

RULES AND REGULATIONS OF THE SULLIVAN COUNTY DEMOCRATIC COMMITTEE

PREAMBLE: The purpose of these rules is to inspire and encourage the greatest number of Democrats to participate in the affairs of the Democratic Party of Sullivan County to provide the best possible candidates for responsible government for the people of Sullivan County, its Towns and the State of New York.

RESOLVED that the Rules of Sullivan County Democratic Committee (SCDC) adopted on September 30, 2021 are hereby revoked and annulled; and be it further

RESOLVED that the following Rules of the Democratic Party are hereby adopted and shall be effective as of January 27, 2022.

RESOLVED that the Sullivan County Democratic Committee shall encourage and promote equality of treatment for, and discourage discrimination against, any person on the basis of age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, marital status, economic status, religion or disability.

The Sullivan County Democratic Committee (SCDC) does hereby adopt the following rules and regulations for the organization and governance of the Democratic Party of the County of Sullivan.

ARTICLE I GENERAL PROVISIONS

Section 1. The SCDC shall consist of the voters within the County who are enrolled in the Democratic Party.

Section 2. There shall be representative bodies as follows:

- a. A Town Committee for each Town comprised of two members representing each Election District in the Town.
- b. A County Committee comprised of all the members of the Town Committees in the County.
- c. A County Executive Committee consisting of officers elected by the County Committee, Town Chairs or their designees, and others as described in Article III.

Section 3. The County Committee shall be the official organization of the Democratic Party of Sullivan County. It shall be charged with the administration of the affairs of the party in the County and with the promotion of measures for the harmony, efficiency, and success of the Party and its nominated candidates. All Town Committees within the County shall be under the jurisdiction of the County Committee and subject to such provisions and regulations as it may prescribe. In addition to any specific powers granted to the County Committee in these, its Rules and Regulations, it shall have full power to act in all matters of political policy or party management consistent with the Laws of the State of New York.

ARTICLE II THE COUNTY COMMITTEE

Section 1. Membership. The County Committee shall consist of the Town Committee members representing each Election District in Sullivan County.

Section 1. Qualifications.

- a. Each member of the County Committee shall be an enrolled voter of the Democratic Party when elected and throughout their term of office.
- b. They shall reside in the Assembly District in Sullivan County.
- c. SCDC Members shall maintain their primary residence in Sullivan County.

Section 2. Responsibilities of Committee Members.

- a. All SCDC Committee Members shall make every reasonable effort to attend Committee meetings.
- b. All Committee Members are obliged to fulfill these responsibilities to the best of their ability.

Section 3. Time of Election. The members of the County Committee shall be elected biennially in odd-numbered years during the official primary election as provided by the New York State Election Law. Terms of office of members of the County Committee elected without balloting shall commence on the date of the County Committee organizational meeting.

Section 4. Committee Officers

- a. A committee officer is an individual who by election or appointment performs any function under the aegis of the Sullivan County Democratic Committee.
- b. The officers of this Committee shall consist of a Chair, Associate Chair, Vice Chair, Treasurer, and Secretary. Each such officer shall be an enrolled voter of the Democratic Party in Sullivan County, must be a member of the Committee, and shall be elected by the County Committee for a term of two years. An officer's term of office may be temporarily extended beyond two years if the committee fails to elect a qualified person to assume office. An incoming qualified person shall take office immediately upon election. A Parliamentarian and a Sergeant at Arms may be appointed at the Chair's discretion.
- c. The County Chair shall carry out the programs and policies of the Sullivan County Democratic Committee and shall:
 - (i) preside at all meetings of the Committee.
 - (ii) appoint all sub-committees.
 - (iii) be an ex-officio member of such sub-committees.
 - (iv) prepare and distribute an agenda for each meeting of the County Committee and the Executive Committee.
 - (v) conduct all meetings of the County Committee in accordance with Article IV of these by-laws.
 - (vi) perform such other duties as may be prescribed by the Executive Committee, these by-laws, or as required by law.
- d. The Associate Chair shall assist the Chairperson in their duties and shall serve as Acting Chairperson in the event of the Chairperson's temporary absence, disability, resignation or removal and shall be an ex-officio member of all sub-committees.
- e. The Vice Chairperson shall assist the Chair and Associate Chair in their duties and shall serve as Acting Chair in the event of the temporary absence, disability, resignation or removal of the Chair and the Associate Chair.
- f. The Secretary shall at all times:
 - (i) maintain an up-to-date roster including the names, physical addresses, email addresses, Election Districts and weighted votes of all Committee Members.
 - (ii) keep the minutes of all meetings.
 - (iii) keep all correspondence received and sent out in the name of SCDC. This information shall be made available to any Member of the SCDC on request.
 - (iv) conduct a member sign in and/or call the roll at the opening of meetings.
 - (v) shall file and preserve all written reports of the County Committee, and make them available for inspection by any member of the County Committee.
 - (vi) attend to the preparation and distribution of all notices required by these by-laws; and perform such other duties as shall be required by the County Committee and [Election Law](#).
 - (vii) archive committee minutes, correspondence and other pertinent documents.

