

**Bylaws of the  
Oconee County Democratic Committee  
as amended November 21, 2019**

**ARTICLE I.—Name**

**§1.1.** The name of this organization shall be the Oconee County Democratic Committee, hereafter to be referred to as the Committee. All members, officers, and subdivisions of the Committee are subject to these Bylaws and to the Charter and Bylaws of the State Committee of the Democratic Party of Georgia, hereafter referred to as the State Committee. (References to these bylaws will be denoted with the section [§] symbol, whereas references to Bylaws of the Democratic Party of Georgia will ordinarily be denoted with "Ga BL.")

**ARTICLE II.—Duties**

**§2.1.** Duties of the Committee shall be

- To elect State Committee members in accordance with Ga BL.
- To determine Party Districts and Apportionment in accordance with Ga BL and to file any changes with the State Party Chair and the Chair of the Oconee County Elections and Registration.
- To promote the development of Party organizations and activities.
- To seek and encourage qualified Democratic candidates for elective office.
- To support Democratic nominees.
- To perform such primary and election functions as required by law.
- To maintain appropriate records.
- To promote and add logistical support to the State Affirmative Action Program.
- To raise funds for the above purposes; and
- To perform such other duties as may be required by the State Committee.
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**ARTICLE III.—Membership and Party Districts**

**§3.1. Membership.** There shall be four classes of membership, three with voting privileges and one without. Voting Members shall include regular (elected) members, Ex Officio Members and Emeritus Members. Non-voting members shall be Honorary Members.

**§3.2. County Apportionment Plan.** Oconee County is divided into six (6) districts to determine regular membership of this Committee. The districts shall be numbered District 1 through District 6. Each district shall initially have three (3) county committee posts; each post shall have one committee member. A review of the apportionment plan shall be not less than once every ten (10) years within a reasonable time after the reporting of the decennial U.S. census. District 1 shall be made up of the Dark Corner, Farmington, Bishop, and High Shoals voting precincts. District 2 shall be made up of the Colham Ferry and Antioch voting precincts. District 3 shall be made up of the Athens Academy and City Hall voting precincts. District 4 shall be made up of the Civic Center and North Oconee voting precincts. District 5 shall be made up of the Bogart and Malcom Bridge voting precincts. District 6 shall be one county at-large district with three (3) posts.

**§3.3. Challenge to the County Apportionment Plan.** Pursuant to Ga BL, challenges to the apportionment plan may be made by any individual who voted in the most recent Democratic primary and who is a member of the State Party by executing a petition which sets forth the objections and by filing said petition with the Chair or the Secretary of the Committee.

**§3.4. Designation of Posts and Terms.** The Committee shall designate one half (1/2) of the elected Committee Posts to be elected in Gubernatorial election years and one half to be elected in Presidential election years. As near as practicable, one-half (1/2) of the members from each district shall be elected in Presidential election years, and the remaining one-half (1/2) of each district shall be elected in Gubernatorial election years. County committee members shall take office on the first day of the first month following the caucus at which committee members are elected. Elected Committee members shall serve four (4)-year terms.

**§3.5. Election Procedure.** Committee members are to be elected at a caucus of the Oconee County Democratic Party to be held within forty-five (45) days following the General Primary. The time, place, and method of such caucus shall be set by the committee and advertised no less than thirty (30) days in advance by publication in the legal organ of Oconee County and by other means such as mail and electronic mail. Those eligible to participate and vote in the caucus must be registered to vote in Oconee County and must have voted in the most recent Democratic primary and/or be a member of the Oconee County Democratic Party.

No fee will be required to qualify, and each candidate receiving the highest number of votes for any post shall be elected without a runoff. Where possible, candidates must reside and be registered to vote in the district for which they are running and must have voted in the most recent Democratic primary and/or be a member of the Oconee County Democratic Party.

**§3.6. Ex Officio Members.** The Committee shall also include as voting members the following: any members of the State Committee, members of the Democratic National Committee, and the Congressional District Chair who reside in and are registered to vote in Oconee County.

**§3.7. Emeritus Members.** The Executive Committee may submit names of members who are at least 60 years old and have at least 10 years of continuous active membership on the Committee to the Committee membership to be elected to Emeritus status. Election to Emeritus status will be by simple majority of members present at the meeting in which the names are submitted. Such Emeritus members shall have all privileges and shall be exempt from dues and any other obligations of Committee membership.

**§3.8. Honorary Members.** The Executive Committee may submit names of persons deemed worthy of Honorary membership. Honorary Members may reside outside the county, but may not vote on Committee business. Election to Honorary status will be by simple majority of members present at the meeting in which the names are submitted.

