

OHIO DEMOCRATIC PARTY

*Constitution
and By-Laws*

2016

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Ohio Democratic Party
CONSTITUTION

PREAMBLE

We, members of the Ohio Democratic Party, in state convention here assembled, in order to organize and perpetuate a representative, effective, and responsible party organization at all levels in the State of Ohio, affiliate with and advance the interests of the Democratic Party nationally, sustain and advance the principles of democracy, and uphold human and civil rights and constitutional government, do establish this constitution.

The Ohio Democratic Party Principles

Adopted 8/29/98

As the Ohio Democratic Party, we are proud to adopt these principles based on our belief in an Ohio that values opportunity and equality for all its citizens, and respects both the self-reliance of individuals and the benefits of teamwork, to meet the challenges of a fair and just society.

To that end:

We believe that the best government is one that is efficient, yet understanding – a government that is based not on systems or bureaucracies, but on people, ideas and values.

We believe there is no substitute for fair and equal representation and strong public participation in a government chosen by election.

We believe in a government that stands on the side of Ohio's families - that listens, understands and addresses their concerns.

We believe that all Ohioans reap benefits when we, as a state, meet our challenges together. We believe in the equality of all Ohio citizens and condemn any discrimination.

We believe in a society that strengthens Ohio's families and protects our children.

We believe in the rights of all Ohioans to achieve economic security and find affordable housing, to seek good jobs at a livable wage, and protection for our workers in a growing, robust economy.

We believe in a society that puts the health, safety and prosperity of its citizens first, one that promotes excellence in education, choices in quality health care and a healthy environment for all Ohio citizens.

We believe in a society that values community and protects all Ohio citizens from violence and crime.

We believe in a society that respects our elders, who deserve the right to retire with the resources they need and have earned to support themselves in their golden years.

And we believe in pursuing these ideals with honesty and integrity, with respect for the freedoms that we in Ohio are proud to call our own.

ARTICLE ONE

Name, Membership, and Eligibility for Office

Section 1 - Name

The name of this organization shall be the Ohio Democratic Party.

Section 2 - Membership

Membership in this party shall be open to all residents of the State of Ohio who support the Constitution of the United States of America, the Constitution of the State of Ohio, and the Constitution, By-Laws and principles of the Ohio Democratic Party. 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 Ohio Democratic Party who does not meet the aforesaid qualifications 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 One, Section 2, is eligible for election to party office, except as hereafter limited. There shall be no minimum age requirement for party office save where prescribed by law.

Section 4 - Qualifications

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

ARTICLE TWO

Constitutions and Laws

Nothing herein shall conflict with the Constitution of the United States of America, the Laws of the United States of America, the Constitution of the State of Ohio, the Laws of the State of Ohio and the Charter and By-Laws 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 of America and of the State of Ohio are hereby incorporated by reference and made a part hereof. Each clause of this constitution shall be considered separately and the illegality or enforceability of any one clause shall not affect any other clause.

ARTICLE THREE

Central Committee- Executive Committee

Section 1 - Central Committee

The controlling committee of the Ohio Democratic Party shall be the Central Committee consisting of such membership as shall be elected according to the laws of the State of Ohio every four years beginning with the primary election of 2014. The Central Committee shall elect an Executive Committee, which shall have such powers as are granted it by the Central Committee, as are provided by law, by this Constitution, and by the Ohio Democratic Party By-Laws.

Section 2 - Meetings

The members-elect of the party's Central Committee shall meet not earlier than six nor later than fifteen days following their certification of their election according to the laws of the State of Ohio at a suitable place and time in Columbus, Ohio, to be designated by the retiring Chairman of the Committee. Notice of such meeting, giving the place and time, shall be sent to each member-elect by the retiring secretary of the Committee by mail or electronic mail if the member-elect opts in to receipt of the notice by these means, and a copy of the notice shall be posted in the Office of the Secretary of State at least five days prior to any such meeting. If the retiring secretary does not issue the call within the time required by law, any five members-elect may do so. The meeting shall be called to order by the retiring chairman or secretary or if such officer is absent, than by a member of the Committee designated by the Secretary of State. The Committee shall proceed to organize by election of a chairman, treasurer, secretary, and other such officers as the committee may desire.