- g. The Treasurer shall:
- (i) be responsible for collecting, managing, and disbursing all funds of the organization, in accordance with Article X herein.
 - (ii) be responsible for preparing and filing all required government reports adhering to the NYS Campaign Finance filing calendar.
 - (iii) present an up-to-date financial report, including both itemized income and expenses, in writing, at each meeting of the Executive Committee, and shall also present a written year-to-date accounting to the County Committee at both the Convention and the biannual Organizational meeting.
 - (iv) make all records and reports of the Treasurer available for inspection by any member of the County Committee.
 - (v) Upon the expiration of the term of office, or upon removal from office, or inability to act, the Secretary or Treasurer, as applicable, shall deliver books, papers, vouchers, and any other property belonging to the County Committee to their successor, or in the event a successor is not in place, to the County Chair until a successor is in place.
 - (vi) The legal duties of a Committee Treasurer (including the completion of all reports required by the NYS Board of Elections prior to leaving office) are detailed on the New York State Board of Elections website.
- h. The Parliamentarian, ensures that the Committee By-laws and Robert's Rules of Order are followed. Upon request of the presiding officer, they advise, on questions of parliamentary procedure, but only the presiding officer can rule on a question of order. (If a Parliamentarian has not been appointed the presiding officer shall be responsible for assuring that the By-laws are followed.
- i. The Sergeant-at-Arms, or if that position shall not have been appointed, the presiding officers, maintains order and decorum among the members.

Section 5. Vacancies.

- a. Members of Town Committees shall nominate and elect new members to fill Town Committee vacancies using weighted votes. Once accepted by the Town Committee, newly appointed members shall be full voting members of that committee. The Town Chair must promptly notify the Democratic Commissioner of the Board of Elections and the SCDC Secretary of new Town Committee appointments in writing. In the event that there is no legally constituted Town Committee, the Executive Committee shall propose to the County Committee new Committee members to fill any open Committee positions. Any Committee Members proposed by the County Committee shall not become full voting members of their Town Committee until being seated at a County Committee meeting as described below.
- b. The County Committee shall seat new Committee Members proposed by the Town at a meeting where a quorum is present unless such action shall be in conflict with S 2-118 of the Election Law of the State of New York. Appointed committee members cannot execute proxies or vote prior to being seated by the County Committee.
- c. Committee members serving by appointment must appear in person or by a witnessed written statement at a County Committee or Executive Committee meeting in order to be seated.
- d. Such appointed committee members shall only serve the remainder of the term for which they are appointed and must follow the petitioning process after filling the term of vacancy.
- e. To continue serving as committee person for a regular term, a petition must be carried for the Democratic slate, including for the said Town Committee seat, every two years.
- f. If not specified above, all other vacancies in the membership of the County Committee shall be filled pursuant to the provisions of S 2-118.1 of the Election Law of the State of New York.
- g. If a vacancy occurs in the office of Chair at any time between biennial organizational meetings, the Associate

Chair shall serve as Chair and the Vice Chair shall serve as Associate Chair until new officers are elected at the next meeting of the County Committee.

- h. If a vacancy occurs in the offices of Secretary or Treasurer, the Chair may appoint an interim Secretary or Treasurer to serve until the vacancy can be filled by election at the next County Committee meeting. The office of Vice Chair shall remain vacant until it can be filled by election at the next County Committee meeting. Officers elected to fill vacancies shall serve for the duration of the unexpired term.
- i. Upon the expiration of the term of office, resignation or upon removal from office, or inability to act, the Secretary or Treasurer, as applicable, shall deliver books, papers, vouchers, and any other property belonging to the County Committee to their successor, or in the event a successor is not in place, to the County Chair until a successor is in place.

