



**BY-LAWS OF THE KENTUCKY  
DEMOCRATIC PARTY**

**Ratified by the State Convention of the  
Kentucky Democratic Party  
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# **BY-LAWS OF THE KENTUCKY DEMOCRATIC PARTY**

## **ARTICLE I**

**A. Supreme Power in Party Members, Exercised According to Law:** The supreme power of the Kentucky Democratic Party (hereinafter “KDP”) rests in the members thereof as exercised by them in State Convention assembled. The organization and conduct of Party affairs shall be in accordance with the Constitutions and laws of the United States and the Commonwealth of Kentucky (Public Laws) and these Party Laws.

**B. Registered Democrats are Party Members:** The KDP shall include all persons registered in Kentucky as Democrats.

**C. No Discrimination in Registration:** The KDP, at all levels, shall support the broadest possible registration without discrimination based on age (if of voting age), gender, religion, economic status, sexual orientation, ethnic identity or physical disability.

**D. No Discrimination in Party Meetings:** All public meetings at all levels of the KDP are open to all members of the KDP regardless of age (if of voting age), gender, religion, economic status, sexual orientation, ethnic identity or physical disability.

No Democrat Committee governed by these By-Laws, or any Democratic Party Officer acting in his or her official capacity, shall endorse or support one Democratic candidate over another Democratic candidate in a Democratic Primary Election. No assets of the Democratic Party shall be used in a Democratic Primary Election unless they are made available equally to all Democrat Candidates in that specific primary election.

Democratic Party Officers who are candidates in a Democratic Primary Election are not prohibited from listing their party position or party office in their campaign materials. Also, this does not prevent any Democratic Party Officer from supporting or endorsing the Democrat of their choice in a primary election as long as they are not acting in an official party capacity.

Decisions of the Democratic Senate and House Caucuses are not governed by these By-Laws.

**E. No Tests or Oaths Based on Discrimination:** No test of membership in, nor any oaths of loyalty to the KDP, shall be required or used which requires prospective or current members to acquiesce in, condone, or support discrimination on the grounds of sex, race, color, creed, or national origin.

**F. Publication of Party Election Procedures:** The KDP shall publicize fully and in such manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels. Publication of these procedures shall be done in such a fashion that all prospective and current members of the Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection at all levels of the Democratic Party organization.

**G. Publication of Qualifications for Party Office:** The KDP shall publicize fully and in such manner as to assure notice to all interested parties a complete description of the legal and practical qualifications for all officers and representatives of the State Democratic Party. Such publication shall be done in a timely fashion so that all prospective candidates or applicants for any elected or appointed position within the State will have full and adequate opportunity to compete for office.

**H. Responsibility/Dismissal of Party Officers:** If any Democratic Party Officer fails to support the nominees of the National or KDP or disavows allegiance to either, his or her office shall become vacant after a hearing and majority vote of the County Executive Committee members. The vote shall be on whether or not the individual failed to support the nominee and not on whether to retain the individual in their party capacity. The office shall be declared vacant immediately following finding of guilt.

Any Democratic Party Officer who intentionally reveals Party information that has previously been declared confidential to an unauthorized person or source shall have his or her office declared vacant after a hearing and a majority vote of the appropriate executive committee as stipulated by these by-laws.

If any Democratic Party Officer is accused of intentional failure to comply with the KDP By-Laws or precinct, Legislative District, County or State Convention calls or caucuses, the County Democratic Executive Committee or the State Democratic Central Executive Committee (hereinafter "SCEC"), as provided below, shall hold a hearing. Should it be found by a majority vote that the officer did intentionally so fail to comply; his or her office shall be declared vacant. This paragraph shall only apply to any action taken by a Party Officer after its adoption.

Hearings for Precinct Officers shall be conducted by the County Democratic Executive Committee. Hearings for all other Party Officers shall be conducted by the SCEC. Any appeals from the hearings shall be covered by Article IX of these By-Laws.

If the County Executive Committee fails to act within thirty days after being notified of this situation the chair of the SCEC has the authority to declare that office or position vacant. Any person who is dismissed from an office or position in the Democratic Party for the above reasons shall be prohibited from holding any office or position within the Party for two years.

## ARTICLE II

### GOVERNING PROCEDURES FOR CONVENTIONS AND COMMITTEE MEETINGS

**A. Proxy Voting:** Voting by proxy will not be permitted at any caucus or convention, nor in the election or removal of an individual to or from any office or position in the Party.

Proxies can be used at any State or County Executive Committee meeting to conduct regular or special business other than that of electing or removing individuals as stated above. Proxies shall be given and used only by a member of such committee. Proxies used in such meetings must be in writing and the member giving a proxy must state how and for what purpose it shall be voted.

**B. Unit Rule Forbidden:** The unit rule, or any rule or practice whereby all members of a Party unit or delegation are required to cast their votes in accordance with the will of a majority of the body, shall not be imposed on or upon any assembly, convention, meeting or caucus of delegates of the KDP.

**C. Registration Deadline:** Democrats must be registered thirty days before their respective County and Legislative District Conventions, to participate in the Precinct, County or Legislative District Conventions.

Any Democrat registered less than thirty days before the County and Legislative District Conventions will not be allowed to nominate or vote on party officers, State Convention delegates or any other business before the convention, nor will they be allowed to seek a position as a Party officer or delegate.

**D. Slates:** Any delegate attending a Party convention may sponsor or endorse a slate of candidates for party officer or delegate positions. However a slate is merely a method of campaigning and cannot be used in nominations or balloting. Each individual must be nominated and voted on as an individual, not as part of a slate. Names of all nominees shall be listed in alphabetical order on the ballot.

**E. Open Floor Nominations:** Any delegate to a convention may place in nomination for delegate or alternate his or her name, or the name of any member of the KDP who is a Democrat eligible to vote in the unit from which he or she is to be elected. Nominations shall be accepted by the presiding officer of the convention until a motion is made and passed to close the nominations.

**F. Method of Voting:** If two or more persons are nominated for an office or position, the vote must be taken by secret ballot with all nominees listed in alphabetical order by last name.

**G. Election of Alternates and Delegates:** After a convention has elected the allotted number of delegates, it shall nominate and elect alternates, within the number permitted by the Call for Conventions, by the same process used to elect delegates.

**H. Vacancies in County or Legislative District Delegations:** If a delegate dies, becomes ineligible or withdraws from a convention, alternates shall succeed to such vacancies. Delegation vacancies may be filled by majority vote if at least forty percent of the delegation is present to vote. If any vacant delegate position remains unfilled, the delegate position loses its vote. If a delegate to the Democratic National Convention should die, resign or become ineligible, such vacancy shall be filled in accordance with the Delegate Selection Plan.

**I. Minority Reports:** Upon the votes of ten percent (10%) of the delegates to any convention, or ten percent (10%) of the members of any committee acting at any convention of the Democratic Party of Kentucky, a minority report shall be prepared and presented to the floor of such convention as a whole.

**J. Apportionment of Delegates to the Legislative District, County, Congressional District and State Convention:** The number of delegates and alternates from each precinct, Legislative District or County to the above conventions shall be as set forth in the following Section K.

**K. Formula for Apportionment of Delegates:**

1. **Legislative District or County Convention:** The Democratic registration of each precinct shall determine the weighted vote that each precinct committee person represents. The number of votes will be provided by State Democratic Headquarters.

