

## ARTICLE XVI. CHARTERS

### Section A. AUTHORITY

1. Pursuant to California Elections Code Section 20201, all organizations which include in any part of their name the name of the Democratic Party and directly or indirectly solicit funds in Los Angeles County for any purpose whatsoever under the representation, either express or implied, that the funds are being solicited for the use of the Democratic Party must first be chartered by one (1) of the following:

- a. The Los Angeles County Democratic Central Committee;
- b. The California State Democratic Central Committee; or,
- c. A majority of the members of the California Delegation of the Democratic

National Committee.

### Section B. GRANTING

1. Subject to the provisions set forth herein below, This Committee may charter any organization that has as its objective the advancement of the Democratic Party.

2. Any charter granted by This Committee shall be effective from the date said charter is granted to the date of the regular meeting of This Committee in January of the immediately following odd year, unless the chartered organization fails to apply for continued chartered status by no later than the last day of March of the year after the year in which the organization was chartered (where the charter would otherwise extend to that March) or the charter is revoked as hereinafter provided. In the event that a chartered organization fails to apply for continued chartered status by no later than the last day of March of the year after the year in which the organization was chartered (where the charter would otherwise extend to that March), the charter shall be deemed to be, and is, immediately terminated without further action of or by This Committee.

3. There shall be three (3) types of organizations eligible for charter:

- a. A membership organization, including a Democratic Club;
- b. A council made up of representatives from various Democratic Party and chartered organizations; and,
- c. A political action committee.

Eligibility to charter shall also be contingent upon meeting the following requirements;

(i). A membership organization, including a Democratic Club, shall require that its voting members be of voting registration or pre-registration age; provided that membership organizations recognized to be affiliates of the California Young Democrats or College Democrats of America may extend voting rights to persons who meet the age requirements of the California Young Democrats and/or College Democrats, as applicable. In addition, a membership organization shall require that its voting members be registered Democrats, or persons ineligible to register as Democrats who express an intent to register as a Democrat upon becoming eligible. It shall also require that its members pay dues, and affirmatively apply for membership in a manner in which the member, at a minimum, is identified by name and address.

A membership organization, including a Democratic Club, may have a category of nonvoting allies who are registered voters who disclosed no preference for a political party (or, prior to that designation, registered as “decline to state”) on their voter registration card. The designation in the organization’s bylaws and any filing with any Democratic Party organization of any such nonvoting members must make their nonvoting status clear.

(ii). Any organization comprised entirely of a specified membership made up of representatives from a Democratic Party Central Committee and/or Democratic Party chartered organizations who are members by virtue of their office/title shall require that its voting members be registered Democrats, or persons ineligible to register as Democrats who express an intent to register as a Democrat upon becoming eligible.

4. This Committee may only charter an organization, which has been recommended for chartering by:

a. The Organizational Chartering and Development Committee of This Committee;

or

b. If the organization seeking a charter is a membership organization, including a Democratic Club, the majority of the members of the Assembly District Delegation in which a majority of the members of the organization reside.

5. This Committee shall have no authority to grant a charter to an organization which has not complied with the provisions of Article XV.B.4 above.

#### Section C. DENIAL AND REVOCATION

1. This Committee shall have the power and authority to deny or revoke a charter of any organization, for cause by majority vote. Cause for denial or revocation shall include:

a. The endorsement of a non-Democrat for elective office;

b. Use of the name of the Democratic Party without a charter;

c. In the case of a "membership" organization, knowing enrollment of a person registered to vote as anything other than a member of the Democratic Party as a voting member of the organization;

d. Transferring of funds from the organization's accounts to an account of a non-Democrat running for elective office;

e. Acting in violation of State or Federal laws or regulations;

f. Failure to finally dispose of a complaint under the organization’s own duly adopted Code of Conduct within the shorter of the period specified in the bylaws of the organization for such disposition or 120 days from filing unless all parties to such complaint shall have consented in a signed and dated writing to a clearly specified longer period of time in a written consent specifically identifying the complaint to which the longer period applies and which was entered into after the filing of such complaint.

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g. Taking an affirmative action, or having a stated purpose of the organization, which a two-thirds majority of those members of This Committee voting, after affording the chartered organization an opportunity to be heard, finds to be inimical to the interests of Democratic Party.

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2. No organization's charter may be revoked without sixty (60) days written notice of grounds of revocation having been mailed to the Chair of the organization in question, and the rights of response before This Committee having been granted to said organization's designated representative. For purposes of this Section the Chair shall mean the last person designated in writing to This Committee as Chair.

3. The Organizational Chartering and Development Committee of This Committee shall have the right to investigate, upon written complaint by a member of the organization or of This Committee, whether changes to the bylaws of a membership organization affecting matters governed by This Committee's chartering requirements have been made since the membership organization submitted its bylaws as part of its chartering application or application for continued chartered status. Where the Organizational Chartering and Development Committee of This Committee finds that such changes have been made and that such changes materially adversely affect the membership organization's compliance with This Committee's chartering requirements, the organization shall be referred to the Policy Committee of This Committee for appropriate remedial action. Such remedial action shall consist, in the first instance, of giving the chartered organization a reasonable period of time, not to exceed 90 days, to bring its bylaws back into compliance with This Committee's chartering requirements. Where the chartered organization fails to achieve such compliance in a timely manner, the Policy Committee shall initiate the process of revocation of the chartered organization's charter under the procedures set forth in this Article XVI, Section C unless it finds that an alternative remedial action is more appropriate.

