

Legislative District 23 Democrats Bylaws

PREAMBLE

These bylaws cover the operation and organization of the Legislative District 23 Democrats (hereafter "LD23"), a district party committee established pursuant to Arizona Revised Statutes Title 16, Sections 821-828. Such sections shall be considered Appendix I of these bylaws.

Article I. ORGANIZATION

Section 1. Legislative District Committee

There shall be a Legislative District Committee, with membership as provided by law and in Article II of these bylaws, which shall have duties and responsibilities as provided by law and these bylaws. The LD23 Precinct Committeepersons (PCs) shall be the governing body of the Legislative District 23 Democrats and shall have authority over all actions of the Executive Committee and other committees of LD23.

Section 2. Executive Committee

There shall be an Executive Committee, with membership as provided by and in Article IV, which shall have duties and responsibilities as provided by law and these bylaws subject to the direction of the LD23 Committee.

Article II. MEMBERSHIP

Section 1. Participation

Unless otherwise prescribed by law, the LD23 Committee shall consist of all Democratic PCs residing within the boundaries of LD23 who have been elected or appointed pursuant to the laws of the state of Arizona. All members shall have the right to fully participate in the meetings, discussions, and other activities of LD23 as provided by law and these bylaws.

Section 2. Precinct Committeepersons

A. A PC candidate shall be a registered Democratic voter living within the precinct.

B. The term of office for PCs shall be as follows:

1. The term of office of an elected PC is two (2) years, commencing on October 1 in even-numbered years after the primary election in which the PC was a candidate and elected and continues until September 30 after the following primary election at which PCs are elected.

2. The term of office of an appointed PC begins upon approval by the Board of Supervisors of the county of residence and continues until September 30 after the following primary election at which PCs are elected. Appointed PCs shall have all the rights and obligations of elected PCs except that they shall not vote in any political party committee biennial organizational meeting.

C. A vacancy in the office of a PC is defined in ARS 38-291 and in the bylaws of the Arizona Democratic Party (ADP). If the PC changes party registration or moves from the precinct in which the person was elected or appointed, the PC shall be deemed to have resigned from office. The chair of the county in which the vacancy in the precinct occurred is charged with the responsibility of filling the vacancy. The county chair shall accept applications from qualified Democratic electors and forward them to the elections department of the applicable county for approval by the Board of Supervisors.

D. The duties of PCs shall include, but not be limited to: (a) voting at LD23 elections; (b) assisting the Democratic Party in voter registration; (c) assisting and encouraging voters to vote on election days; (d) attending LD23 meetings; (e) working within the precinct from which elected or appointed; (f) creating enthusiasm and support for the Democratic Party; (g) helping elect Democratic candidates; (h) assist in recruiting and training leaders of the Democratic Party; (i) encouraging financial support of LD23 and the ADP; and, (j) serving on various committees as applicable.

Article III. MEETINGS

Section 1. Meetings

A. LD23 shall meet at least 11 times in a calendar year, with no formal meeting in December.

B. The Executive Committee shall meet monthly or upon the call of the Chair or in accordance with any resolution adopted by it.

C. Any special meeting of LD23 may be called by the Chair, by a simple majority of the Executive Committee, or by at least twenty-five percent (25%) of the voting members of LD23 by filing a formal petition with the Secretary and must be convened within twenty (20) days of the date designated by any such petition. The petition must contain the reason for the meeting, which must be provided to members in the meeting notice.

D. Meetings of LD23, the Executive Committee, and any subcommittees may be held in person or virtually (telephonic or electronic).

Section 2. Notification

Proper notice shall be given as to the date, time, and place to each member of the body that is meeting, at least ten (10) days prior to a meeting. Notices of meetings shall include a link to the draft agenda and a link to the prior meeting's minutes, and may be delivered by email unless prohibited by statute.

Section 3. Quorum

A. Unless otherwise specified in these bylaws, a quorum of members of the body that is meeting shall consist of at least ten (10) percent of LD23 PCs, if notice has been given in accordance with Section 2 of this article. A quorum shall be present for all voting.

Section 4. Debate

No members shall speak longer than three (3) minutes at one time, except as provided in the order of the day or by a vote of the majority of members present.

Section 5. Voting

Voting within LD23, the Executive Committee, or any of their subcommittees shall be on an individual basis and may be by actual roll call vote, by division of the body in commonly accepted manner or by voice vote, as may be appropriate. No slate or title identification shall be made on any ballot or in balloting. Only members of the particular committee shall have the right to make motions, vote, or exercise any other parliamentary rights at meetings of the committee.