2. **Congressional District and State Conventions:**

a.	County or Legislative District Committee Democratic Registration	X	Total number of delegates fixed by the SCEC for State Convention
	Total Kentucky Democratic Registration		

b.	Total County Democratic Vote In the two most recent Presidential Elections	X	Total number of delegates fixed by the SCEC for State Convention
	Total KY Democratic Vote In the two most recent Presidential Elections		

c. The products derived from application of the preceding formulae (a) and (b) shall be added and then divided by two, and the resulting quotient shall be the number of delegates to which such county shall be entitled. For counties holding Legislative District Conventions, the total county delegation shall be apportioned among the Legislative Districts according to the percent of registered Democrats who live in each Legislative District within the county.

The total number of alternates fixed by the SCEC for elections to the State Convention shall be apportioned in like manner.

The SCEC shall state the apportionment of delegates and alternates from each county or Legislative District in the Call to Convention.

**L. Apportionment of Delegates from Split Legislative Districts and Counties to Congressional District**

**Conventions:** If a legislative district or county falls within the boundaries of two or more Congressional Districts, the delegates elected from such Legislative District or County shall be apportioned among the two congressional districts according to the percent of registered Democrats who live in each portion of the affected legislative district or county.

The County Chair shall announce at the convention of each County or Legislative District falling within the boundaries of two or more congressional districts the apportionment of the delegates (as supplied by State Democratic Headquarters) to the said Congressional District Conventions.

**M. Tellers to be Appointed:** The presiding officer of any convention or committee meeting shall, upon request by any member of the convention or of the committee, appoint tellers to count the members who are entitled to vote and also to count the actual balloting. If the presiding officer refuses to make such an appointment, he or she shall be replaced at such meeting by a majority vote of the members at the meeting and a presiding officer thus elected shall appoint tellers to make the requested count. Any action taken by any convention or committee in violation of this rule shall be void.

**N. Challenge to and Vote on Committee Recommendations:** It shall be the duty of the presiding officer of each convention to assure that the right to challenge any committee recommendation is more than perfunctory, and places no undue burden on the challengers. All such committee reports shall be subject to approval and to amendment, in whole or in part, from the floor of the convention, and shall be subject to the final vote of the Convention.

**O. Minutes of Meetings:** All minutes of any meeting, convention or caucus at every level of the Democratic Party are open to inspection by any registered Democrat upon request. See article V, Section C2.

**P. Adequate Notices of Times and Places for Party Meetings:** The time and place for all meetings of the KDP at all levels shall be publicized fully, and in such manner as to assure adequate notice to all interested persons. Such meetings shall be held in places accessible to all Party members and large enough to accommodate all interested persons.

## ARTICLE III

### PRECINCT CONVENTIONS AND PRECINCT COMMITTEES

**A. Purpose:** A convention/meeting is held in every precinct throughout Kentucky on the same day to elect a Precinct Committee who shall serve as delegates to the County or Legislative District Convention and to fulfill other duties of the office. Any Democrat registered in that precinct thirty (30) days prior to the County Convention can attend and participate.

**B. Time and Place of Precinct Convention:** Precinct Conventions shall be held in presidential election years at the polling place used in the preceding general election. The conventions will convene at 10:00a.m., local time, on a date to be determined by the SCEC.

Counties containing portions (wholly or partially) of six or less Legislative Districts shall have the Option to hold their Precinct Conventions at one or more central locations instead of at the polling places used in the preceding general election. To effect this Option, the County's Executive Committee must approve the central location(s) at a duly held County Executive Committee meeting not less than thirty (30) days prior to the Precinct Conventions. The approval must specify, in detail, each Precinct and the location of its convention. All notification provisions in this Article III must be strictly followed.

**C. Notification or Convention:** No less than seven (7) days before the Precinct Conventions, the County Chair must publish the time and places for such conventions in the newspaper with the largest circulation in the County or Legislative District. The County Executive Committee must purchase an ad for this notification within the specified time if the newspaper will not print the information as a news item.

**D. Business of Precinct Convention:** Democrats registered in each precinct shall elect a three-member Precinct Committee consisting of one man, one woman, and one youth age thirty-five or under, all of whom shall live and be registered Democrats in the Precinct. The youth once elected shall be able to fulfill his or her four-year term regardless of age at end of term.

Upon election of the committee, one member of this newly elected committee shall be chosen by the attendees to serve as Precinct Chair. This person will coordinate the activities of the committee to assure that the duties of the Precinct Committee are carried out in a timely manner.

No person shall act as a member of the Precinct Committee who has failed to support the nominees of the Party at the preceding general election. The incumbent County Executive Committee shall be the judge of the qualifications of the Precinct Committee members, subject to their right to appeal to the SCEC.

**E. Temporary Chair of the Convention:** The County Chair shall appoint a Democrat registered in the County to act as Temporary Chair to preside over the Convention until the registered voters in attendance elect a permanent presiding officer of the Convention.

If the County Chair does not appoint a temporary presiding officer for the Precinct Convention, any registered Democrat in attendance may call for the election of a permanent presiding officer of the Convention.

**F. Method of Voting:** If two or more persons are nominated for an office or position, the vote must be taken by secret ballot with all nominees listed in alphabetical order by last name.

**G. Tie Votes:** In the event that a vote of the Precinct Committee results in a tie, the ballot shall be re-cast (by secret ballot for only those persons involved in the tie vote). If the re-balloting still results in a tie, the opposing parties or candidates shall flip a coin immediately and before the body of the meeting to decide the outcome of the election.

**H. Appeal of the Process:** All contests or disputes arising after the election of Precinct Committees shall be decided in accordance with Article IX, Section A of these By-laws.



**I. Removal of Members of Precinct Committees:** If any Precinct Committee member fails to support the nominees of the National or Kentucky Democratic Party, or disavows allegiance to either, his or her office shall become vacant after a hearing and majority vote of the County Executive Committee.

If any Precinct Committee member dies or moves from the precinct from which he or she was elected, becomes disabled or cannot otherwise serve or notifies the County Executive Committee in writing, their office shall be declared vacant by the County Executive Committee.

**J. Filling Vacancies in Precinct Committees:** When a vacancy exists on any Precinct Committee, the Legislative District Chair in Counties within portions of six or more Legislative Districts, or the County Chair in all other counties, shall notify the SCEC of such vacancies. The County Executive Committee shall fill any such vacancy within thirty days of notification. If the vacancy exists longer than thirty days, the Chair of the SCEC shall fill the vacancy.

Within ten days after filling a vacancy, the Secretary of the County Executive Committee shall submit in writing to the SCEC the name, address, phone number, precinct name and title of office of the new Precinct Committee member(s).

The above procedure also applies to Precinct Committee positions not filled at the Precinct Conventions.

**K. Precinct Minutes:** At the close of the Precinct Convention, the Permanent Chair so elected shall complete all information requested on the official Precinct Minutes and Precinct Committee forms and return all such information to the Chair of the County Executive Committee within forty-eight (48) hours.

## ARTICLE IV

### COUNTY AND LEGISLATIVE DISTRICT CONVENTIONS

**A. Purpose:** A Convention(s) shall be held in every County in Kentucky on the same day to elect a County Executive Committee and/or Legislative District Chair and Vice Chair, elect delegates and alternates to attend the Congressional District and State Convention, and conduct other business as directed by the SCEC. The members of the Precinct Committee shall serve as delegates to this convention(s).

**B. Determination of County or Legislative District Conventions:** A County Convention shall be held in all counties that contain six (6) or less legislative districts, wholly or partially, within its boundaries. Legislative District Conventions shall be held in all other counties, including a separate Legislative District Convention for any portion of a legislative district which lies partially within such a County.

**C. Time and Location of Conventions:** The County and Legislative District Conventions shall be held in presidential election years at 10:00 a.m., local time, on a date to be determined by the SCEC.

Upon receipt of the Call for Conventions from the SCEC, the chair of each County or Legislative District shall designate a place to hold their County or Legislative District Convention.