#### Section D. APPLICATION REQUIREMENTS

1. All organizations which fall under the mandatory chartering provisions of Election Code Section 20201 and desire to be chartered by This Committee shall make application for such charter in writing. The application shall contain:

- a. The name of the organization;
- b. A copy of the Constitution and By-Laws of the organization, and if applicable, its Articles of Incorporation, all of which must contain such provisions as This Committee may require;
- c. Agreement by the organization that it will give ten (10) days written notice of any and all of its meetings, both regular and special, to:
  - (i) All members of the Assembly District Delegation which recommended its charter; or,
  - (ii) The Chair of This Committee and the chair(s) of the Organizational Chartering and Development Committee of This Committee if the organization was not recommended for charter by an Assembly District Delegation.
- d. The names, addresses, and phone numbers of all persons appearing on the organization's Statement of Organization filed with the applicable filing officer, including the organization's officers which shall include as a minimum a chair and a treasurer.
- e. The identification number(s) used by the organization when filing statements with

the Secretary of State, the Fair Political Practices Commission, and/or the Federal Elections Committee.

f. A written certificate signed by the President and Secretary of the organization, certifying that each of its members is a registered Democrat or is a person devoted to the principles of the Democratic Party and is of voting registration or pre-registration age; provided that membership organizations recognized to be affiliates of the California Young Democrats or College Democrats of America may extend voting rights to persons who meet the age requirements of the California Young Democrats and/or College Democrats, as applicable. In addition, the certificate shall state that the organization requires that its voting members be registered Democrats, or persons ineligible to register as Democrats who express an intent to register as a Democrat immediately upon becoming eligible.

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g. Individual signatures, addresses and telephone numbers of the organization's member who have not signed another organization's charter application as set forth below:

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(i) For membership organizations recognized as an affiliate of the California Young Democrats or College Democrats of America: not less than ten (10) members;

(ii) For all other membership organizations, including all other Democratic Clubs: not less than twenty (20) members;

(iii) Because political action committees are not membership organizations, the only signatures required for political action committees are of a responsible official agreeing to comply with the chartering requirements and making the certifications required by the application form.

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h. The appropriate chartering fee.

i. Unless an organization is a political action committee, it shall also include the following in its application:

(i) A complete roster (in hard copy and electronic format, if available) containing the names, addresses, and phone numbers of all its members.

(ii) Constitution and By-Laws which contain provisions indicating that the organization has regularly scheduled meetings.

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(iii) An agreement that the organization will send notice to each member of the Assembly District Delegation in which a majority of the members reside. Said notice shall be given to the Chair of This Committee and the chair(s) of the Organizational Chartering and Development Committee if such organization does not have a majority of its membership in one (1) Assembly District.

j. Agreement by the organization that it will give ten (10) days written notice to the Chair of This Committee and the chair(s) of the Organizational Chartering and Development Committee of This Committee of any and all proposed amendments to its bylaws submitted to its membership for final approval.

k. Agreement by the organization that, by no later than ten (10) days after any officer election within the organization, it will give notice to the Chair of This Committee and the chair(s) of the Organizational Chartering and Development Committee of This Committee of the name(s) of, and contact information for, all elected officers.

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2. An organization granted a charter that extends beyond the last day of March of the year after the year in which the charter was granted must make an application for continued chartered status by no later than the last day of March of the year after the year in which the charter was

granted.

- a. If such organization fails to make a timely application for continued chartered status, its charter is deemed terminated without further action of This Committee as of the last day of March of the year in which such application for continued chartered status is to be made.
- b. The Organizational Chartering and Development Committee shall require the same application information and fees for an organization applying for such continued chartered status as it does for an ordinary application for a charter. Notwithstanding the foregoing sentence, that the Organizational Chartering and Development Committee may waive the requirements to provide the information required by Section D.1(g) and D.1.i(i) of this Article XVI with respect to all or some subset of organizations applying for continued chartered status so long as such waiver is uniformly extended to all similarly situated organizations.

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2. This Committee may charter by a sixty percent (60%) vote of those present and voting, one (1) organization using the name Los Angeles County Democratic Central Committee Political Action Committee. Any group of persons desiring to be chartered by This Committee to use the name Los Angeles County Democratic Central Committee Political Action Committee shall make written application for charter. In addition to those items set forth in Article XV.D.1 above, the application shall contain:

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a. A copy of the Constitution and By-Laws of the organization and, if applicable, the Articles of Incorporation. These documents must indicate that the group having decision-making authority in the organization consists of at least one (1) person from each Supervisorial District in this county.

b. An agreement that the political action committee will not oppose any candidate which This Committee has endorsed.

c. An agreement that the political action committee will not support or oppose a proposition, ballot measure or recall in opposition to a position which This Committee has adopted.

3. This Committee, upon recommendation of the Policy Committee, may adjust the chartering fees. Such adjustments shall be made no more frequently than once per calendar year. In addition, the Policy Committee shall establish uniform late application fees/penalties for organizations filing their application for a charter in an untimely manner may, in its discretion, modify the late application fee/penalty; provided that no such modification may take effect until the calendar year immediately following the calendar year in which the modification was adopted.