**§3.9. Dues.** Reasonable dues for members may be set, upon due deliberation and majority vote of the committee. No person elected to serve in a Committee post shall be denied the right to participate for a failure to pay dues to the Committee.

**§3.10.** All members with voting privileges must be registered to vote in Oconee County.

#### **ARTICLE IV.—Election of Officers and Executive Committee**

**§4.1.** Pursuant to Ga BL, the Committee shall elect officers no later than December 31 of even numbered years to take office January 1 of the following year. The new Chair shall immediately upon taking office notify the State Committee Chair and appropriate Congressional District Chair of his/her election.

**§4.2.** Pursuant to Ga BL, the Committee shall elect from its membership a Chair, a First Vice-Chair, a Second Vice-Chair,, a Secretary, and a Treasurer. When possible, at least one of the Vice-Chairs shall be of the opposite gender of the Chair. The person receiving the majority of votes for election to an office shall be declared elected.

**§4.3.** The Officers shall serve two- (2-) year terms. The position of any officer of the Committee who has unexcused absences (see §8.8) from three (3) consecutive meetings or four (4) meetings in a calendar year, may be deemed vacant. Nothing in these By-laws prevents the former officer whose position has been deemed vacant from seeking reelection to said position. Upon notice to the Committee members given as practicable, an election for the vacant officer position may be held in accordance with the procedure in these by-laws for filling vacancies on the Committee (see Article X), except that additional nominations may be made at the meeting when the election is held. Nomination from the floor may be made by any Committee member present. Nominations do not require a second.

**§4.4.** The Executive Committee shall consist of the Chair, First Vice-Chair, Second Vice-Chair, Secretary, and Treasurer. The immediate Past-Chair of the Committee can be included as a non-voting member to obtain his/her wise counsel.

**§4.5.** Such other officers and subcommittees shall serve at the pleasure of the Committee, as may be deemed necessary. Unless reappointed, the term of any such other subcommittee shall expire when the two-year term of the executive committee that appointed them expires.

**§4.6.** Nothing in these bylaws shall prohibit the election of two (2) Co-Chairs in the place of the one Chair, if the Committee deems it appropriate. If Co-Chairs are elected, they should be of opposite genders when possible. Also, if Co-Chairs are elected, it may not be necessary to have a Second Vice-Chair.

#### **ARTICLE V.—Duties of Officers**

**§5.1. Chair.** The Chair shall be the principal executive officer of the Committee, shall call and preside at meetings of the Committee, and shall perform all other duties usually associated with this office and as required by the State or National Democratic Committees. The Chair shall also execute, in the name of the Committee, any and all such instruments that the Committee may determine are necessary to the management of the Committee's business, except as otherwise provided in these Bylaws.

**§5.2. First Vice-Chair.** The First Vice-Chair shall preside in the absence of the Chair and shall perform duties as requested by the Chair or authorized by the Committee. The First Vice-Chair shall automatically become Chair in the event of a vacancy in the office of Chair due to resignation, death, removal from office, or otherwise.

**§5.3. Second Vice-Chair.** The Second Vice-Chair shall preside in the absence of both the Chair and the First Vice-Chair, and shall perform duties as requested by the Chair or authorized by the Committee. The Second Vice-Chair shall automatically become First Vice-Chair in the event of a vacancy in the office of First Vice-Chair due to resignation, death, removal from office, or otherwise.

**§5.4. Secretary.** The Secretary shall record, post, and preserve the minutes of all meetings of the Committee; shall in a timely fashion send to the Committee via electronic mail or first-class mail the minutes of previous meetings of the Committee; if requested, shall read at such meetings the minutes of any previous meetings; shall conduct correspondence as directed by the Chair; shall take care of all announcements to the Committee as requested by the Chair; shall be custodian of the membership list; shall attest as Secretary to all authorized deeds and other instruments requiring such attestation and seal; and shall perform all other duties as required by the State or National Democratic Committees. All records of the Secretary shall remain the property of the Committee.

**§5.5. Treasurer.** The Treasurer shall supervise the receipt and safekeeping of all financial and intangible property of the Committee, and shall record and deposit in a financial institution selected by the Committee all funds collected by the Committee. The Treasurer shall make disbursements as directed by the Committee, and shall perform such other duties as may be directed by the Chair. A current financial report, accurate within thirty (30) days, shall be rendered at each regular meeting of the Committee. The Treasurer shall submit all books and records of financial transactions to the Committee. All records of the Treasurer shall remain the property of the Committee.