**D. Advertisement/Notification of Conventions:** Not less than seven (7) days before the County or Legislative District Conventions, the County Chair shall publish the time and place for such Convention(s) in the newspaper with the largest circulation in the Legislative Districts or County. The County Executive Committee must purchase an ad for this notification within the above specified time if the newspaper will not print the information as a news item.

**E. Temporary/Permanent Presiding Officers:** The temporary presiding officer of the County or Legislative District Convention shall be appointed by the County Chair or the Legislative District Chair prior to the County or Legislative District Convention and he or she shall preside over such Convention until the Convention elects a Permanent Presiding Officer. The temporary presiding officer shall not have a vote while acting in this capacity.

**F. Eligible Participants and Weighted Vote at Convention:** The Precinct Committee members (man, woman, and youth representatives) elected at the Precinct Conventions held in accordance with Article III shall constitute the delegates to the County or Legislative District Convention.

Only those precinct officers properly elected at the precinct convention shall have a vote in the county convention. No person appointed to fill any precinct vacancy in the period between the precinct convention and the county convention shall have a vote or be seated at the county convention.

Each delegate's vote shall be equal to the total number of registered Democrats in the precinct he or she represents.

**G. Business of County and Legislative District Conventions:** The Precinct Committee members at such conventions shall act on the following:

1. Elect an allotted number of delegates and alternates from their respective County or Legislative District to attend the Congressional District Convention and the State Convention. The number of delegates and alternates to be apportioned are designated by the SCEC as apportioned by the procedure outlined in Article II, Sections J and K;
2. Elect their County Executive Committee or Legislative District Chair and Vice Chair, according to one of the methods outlined in Article V, Section B ; and,
3. Consider such business and perform such duties as may be assigned to them by the SCEC in its Call for Conventions.

**H. Convention Records and Reporting Requirements:** Within ten days following the County or Legislative District Conventions, the newly elected County Chair shall forward by certified mail all official Precinct, County and Legislative District Convention minutes, officer forms, Congressional District and State Convention delegate forms, required sign-in sheets, and other requested information to the SCEC. If the aforementioned documentation is not received within the ten (10) day period, the County Convention or the Legislative District Convention shall be declared null and void, and the SCEC shall appoint and fill all vacancies.

## ARTICLE V

### COUNTY EXECUTIVE COMMITTEES

**A. Powers and Duties:** The executive power of the Democratic Party of each County shall be vested in the County Executive Committee, which shall have all the powers and duties relevant to the county which are given to the SCEC for the state as a whole.

The elected County Chair, or Vice-Chair in his or her absence, shall have the same powers and duties within the County as the Chair and Vice-Chair of the SCEC have within the state.

In the event of a dispute or contest under these laws, the affected County Executive Committee shall conduct a hearing and issue a ruling on the dispute or contest. Any registered Democrat feeling aggrieved by the decision of the County Executive Committee shall have the right to appeal to the SCEC in compliance with Article IX, Section B, of these laws.

**B. Election of County and/or Legislative District Party Officers:** The Precinct Committee members attending the County or Legislative District Convention shall elect their County Executive Committee, and/ or Legislative District Chair and Vice Chair by one of the following methods:

**1. Counties containing portions (wholly or partially) of six or less Legislative Districts:**

The Precinct Committee members attending their County Convention shall nominate and elect a County Executive Committee consisting of not less than ten (10) and not more than twenty (20) members.

In addition, the President of the Young Democrats Club in each County shall be a voting member of the County Executive Committee. The President(s) of the Democratic Woman's Club(s) in each County shall be a voting member of the County Executive Committee. Provided, if there are more than one (1) Democratic Woman's Club in the County, then, in that event, the County Executive Committee shall decide which President(s) shall be recognized as voting member(s). Minimum of one (1).

The County Executive Committee must be equally divided by gender and include one person age thirty-five or under. A concentrated effort shall be undertaken to ensure that the composition of the County Executive Committee shall reflect the age, gender, and minority populations of the County.

All members of the Executive Committee must live in and be registered Democrats in their respective county. The members of the Committee so elected shall meet immediately to elect a Chair and Vice Chair of the opposite sex. The County Chair and Vice Chair must be selected from the persons previously elected to the County Executive Committee by the Precinct Committee members attending the County Convention. Nominations for Chair and Vice Chair can only be made by members of the County Executive Committee.

The elected County Chair shall have thirty (30) days following his or her election to appoint a Secretary and a Treasurer, who shall be ex-officio, non-voting members of the County Executive Committee, unless otherwise elected to the committee, and who shall serve at the pleasure of the Chair.

**2. Counties containing portions (wholly or partially) of seven or more Legislative Districts:** The Precinct Committee members attending the Legislative District Convention shall nominate and elect a Legislative District Chair and Vice-Chair of the opposite sex. Both the Chair and Vice-Chair must live in and be registered Democrats in their respective Legislative Districts.

The Legislative District Chair, together with the other Legislative District Chairs within the County shall constitute that County's Executive Committee. The Legislative District Vice-Chair becomes a voting member of the County Executive Committee only in the event the Legislative District Chair is absent from any meeting of the County Executive Committee.

The Committee so elected shall meet immediately and elect a County Chair and Vice-Chair of the opposite sex. This meeting shall be chaired by the incumbent County Chair who shall not have a vote unless newly elected as a Legislative District Chair. He or she shall act as such until the new Chair is elected.

Nominees for County Chair need not be one of the newly elected Legislative District Chairs; however, nominees for Vice-Chair must be a Legislative District Chair. Only members of the County Executive Committee can nominate and vote on the County Chair and Vice-Chair.

The President of the Young Democrats Club in each County shall be a voting member of the County Executive Committee. The President(s) of the Democratic Woman's Club(s) in each County shall be a voting member of the County Executive Committee. Provided, if there are more than one (1) Democratic Woman's Club in the County, then, in that event, the County Executive Committee shall decide which President(s) shall be recognized as voting member(s). Minimum of one (1).

The County Executive Committee so elected shall also elect within thirty-five days, eighteen (18) additional members, two of whom shall be thirty-five years of age or under, who shall serve as members of the Executive Committee for a four-year term, with the same powers and duties as members of the Executive Committee serving as Legislative District Chairs and Vice-Chairs and are subject to the same conditions of removal.

The eighteen (18) additional members must be selected to reflect the proportion of registered Democrats in each Legislative District (example: if one LD has 10,000 of the 20,000 (50%) registered Democrats in the county, then 50% of the additional members must reside and vote in that LD)

Each of the eighteen additional members shall be elected by the majority vote of the entire County Executive Committee which, at that point, consists of the Legislative District Chairs, County Chair and Vice-Chair.

If the County Executive Committee contained herein so elects, it may choose to require advance notification of a person's intent to run as Legislative District Chair or Vice Chair. If the County Executive Committee elects to require advance notification of the intent to run, it must do so at least six (6) months prior to the precinct elections.

If the County Executive Committee properly elects to require advance notification of a Legislative District Chair and Vice-Chair's intent to run, then no Legislative District Chair or Vice-Chair shall be elected by the Precinct Committee members who have not filed his or her intentions to run for said office.

Said Executive Committee shall publish in the paper of the largest circulation that it has chosen to mandate filing requirements. In the event said Executive Committee does not elect to have filing requirements, the elections shall be governed in accordance with the above.

### **C. Duties of Chair and Secretary of the County Executive Committee:**

**1. Duties of Chair:** The Chair of the County Executive Committee shall call meetings of the Executive Committee and shall preside at such meetings.