ARTICLE III ORGANIZATION OF THE COUNTY COMMITTEE

Section 1. Organizational Meeting. The County Committee shall meet at a time prescribed by NYS Election law. Within three days after the organizational meeting, the Committee shall file a certificate with the NYS Board of Elections stating the names and postal addresses of the officers. The County Committee and all affiliated committees shall also file such statement with the Sullivan County Board of Elections.

Section 2. Place and Call. The Chairperson of the outgoing committee shall designate and provide notice of the place of said organizational meeting within the date range set by election law

Section 3. Public Notice and Meetings. Notice of the time, date, place, and purpose of all meetings of the County Committee shall be emailed to the email address of each member of the committee not less than fourteen (14) days before any such meeting. Town chairs will notify any members who are without electronic mail. County Committee meetings shall be open to all registered Democrats residing in the county. The Chair can at their discretion decide whether meetings of the County Committee will be held in person or virtually (by videoconferencing). In the event of a virtual meeting, the necessary information for connecting will be distributed by the Chair or their designee to all registered Sullivan County Democrats who request it. All votes held virtually will be considered binding votes as defined by New York State Election Law. The Chair may also call for a vote by Committee members on specific and minor questions via email. This is not intended to replace regular meeting business but to deal with issues that must be considered in a time frame that cannot be accommodated by the existing meeting schedule. Such votes will be considered binding.”

The public shall be notified by Public Service Announcement, or by means of a press release distributed to all local media outlets known to the Secretary, at least ten days prior to the meeting.

Section 4. Frequency of Meetings.

- a. An annual county committee convention shall be held each year in accordance with NYS Election Law.
- b. In addition to the bi-annual organizational meeting and annual county convention, special meetings may be convened as described herein.

Section 5. Presiding Officer. The Chairperson of the outgoing committee shall call said organizational meeting to order. In the event of the absence of said chairperson, the SCDC Associate Chair shall call said meeting to order. A temporary Chairperson shall be elected by the County Committee for the sole purpose of conducting the election of the permanent Chair.

ARTICLE IV CONDUCT OF COUNTY MEETINGS

Section 1. Call of Meetings.

- a. Except as provided in Article III hereof or by any statute otherwise provided, the time and place of meetings of the County Committee shall be subject to the call of the Chair. The Chair may call special meetings at their discretion.
- b. Whenever there is filed with the Secretary of the County Committee a written request signed by at least twenty-five (25) of the duly elected members of the Committee that a meeting of the Committee shall be called at a time and place and for a purpose or purposes therein specified, the Secretary or Chairperson of such Committee shall thereupon and within forty-eight (48) hours after the filing of such request, mail to each member of such committee, directed to such member at their email address, a notice of the time, place, and purpose of such meeting, which time shall not be less than fourteen (14) days after the mailing of such notice.

Section 2. Agenda The SCDC Chair creates the agenda for all meetings. An additional agenda item may be added by special request from a minimum of 6 members from two town committees. This additional agenda item request must be presented to the Chair at least one-week prior to the meeting and a revised agenda will be distributed electronically to the full County Committee.

Section 3. Quorum.

- a. For any meeting of the County Committee at which an election to a party position, or a nomination or endorsement for public office is to be made, a quorum shall be twenty-five (25) percent of the qualified members of the committee.
- b. For any other meeting of the County Committee, a quorum shall be thirty (30) percent of the duly elected members of such committee.

Section 4. Conduct of Meetings. The Chairperson of the Committee, or in their absence, the Associate Chair, or in their absence the Vice Chair or in their absence the Chair's designee, shall preside at meetings thereof.

Section 5. Order of Business. The following shall be the order of business insofar at all meetings of the County Committee except insofar as the first order of business at the organizational meeting shall be the election of a permanent Chair.

- 1) Sign in by Members and filing of proxies.
- 2) Call to order & Pledge of Allegiance.
- 3) Roll Call.
- 4) Election of Temporary Chairperson (If applicable.)
- 5) Adoption of rules pertaining to the conduct of the meeting for the election of officers. (If applicable.)
- 6) Election of Officers. (If applicable.)
- 7) Filling of vacancies.
- 8) Report of Officers.
- 9) Report of Committees.
- 10) Old Business.
- 11) New Business.
- 12) All Other Business.
- 13) A reasonable public comment period shall be permitted at all meetings of the County Committee.
- 14) Adjournment.