Section 3 - Election to Executive Committee

The State Central Committee shall then elect themselves to the State Executive Committee.

Section 4 - Confirmation of Power

The State Central Committee shall confer upon the State Executive Committee all power and authority of the State Central Committee and the State Executive Committee shall be authorized to act for the State Central Committee in all things pertaining to the welfare, business, operation, and organization of the State Central Committee and the Ohio Democratic Party during the period of its existence, which shall continue until the meeting of the next State Central Committee. The State Executive Committee shall establish By-Laws to guide and regulate the Ohio Democratic Party. Any vacancies which may occur in the State Executive Committee shall be filled by a majority vote of the State Executive Committee.

Section 5 - Ex-Officio Members

The State Executive Committee shall then be called to meet immediately upon its election and shall proceed to elect its Chairperson, who need not be a member of the State Central or State Executive Committee. The Chairperson shall automatically become a member of the State Executive Committee. Following election of the Chairperson, all Democratic Statewide officeholders and Democratic Candidates for statewide office shall become ex-officio members with full rights and privileges. Statewide office means members of the United States Senate, Governor, Lieutenant Governor, Attorney General, Auditor of State, Treasurer of State, Secretary of State and the Democratic leaders of both the Ohio House of Representatives and the Ohio Senate.

Section 6 - Appointments to Committee

The Chairperson of the State Executive Committee shall then, or within 30 days thereafter, recommend to the State Executive Committee:

- (1) An additional number of one less than the elected members and
- (2) Ten members of a Finance Council for membership on the State Executive Committee and
- (3) Five members who represent various statewide Democratic organizations.

The recommendations of the Chairperson must be broadly representative of all of the various elements of the party in accordance with the principles contained in the Charter and By-Laws of the Democratic Party of the United States. Such said number of appointed persons must be approved for membership on the State Executive Committee.

Section 7 - Vice Chairpersons

The State Executive Committee shall then immediately proceed to elect as many Vice-Chairpersons, in order of succession, as it deems necessary, and the Secretary and the Treasurer of said Committee. One-half of the Vice-Chairpersons shall be women and one-half shall be men with the first Vice-Chair having to be of the opposite gender of the Chair in accordance with the rules set forth in the Charter of the Democratic National Committee.

Section 8 - DNC Member Selection

The members of the Democratic National Committee shall be selected by the State Executive Committee at the first meeting of the State Executive Committee after the primary election. Such members of the Democratic National Committee shall serve for a four-year term, commencing on the day the Democratic National Convention adjourns, provided such members shall be equally divided between men and women as nearly as possible.

In the event of a vacancy on the Democratic National Committee during said term of office, the vacancy shall be filled as an appointment made by the State Executive Committee.

ARTICLE FOUR ***Amendment***

Section 1

This Constitution may be amended by sixty (60%) percent of all delegates to any Convention.

Section 2

A Constitutional Convention may be called by the State Executive Committee. The Constitution may also be amended by a majority vote of all delegates at any convention specifically called to amend the Constitution.

ARTICLE FIVE ***Previous Constitutions***

This Constitution supersedes any and all other constitutions of the Ohio Democratic Party and shall take effect immediately upon adoption by the convention.

Ohio Democratic Party

BY-LAWS

Chapter 1: Officers

Section 1 - Chairperson

The Chairperson's duties shall be those of Chief Executive Officer and the individual shall be subject to the direction of and responsible to the State Executive Committee. The Chairperson shall appoint an Executive Director, a finance committee, a budget committee, an auditing committee, and other personnel as he/she deems necessary, subject to confirmation by the State Executive Committee. He/She may provide for the employment of any other personnel necessary. All of said appointments shall serve to the pleasure of the Chairperson of the Executive Committee, except the auditing committee which shall serve at the pleasure of the Executive Committee.

