submit a report in writing on the results of its investigation within sixty (60) days of receipt of the original complaint to the Chairperson of the Erie County Democratic Party Executive Committee and the parties.

If the Grievance Committee concludes that they are unable to mediate the conflict to the satisfaction of all parties, the Erie County Democratic Party Executive Committee shall then, after opportunity for full consideration – including a fair hearing, decide the issues raised by the complaint. A majority vote of sixty percent (60%) of the Erie County Democratic Party Executive Committee at a properly constituted meeting shall decide the issue or issues. Such meeting of the Erie County Democratic Party Executive Committee must take place within ninety (90) days after receipt of the Grievance Committee's report.

The decision of the Erie County Democratic Party Executive Committee shall be final and binding upon all parties to the dispute.

### **ARTICLE XV: Oath of Office/Membership**

15.01. All officers of the State and County Central Committees and the State and County Executive Committees shall be required to take an oath of office to support the Constitution of the United States of America, the Constitution of the State of Ohio and the Constitution and Bylaws and principles of the Erie County Democratic Party, the Ohio Democratic Party and the Democratic National Committee.

15.02. Each member of the Erie County Democratic Party Central and Executive Committees shall pledge and dedicate his/her best efforts and loyalty to the success of the Democratic Party's cause and its candidates during his/her tenure in office.

- 15.03. The Erie County Democratic Party Oath of Office shall be as follows:  
“I, (name), do solemnly swear to uphold and support the Constitution of the United States of America, the Constitution of the State of Ohio, the Charter and Bylaws of the Democratic National Committee, the Constitution and Bylaws of the Ohio Democratic Party and the Constitution and Bylaws of the Erie County Democratic Party as you swear unto God or under the pains and penalties of perjury.” Answer: I do.

#### **ARTICLE XVI: Amendment(s)**

- 16.01. The within Constitution and Bylaws shall serve as the governing agreement of the Erie County Democratic Party, in accordance with Ohio Revised Code section 3517.02, until duly amended in accordance with the provisions hereof.
- 16.02. The Constitution and Bylaws herein may be amended by the Erie County Democratic Party Executive Committee at any regular or special meeting called for that purpose at least ten (10) days prior to such meeting and by majority vote of sixty percent (60%) of the Erie County Democratic Party Executive Committee. Notice of such meeting shall be in writing and contain the proposed amendment and the date, time and location of the meeting.
- 16.03. The Constitution and Bylaws shall be reviewed at least once every four (4) years by a committee appointed by the Chairperson and at such other times as requested by a majority vote of twenty-five percent (25%) of Erie County Democratic Party Executive Committee members present at a duly convened meeting.
- 16.04. The Ohio Democratic Party Secretary shall receive a copy of said Constitution and Bylaws within thirty (30) days of being approved when amended.

Adopted May 17th, 1990  
Amended August 19, 1993  
Amended January 18, 2007  
Amended June 10, 2010  
Amended June 2, 2022  
Amended January 26, 2023

Signed and adopted this 26th day of January 2023.

*/ afg / Amy F. Grubbe, Chair*  
*/ llm-m / Linda L. Miller-Moore, Secretary*

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P.O. Box 135, Sandusky, Ohio 44871-0135  
[www.eriecountydems.org](http://www.eriecountydems.org)