#### **ARTICLE VI.—Election Duties**

**§6.1. Poll Officers.** In accordance with Georgia Election Code and Ga BL, poll officers to conduct primaries and elections shall be recommended by the Committee to the Oconee County Election Superintendent.

**§6.2. Poll Watchers.** In accordance with Georgia Election Code and Ga BL, two (2) official poll watchers may be designated by the Committee for each precinct for each election.

#### **ARTICLE VII.—Committee Functions, Records, and Certification**

**§7.1. Financial Records.** Pursuant to Ga BL, the Committee shall maintain records of all financial transactions, kept on a calendar year basis, and a list of unpaid obligations. The Treasurer shall provide a year-end financial report to the Committee no later than March 31 of the following year. Financial records may be audited each year by a person appointed by the

Chair. A financial report shall be provided to the Committee as soon as practicable or in such period of time as may be specified by the Chair when the auditing person(s) is (are) appointed.

**§7.2. Financial Accounts.** The Treasurer and at least one other member of the Executive Committee shall be authorized as signers on financial accounts belonging to the Committee. Only one signature is required.

**§7.3. Filing of Records.** The Committee shall report directly to the State Committee Chair and shall file therewith a list of Committee membership; all rules, regulations, bylaws and charters of affiliates; an annual report of activities or minutes; the location and signatories of Committee bank accounts; and certification by the Committee Chair that the Committee duly constituted and organized is following sound financial operating procedures. Such filing(s) shall be made in accordance with Ga BL.

**§7.4. Certification of Officers and Membership.** The list of members and officers shall be certified in writing by the Secretary and verified by/attested to by the Chair or one of the Committee Vice-Chairs.

#### **ARTICLE VIII.—Meetings and Voting**

**§8.1. Executive Committee.** The Executive Committee shall meet as often as necessary to establish an agenda for the regular Committee meeting and to transact other business in the Committee's interest.

**§8.2. Regular Meetings.** The Committee shall meet regularly at least once each quarter. Except as provided for in a bona fide emergency, where meetings are not held in a previously designated time and place, all members shall be provided written and/or electronic notice at least ten (10) days in advance of the meeting date.

**§8.3. Emergency Meetings.** Emergency meetings may be called with at least five (5) days' notice upon approval of a majority of the Executive Committee. Telephonic, electronic, or actual notice of the meeting must be provided or attempted to each Committee member.

**§8.4. Quorum.** A quorum for conduct of Committee business shall be one-third (1/3) of voting Committee members. Members present at a duly called and held meeting at which a quorum is initially present may continue to do business notwithstanding the loss of a quorum at the meeting provided that any action taken after the loss of the quorum is approved by at least a majority of the members required to constitute said quorum.

**§8.5. Voting.** No person shall be entitled to more than one vote. Voting by proxy is not permitted. However, a committee member may cast a vote by telephone. Secret ballot shall be permissible only when electing Committee members and State Convention Delegates in accordance with Ga BL.

**§8.6.** All meetings shall be open to the public unless the Committee votes to go into Executive Session as may be provided for in Ga BL.

**§8.7.** Pursuant to Ga BL, unless otherwise provided for in the State Party By-laws or the State Party Charter, Robert's Rules of Order, most recently revised edition, shall govern the conduct of all meetings of the Committee. Generally speaking, parliamentary procedure, rather than consensus decision-making, will be utilized to make decisions and provide order in all Committee and subcommittee meetings.

**§8.8. Absences.** An excused absence is one in which the committee member/officer has notified the Secretary or another member of the Executive Committee in advance of the meeting that he/she will not be able to attend. An unexcused absence is one in which the committee member/officer fails to notify the Secretary or another member of the Executive Committee in advance of the meeting.

#### **ARTICLE IX.—Committees**

**§9.1.** The Committee shall appoint an Affirmative Action Subcommittee as required by Ga BL.

**§9.2.** The Executive Committee may appoint such other Standing Subcommittees for the following activities as may be deemed necessary: Communications, Education, Special Programs, Voter Registration, Fundraising, Candidate Development, and Nominating Committee.

**§9.3.** The Committee may also appoint Ad Hoc Subcommittees or Teams as it may consider appropriate.

#### **ARTICLE X.—Vacancies**

**§10.1.** A Committee post may be declared vacant when the committee member submits a letter of resignation to the Chair, when a committee member dies, when a committee member is no longer a resident and registered voter in Oconee County, or when the committee member has unexcused absences (see §8.8) from three (3) consecutive meetings or four (4) meetings in a calendar year.