Section 2 - Vice-Chairpersons

The Vice-Chairpersons, in order of succession, shall act as the chairperson in case of death, resignation, incapacity, removal, or absence of the chairperson or their predecessor, and shall, in such event, have the same powers, duties, and responsibilities as the chairperson until such time as the Executive Committee shall properly elect a new chairperson.

Section 3 - Secretary

The Secretary shall be in charge of all of 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 Executive Committee under such rules and regulations as are prescribed by said Executive Committee.

Section 4 - Treasurer

The Treasurer shall have custody of the funds of the party and shall render up to date financial reports to each member of the Executive Committee and to each State Convention. The Treasurer shall be accountable for all receipts and expenditures of the party subject to the direction of the Finance Committee. The Treasurer and any other officer or employee responsible for the handling of party funds shall be under sufficient bond, the amount to be determined by the Executive Committee.

Chapter 2: Membership

The recommendations of the Chair of the State Executive Committee stipulated in Article III, Section 6 of the Constitution shall include the Chairs of the Executive Committees of the twelve most populous counties: Butler, Cuyahoga, Franklin, Hamilton, Lake, Lorain, Lucas, Mahoning, Montgomery, Stark, Summit, and Warren, as well as the President of the Ohio Democratic County Chairs Association, if the President is not one of the above mentioned. These shall be ex-officio members with full rights and privileges.

Chapter 3: Committees

Section 1 - Finance Committee

The Chairperson of the Executive Committee shall appoint a chairperson of the Finance Committee who shall preside over said Committee. The Committee shall be responsible for soliciting all contributions and promoting all fund-raising activities for the party.

Section 2 - Auditing Committee

The Chairperson of the Executive Committee shall appoint a chairperson of the Auditing Committee who shall preside over said Committee. The Committee shall be responsible to audit the receipts and expenditures of the party. The committee shall make an annual and any such other audits as the Chairperson of the Executive Committee or any other member of the Auditing Committee may request. The Auditing Committee shall consist of three members.

Section 3 - Budgeting Committee

The Chairperson of the Executive Committee shall appoint a chairperson of the Budgeting Committee who shall preside over said Committee. The Budgeting Committee shall be responsible for the planning of all expenditures of the party.

Chapter 4: Executive Committee Meetings

Section 1 - Meeting Times

The Executive Committee shall meet immediately upon its election and at least four times per year during the period of its existence. One meeting per year may be held outside of Franklin County if so determined. The Executive Committee may be called to meet by the chairperson or by a minimum of one-eighth of the membership of said Committee.

Section 2 - Meeting Notices

Notice of any meeting, other than the original meeting of the Executive Committee, specifying time and place, shall be sent in writing through regular mail to all members of the Committee not less than seven (7) days in advance of the meeting. Meeting notices may be sent out in the same time frame via email if the member opts-in to receiving notices in such a manner.

Section 3 - Minutes

Minutes shall be taken of all meetings of the Executive Committee.

Section 4 - Quorum

Forty percent of the membership shall constitute a quorum for conducting any business to come before the meeting. Members missing three meetings in a year may be removed and replaced by the Chairperson.

Section 5 - Meeting requirements

All meetings of the Ohio Democratic Party and all other official Party committees, commissions and bodies shall be open to the public, and votes shall not be taken by secret ballot.

Chapter 5: State Convention

Section 1 - Date of Convention

A State Convention shall be held each even-numbered year of a Presidential Election year between the date of the announcement of the official returns of the primary election and the date of the general election, but not before the election of the Executive Committee and at other such times as the Executive Committee shall determine.

Section 2 - Delegates

The number of delegates and alternates and the procedure for their selection shall be determined by the Executive Committee and implemented in each county in accordance with the principles of the delegate selection contained in the national guidelines for the selection of delegates to the Democratic National Committee. In all cases the number of delegates and alternates apportioned to the various counties shall be equally divided between men and women as nearly as possible.