Upon written request of twenty-five percent of the members of the County Executive Committee, the Chair shall call a meeting; and, if the Chair should fail to call such a meeting, such requesting members may issue the call themselves to the remaining members, giving at least five days written notice of the time, place and purpose of the meeting.

The Chair must hold at least one Executive Committee meeting per quarter and the location and notice of these meetings must be in compliance with Article II, Section P of these laws. Additional meetings may be held as deemed necessary.

These quarterly meetings shall occur during February, May, August and November on a date specified by the County Chair. Additional meetings may be held as deemed necessary.

**2. Duties of the Secretary:** The Secretary of each County Executive Committee shall maintain a record of all Democratic organization personnel (official and unofficial) including the names, addresses and phone numbers of all Precinct Committee members, Legislative District Chair and Vice-Chairs and County Executive Committee members, in addition to the minutes of all meetings. He or she shall make this information available upon request to any registered Democrat.

The Secretary shall file the minutes of all committee meetings with the Chair of the SCEC within ten (10) days of such meetings.

**D. Removal of County Party Officers:** If any Legislative District Chair, Legislative District Vice Chair, County Executive Committee member, County Chair or County Vice Chair fails to support the nominees of the National or KDP, or disavows allegiance to either, his or her office shall become vacant after a hearing and declaration of such vacancy by a majority vote of all the members of the County Executive Committee. The vote shall be on whether or not the individual failed to support the nominee and not on whether to retain the individual in their party office. The office shall be declared vacant immediately following a finding of guilt.

The Chair of the County Executive Committee may be removed without cause by a majority vote of the entire Executive Committee.

If any Committee member dies, moves from the County or Legislative District, becomes disabled or disqualified to serve the area from which he or she was elected, or notifies the County Executive Committee in writing that he or she is resigning, his or her office shall be declared vacant by a majority vote of the members of the County Executive Committee.

**E. Conditions Causing Automatic Vacancies:** Every County Chair must hold at least one meeting per quarter of his or her respective County Executive Committee each year and supply the minutes (including the roll call) of all meetings to the Chair of the SCEC or his or her office shall be deemed vacant by the Chair of the SCEC.

Adequate notice of the time and location for these meetings must comply with Article II, Section P of these laws.

Additionally, if any County Executive Committee member fails to attend, in person or by written proxy, two successive meetings of the County Executive Committee or fails to attend fifty percent (50%) of the annual meetings in person, his or her office shall be deemed and declared vacant by the County Chair.

**F. Filling Vacancies on County Executive Committees:** When a vacancy exists because of situations outlined in the preceding sections of this Article or due to redistricting, in the position of County Chair, Legislative District Chair and Vice Chair, or on the County Executive Committee, the Secretary of such committee shall report the vacancy to the Executive Committee and to the Chair of the SCEC.

The County Executive Committee shall then have thirty (30) days from the date of such vacancy within which to fill such vacancy and to furnish the name, address, and telephone number of the new officer to the SCEC.

If the County Executive Committee does not fill such vacancy within thirty (30) days of its occurrence and report the identity of the new officer to the Chair of the SCEC, the Chair of the SCEC shall fill the vacancy, notify the new officer, and furnish the name, address and telephone number of the new officer to the Secretary of the affected County Executive Committee.

The above procedures do not apply to vacant positions caused by the absence of a County Convention. To reorganize a County, the process must be initiated at the Precinct level pursuant to Article III.

**G. Tie Vote:** A tie vote of a County Executive Committee shall be broken by a vote of the SCEC.

**H. Quorum:** At all meetings of the County Executive Committees, forty percent (40%) of the elected committee members must be present (in person or by proxy) before a vote can be taken on any business before the committee.

Proxies cannot be counted to establish a quorum to conduct an election or dismissal of any Party officer.

## ARTICLE VI

### CONGRESSIONAL DISTRICT CONVENTIONS AND CONVENTION COMMITTEES

**A. Purpose:** Conventions are held for each Congressional District to elect five people from each Congressional District to serve on the SCEC and to conduct other business as directed by the SCEC in the Call for Conventions. The delegates and alternates to these conventions are elected at the County and Legislative District Conventions.

**B. Time and Place of Conventions:** The delegates elected to the State Convention from Counties or Legislative Districts within each Congressional District shall convene in Congressional District Conventions at a time and place designated by the SCEC, on the day of the meeting of the State Convention.

**C. Temporary/Permanent Officer of Conventions:** The temporary presiding officer of the Congressional District Convention shall be appointed by the Chair of the SCEC prior to the convention, and he or she shall preside over such convention until the delegates elect a permanent presiding officer.

**D. Business of Congressional District Conventions:** The delegates at each Congressional District Convention shall elect five (5) members (two men, two women and one youth, thirty-five years of age or younger) to serve on the SCEC and to conduct such business as referred to them or which comes before them in accordance with other Articles of these By- Laws.

**E. Credentials Committee:** The credentials of delegates to a Congressional District Convention shall be passed upon by a Credentials Committee composed of one person elected by the delegates from each Legislative District or County within the Congressional District. The Credentials Committee shall report to the Convention, which shall adopt, amend or reject the report. No delegate or delegation whose credentials are in contest shall be entitled to vote on accepting, amending, or rejecting the committee report.

**F. Duties of Convention Committees:** The Congressional District Committees on Credentials and other Congressional District Committees shall make appropriate recommendations to the Congressional District Convention as may be required by the SCEC or the Congressional District Convention.

**G. Committee to be Representative:** All Congressional District Convention and State Convention committees shall reasonably reflect the proportion of men, women, young people and minority groups registered as Democrats in the unit from which such committee is chosen.

## ARTICLE VII

### STATE CONVENTIONS AND CONVENTION COMMITTEES

**A. Purpose:** The Democratic State Convention shall be held to conduct the business of the SCEC. Business shall be transacted by delegates elected at the County and Legislative District Conventions.

**B. Time and Place of Convention:** A State Convention shall be called upon a majority vote of the SCEC. The call shall state the time and location for such Convention. No call shall be issued less than thirty (30) days before the date set for the Convention.

The State Convention shall be held in presidential election years, at a time to be determined by the SCEC, not later than the third Saturday of the month preceding the month in which the National Convention meets.

At least one week prior to the State Convention, the SCEC shall notify all County Chairs and Legislative District Chairs, in writing, of the place, date and agenda of the Congressional District Conventions and the State Convention.

The Chairs of each County and Legislative District shall then inform the elected delegates from their County or Legislative District of the agenda of the Congressional District Conventions and the State Convention. The Chairs of each County and Legislative District shall then inform the elected delegates from their County or Legislative District of the agenda.

**C. Order of Business:** Whenever a State Convention is called, the Chair of the SCEC, or in the event of his or her absence or inability to act, a person designated by the SCEC, shall call the Convention to order and preside until it has organized.

The Chair shall recognize as accredited delegates only those persons whose credentials are signed by the Credentials Committee of the Convention.

The Convention shall elect a Permanent Presiding Officer of the Convention, who may or may not be a delegate.

The Permanent Presiding Officer shall call on the Credentials Committee, and any other committees appointed by him or her or elected by the Convention, for reports to the Convention. He or she shall then call for votes on the reports of such committees.

The delegates to the State Convention shall conduct such business as the SCEC refers to them or which comes before them in accordance with other Articles in these laws.

**D. Time and Place of Meetings of State Convention Committees:** The members elected by the Congressional District Conventions to serve on the State Convention Credentials Committee and other committees deemed necessary, shall meet at a time and place to be designated by the Chair of the SCEC, elect a chair and prepare a report for presentation to the State Convention.

The time and places for the meetings of such committees designated by the Chair of the SCEC shall be announced to the Congressional District Conventions by the representative Chair thereof.