**§10.2.** A vacancy in a Committee post may be filled by election by the Committee for the remaining term of office.

**§10.3.** Names of prospective Committee members for vacancies shall be submitted in the form of a nomination to the Secretary. Nominees shall be read at one meeting and voted on at the next meeting of the Committee by secret ballot as described in Article VIII, Section 5 of these Bylaws. Nominations may be made from the floor on the date of the election, and if deemed necessary, the actual voting may be postponed to the next regular meeting.

#### **ARTICLE XI.—Removal Procedure**

**§11.1.** Any Committee member and/or officer may be removed by the Committee for cause, with reasonable notice, and with the opportunity to be heard, by a 2/3 vote of the Committee provided a 40% quorum of members is met, in accordance with the Ga BL. This procedure is

separate and distinct from the situation where an officer's or member's position is deemed vacant due to excessive absences pursuant to §4.3 or §10.1 of these Bylaws.

**§11.2.** Any person subject to removal from an office pursuant to the preceding section, or from the Committee, for cause, shall receive a written notice of the alleged reason(s) for removal.

**§11.3.** The removal procedure shall be conducted by a Subcommittee appointed by the Chair. If the Chair is subject to the removal procedure, the Subcommittee shall be appointed by a majority of the other Executive Committee members then serving.

**§11.4.** The person who is subject to removal shall have the right to be informed of all persons who will witness against him/her and who will testify in support of the charges, at least ten (10) days before a hearing on said charges before the full Committee.

**§11.5.** The person who is subject to removal shall have the right to counsel and to present witnesses, documents and arguments. The Subcommittee shall be afforded the same right.

#### **ARTICLE XII.—Reimbursement Prohibition**

**§12.1.** Pursuant to Ga BL, no member of the Committee shall receive compensation for or be reimbursed for expenses in attending a Committee meeting.

#### **ARTICLE XIII.—Prohibitions and Contributions**

**§13.1.** The Committee is explicitly prohibited from supporting a Democratic candidate who has opposition in a primary or special election where there is more than one declared Democratic candidate, nor shall a member use his/her office to support an opposed primary or special election candidate. No Committee member shall publicly support another candidate other than the Democratic nominee in a partisan general election.

**§13.2.** Any contribution by the Committee to a candidate for public office shall be accompanied by a cover letter which shall state in substance the following language: "This contribution is made on the express condition that, after election, you remain a member of the Democratic Party. Your acceptance and/or use of this contribution is your personal acknowledgment and contract that should you win election yet at any time prior to the end of your term change parties or leave the Democratic Party, you will repay these amounts and any costs, including attorney's fees, associated with seeking such repayment." [See Ga BL.]

#### **ARTICLE XIV.—Veto**

**§14.1.** Any action by the Committee may be reversed by a two-thirds (2/3) majority vote of the membership of the State Executive Committee, in accordance with Ga BL.

#### **ARTICLE XV.—Endorsement in Non-partisan Elections**

**§15.1.** The Committee shall be authorized, provided actual notice of at least thirty (30) days prior to said meeting where such action is contemplated, to endorse a candidate running in a non-partisan election. All candidates for that position will be given the notice required (30 days) and be given equal opportunity to seek the Committee's endorsement.

**ARTICLE XVI.—Amendments**

**§16.1.** After adoption, these Bylaws may be amended at any Committee meeting by a two-thirds (2/3) majority vote of those present, provided that at a prior regular meeting, written notice of said proposed amendment(s) has been provided to all members of the Committee, including Ex Officio members.

**ARTICLE XVII.—Ratification and Submission**

**§17.1.** These Bylaws and any amended Bylaws adopted by the Committee in the future shall be submitted to the State Party Chair and the appropriate Congressional District Chair within fourteen (14) days of their adoption, with the proper certification, pursuant to Ga BL.

**ARTICLE XVIII.—Amendments Adopted**

**§18.1.** Adopted November 21, 2019

Modifies Section 3.2 County Apportionment Plan

Removes reference to “Annex” voting precinct. In 2019, the Oconee County Board of Elections opted to consolidate the former “Annex” precinct into the “City Hall” precinct, requiring an updated apportionment plan.

**§18.2.** Adopted November 21, 2019

Modifies Section 3.5 Election Procedure

Prepends the words “Where possible” to the beginning of the last sentence of the section, allowing for committee posts to be held by Oconee County residents that live outside of the apportionment district that they represent when necessary.

Adopted and approved, as amended, by the Oconee County Democratic Committee, this 21st day of November, 2019.

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Secretary