Section 3 - Platform

The Platform of the Ohio Democratic Party shall be the ratified and accepted Platform of the Democratic National Committee as approved by delegates to the Democratic National Convention every four years.

Section 4 - Committees

The Chairperson of the Executive Committee, subject to the direction of the Executive Committee, shall appoint delegates to serve on the convention committees relating to credentials, rules, and Constitutional matters. The Chairperson of the Executive Committee shall appoint committees relating to platform, arrangements, or other such committees as may be required. The appointment shall be made at least fifteen (15) days before the state convention and commence their respective duties before the opening of the convention. The convention committees shall perform such duties as directed by the Chairperson of the Executive Committee.

Section 5 - Credentials

All contests for seats of delegates at the State Convention shall be decided by the State Convention after investigation and recommendation by the Committee on Credentials.

Section 6 - Presidential Electors

At the State Convention in each presidential election year, persons shall be nominated as candidates for election as presidential electors to be voted for at next succeeding general election. For the year 2000, presidential electors shall be selected pursuant to ORC Section 3513.111.

Section 7 - Fees

The maximum participation fees for any delegate to the convention shall be Twenty-Five Dollars (\$25.00).

Section 8 - Voting

Each delegate shall be permitted to vote individually and no unit rule, proxy, or slate voting shall be required or permitted. No person shall be entitled to cast more or less than one vote on any one question.

Chapter 6: Party Structure-National Guidelines

Section 1 - National Convention

The Ohio Democratic Party shall be guided by and shall comply with the guidelines required by the Commission on Party Structure and Delegate Selection of the Democratic National Committee. The Chairperson of the Executive Committee shall appoint a Delegate Selection Committee subject to confirmation of the Executive Committee. This Committee shall draft a Delegate Selection Plan subject to approval by the Executive Committee and the Democratic National Committee.

Section 2 - Participation

The Ohio Democratic Party shall seek as broad a base of support as possible.

All public meetings at all levels of the Ohio Democratic Party should be open to all members of the Ohio Democratic Party regardless of race, gender, language, national origin, religion, age, disability, or sexual preference. No test for membership in, or oaths of loyalty to the Ohio Democratic Party shall be required or used which have the effect of requiring prospective or current members of the Ohio Democratic Party to acquiesce in, condone, or support discrimination on the grounds of sex, race, color, creed, or national origin.

The time and place of the meetings of the Ohio Democratic Party on all levels should be fully publicized and in such manner as to assure timely notice to all interested persons.

The Ohio Democratic Party, on all levels, shall support the broadest possible registration without regard to race, gender, language, national origin, religion, age, disability, or sexual preference. The Ohio Democratic Party shall publicize fully and in such manner to assure notice to all interested parties a full description of the legal and practical procedures for selection of the Ohio Democratic Party officers and representatives on all levels. Publication of these procedures should be done in such fashion that all prospective and current members of the Ohio Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Ohio Democratic Party.

The Ohio Democratic Party 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 Ohio Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within the Ohio Democratic Party will have full and adequate opportunity to compete for said offices.

Section 3 - Access

The Ohio Democratic Party shall provide easy access and frequent opportunity for qualified residents of the State of Ohio to become members of the Ohio Democratic Party and shall support any legislation which so provides.

Chapter 7: Party Structure State Guidelines

Section 1 - County Constitutions and By-Laws

Each Democratic County Central and Executive Committee in the State shall adopt a constitution and by-laws which shall comply and be consistent with the Constitution and By-Laws of the Ohio Democratic Party. Each such Democratic organization shall submit a copy of said constitution and by-laws to the Chairperson of the State Executive Committee. Any amendments, changes, or modifications in said constitution and by-laws shall also be immediately reported to the Chairperson of the State Executive Committee.

Section 2 - Participation

No Democratic State or County Central or Executive Committee shall permit any rules which tend to limit participation in said organization, except on the basis of residency and general qualifications set out in Article I of the Ohio Democratic Party Constitution.

