

**The Clark County Democratic Party
Constitution and Bylaws**

Adopted December 9, 1971

(Amended April 19, 1974, July 31, 1986, February 18, 1999, April 20, 2005, and May 20, 2015)

PREAMBLE:

We, the members of the Clark County Democratic Party, who are assembled in order to organize and perpetuate a representative, effective, and responsible party organization at all levels in Clark County, Ohio, affiliate with and advance the interest of the Democratic Party in the State of Ohio and in the nation, sustain and advance the principles of democracy, and uphold human and civil rights and constituent government, do establish this Constitution and Bylaws.

ARTICLE I – NAME, MEMBERSHIP, AND ELIGIBILITY FOR PARTY OFFICE

Section 1 Name

The name of this organization shall be the Clark County Democratic Party.

Section 2 Membership

Membership in this party shall be open to all residents of Clark County who support the Constitution of the United States of America, the Constitution of the State of Ohio, the Constitution and Bylaws of the Ohio Democratic Party and Charter of the Democratic National Committee, and the Constitution, Bylaws and principles of the Clark County Democratic Party. The Clark County Democratic Party, on all levels, shall support the broadest possible participation without discrimination on grounds of gender, race, age, disability, sexual orientation, religion, or national origin. No person may be a member or may vote on any motion, resolution, nomination, or election at any caucus, convention, meeting, or conference of the Clark County Democratic Party who does not meet the aforesaid qualification or who is a member of any other political party at that time.

Section 3 Eligibility for Party Office

Any person who meets the membership requirements of Article I, Section 2, is eligible for election to party office, except as hereinafter limited. There shall be no minimum age for party office save where prescribed by law.

Section 4 In the event that any person's qualifications as a member of the Clark County Democratic Party or any person's eligibility for party office must be determined, the same criteria and procedures shall be followed as provided by the election laws of the State of Ohio to determine his or her qualifications or eligibility.

ARTICLE II – CONSTITUTION AND BYLAWS

Section 1 Nothing herein shall conflict with the Constitution of the United States of America, the Constitution of the State of Ohio, the laws of the United States and the State of Ohio, and the Constitution and Bylaws of the Ohio Democratic Party and Charter of the Democratic National Committee. Any matter which conflicts with any of the aforesaid shall be of no force and effect. All constitutional provisions and laws of the United States and of 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 or unenforceability of any one clause shall not affect any other clause.

ARTICLE III – RE-ORGANIZATION OF CENTRAL AND EXECUTIVE COMMITTEES

Section 1 The controlling committee of the Clark County Democratic Party shall be the Clark County Central Committee consisting of such members as shall be elected according to the laws of the State of Ohio. The Clark County Central Committee shall elect a Clark County Executive Committee, which shall have the powers as granted it by the Central Committee, as are provided by law, and by this Constitution and Bylaws.

Section 2 The members-elect of the party's central committee shall meet not earlier than six (6) nor later than fifteen (15) days following the board of elections certification of the primary election results, at a suitable place and time in Clark County, Ohio, to be designated by the retiring chair of the committee as outlined in Section 3517.04 of the Revised Code of Ohio. Notice of such meeting, giving the place and time, along with a copy of this Constitution and Bylaws, shall be sent to members-elect by the retiring secretary of the committee by mail at least five (5) days prior to any such meeting and a copy of the meeting notice shall be posted in the board of elections office at least five (5) days prior to any such meeting. If the retiring secretary does not issue the call within the time provided by law, any five (5) members-elect may do so. The meeting shall be called to order by the retiring chairperson or secretary if such officer is absent, then by a member of the Clark County Board of Elections of the same political party, designated by the board. A temporary chairperson and secretary shall be chosen by the members-elect of the party's central committee, and the committee shall proceed to organize by the election of a chairperson, and as many vice-chairpersons as it deems necessary in order of succession, and a treasurer and a secretary. Other officers may be appointed as the committee may desire.

Section 3 The central committee shall elect an executive committee of 51 members (not including ex-officio and honorary members), at least two thirds of whom shall be members of the central committee and one third of whom shall be at-large members. There shall be at least twelve (12) members of said executive committee from precincts located in the City of Springfield and at least twelve (12) members of said executive committee from precincts located in the townships in Clark County.

A. Democratic Clark County elected officials who are a resident of Clark County shall be ex-officio members of the executive committee with full voting privileges. Clark County elected officials are county commissioners, county sheriff, county engineer, county treasurer, county recorder, county auditor, county prosecutor, county coroner, clerk of common pleas court, clerk of municipal court; and state central committee members, state representatives, state senators, and U.S. Representatives who have all or part of their district located in Clark County.

B. The Presidents of any Democratic organization recognized after approval of their constitution by the executive committee, shall be ex-officio members of the executive committee with full voting privileges. In instances where the president of an organization is already an elected member of the executive committee, the organization shall have the right to designate another person to serve as its ex-officio member of the executive committee.