Section 6. Resolutions. All resolutions offered by members shall, on the request of the Chair or any Member, be submitted in writing by the member offering the same.

Section 7. Voting.

- a. All voting shall be conducted by roll call, except that the Chair may call for a voice vote in matters

where consensus is expected. Upon the objection of one or more members, appearing in person or by proxy, said vote shall be cast aside and a roll call vote shall be conducted.

- b. On all questions presented at any meeting of the County Committee, weighted voting shall be used in accordance with NYS Election Law. Each member shall cast votes equal to one-half.
 - (i) the number of votes received by the Democratic Party candidate for governor in the last preceding gubernatorial election in the district represented by such member; or
 - (ii) the number of votes received by the Democratic Party candidate for member of assembly in the election district represented by such member in case the boundaries of the district have been changed or a new district has been created since the last gubernatorial election; or
 - (iii) the Democratic Party enrollment at the last preceding general election in the election district represented by such member in the event that there was no election for member of assembly.
- c. Proxies. In case of absence of any member at a Committee meeting, such Member may substitute another person by serving upon the Secretary, before the opening of such meeting, a proxy statement, duly signed by such Member before a witness, and upon which shall appear the name and residence address of the person substituting for such Member. No proxy shall be recognized by the Committee unless the person named as a substitute is an enrolled member of the Democratic Party who resides in the same Town as the absent Member they represent. A Committee Member may carry no more than three (3) proxies, which are non-transferable. A registered Democrat residing in Sullivan County can serve as proxy for an absent Committee Member, but cannot carry proxies for others.

No votes can be held on matters that are not published on the agenda circulated prior to the meeting excepting Subsidiary, Privileged and Incidental motions that may be raised as needed in keeping with Roberts Rules.

ARTICLE V COMMUNICATIONS

Section 1. Contact Information

- a. Town Chairs shall promptly provide the Secretary with the names, addresses, phone numbers and email addresses of all Town Committee Members as well as the Election District they represent. If the Committee member has been appointed, the Secretary shall also be informed of the date of the appointment.
- b. The names, addresses and Election Districts of Committee Members are public information that the Secretary shall make available to all members of the SCDC.
- c. The names of Town Chairs shall be posted on the SCDC website. Contact information (an email or phone number) for each Town Committee shall also be posted.

ARTICLE VI THE EXECUTIVE COMMITTEE

Section 1. Composition and Voting.

- a. There shall be an Executive Committee consisting of the elected officers of the County Committee, the State Committee members duly elected in each Assembly District of the County; the Chair of each Town Committee or the designee by written authorization of said Town Chair.
- b. All Democratic members of the State Senate, State Assembly, Countywide Elected Officials, Sullivan County Legislature, all Democratic Town Supervisors and Village Mayors may attend and participate in meetings as well as the President of the Democratic Women of Sullivan County, the Black & Latino Caucus and President of the Sullivan County Young Democrats, the Democratic Board of Elections Commissioner of Sullivan County, and five (5) at-large members appointed by the Chair. With the exception of elected officials, Officers, Town Chairs and the Board of Elections Commissioner, all other members of the executive committee are expected to complete an annual report of their activities listing the total calls made, texts

sent, doors knocked, voters registered, houses visited during a lit drop and other activities benefitting Democratic candidates or the Party.

- c. The Chair of the County Committee shall be the Chair of the Executive Committee.
- d. All Executive Committee votes shall be conducted using weighted voting. Only Town Chairs shall be permitted to vote.

Section 2. Notice. The Executive Committee shall meet at such times and places as designated by the Chair. Notice shall be given to all members of the Executive Committee (in person, by telephone or by email) at least five (5) days in advance of the scheduled meeting. Such notice shall state the time and place of the meeting as well as the purposes of the meeting. The Chair can at their discretion decide whether meetings of the County Committee will be held in person or virtually (by videoconferencing). In the event of a virtual meeting, the necessary information for connecting will be distributed by the Chair or their designee. All votes held virtually will be considered binding votes as defined by New York State Election Law. The Chair may also call for a vote by the Executive Committee members on specific and minor questions via email. This is not intended to replace regular meeting business but to deal with issues that must be considered in a time frame that cannot be accommodated by the existing meeting schedule. Such votes will be considered binding."

Section 3. Special Meetings. Special meetings may be called by the Chairman, or upon request of twenty-five percent (25%) members of the Executive Committee.