Section 3 – Donation Limitations

No Democratic Candidate shall be required to contribute, lend, give, or donate anything of value to any Democratic Committee or party official as a condition of his endorsement for elective office.

No member, candidate, party official, or Democratic elected or appointive official, acting for himself individually, or for any Democratic Committee, shall request or receive any financial contribution, donation, gift, or other form of economic remuneration as a condition for securing an endorsement of any Democratic candidate for elective or appointive office.

Section 4 – Document Availability

All party constitutions and by-laws, rules, regulations, membership lists, voter lists, lists of officers or committee members, minutes, and other documents must be available to every Democrat on written request.

Section 5 - Right of Appearance

Every Democrat who desires to be a Democratic candidate for any public office shall have the right to appear before the State Executive Committee, if said office is decided in statewide election, or the County Central or Executive Committee, or such other committee as is authorized by the County Executive Committee to make endorsements if said office is decided on a county or district basis at the regularly scheduled meetings established for such purpose to discuss the campaign issues or his or her candidacy and any endorsements to be made by such committees.

Section 6 – Voting Restrictions

No Democratic State or County, Central or Executive Committee shall permit the use of the unit rule in voting on any matter.

No Democratic State or County, Central or Executive Committee shall permit proxy voting on any matter.

No Democratic State or County, Central or Executive Committee shall permit election of its officers by slate.

Every vote taken by any State or County, Central or Executive Committee for the election of its officers or the endorsements or selection of persons for public office shall be in accordance with the standards set by the Charter and By-Laws of the Democratic Party of the United States.

Chapter 8: State and County Cooperation

Section 1

The Chairperson of the Ohio Democratic Party Executive Committee shall consult and cooperate with the Chairpersons of the eighty-eight county executive committees on all matters relating to the business of the Ohio Democratic Party in their respective counties.

Section 2

The Chairpersons of the eighty-eight county executive committees shall consult with the Ohio Democratic Executive Committee and its Chairperson on all matters relating to the business of the Ohio Democratic Party in their respective counties.

Section 3

The Chairperson of the Ohio Democratic Executive Committee shall meet with the chairpersons of the county executive committees at least four times each year at its regularly scheduled meetings.

Chapter 9: Pre-Primary Endorsements

In any election year in which any statewide office, to wit: Governor, Lt. Governor, Attorney General, Auditor, Treasurer, Secretary of State, U.S. Senator, Ohio Supreme Court Justices or Chief Justice, are to appear on the ballot, the Executive Committee shall be called for a meeting before the primary election and must carefully consider in each race the endorsement of one or more persons.

The Executive Committee may endorse one or more of said candidates upon the affirmative vote of sixty (60%) percent of the members of the committee present and voting on such question. The question to be submitted to the committee shall be whether such candidate shall be endorsed by the Ohio Democratic Party. Any member of the Executive Committee may vote in the affirmative for as many candidates for the nomination as desired. Any candidate receiving such sixty (60%) percent of the vote shall be considered to be endorsed and a public announcement of said endorsement shall be issued forthwith. The Ohio Democratic Party shall then support such endorsed candidate to the best of its ability. An endorsement may be withdrawn at any properly organized meeting of the Executive Committee at any time for good cause by a vote of sixty (60%) percent of the members present and voting on the withdrawal of the endorsement.

Chapter 10: Finance

Section 1 - Responsibility

The Finance Committee of the Executive Committee shall have the prime responsibility for soliciting all contributions and promoting all fund-raising activities for the party.

Section 2 - Assessments

The county organizations of the Ohio Democratic Party shall be obligated to raise an assessment as determined from time to time by the Executive Committee that is fair, equitable, and uniform throughout the state, taking into consideration the population, Democratic vote, and resources in each county. Said assessment is to be paid on a quarterly basis on the first day of each calendar quarter directly to the Ohio Democratic Party.