C. The central committee shall take such steps necessary to ensure that the executive committee is representative of the party and the diverse population of Clark County.

Section 4 The Clark County Central Committee may choose to confer upon the Clark County Executive Committee any power and authority of the Clark County Central Committee it so authorizes; and the executive committee, if authorized to do so by a majority vote of the Clark County Central Committee, shall act for the central committee in any or all things pertaining to the welfare, business, operation, and the organization of the Clark County Democratic Party; except for the exceptions contained in Constitution and Bylaws. This authority shall continue during the period of the existence of the central committee, which shall continue until the sixth day after the certification of primary election results is made by the board of elections regarding new Clark County Central Committee members at the succeeding primary election as outlined in Section 3517.04 of the Revised Code of Ohio.

Section 5 The Clark County Executive Committee shall then be called on to meet immediately upon its election and shall proceed to elect its chair, who need not be a member of the Clark County Central or Executive Committee. The chair shall automatically become a member of the Clark County Executive Committee.

Section 6 The Clark County Executive Committee shall then immediately proceed to elect as many vice-chairpersons, in order of succession, with one half of the vice chairpersons being men and the other one half being women as it deems necessary, and a secretary. The First Vice Chair must be of opposite gender as the chairperson. The treasurer of the executive committee shall be the duly elected treasurer of the central committee. At least one-half of the executive committee vice-chairpersons shall be central committee persons.

Section 7 The central committee and the executive committee shall not permit the election of officers by slate in voting.

Section 8 A list of the names and addresses of the members and officers of the central committee and the executive committee shall be filed by the secretary of each committee in the office of the Clark County Board of Elections and the Ohio Secretary of State in accordance with Section 3517.06 of the Revised Code of Ohio and with the Secretary of the Ohio Democratic Party.

ARTICLE IV – OFFICERS OF THE EXECUTIVE COMMITTEE

Section 1 The chair's duties shall be those of the chief executive officer and he/she shall be subject to the direction of and responsible to the Clark County Executive Committee. The chair shall appoint a finance committee and a finance chairperson, a budget committee and a budget chairperson, and auditing committee and an auditing chairperson, and other personnel as he/she deems necessary, subject to confirmation by the Clark County Executive Committee. He/she may provide for the employment of any other office personnel necessary. All of said appointments and employees shall serve subject to the pleasure of the chair of the executive committee, except the auditing committee chair, who shall serve at the pleasure of the executive committee.

Section 2 The vice-chairpersons, in order of succession, shall act as acting chairperson in case of the death, resignation, incapacity, removal, or absence of the chair or his predecessor, and shall, in such event, have the same powers, duties, and responsibilities as the chair until the next regular meeting of the executive committee, at which time a new chair shall be properly elected by the executive committee. The first vice chair will be of opposite gender as the chair.

Section 3 The secretary shall be in charge of all the official documents of the executive committee and of preparation of the necessary notices, minutes and other documents. The secretary shall preserve such files and records and open them for examination at convenient and appropriate times at the request of any duly elected member of the Clark County Executive Committee under any rules and regulations as are prescribed by said executive committee.

Section 4 The treasurer shall have custody of the funds of the party and shall render up-to-date financial reports at each meeting of the Clark County Executive Committee. The treasurer shall be accountable for all receipts and expenditures of the party subject to the direction of the finance committee. When the balance of the treasury of the Clark County Democratic Party exceeds \$2,000.00, the party shall assume the cost of bonding the treasurer and any other officer or employee responsible for the handling of party funds to the extent necessary to protect the treasury, by a reputable bonding company.

ARTICLE V – STANDING COMMITTEES OF THE EXECUTIVE COMMITTEE

Section 1 The audit committee shall be responsible for auditing the receipts and expenditures of the party. The committee shall make an annual audit and such other audits as the chair of the executive committee or any member of the auditing committee may request. An annual report shall be made before the 15th day of May of each year. A written report of such audit shall be presented at the next meeting of the central committee. The audit committee shall consist of a chair (who shall not be the chairperson of the executive committee) and no more than two additional executive committee members.

Section 2 The finance committee shall be responsible for developing a fundraising plan for the party and overseeing all fundraising activities. At the beginning of each year an annual fundraising plan will be shared with party members. The finance committee shall consist of the chair of the executive committee and two Democratic Party members elected by the Clark County Executive Committee.

Section 3 The budget committee shall meet to determine the merits of any proposed expenditure in excess of an amount to be determined and voted upon by the executive committee at the first meeting following reorganization. The budget committee shall be responsible for planning an annual budget for the party and making a good faith effort to ensure it is followed. The budget committee shall consist of the chairperson of the executive committee and two (2) executive committee members elected by the Clark County Executive Committee.