Section 4. Quorum. Twenty percent (20%) of the voting members of the Executive Committee shall constitute a quorum.

Section 5. Voting. Weighted voting shall be used in Executive Committee meetings. The Town Chairs, or another duly authorized representative of the Town Committee, shall cast weighted votes equal to the entire weighted vote of all the Election Districts in the Town.

Section 6. Powers.

- a. The audit report shall be entered into the minutes of the next County Committee meeting.
- b. The Executive Committee shall have the authority to raise and disburse money as it deems necessary to pay its expenses and to aid candidates who have been endorsed by the County Committee.
- c. The Executive Committee shall institute such legal proceedings and actions as it may deem necessary to protect or further the interests of the party and incur and pay legal fees, costs and expenses in connection therewith.

ARTICLE VII OTHER COUNTY COMMITTEES

Section 1. Standing Committees appointed by the Chair shall include a Finance/Fundraising Committee and a Candidate Committee. The Finance/Fundraising Committee shall raise funds, create a budget, and conduct an annual audit to be completed by July 31st of each year. The Finance Committee shall provide the Secretary with a written report within fifteen (15) days after the audit is completed. The results of the audit shall be entered into the official minutes of the next County Committee meeting. The Candidate Committee shall assist Democratic candidates with their campaigns.

Section 2. Subject to the approval of the Executive Committee, the Chair may create such special committees as they deem necessary, and appoint the Committee Chair thereof who shall in turn appoint the additional members. All existing Special Committees shall expire and be re-created at the

SCDC Reorganizational meeting. Committee issues pending at the end of a term shall be continued under the direction of the incoming committee.

ARTICLE VIII TOWN COMMITTEES

Section 1. Composition. There shall be a Town Committee in each of the towns of the county comprised of two members representing each Election District.

Section 2. Organization Meeting.

- a. Each Town Committee shall organize within the time period prescribed by law, but prior to the County Organizational meeting. The Town Committee shall give at least seven (7) days' notice of such meeting by email to each Committee Member and each incoming Committee Member.
- b. Committee Members elected without balloting shall be seated at the organizational meeting.
- c. The Town Committee shall elect by weighted vote a Town Chair and other officers as called for by the SCDC or Town by-laws. The method of voting shall be in accordance with the applicable provisions of the Election Law of the State of New York. The candidate receiving a majority of the votes cast by the members present shall be declared elected. Each candidate shall be entitled to appoint one teller to canvass the ballots. The Chair, or Secretary, shall create a report that shall include the date of the meeting, the names of the attendees and the names of the officers elected. This information shall be provided to the SCDC Secretary (and the Democratic Commissioner of the County Board of Elections) prior to the county Organizational meeting.
- d. The Chair of the Town Committee shall name Town Committee Members elected to fill vacancies to the County Committee. Such vacancy shall thereafter be filled at the next County Committee meeting.

Section 3. Term of Office. The officers of a Town Committee shall hold office until the next organizational meeting of said Town Committee and shall be eligible for re-election. In the event of a vacancy created by a Town Committee Officer, the remaining members shall within thirty (30) days elect a successor by majority vote and certify the election by the same procedure as provided in Section 2 of this Article.

Section 4. Regular Meeting. In addition to the meeting called for in Section 2 of this Article, each Town Committee shall meet as often as necessary.

Section 5. Town Committee By-laws. Committees may be governed by their own by-laws provided said by-laws do not contradict the SCDC by-laws or the Election Law of the State of New York. If a Town Committee relies upon the SCDC by-laws, then those by-laws, to the extent applicable, shall be the rules that govern the proceedings of each Town Committee. "Town Committee" shall be substituted in each instance where County Committee appears in these rules to the extent applicable. The Town Chair or Secretary shall file a copy of the Town by-laws with the SCDC Secretary and the Democratic Commissioner of the Sullivan County Board of Elections.

Section 6. Designations and Nominations.

- a. Candidates for town offices shall be nominated at a party caucus or primary, as determined by the Town Committees. A notice of any party caucus held for making party nominations shall be given by proper party authorities either by newspaper publication thereof once within the town at least one week, and not more than two weeks, preceding the caucus, or by posting in ten public places in the town at least ten days preceding the caucus. The notice shall specify the time, place and purpose of the caucus. There shall be a Chairperson and Secretary and there may be tellers for each caucus. All officers and tellers shall take the constitutional oath of office before acting. No person shall participate in such caucus for the nomination of candidates for Town offices, unless they are an enrolled Democrat residing in the Town.
- b. A Town Committee may meet and adopt, by two-thirds vote, a rule providing for any other appropriate method of nomination, i.e. caucus or petition, of candidates provided two certified copies of such rule

shall be filed with the Secretary of the County Committee and the Board of Elections.