**E. Duties of State Convention Committees:** The State Convention Committees shall consider such business and perform such duties as may be assigned to them by the SCEC, subject to the final action of the State Convention itself.



## ARTICLE VIII

### STATE CENTRAL EXECUTIVE COMMITTEE

**A. Executive Power:** The Executive Body of the KDP shall be the SCEC which shall have jurisdiction, supervision, and control over the party organization, state party laws, and management of campaigns, the calling of all conventions and the nomination of candidates in compliance with the election laws of Kentucky.

The SCEC shall have in addition to the other powers herein conferred upon it, the authority to promulgate, alter, or amend the method and procedure for the selection of delegates to the Democratic National Convention, provided that such promulgation, alteration or amendment shall conform to the applicable rules and regulations of the National Democratic Party.

The SCEC shall have the power to adopt and amend the Party By-laws between State Conventions; however they must be ratified at the next State Convention to remain in effect. All proposals for amendments to the by-laws to be considered by the SCEC between State Conventions shall be mailed by US Mail or transmitted via the internet to all SCEC Members at least 30 days prior to their consideration and vote.

All By-Law amendment(s) approved by the SCEC shall be recorded verbatim in the minutes of the meeting at which they were approved. The by-law amendment(s) shall be included in the text of the minutes and shall not be recorded as an attachment to said minutes.

The SCEC may adopt a budget or budgets from time to time, and maintain appropriate books and records according to generally accepted accounting practices for the receipt, control, disbursement and management of all funds raised for or coming into the hands of the Democratic State Party organization, including campaign committees or organizations authorized by the SCEC to manage or conduct Democratic Party campaigns.

Neither the SCEC nor the Democratic Party shall be responsible for or pay any unauthorized indebtedness of any kind. No loan shall be taken out in the name of the KDP or the SCEC, nor shall any asset of the KDP act as collateral in any loan, without a vote of the entire SCEC.

Except as otherwise provided in this Article, the SCEC shall not transact any business unless twenty (20) members are present in person. Members may vote and act by written proxy given to any other *voting* member of the committee; however, proxies cannot be used in any transaction that involves the election or dismissal of a party officer.

Unless otherwise provided by these by-laws, in any event requiring action by the SCEC, the Chair may poll its members by telephone, fax or mail. In conducting such polls, all members of the SCEC must be contacted. If a member cannot be reached, the person taking the poll must document dates, time and all telephone numbers called or faxed. This information must be included in the official report of the poll. No less than twenty (20) members must participate to transact business in such a poll.

A majority of votes of those members shall bind the SCEC. The Secretary of the Committee shall immediately record the question thus put to the Committee, and the individual votes thereon, and notify immediately all members by mail as to the question and the vote on it.

**B. Powers and Duties of Chair:** The Chair of the SCEC shall be the Chief Executive Officer of the SCEC and he or she shall implement the decisions of the SCEC.

The Chair shall call meetings of the SCEC as needed, at times and places designated by him or her upon reasonable written notice to all committee members. The Chair must call at least one meeting per quarter. A tentative schedule of these quarterly meeting dates shall be sent to all committee members by the Chair prior to January 15<sup>th</sup> of each year. The Chair may revise this tentative schedule at any time upon reasonable written notice to all committee members.

The Chair shall call a meeting of the SCEC upon written request of twenty-five percent of the committee membership. If he or she fails to do so within five days of receipt of such request, the twenty-five percent (25%) requesting such meeting may call the meeting by giving not less than five nor more than forty-five days written notice of the time, place and purpose thereof to the remaining members of the committee.

If the Democratic National Committee requests appointments of persons to serve temporarily on standing committees or in other capacities prior to the time of the State Convention where they may be chosen, or prior to the time of a meeting of the Kentucky delegation to the National Convention where they may be chosen, the Chair of the SCEC shall have the authority to name such person to such temporary positions.

**C. Powers of the Vice-Chair:** The Vice-Chair of the SCEC shall preside at meetings of the SCEC in the absence of the Chair.

Upon the death, resignation, or incapacity of the Chair, the Vice-Chair shall succeed to the powers and duties of the Chair until a new Chair is elected by the SCEC.

**D. Election of Chair and Vice-Chair:** The SCEC shall elect the Chair and Vice-Chair of the SCEC in the event of a vacancy in either position using one of the following processes:

1. If there is a sitting Democratic Governor or an elected Democratic Nominee for Governor, he or she may present an individual for consideration and vote to the SCEC.
2. In all other situations, a nominating committee shall be formed to locate and screen applicants for these positions. The nominating committee shall consist of a member from each of the elected six (6) Congressional District committee members, a member of the State at-Large committee members, a person selected by the Democratic Senate Caucus, a person selected by the Democratic House Caucus and a representative of each elected Democratic Statewide constitutional officer. The Congressional District members and the State at Large members shall be determined by a caucus of their respective groups. This committee shall present their recommendations to the full SCEC for consideration and vote.

This election shall be ratified at the next State Convention. The Vice-Chair shall be of the sex opposite the Chair. Neither of these officers need be previously elected as members of the SCEC.

Each of these officers may be removed without cause by a majority vote of the entire SCEC.

**E. Voting Members of the Committee:** The voting members of the SCEC shall be as follows:

- (1) Two men and two women of any age and one man or woman, thirty-five years of age or younger from each Congressional District within the state, elected by the Congressional District Convention;
- (2) Three National Committee members, elected by the State Convention;
- (3) Nine members from the state-at-large, elected by the State Convention;
- (4) A Chair and Vice-Chair ratified by the State Convention;
- (5) Four members, two of whom shall be elected by the Democratic members of each Chamber of the Kentucky General Assembly. Such persons shall be members of the General Assembly, and they shall serve until the next regular session of the General Assembly, at which time their successors shall be elected at the regular Democratic caucus;
- (6) President of the Kentucky Young Democrats and the President of the Democratic Woman's Club of Kentucky who shall be automatic voting members as a result of their election in convention by their respective organizations.

**F. Non-Voting Members of the Committee:** The non-voting members of the SCEC shall include: **(1)** Two members, Legal Counsel of the SCEC and Treasurer of the SCEC, who shall be appointed as non-voting members by and serve at the pleasure of the Chair of the SCEC; **(2)** All Kentucky Statewide Constitutional Officers, All Kentucky Democratic US Congressmen and Congresswomen and all Kentucky Democratic US Senators shall be ex-officio, non-voting members of the SCEC.

The Chair of the SCEC may appoint, with the approval of the Committee, up to three (3) additional non-voting ex-officio members of the SCEC. These appointed ex-officio members' terms shall end on the date of the next State Democratic Convention. There shall not be more than three (3) appointed ex-officio members on the SCEC at any one time. All presently serving appointed ex-officio members' terms shall end on the date of the next State Democratic Convention.

No ex-officio member shall be entitled to have someone other than a SCEC Member represent them at any SCEC Meeting unless specifically authorized by the Committee. .

**G. Removal of Members:** If any member of the SCEC fails to support the nominees of the National or the Kentucky Democratic Party, or disavows allegiance to either, his or her office shall become vacant after a hearing and declaration of such vacancy by a majority of the members of the SCEC. The vote shall be on whether or not the individual failed to support the nominee and not on whether to retain the individual in their party office. The office shall be declared vacant immediately following a finding of guilt.

If any voting member of the SCEC moves from Kentucky, or if a Congressional District Representative moves from the district from which he or she was elected, dies, or becomes disabled and cannot otherwise serve, or notifies the SCEC in writing that he or she is resigning, their office shall be declared vacant by the Chair. Also, if any voting member fails to attend two successive meetings in person or by written proxy or fails to attend fifty percent (50%) of the meetings, in person, in any 12 month period his or her office shall be declared vacant by the chair. Vacancies shall be filled in accordance with Section H. of this Article.