Section 3 - Sanctions

Any county organization which fails to comply with the previous section shall be reported to the State Executive Committee and to all interested Democrats which shall take steps as they deem appropriate. All counties which pay their assessments shall be considered in good standing and shall receive the benefits of the party. Party benefits may be withheld from any county not in good standing.

Section 4 – Other Fund-Raising

The assessment provided herein shall be a minimum contribution and shall not bar the Ohio Democratic Party from other fundraising efforts.

Section 5 - Assessment Listings

The Chairperson of the State Executive Committee shall compile, at least once each year, the list of all counties, the amount of the assessment due, and the amount of assessment paid. Such listing shall be provided to all members of the State Executive Committee and all other interested Democrats.

Section 6 - Financial Report

The Chairperson of the Executive Committee shall also report, at least once each year, the financial condition of the Ohio Democratic Party. The report shall be in the form of complete statement of income and a complete balance sheet showing all assets, liabilities, and net worth.

Chapter 11: Party Unity

All members of the party, candidates for office, party officers, party committees and organizations, and elected Democratic officials shall support the principles of the Ohio Democratic Party.

Chapter 12: Violation of Constitution and By-Laws

Section 1 - Censure

Willful and intentional conduct by any party official or party organization in violation of the Constitution or By-Laws of the Ohio Democratic Party shall be cause for censure and such other sanctions as may be adopted by the State Executive Committee.

Section 2 - Examiners

The Chairperson of the State Executive Committee shall nominate three Democrats to act as examiners of any violations of the Constitution and By-Laws. The State Executive Committee shall confirm or reject the nominations within thirty (30) days of the State Executive Committee's first meeting. The primary duty of the Examiners is to investigate any violations of the Constitution or By-Laws referred to them by means of a complaint or by a majority vote of the Executive Committee. The term of the Examiners shall be for the duration of the Executive Committee which confirmed it. The expiration of the Examiners term of office shall not affect the validity of any report submitted.

Section 3 - Complaint

A complaint in writing, specifying violations of any provision of the Constitution and By-Laws by any person or group may be presented to the Chairperson of the State Executive Committee. Such complaint must contain the valid signatures of at least ten (10%) percent of the Democrats who vote in the Primary, or 500 valid signatures, whichever is less, of the Democrats affected or within the jurisdiction of the person or group complained against. The Chairperson shall then designate one of the examiners to investigate any such complaint within thirty (30) days after its receipt by the Chairperson. The examiner shall investigate the complaint as thoroughly as possible and shall provide for a fair hearing to all parties. All parties shall be permitted to present briefs, evidence, and witnesses. The examiner shall attempt to mediate the complaint to the satisfaction of all parties.

Section 4 - Report and Decision

The examiner must submit a report in writing on the results of the investigation, within sixty (60) days of the receipt of the original complaint, to the Chairperson of the State Executive Committee and the parties. If the examiner concludes that he is unable to mediate the conflict to the satisfaction of all parties, the State Executive Committee shall then, after opportunity for full consideration, including a fair hearing, decide the issues raised by the complaint. A majority of said members of the State Executive Committee at a properly constituted meeting shall decide the issue or issues. Such meeting of the Executive Committee must take place within ninety (90) days after receipt of the examiner's report. The decision of the State Executive Committee shall be final and binding upon all parties to the dispute.

Chapter 13: Oath of Office

All officers of the State and County Central Committees and the State and County

Executive Committees 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 Constitution and By-Laws and the principles of the Ohio Democratic Party.

Chapter 14: Robert's Rules

Any Matters regarding the conduct of the affairs of the County Central and Executive Committees, State Central and Executive Committees, and the Convention of the Ohio Democratic Party not governed by this constitution or the convention rules or by the laws of the State of Ohio shall be governed by Roberts Rules of Order.

Chapter 15: Amendments

These By-laws may be amended by a majority vote of the State Executive Committee or by a majority vote of all delegates to a Democratic State Convention.