- c. No rule adopted by such Town Committee shall apply to, or affect a primary if the last date upon which nominations may be filled is less than sixty (60) days after a certified copy of such rule shall have been filed with the Secretary of the County Committee.
- d. Such rule shall remain in effect until a certified copy of a rule amending or revoking it shall have been filed with the Secretary of the County Committee and the Board of Elections.
- e. Party nominations for public office in Sullivan County shall be made in accordance with the provisions of the Election Law of the State of New York. (See Article XIII, Sect. 1.)

ARTICLE IX DESIGNATION OF CANDIDATES FOR PUBLIC OFFICE AND COMMITTEE OFFICERS

Section 1 Prospective candidates for SCDC offices are encouraged to notify County Committee Members of their proposed candidacy prior to the meeting when the election will be held. The Secretary shall disseminate candidate statements of a reasonable length on behalf of all announced candidates to all Committee Members prior to the meeting.

Section 2. Endorsements.

- a. Nominations for SCDC endorsement must be made by SCDC members residing in the political subdivision represented by the office.
- b. Party endorsements of legislative candidates in each of the nine (9) Legislative Districts may only be voted on by Democratic Committee members who reside in that Legislative District. Party endorsements of State Assembly candidates may only be voted on by Democratic Committee members who reside in said Assembly District.
- c. In order to be considered for an endorsement, any potential candidate must submit a written request for endorsement to the Committee at least seven (7) days prior to a meeting in which the endorsement will be considered.

Section 3. Petition Process. All Members of the SCDC shall collect at least the minimum number of required petition signatures for their committee seats, and are encouraged to carry petitions for all Democratic candidates in their jurisdiction. Petitions for countywide offices and those offices that extend beyond the county lines shall be completed in the manner designated by the NYS Board of Elections. Completed petitions shall be submitted in accordance with NYS Election Law,

ARTICLE X FUNDS AND BORROWING

Section 1. The funds of the County Committee shall be deposited from time to time in such financial institution authorized to do business in the State of New York as may be determined by resolution of the County Committee or the Executive Committee. All funds shall be deposited in the name of the Sullivan County Democratic Committee, unless authorized by the Executive Committee to be deposited in such other account as may further the purposes and policies of the County Committee. Unless otherwise authorized by resolution of the Executive Committee, all checks, drafts, withdrawals or other orders for the payment of money issued in the name of the County Committee shall require the signature of any two (2) of the following: the Chair or the Associate Chair and the Treasurer. Expenditures of more than \$500 require the approval of the Executive Committee. The Executive Committee shall have the right to require an independent audit of the County Committee financial records.

Section 2. All deposits made in SCDC accounts must be made by the Treasurer or the Chair.

Section 3. Within seven (7) days, after the Reorganizational Meeting, the Secretary shall inform all financial institutions doing business with the SCDC of the names and addresses of the Committee officers. The new Chair, Associate Chair & Treasurer shall be made signatories to any and all SCDC bank accounts and the outgoing officers shall be stricken from the accounts.

Section 4. Within seven (7) days, after the Re-Organizational meeting, the former Chair shall transfer access to the SCDC mailbox to the incoming Chair as well as all documents pertaining to the SCDC bulk mail permit.

ARTICLE XI ETHICS CODE

The SCDC by-laws are intended to ensure public trust in the Committee and that the Committee effectively supports the candidates and policies of the Democratic Party. A member of the County Committee may be sanctioned, suspended or removed by the SC Democratic Committee for any of the grounds specified in New York State Election Law and for violations of the Ethics Code of these by-laws.

Section 1. Grounds for Removal & Disciplinary Action

- a. It is essential that party position not be used for private gain. Members and Officers of the SCDC shall not engage in corrupt practices nor engage in conduct that creates the appearance of conflict of interest with their office. Use of a party position or committee membership for private gain shall be grounds for removal from office.
- b. The SCDC respects the right of free speech but also recognizes that Sullivan County Democrats are entitled to leadership that supports the candidates and policies of the Democratic Party. Committee Members are encouraged to support all Democratic candidates in general elections; Members who choose to support other candidates are encouraged to resign from their position or recuse themselves from committee activities for the duration of the campaign.