**H. Filling of Vacancies:** Vacancies in the SCEC shall be filled by a majority vote of the remaining SCEC members, except as follows:

- (1)** Vacancies in the membership elected by the Democratic members of the General Assembly shall be filled by vote of the Democratic members of the House or Senate from which the Committee member was originally elected;
- (2)** A vacancy in the Office of Legal Counsel, Secretary or Treasurer shall be filled by the Chair of the SCEC; and;
- (3)** Any vacancy not filled for thirty (30) days shall be filled by a majority vote of the remaining SCEC members.

**I. Election of Chair Pro Tem:** If both the Chair and Vice-Chair of the SCEC are absent from a meeting of the SCEC, the members of such committee in attendance shall elect one of their own members to preside as Chair Pro Tempore.

**J. Chair May Vote:** The Chair, Vice-Chair or Chair Pro Tempore of the SCEC shall cast only one vote each if they choose to vote.

**K. Secretary's Appointment and Duties:** The Secretary shall be appointed by and serve at the pleasure of the Chair. The Secretary of the SCEC need not be a member of the SCEC.

The Secretary shall keep accurate records of the proceedings and meetings of the Committee and shall maintain a roster of the membership of the various County, Legislative District and SCECs. The Secretary's records shall be furnished to any member of the SCEC upon request.

The Secretary shall vote only if otherwise a member of the SCEC.

**L. Finance Committee:** The SCEC shall establish a finance committee consisting of the Party Treasurer, Chair, Executive Director, and a member of each of the six (6) congressional districts who shall be chosen by a caucus of all committee members from their respective districts.

This committee shall prepare and submit an annual budget to the SCEC, recommend salaries, staffing levels and ensure that the finances of the KDP are managed properly. This committee shall give a financial report at each meeting of the SCEC.

**M. Recognition of Organizations or Committees:** The SCEC shall not recognize any organization or committee that carries the title of Democrat that is not formed in accordance with the by-laws of the KDP and the National Democratic Party.

**N. Strategic Planning Committee:** The SCEC shall establish a Strategic Planning Committee consisting of the KDP Chair and six (6) additional members of SCEC. The KDP Chair shall be the Chair of the committee. The committee members shall serve at the pleasure of the KDP Chair.

This Strategic Planning Committee shall create a three year Strategic Plan which includes built in measurements and accountability factors; and, shall be updated annually and revised every three years as needed and as approved by the SCEC.

This Strategic Planning Committee shall report at all SCEC quarterly meetings the then current results of the measurement and accountability factors of the Strategic Plan.

## ARTICLE IX

### APPEALS

**A. Precinct Convention and Precinct Election Appeal:** In the event of an appeal arising out of any Precinct Convention or Precinct Election, the aggrieved party shall have three (3) days to file a written appeal with the Chairman of the County Executive Committee. The Chairman of the County Executive Committee shall file said written appeal with the Chairman of the SCEC on the same day the written appeal is received by the County Chairman.

**1. Hearing at the County Level:** The Chairman of the County Executive Committee shall call a meeting of the County Executive Committee within three (3) days of receipt of the Written Appeal. At the meeting, a hearing will be held to determine the Appeal. The County Chairman shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the County Executive Committee. Such determination shall be final.

The aggrieved party and the adverse party shall have ready access to documents submitted to the County Executive Committee by all interested parties at least one (1) day prior to the hearing, shall have written notice from the County Chairman of the date of the meeting immediately after said meeting is called by the County Chairman, and shall have the right to be represented by counsel at the meeting and during the appeals hearing.

A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chairman of the County Executive Committee. If the appeal is served via hand delivery, the serving party must provide the County Executive Committee with a receipt of service signed by the adverse party or parties on or before the day of the hearing.

**2. Appeal and Hearing at the State Central Committee Level:** Any aggrieved party that is not satisfied with the decision of the County Executive Committee may appeal the decision of the County Executive Committee to the SCEC. An aggrieved party shall have five (5) days after the date of the County Executive Committee decision to file a written appeal with the Chairman of the SCEC. Written appeals must be either hand delivered to the State Chairman or served on the State Chairman via certified, U.S. Mail.

The Chairman of the SCEC shall call a meeting of the SCEC within seven (7) days of receipt of the Written Appeal. At the meeting, a hearing will be held to determine the Appeal. The State Chairman shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the SCEC. Such determination shall be final and conclusive.

A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chairman of the SCEC. If the appeal is served via hand delivery, the serving party must provide the SCEC with a receipt of service signed by the adverse party or parties on or before the day of the hearing.

The aggrieved party and the adverse party shall have ready access to documents submitted to the SCEC within three (3) days prior to the meeting, shall have written notice from the State Chairman of the date of the meeting immediately after said meeting is called by the State Chairman, and shall have the right to be represented by counsel at the meeting and during the appeals hearing.

**B. LEGISLATIVE DISTRICT CONVENTION OR COUNTY CONVENTION APPEAL:** In the event of an appeal arising out of any action of a Legislative District Convention or County Convention, such appeal shall be in writing and filed with the Chairman of the SCEC within seven (7) days after the Legislative District Convention or the County Convention. Written appeals must be either hand delivered to the State Chairman or served on the State Chairman via certified, U.S. Mail.

Upon receipt of the Written Appeal, the Chairman of the SCEC shall call a meeting of the SCEC within fifteen (15) days of receipt of the Written Appeal. At the meeting, a hearing will be held to determine the Appeal. The State Chairman shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the SCEC. Such determination shall be final and conclusive.

A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chairman of the SCEC. If the appeal is served via hand delivery, the serving party must provide the SCEC with a receipt of service signed by the adverse party or parties on or before the day of the hearing.

The aggrieved party and the adverse party shall have ready access to documents submitted to the SCEC within three (3) days prior to the meeting, shall have written notice from the State Chairman of the date of the meeting immediately after said meeting is called by the State Chairman, and shall have the right to be represented by counsel at the meeting and during the appeals hearing.

**C. APPEAL FROM CONGRESSIONAL DISTRICT CONVENTION:** In the event of an appeal arising out of any action of a Congressional District Convention, such appeal shall be in writing and filed with the Chairman of the SCEC on or before the time fixed for the convening of the State Convention. Written appeals must be either hand delivered to the State Chairman or served on the State Chairman via certified, U.S. Mail.

Upon receipt of the Written Appeal, the Chairman of the SCEC shall call a meeting of the SCEC to convene on a time fixed prior to the convening of the State Convention. At the meeting, a hearing will be held to determine the Appeal. The State Chairman shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the SCEC. Such determination shall be final and conclusive.

A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chairman of the SCEC. If the appeal is served via hand delivery, the serving party must provide the SCEC with a receipt of service signed by the adverse party or parties on or before the day of the hearing.

The aggrieved party and the adverse party shall have ready access to documents submitted to the SCEC prior to the convening of the meeting of the SCEC, shall have verbal notice from the State Chairman of the time and location of the meeting immediately after said meeting is called by the State Chairman, and shall have the right to be represented by counsel at the meeting and during the appeals hearing.

**D. APPEAL FROM STATE CONVENTION:** In the event of an appeal arising out of any action of a State Convention, such appeal shall be in writing and filed with the Chairman of the SCEC on or before seven (7) days after the conclusion of the State Convention. Written appeals must be either hand delivered to the State Chairman or served on the State Chairman via certified, U.S. Mail.

The Chairman of the SCEC shall call a meeting of the SCEC within fifteen (15) days of receipt of the Written Appeal. At the meeting, a hearing will be held to determine the Appeal. The State Chairman shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the SCEC. Such determination shall be final and conclusive.