ARTICLE VI – CENTRAL AND EXECUTIVE COMMITTEE MEETINGS

Section 1 The central committee shall meet at least once every four (4) months, starting with the meeting after its election as required by law and this Constitution. All meetings of the body must be open to the public and no secret ballots may be used at any time for voting purposes. Notification of the meeting will be by mail at least seven (7) days prior to the meeting. Members may decide to receive notification of such meetings through electronic mail (email) versus mail. One-third of the central committee shall constitute a quorum.

A. Special meetings of the central committee shall be called by the chair upon the written request of ten (10) members. The day and hour of the meeting shall be selected by the chair.

- B.** The section 3513.30, 3513.31, and 305.02 of the Revised Code of Ohio, including vacancies occurring in the central committee itself as outlined in section 3517.05 of the Revised Code of Ohio. All appointments made by the central committee to fill these vacancies shall be reported promptly to the Clark County Board of Elections, the Ohio Secretary of State, and the secretary of the Ohio Democratic Party by the secretary of the central committee.

Section 2 If the Clark County Central Committee so desires, the Clark County Executive Committee shall have full power to conduct the business of the Clark County Democratic Party and is authorized to act for the Clark County Central Committee in all things pertaining to the welfare, business, and organization of the Clark County Central Committee, subject to the exceptions contained in this Constitution and Bylaws.

- A.** The Clark County Executive Committee shall meet at least nine (9) times per year, starting with the one immediately after its election. Eighteen (18) members of the Clark County Executive Committee Constitutes a quorum. All meetings of the body must be open to the public and no secret ballots may be used at any time for voting purposes.
- B.** The Clark County Executive Committee may be called to meet by the chairperson or by a minimum of one-eighth of the membership of said committee.
- C.** Notice of any meeting, other than the reorganization meeting of the Clark County Executive Committee, specifying time and place shall be sent to all members of the committee not less than seven (7) days in advance of the meeting unless otherwise provided by law. Members may decide to receive notification of such meetings through electronic mail (email) versus mail.
- D.** The Clark County Executive Committee shall fill all vacancies of the Clark County Executive Committee.
- E.** The Clark County Executive Committee may appoint as many honorary members to the committee as it deems appropriate. Honorary membership is intended to be a form of recognition and respect. Said membership shall not include voting privileges but honorary members shall be afforded all other party privileges and courtesies bestowed upon members of the executive committee.
- F.** When any regularly elected member of the executive committee (not including ex-officio and honorary members) misses three (3) meetings in a row without adequate excuse, the executive committee may declare that office vacant and elect a replacement for the duration of the term.

Section 3 Minutes shall be taken of all meetings of the Clark County Central Committee and the Clark County Executive Committee.

Section 4 Members of the central committee shall make recommendations to the executive committee regarding qualified officials within their own precincts. The recommendations of those members whose precincts have been properly polled shall be approved and forwarded to the Clark County Board of Elections for appointment as election officials in accordance with Sections 3501.22 and 3501.27 of the Revised Code of Ohio.

ARTICLE VII – STATE AND NATIONAL CONVENTION

Section 1 The Clark County Democratic Party will follow the state and national guidelines as set for the state and national Democratic Conventions.

ARTICLE VIII – OATH OF OFFICE

Section 1 All members of the Clark County Central Committee and the Clark County Executive Committee 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, the Constitutions and Bylaws, and the principles of the Clark County Democratic Party.

ARTICLE IX – PARTY UNITY

Section 1 All members of the party's central or executive committees and party officers shall support the principles of the Clark County Democratic Party and shall not support the election efforts of an opponent of any Democratic candidate endorsed by the Clark County Democratic Party Executive Committee.

ARTICLE X – VIOLATION OF CONSTITUTION AND/OR BY-LAWS

Section 1 Willful and intentional conduct by any member or officer of the Clark County Democratic Central Committee that is found to be in violation of the Constitution or Bylaws of the Clark County Democratic Party shall be cause for censure and/or other such sanctions, if adopted by a two-thirds majority of the Clark County Democratic Party Central Committee members present at a meeting.

Section 2 Willful and intentional conduct by any member or officer of the Clark County Democratic Executive Committee that is found to be in violation of the Constitution or Bylaws of the Clark County Democratic Party shall be cause for censure and/or other such sanctions, which may include removal, if adopted by a two-thirds majority of the Clark County Democratic Party Executive Committee members present at a meeting..

ARTICLE XI – ROBERTS RULES OF ORDER

Section 1 Any matter regarding the conduct of the affairs of the Clark County Central Committee and Executive Committee not governed by this Constitution and Bylaws, or by the laws of the State of Ohio, shall be governed by Robert's Rules of Order.

ARTICLE XII – CONSTITUTIONAL AMENDMENTS

Section 1 Proposed amendment(s) to this Constitution and Bylaws shall be read at a meeting of the Central Committee and voted upon at subsequent meeting.

ARTICLE XIII – PREVIOUS CONSTITUTIONS

Section 1 This Constitution supersedes any and all other previous Constitutions and Bylaws of the Clark County Democratic Party and shall take effect immediately upon adoption by the Clark County Central Committee.