Section 6. Proxy Attendance

Proxies are not allowed under these bylaws. To participate, PCs are required to be in attendance in person or via electronic media.

Section 7. Open Meetings

All meetings of LD23 and its subcommittees shall be open meetings.

Section 8. Parliamentary Procedure

A. All meetings of LD23 and its subcommittees shall be conducted under Robert's Rules of Order, Newly Revised, most current edition.

B. The Chair may appoint a Parliamentarian who shall serve without a vote by reason of such office. Should the Parliamentarian be absent at any meeting at which their services are required, the Chair may appoint another to act as Parliamentarian for any such meeting.

Section 9. Biennial Organizational Meeting

A. Pursuant to ARS 16-823, LD23 shall meet no later than the second Saturday after the general election to organize by electing from its membership its officers and State Committee members as prescribed in ARS 16-825. Only the PCs residing in the district and elected pursuant to ARS 16-821 will be eligible to vote during the biennial organizational meeting.

B. Pursuant to ARS 16-823, the Chair of LD23 shall give notice of the time and place of the organizational meeting by United States mail to each precinct committeeman at least ten (10) days before the date of the meeting. If the PC has provided a valid e-mail address and has authorized the Chair to give notice to the PC by e-mail instead of by United States mail, the Chair shall provide notice of the meeting by e-mail at least ten (10) days before the date of the meeting.

Article IV. OFFICERS

Section 1. Officers

A. Pursuant to ARS 16-823, the statutory officers of LD23 are Chair, two (2) Vice Chairs, Secretary, and Treasurer. The latter two offices may be filled by the same person. The statutory officers are to be elected from LD23 membership at the Organizational Meeting.

B. At the LD23 Organizational Meeting, LD23 may also elect from its membership other officers deemed necessary to conduct the business and operations of LD23 under procedures set forth in Section 2 of this Article.

Section 2. Election of Officers

A. All nominations for LD23 officers to be elected pursuant to this Article shall be made from the floor of the LD23 Organizational Meeting and no slate identification shall be allowed on any ballots or balloting at these elections.

B. Any duly elected or appointed PCs may be eligible for any elective office, but no person shall be nominated as a candidate without the consent of such person having first been obtained.

C. In all cases where there is more than one (1) candidate for office, voting shall be conducted by individual ballot. A person must receive votes on a majority of ballots cast. If a second or subsequent ballot is necessary, the name of the candidate with the lowest vote total from the preceding ballot shall be excluded from the subsequent ballot. The same procedure shall be followed until a nominee shall have received votes on a majority of ballots cast.

D. An automatic recount shall be performed if (1) the number of votes cast is greater than the number of committeepersons present in person; or (2) the ballot shall result in the election of an officer rather than only the elimination of a candidate and there is a margin of less than six (6) votes between the elected officer and the next candidate.

E. Officers shall be elected in the following order: Chair; First Vice Chair; Second Vice Chair; Secretary; and Treasurer. If additional officer positions were created per Section 1(B) of this Article, officers will be elected in the order in which the positions were created.

Section 3. Duties of Officers

In addition to their duties as members of LD23 and the Executive Committee, the duties of the officers shall include but are not limited to the following:

A. The Chair shall (1) direct the affairs of LD23 and serve as its official spokesperson; (2) coordinate the districtwide activities of the Democratic Party; (3) preside over all meetings of LD23, the Executive Committee, and other meetings that may be held; create Agendas for General and Executive Committee meetings; contact and schedule speakers; (4) in consultation with the Executive Board, submit a proposal for approval for an annual budget to the Executive Committee; (5) assign duties to officers not specified in these bylaws; (6)) in consultation with the Executive Board appoint all committees except as specifically provided for in these bylaws and to appoint chairs and members to those committees; (7) direct any office LD23 may establish; and (8) perform other duties as set forth in these bylaws. Pursuant to ARS 16-823, the chair is ex officio a member of the county committee of the county in which a plurality of the district's registered voters resides. If the LD23 chooses to be represented on the executive committees of any county in which representation by Legislative Districts Committees is requested, the Chair or their designee will serve as that representative.

B. The First Vice Chair shall (1) perform the duties of the Chair during the absence or disability of the Chair until the Chair returns or, in the event of a vacancy, until a successor is elected; (2) serve as the chair of the Outreach Committee; and (3) perform duties assigned by the Chair or by these bylaws.

C. The Second Vice-Chair shall (1) perform the duties of the Chair during the absence or disability of the Chair and the First Vice-Chair or, in the event of a vacancy, until a successor is

elected; (2) serve as the chair of the Communications Committee; and (3) perform duties assigned by the Chair or by these bylaws.