A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chairman of the SCEC. If the appeal is served via hand delivery, the serving party must provide the SCEC with a receipt of service signed by the adverse party or parties on or before the day of the hearing.

The aggrieved party and the adverse party shall have ready access to documents submitted to the SCEC within three (3) days prior to the meeting, shall have written notice from the State Chairman of the date of the meeting immediately after said meeting is called by the State Chairman, and shall have the right to be represented by counsel at the meeting and during the appeals hearing.

**E. APPEALS OF DECISION BY COUNTY EXECUTIVE COMMITTEE UNDER ARTICLE V, SECTION**

**A:** Any person feeling aggrieved by a decision of a County Executive Committee under Article V, Section A, which is not addressed in Article IX, Section A, B, C or D of these By-Laws, may appeal said County Executive Committee's decision. In the event of an appeal arising out of decision of a County Executive Committee under Article V, Section A, which is not addressed in Article IX, Section A, B, C or D of these By-Laws, the aggrieved party shall have five (5) days from the date of the decision at issue to file a written appeal with the Chairman of the County Executive Committee. The Chairman of the County Executive Committee shall file said written appeal with the Chairman of the SCEC on the same day the written appeal is received by the County Chairman.

**1. Hearing at the County Level:** Upon receipt of the Written Appeal, the Chairman of the County Executive Committee shall call a meeting of the County Executive Committee within fifteen (15) days of receipt of the Written Appeal. At the meeting, a hearing will be held to determine the Appeal. The County Chairman shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the County Executive Committee. Such determination shall be final.

The aggrieved party and the adverse party shall have ready access to documents submitted to the County Executive Committee by all interested parties at least three (3) days prior to the hearing, shall have written notice from the County Chairman of the date of the meeting immediately after said meeting is called by the State Chairman, and shall have the right to be represented by counsel at the meeting and during the appeals

A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chairman of the County Executive Committee. If the appeal is served via hand delivery, the serving party must provide the County Executive Committee with a receipt of service signed by the adverse party or parties on or before the day of the hearing.

**2. Appeal and Hearing at the State Central Committee Level:** Any aggrieved party that is not satisfied with the decision of the County Executive Committee may appeal the decision of the County Executive Committee to the SCEC. An aggrieved party shall have seven (7) days after the date of the County Executive Committee decision to file a written appeal with the Chairman of the SCEC. Written appeals must be either hand delivered to the State Chairman or served on the State Chairman via certified, U.S. Mail.

Upon receipt of the Written Appeal, the Chairman of the SCEC shall call a meeting of the SCEC within thirty (30) days of receipt of the Written Appeal. At the meeting, a hearing will be held to determine the Appeal. The State Chairman shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the SCEC. Such determination shall be final and conclusive.

A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chairman of the SCEC. If the appeal is served via hand delivery, the serving party must provide the SCEC with a receipt of service signed by the adverse party or parties on or before the day of the hearing.

The aggrieved party and the adverse party shall have ready access to documents submitted to the SCEC within three (3) days prior to the meeting, shall have written notice from the State Chairman of the date of the meeting immediately after said meeting is called by the State Chairman, and shall have the right to be represented by counsel at the meeting and during the appeals hearing.

**F. ALL OTHER APPEALS:** In the event of a dispute or contest under these By-laws, or any proceeding hereunder, which is not addressed in Article IX, Sections A, B, C, D or E of these By-Laws, the aggrieved party may appeal the dispute or contest to the SCEC. In the event of such appeal, the aggrieved party shall have five (5) days from the date of the dispute or contest to file a written appeal with the Chairman of the SCEC. Written appeals must be either hand delivered to the State Chairman or served on the State Chairman via certified, U.S. Mail.

The Chairman of the SCEC shall call a meeting of the SCEC within thirty (30) days of receipt of the Written Appeal. At the meeting, a hearing will be held to determine the Appeal. The State Chairman shall preside over the hearing. All interested parties shall be given an opportunity to present their position on the matter. Once all interested parties have been heard, the matter will be determined by a majority vote of the SCEC. Such determination shall be final and conclusive.

A copy, or copies, of any appeal taken hereunder shall be served upon the adverse party or parties via either hand delivery or Certified U.S. Mail, at the same time the appeal is filed with the Chairman of the SCEC. If the appeal is served via hand delivery, the serving party must provide the SCEC with a receipt of service signed by the adverse party or parties on or before the day of the hearing.

The aggrieved party and the adverse party shall have ready access to documents submitted to the SCEC within ten (10) days prior to the meeting, shall have written notice from the State Chairman of the date of the meeting immediately after said meeting is called by the State Chairman, and shall have the right to be represented by counsel at the meeting and during the appeals hearing.

**G. Exhaustion of Appeal Procedures:** No member of the Democrat Party of Kentucky shall bring legal action against any County Executive Committee, Legislative District Committee, or SCEC without first exhausting all appeal procedures and remedies set forth in these By-Laws.

If a member of the Democratic Party of Kentucky exhausts all appeals procedures and remedies set forth in these By-Laws, remains aggrieved and wishes to pursue legal action against any County Executive Committee, Legislative District Committee, or SCEC, the member of the Democratic Party of Kentucky seeking to bring legal action shall bring such legal action before and agree to submit to jurisdiction and venue in the Franklin County Circuit Court, Franklin County, Kentucky.



## ARTICLE X

### COMMITTEES FOR THE PURPOSE OF NOMINATING CANDIDATES FOR SPECIAL ELECTIONS AND SELECTING REPLACEMENT CANDIDATES

#### **A. Congressional, State House of Representatives, State Senate, and Other District Nominating Committees in Multi-County Districts:**

##### **1. Congressional Nominating Committees in Multi-County Districts:**

The Nominating Committees of Congressional Districts comprised of precincts in more than one county shall be composed of the Democratic Party County Chairs of each county or portion thereof within such district.

The Chair of the county that cast the largest Democratic vote in precincts within the district at the preceding Presidential election shall be the Chair of said Nominating Committee, but if he or she is absent or unable to act, then the Chair of the county that cast the next largest Democratic vote in precincts within the district at the preceding Presidential election shall act as Chair.

##### **2. State House of Representatives, State Senate, and other District Nominating Committees in Multi-County Districts:**

The Nominating Committees of State House of Representatives, State Senate, and other Districts comprised of precincts in more than one county shall be composed of the voting members of the Executive Committee of each county or portion thereof who reside within such district. If less than two (2) voting members of the Executive Committee of an affected county reside within the district, then the precincts within the affected district of said county shall be represented on said Nominating Committee by the Precinct Committee Officers (Committeeman, Committeewoman, Committeeyouth) within such district. Only those Democrats who are Executive Committee Members or Precinct Committee Officers, as described within this paragraph, at the time the vacancy occurs shall be entitled to vote.

The Chair of the county that cast the largest Democratic vote in precincts within the district at the preceding Presidential election shall be the Chair of said Nominating Committee, but if he or she is absent or unable to act, then the Chair of the county that cast the next largest Democratic vote in precincts within the district at the preceding Presidential election shall act as Chair.

#### **B. Congressional, State House of Representatives, State Senate, and other District Nominating Committees in One-County Districts:**

##### **1. Congressional, State Senate, Magisterial, Constabulary, and entire-county Districts wholly within only one county containing seven or more Legislative Districts:**

The Nominating Committees of Congressional, State Senate, Magisterial, Constabulary, and entire-county Districts comprised of precincts wholly within only one county containing seven (7) or more Legislative Districts shall be composed of the Chairs of every Legislative District wholly or partially within such district. Only those Democrats who are Legislative District Chairs at the time the vacancy occurs shall be entitled to vote.