Section 2. Penalties. Pursuant to the procedures set forth in this article, a County Committee member may be sanctioned by written notice, suspended for one (1) year, or removed from a leadership position or from membership in the County Committee.

Section 3. Complaints.

- a. Any enrolled Democrat may submit to the Chair or the Associate Chair a written complaint alleging a specific violation of the By-laws by a Committee Member. The accuser shall hereafter be referred to as the Complainant. The accused shall be referred to as the Respondent.
- b. Within ten (10) days the Chair shall notify the Respondent of the precise nature of the complaint and give them thirty days to provide a written response.
- c. The SCDC recognizes that disciplinary actions are divisive procedures that can harm the Committee and the Party. The Committee Officers and the Executive Committee shall endeavor to resolve a complaint prior to initiating a disciplinary hearing.
- d. Complaints that cannot be resolved to the satisfaction of the Complainant and the Respondent shall be referred to an Ad Hoc Investigatory Committee.

Section 4. Ad Hoc Investigatory Committee.

- a. The Chair shall constitute a five-member Ad Hoc Investigatory Committee by randomly selecting the names of State Committee Members, County Committee Officers and Town Chairs. Two alternates shall be selected in the same manner.
- b. The first person whose name is drawn shall serve as Chair of the committee, which shall investigate a single complaint and then be disbanded.
- c. If and when a complaint is assigned to an Ad Hoc Investigatory Committee, then the SCDC Chair shall choose another Investigatory Committee in the prescribed manner. No member of the Executive Committee shall serve as a committee member or alternate until the complete roster of potential committee members has been exhausted.

Section 5. Investigatory Committee Proceedings.

- a. Within fourteen (14) days of receiving the complaint, the Ad Hoc Investigatory Committee shall convene to consider the written complaint and any written response from the Respondent. The Investigatory Committee may also choose to hear testimony from the Complainant, the Respondent and other Committee Members with firsthand knowledge of the circumstances surrounding the complaint.
- b. The Investigatory Committee may decide to:
 - (i) dismiss the complaint.
 - (ii) recommend that the Executive Committee sanction, suspend or remove the Respondent from office and/or from the County Committee.
- c. In all cases, the Investigatory Committee shall notify the Executive Committee of its determination in writing, setting forth the basis for its conclusions.
- d. The voting members of the Executive Committee shall meet in executive session to consider the recommendation of the Investigatory Committee. The Executive Committee may decide to take no action or to sanction or suspend the Respondent without the need for further hearings.
- e. If removal is recommended, then Executive Committee shall schedule a second hearing before rendering judgment.
- f. The Secretary shall promptly notify the Respondent and Complainant of the Executive Committee's determination regarding disposition of the complaint.

Section 6. Executive Committee Hearings

- a. If a hearing is to be held, then the Complainant and Respondent shall both be notified of the time, date and place of such hearing at least fifteen (15) days in advance.
- b. Hearings shall be held in Executive session.
- c. The Executive Committee may request written or oral testimony from any Committee Member with direct knowledge of the circumstances surrounding the complaint.
- d. The Respondent may present written or oral testimony and any appropriate documentation on their behalf and is entitled to have counsel present at such hearing. All constitutionally mandated due process shall attach to these proceedings.
- e. The Executive Committee shall, within twenty (20) days following the conclusion of the hearing, file a written report with the Secretary of the County Committee setting forth its findings as to the material facts and as to whether grounds for discipline have been established.

Section 7. Final Determination. In the event the Executive Committee's report finds that no grounds for discipline have been established, the Respondent and Complainant shall be notified that the matter is closed. In the event, that the charges are sustained, the SCDC Chair shall send the Respondent a written determination by certified mail

ARTICLE XII MISCELLANEOUS

Section 1. Upon adoption of these bylaws, the County Committee Rules and Regulations previously in place are hereby revoked and annulled.

Section 2. These rules and any local rules hereafter adopted may be amended as provided in Section 2-114 of the Election Law of the State of New York, which provides for amendments at any meeting of the County Committee.

Section 3. Any rule herein found to be unconstitutional, unlawful, or unauthorized by a court of competent jurisdiction, shall affect only such rule and shall not affect any other rule.

Section 4. These rules become effective immediately upon adoption.