D. The Secretary shall (1) keep records of all meetings of LD23, the Executive Committee, and the General Committee; (2) provide electronic copies of minutes to the members of the respective committee in a timely manner; (3) maintain a roll of PCs in LD23; (4) maintain a copy of formal reports of LD23 officers, committees, and sub-committees; (5) maintain a copy of all resolutions adopted by LD23; and (6) perform such other duties as are assigned by the Chair.

E. The Treasurer shall (1) serve as the custodian of all funds and securities of LD23; (2) maintain adequate records pertaining to the finances of the LD23 and file all required financial reports at requisite intervals as required by appropriate governmental agencies; (3) be responsible for the financial affairs of LD23; (4) serve as a member of any committee pertaining to finance or that receives or disburses funds; (5) consult with Executive Board in the creation of an annual budget for LD23; (6) at least once a month, to the extent that funds are available and expenditures are authorized by law, pay outstanding bills which are those bills that have been duly incurred within the current budget as permitted by these bylaws; (7) disburse funds in accordance with the direction of the Executive Committee; (8) ensure that all campaign finance reporting laws and regulations that apply to LD23 are honored when receiving contributions and making disbursements; and (9) perform other duties as set forth in these bylaws.

The Sergeant-at-Arms, if appointed, shall (1) maintain order at all meetings of LD23 and of the Executive Committee (2) at regular meetings of the County Committee, support efforts to confirm the credentials of PCs; and (3) perform other duties as may be assigned by the Chair.

The Parliamentarian, if appointed, shall (1) advise the Chair and other officers, committees, and PCs on matters of parliamentary procedure; (2) be knowledgeable in and able to interpret parliamentary procedures, these bylaws, and Robert's Rules of Order; and (3) perform other duties as may be assigned by the Chair.

Section 4. Term of Office

A. The term of office is two (2) years, commencing immediately following election at the biennial organizational meeting and ending at the next biennial organizational meeting.

B. A vacancy in an office occurs if an officer resigns, ceases to hold valid status as an LD23 PC, dies, or is removed from office. The office will be filled by a majority vote of LD23 PCs at the next regular meeting unless that meeting is less than thirty (30) days from the date the seat was vacated. In such a case the vacancy will be announced at the next meeting and the election to fill the vacancy will occur at the following regular meeting.

C. If an officer is absent for three (3) consecutive LD23 regular meetings or three (3) consecutive LD23 Executive Committee meetings without cause, such absence shall be deemed a resignation.

D. Appointed officers shall serve subject to the pleasure of the Chair.

Section 6. Concurrent Positions

No elected LD23 officer shall concurrently serve as an officer of any political action committee (PAC).

Section 7. Conflict of Interest

A. No elected LD23 officer shall be employed as a campaign manager or as a paid consultant to any partisan campaign.

B. No elected LD23 officer shall concurrently run for any office in a partisan election. Upon filing their Statement of Interest, the officer shall be automatically resigned from their position.

Article V. REMOVAL FROM OFFICE

Section 1. LD23 Office

A. Any elected LD23 officer other than the Chair shall be removed for cause by a three-fourths (3/4) vote of the entire LD23 Executive Committee.

B. The Chair shall be removed from office if a special meeting is called per Article III, Section 1.C and two-thirds (2/3) of the voting members in attendance vote in favor of the motion to remove the Chair. The office shall be deemed vacant, and the vacancy shall be filled per Section 4 of this Article.

C. Causes for which any officer of LD23 may be subject to removal from office shall include, but not be limited to, the following:

1. A public statement of support of an opposition party candidate in a partisan election.
2. Malfeasance in office.
3. Failure to carry out the duties of the office.
4. Violation of the ADP Code of Conduct.
5. Violation of local, state, or federal law that causes unfavorable publicity to LD23 and the Arizona Democratic Party or impairs the credibility of the officer to perform their duties.
6. Acts of discrimination on the basis of race, ethnicity, national origin, sex, age, disability, sexual orientation, gender identity, or religion.
7. Conduct towards others that could endanger one's safety; that could be considered bullying, abusive, threatening, or coercive; or that could be considered sexual harassment, assault, or violence.

Section 2. Precinct Committeeperson

A. A Precinct Committeeperson may be removed from office for cause. Cause for removal includes the following:

1. Failure to fulfill the duties of the office under Arizona law or the bylaws of the county of residence.
2. Malfeasance in office.
3. Willful or corrupt misconduct in office.

4. Harassment, bullying, or other behavior inconsistent with the expectations outlined in the Arizona Democratic Party's Code of Conduct.