The Chair of the County Executive Committee shall be the Chair of said Nominating Committee. If such Chair is absent or unable to act, then the Vice-Chair of the County Executive Committee shall be the Chair of said Nominating Committee. If such Vice-Chair is absent or unable to act, then the Chair of the Legislative District that cast the largest Democratic vote in precincts within the district at the preceding Presidential election shall act as Chair. Any presiding officer of said Nominating Committee shall not have a vote unless he or she is a Legislative District Chair wholly or partially within the district at the time the vacancy occurs.

##### **2. State House of Representatives Districts wholly within only one County containing seven or more Legislative Districts:**

The Nominating Committees of State House of Representatives Districts comprised of precincts wholly within only one county containing seven (7) or more Legislative Districts shall be composed of the voting members of the County Executive Committee, plus the Legislative District Vice-Chair, who reside within such district. The Vice-Chair shall have a vote on this Nominating Committee. All votes of Nominating Committee members under this sub-section shall be equal weighted. Only those Democrats who are above described party officials at the time the vacancy occurs shall be entitled to vote. In the event that a vote of the Nominating Committee under this Section B 2 results in a tie, the County Chair shall cast the deciding vote unless he or she was already a voting member of the Nominating Committee. In such event, the County Vice-Chair shall cast the deciding vote.

The Chair of the County Executive Committee shall be the Chair of said Nominating Committee. If such Chair is absent or unable to act, then the Vice-Chair of the County Executive Committee shall be the Chair of said Nominating Committee. If such Vice-Chair is absent or unable to act, then the Chair of the Legislative District shall act as Chair. Any presiding officer of said Nominating Committee shall not have a vote unless he or she is otherwise a voting member of the said Nominating Committee.

### **3. Metro Council and other non entire-county Districts wholly within only one County containing seven or more Legislative Districts:**

The Nominating Committees of Metro Council and other non entire-county Districts that are not Congressional, State Senate, State House of Representatives, Magisterial, or Constabulary Districts comprised of precincts wholly within only one county containing seven (7) or more Legislative Districts shall be composed of the voting members of the County Executive Committee, plus the Legislative District Vice-Chair, who reside within the Legislative District(s) comprising the Metro Council or other non entire-county district. The Vice-Chair shall have a vote on this Nominating Committee.

All votes of the Nominating Committee members will be proportionate to the number of registered Democrats at the preceding General election that are both within the District and also within the Legislative District in which he/she resides.

The total votes of the Legislative District shall be divided equally among the members of the Nominating Committee from such Legislative District.

Only those Democrats who are above described party officials at the time the vacancy occurs shall be entitled to vote. Only those Democrats who are members of the County Executive Committee and registered to vote in the Legislative District(s) at the time the vacancy occurs shall be entitled to vote.

The Chair of the County Executive Committee shall be the chair of said Nominating Committee. If such Chair is absent or unable to act, then the Vice-Chair of the County Executive Committee shall be the Chair of said Nominating Committee. If such Vice-Chair is absent or unable to act, then the Chair of the Legislative District that cast the largest Democratic vote in precincts within the district at the preceding Presidential election shall act as Chair. Any presiding officer of said Nominating Committee shall not have a vote unless otherwise a voting member of the said Nominating Committee.

In the event that a vote of the Nominating Committee under this Section B 3 results in a tie, the County Chair shall cast the deciding vote unless he or she was already a voting member of the Nominating Committee. In such event, the County Vice-Chair shall cast the deciding vote.

### **4. State House of Representatives, State Senate and other Districts wholly within only one county containing six or less Legislative Districts:**

The Nominating Committees of State House of Representatives, State Senate, and other Districts comprised of precincts wholly within only one county containing six (6) or less Legislative Districts shall be composed of the voting members of the County Executive Committee who reside within such district. If less than three (3) voting members reside within the district, then the Nominating Committee shall be composed of the Precinct Committee

Officers (Committeeman, Committeewoman, Committeeyouth) within such district. Only those Democrats who are above described party officials at the time the vacancy occurs shall be entitled to vote.

The Chair of the County Executive Committee shall be the Chair of said Nominating Committee. If such Chair is absent or unable to act, then the Vice-Chair of the County Executive Committee shall be the Chair of said Nominating Committee. Any presiding officer of said Nominating Committee shall not have a vote unless he or she is otherwise a voting member of the said Nominating Committee.

**5. County Commissioners are considered to be County-wide officers.**

**C. Committee Nominations for Elective Office to be by Vote in Proportion to Democratic Registration:**

Whenever, pursuant to public or party laws a Nominating Committee shall be authorized to make any nomination for elective office or to fill any vacancy occurring in such nomination, each member of said Committee shall cast a vote, unless otherwise specified, proportionate to the number of registered Democrats at the preceding General election that are both within the district and also within the political subdivision that the member represents.

EXAMPLES:

1. Precinct Committee Officers will cast a vote equal to the number of registered Democrats in their precinct divided by three so that the total votes to be cast will equal the number of registered Democrats in the precinct; or
2. Legislative District Chairs will cast a vote equal to the number of registered Democrats in their Legislative District who reside within the district; or
3. County Chairs will cast a vote equal to the number of registered Democrats in their county who reside within the district; or
4. County Executive Committee Members entitled to vote will cast a vote equal to the number of registered Democrats in their county who reside within the district divided by the total number of voting members of the County Executive Committee who reside within the district at the time the vacancy occurs, so that the total votes to be cast will be equal to the number of registered Democrats in the county who reside within the district. For instance, if there are 20,000 registered Democratic voters in a county and district, and there are 20 members of a County Executive Committee who reside within the district, each County Executive Committee Member will have a weighted vote equal to 1000 (20,000 divided by 20).

**D. Statewide Nominating Committee:**

The Nominating Committee of Statewide Elected Offices shall be composed of the voting members of the SCEC. Only those Democrats who are SCEC voting members at the time the vacancy occurs shall be entitled to vote.

The Chair of the KDP shall be the Chair of said Nominating Committee. The Chair is entitled to vote under Article VIII, Section E, Paragraph (4). If the Chair is absent or unable to act, then the Vice Chair of the KDP shall act as chair. The Vice Chair is entitled to vote under Article VIII, Section E, Paragraph (4).

The vote of each voting member of the SCEC shall be equal weighted.

**E. Nominating Committees to be Governing Authority:**

All Nominating Committees established under this Article X shall be the governing authority to determine how all nominations within its district for special elections and selecting replacement candidates shall be made and to declare all nominees not inconsistent with public or party law.

All Nominating Committees shall have the discretion, by a majority vote, to include other Democratic Party Officials as voting members of the Nominating Committee. For example (and not by way of limitation), should the Nominating Committee be composed of the County Chairs or Legislative District Chairs, that Nominating

Committee may, by a majority vote, include as voting members of the Nominating Committee those Democrats who are Precinct Committee Officers in the district at the time the vacancy occurs.

## ARTICLE XI

### MISCELLANEOUS RULES

**A. Rules of Order:** Roberts Rules of Order shall apply in any case not covered by these party laws or national party rules.

**B. Scope of Words:** Where so applicable in these rules, words in the masculine shall include the masculine and the feminine, words in the neuter shall include the masculine and the feminine, and words in the singular shall include the plural.

**C. Age:** Whenever age is referred to herein, it shall refer to their age at the date of election.

**D. Final Authority:** The rules and regulations of the National Democratic Party shall supersede all laws of the KDP. These rules apply unless otherwise superseded by the Kentucky Revised Statutes.

**E. Adoption of these Laws:** These laws shall be effective immediately upon their adoption.

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