5. A public statement of support of an opposition party candidate in a partisan election; or

6. Conviction of a felony.

B. The procedures for removing a Precinct Committeeperson shall be as follows:

1. Vote to Recommend Removal by a District Executive Board. A majority of a District Executive Board may vote to recommend the removal of a Precinct Committeeperson whose precinct falls within that District. No fewer than fourteen (14) days before the meeting when the recommendation for removal will be discussed and voted on, the District Secretary must send written notice to the Precinct Committeeperson whose removal from office is being sought. The written notice must include: (1) all reasons for the recommendation for removal, including any supporting documentation, (2) the date, time, and location of the meeting where the matter will be discussed and voted on, and (3) a statement that the Precinct Committeeperson whose removal is being sought may respond in writing, will have an opportunity to respond at the meeting, and has the right to present documents or call witnesses to testify on their behalf at the meeting.

2. Meeting of the District Executive Board. The District Chair will preside over the meeting where the recommendation for removal is discussed and voted on and must ensure that the meeting is either recorded or transcribed verbatim. A representative of the District Executive Board must present the reasons for potential removal and give the Precinct Committeeperson whose removal is sought a chance to respond. The Precinct Committeeperson must have the opportunity to present documents or call witnesses to testify on their behalf before any vote on a recommendation for removal. The District Executive Board may then vote to recommend the removal of the Precinct Committeeperson.

3. Removal Vote by County. If a District Executive Board recommends the removal of a Precinct Committeeperson, the District Chair shall send all materials related to the removal recommendation to the Chair of the county of residence of the PC, who shall promptly schedule a meeting of the county Executive Committee to vote on whether to remove the Precinct Committeeperson from office. If the county does not have an Executive Committee, the chair of the county of residence shall convene a special committee to meet and vote in the same manner as a county Executive Committee for purposes of Precinct Committeeperson removal. No fewer than fourteen (14) days before the meeting of the county Executive Committee at which that vote will be held, the county Secretary must send written notice to the District Chair and the Precinct Committeeperson whose removal from office is being sought. The written notice must include: (1) all documentation related to the recommended removal, including the recording or transcript of the District Executive Committee meeting during which removal was recommended, (2) the date, time, and location of the meeting where the matter will be discussed and voted on, (3) a statement that the Precinct Committeeperson whose removal is being sought may provide an additional written statement in advance of the meeting and will have an opportunity to speak at the meeting, and (4) a statement that the District Chair (or their designee) may provide an additional written statement in advance of the meeting and will have an opportunity to speak at the meeting. The county Executive Committee must be recorded (or transcribed verbatim. After the Precinct Committeeperson and District Chair (or their designee)

are provided a reasonable opportunity to speak, the Precinct Committeeperson may be removed by a majority vote of the county Executive Committee.

C. If the county Executive Committee removes a Precinct Committeeperson, the county Chair must promptly send a written notice and recommendation to the county Board of Supervisors under A.R.S. § 16-821(B).

D. Pending removal, a Precinct Committeeperson may be suspended from all official duties and activities of LD23 and the committee of their county of residence pending the completion of removal proceedings under Subsection B of this Section by a majority vote of the LD23 Executive Board if:

(a) The Precinct Committeeperson was provided with the written notice required by Subsection B(1) of this Section;

(b) The cause specified in the written notice required by Subsection B(1) of this Section involves conduct that presents a risk of ongoing harm to the county party, LD23, or any third person;

(c) The Precinct Committeeperson was provided with no fewer than 48 hours of written notice of the LD23 Executive Board's intent to hold a suspension vote; and

(d) The Precinct Committeeperson was provided with an opportunity to address the District Executive Board prior to the vote to suspend the Precinct Committeeperson.

Any meeting at which a vote to suspend a Precinct Committeeperson is discussed or taken must be recorded or transcribed verbatim.

A suspension under this Subsection will terminate upon the earlier of the following:

(a) The District Executive Board voting not to recommend the Precinct Committeeperson's removal under Subsection B(2) of this Section;

(b) The county Executive Committee voting not to remove the Precinct Committeeperson under Subsection B(3) of this Section; or

(c) The county Board of Supervisors determining that the Precinct Committeeperson's office is vacant under A.R.S. § 16-821(A).

Article VI. RESIGNATION FROM OFFICE

A PC may resign at any time by providing written notice of their resignation to the Chair of their county of residence. In addition, a PC will be deemed to have automatically resigned their office if they (1) move out of the precinct from which they were elected or appointed or (2) change political parties under A.R.S. § 16-822(D). If a PC resigns under this Article, the Chair of the county of residence must promptly send a written notice and recommendation to the county Board of Supervisors under A.R.S. § 16-821(B).

Article VII. EXECUTIVE COMMITTEE

A. The membership of the Executive Committee shall consist of the LD23 officers listed in Article IV of these bylaws.

B. Additional members shall be committee chairs.

C. The duties of the Executive Committee shall be to (1) act on behalf of LD23 between LD23 meetings; (2) approve the LD23 budget and any amendments to it; (3) approve specific contracts extending beyond the Chair's term; (4) adopt and maintain policies and procedures for LD23; (5) provide advice on appointments made by the Chair; and (6) perform other such duties as may be assigned by the Chair.

Article VIII. OTHER COMMITTEES

Section 1. Committees

The Chair, in cooperation with the Executive Committee, may create committees as necessary and appoint chairs and members to such committees.

Section 2. Special Committees

Special committees may be appointed by the Chair or may be directed by LD23 for activities that are time limited.

Section 3. Committee Statement

No committee shall be authorized to issue any statement on behalf of either the LD23 Committee, the Executive Committee or as coming from LD23, and any statement or report issued by any committee on its own behalf shall be confined within the scope of its duties.

Section 4. Expenditure of Funds

All funds for committees are under the internal control of LD23 and fall within the duties of the Treasurer.

Article IX. STATE COMMITTEE MEMBERS

A. Pursuant to ARS 16-823, State Committee members will be elected at the organizational meeting. LD23 shall elect the number of State Committee members allotted by the laws of Arizona and the bylaws of the Arizona Democratic Party.

B. A vacancy in the LD23 State Committee membership shall occur and be filled as delineated in Article II, Section 5 of the bylaws of the Arizona Democratic Party.

C. A deemed resignation by an LD23 State Committee member shall occur and be filled as delineated in Article II, Section 4 of the bylaws of the Arizona Democratic Party.

Article X. COUNTY COMMITTEES

A. Per Arizona laws, codes, and designations, legislative district committees are individual political party committees and are not subgroups of county committees.

B. Per Article 4, Section 3.A., the Chair is an ex officio member of the county committee of the county in which a plurality of the District's registered voters resides. If LD23 chooses to be represented on the Executive Committees of any additional counties in which LD23 lies in part, in which representation by Legislative District Committees is requested, the Chair or their designee will serve as that representative.

C. There is nothing in this article that restricts any member of LD23 from running for or holding at-large or other positions on county committees for which they qualify.

Article XI. ENDORSEMENTS

Section 1. Contested Primaries

A. Neither LD23 nor its Executive Committee shall endorse any candidate in a contested primary election. Individual LD23 officers and others appointed or elected to LD23 leadership positions shall remain publicly neutral in contests between Democrats in any contested primary election.

B. No member of LD23 shall publicly endorse any candidate of any opposing political party for any office in a contested primary, general, or special election. A candidate of an opposing political party is defined as a candidate who is not registered as a Democrat.

C. Nothing in this article restricts a PC from working on behalf of any favored Democratic candidate, as this is a function of being a PC.

Section 2. Vote of No Candidate Support

In the event serious concerns are raised about a candidate's legitimacy or intent, the Executive Committee may call for a vote of No Candidate Support by LD23. Approval shall require the agreement of at least eighty percent (80%) of LD23 PCs voting. Such meeting shall be convened per Article III, Section 1.C of these bylaws.

Article XII. BYLAWS

Section 1. Effective Date

These bylaws shall go into effect immediately upon their adoption and shall continue in force for present and future membership subject to amendment or termination in accordance with the provisions of this Article.

Section 2. Amendments

A. These bylaws may be amended by a vote of not less than two-thirds (2/3) of the PCs of LD23 present at a regular or specially called meeting of LD23.

B. The Executive Committee shall oversee revisions to these bylaws.

C. Only LD23 PCs in good standing may propose a change to the bylaws. Any proposed change to the bylaws must be presented in writing accompanied by a statement explaining the

purpose to be achieved and reasons supporting the change. All proposed changes shall be prepared and submitted to the Executive Committee.

D. Proposed amendments in writing must be received by the Secretary at least thirty (30) days prior to potential consideration at a meeting. The contents of the proposed amendments to be considered shall be transmitted to all members at least ten (10) days prior to the meeting.

E. Proposed bylaw amendments may be modified or refined by LD23 members during discussion prior to holding a vote on the proposed change. Modifications may be accepted or declined by the person or body proposing the original amendment to LD23. Members present will be provided the opportunity to review final proposed amendments prior to voting.

F. No proposal to amend or terminate these bylaws shall be considered by LD23 unless it has been submitted in compliance with the provisions of this section.

G. The bylaws of LD23 cannot be contrary to the bylaws of the Arizona Democratic Party or law.