



# **The Charter and Bylaws of the Florida Democratic Party**

(As amended July 17, 2010)

**Congresswoman Karen L. Thurman  
State Chair**

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# THE CHARTER OF THE FLORIDA DEMOCRATIC PARTY

(As amended April 17, 2010)

## PREAMBLE

We, the Democrats of Florida, united in common purpose, hereby dedicate ourselves to the principles which have historically sustained our Party. We recognize that a political party which wishes to lead must listen to those it would lead, that a party which asks for the people's trust must prove that it trusts the people, and that a party which hopes to call forth the best the state and nation can achieve must embody the best of the state's and nation's heritage and traditions.

The Florida Democratic Party, at all levels, shall encourage voter registration without discrimination on grounds of race, color, creed, sex, age, national origin, physical disability or sexual orientation.

What we seek for our state and nation we hope for all people: individual freedom in the framework of a just society; political freedom in the framework of meaningful participation by all citizens.

## ARTICLE I. NAME, POWERS, AND GENERAL POLICIES

**SECTION 1.**        **Name:** The name of this political party shall be the Florida Democratic Party.

**SECTION 2.**        **Governing Body:** The governing body of the Florida Democratic Party shall be the Democratic Executive Committee of Florida which shall be known as the State Executive Committee.

**SECTION 3.**        **Powers:** The State Executive Committee has supervisory power and jurisdiction over Florida Democratic Party affairs throughout the State, including Party officers, Party candidates, elected Democratic officials, Party committees, commissions, and clubs. It shall set policy and prescribe and enforce rules and regulations concerning Party affairs. The Florida Democratic Party shall have all powers granted to a Florida not-for-profit corporation as prescribed by Florida Statutes, and which may be changed from time to time.

**SECTION 4.**        **General Policies:** The following shall be general provisions of the Florida Democratic Party:

### **4.1        Participation:**

**4.1.1       Meetings:** Meetings of the Florida Democratic Party and its components shall be open to all members of the Democratic Party regardless of race, color, creed, sex, age, religion, economic status, ethnic identity, national origin, physical disability, sexual orientation or gender identity and expression. No vote shall be taken by secret ballot. Adequate records shall be kept of all meetings.

**4.1.2       Membership:** No tests for membership in, nor oaths of loyalty to, the Florida Democratic Party shall be required or used which have the effect of requiring prospective or current members of the Florida Democratic Party to acquiesce in, condone, or support discrimination on the grounds of race, color, creed, sex, age, religion, economic status, ethnic identity, national origin, physical disability, sexual orientation or gender identity and expression.

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**4.1.3 Fee Limitation:** No qualification fee, in excess of the amount provided by law, may be charged for any office of the Florida Democratic Party.

**SECTION 5. Publication:** The Florida Democratic Party shall publicize the procedures and qualifications for selection of Florida Democratic Party officers, representatives, and/or convention delegates. All meeting notices and publications of the Florida Democratic Party shall be disseminated in a manner that shall allow adequate time for full participation by all interested Florida Democrats.

**SECTION 6. Loyalty Oath:** Members of the Florida Democratic Party, including Party officers, Party candidates, elected Democratic officials, and members of Party committees, commissions, and clubs, shall execute by written oath or affirmation the loyalty oath in the form included in the Bylaws of the Florida Democratic Party before taking office, or, in the case of a candidate running for the Party's nomination, at the time of qualifying. Said oath or affirmation may be amended in the same manner as provided for amending the Bylaws of the Florida Democratic Party.

**SECTION 7. Campaign Support:** The Florida Democratic Party shall assist in the nomination and election of Democratic candidates for office.

**SECTION 8. Policy Statements:** Only the State Executive Committee and/or the Central Committee of the Florida Democratic Party shall adopt and promote statements of policy for the Florida Democratic Party.

**SECTION 9. Assistance to National and Local Parties:** The Florida Democratic Party shall assist the Democratic National Committee and county Democratic Executive Committees with voter education and in the election of Democratic candidates to public office.

**SECTION 10. Rules of Procedure:** The Florida Democratic Party shall establish rules of procedure to afford all members of the Party including official Party committees, commissions, and clubs, full, timely, and equal opportunities to participate in decisions concerning the selection of Democratic candidates, the formulation of policy, and the conduct of other Florida Democratic Party affairs. These Rules of Procedure shall be adopted as provided for in Article VIII Section 3 of this Charter and shall be incorporated into the general rules of the Party.

**10.1 Proxies:** Proxies for Florida Democratic Party meetings shall be as set forth in the Bylaws of the Florida Democratic Party.

**10.2 Quorums:** Quorums for Florida Democratic Party meetings shall be as set forth in the Bylaws of the Florida Democratic Party.

**10.3 Budget and Finance:** The budget for the Florida Democratic Party and the fiduciary responsibilities of its governing committees and officers shall be as set forth in the Bylaws of the Florida Democratic Party.

**10.4 Replacement of Nominated Democratic Party Candidates for Public Office:** The procedures for the selection of candidates to replace deceased or retiring Florida Democratic Party candidates for federal, state or local office following the primary nominating process shall be as specified in Rules adopted by the State Executive Committee.

**SECTION 11. Party Objectives:** The Florida Democratic Party shall work with Democratic elected officials at all levels to achieve its objectives.

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**SECTION 12.** *Code of Political Ethics:* It shall be the responsibility of the Florida Democratic Party to encourage and support codes of political ethics that embody substantive rules of ethical guidance for elected officials, and employees in federal, state, and local governments. It shall be the responsibility of the Florida Democratic Party to assure that elected officials conduct themselves, at all times, in a manner that reflects creditably upon the office they serve, do not use their office to gain special privileges or benefits, and refrain from acting in their official capacities when their independent judgment would be adversely affected by personal interests or duties.

**SECTION 13.** *Endorsement:* Endorsement by county Democratic Executive Committees shall be as set forth in the Bylaws of the Florida Democratic Party.

### ARTICLE II. STATE EXECUTIVE COMMITTEE

**SECTION 1.** *Creation and Authority:* There shall be a State Executive Committee responsible for discharging Florida Democratic Party affairs within the state. The State Executive Committee shall have authority to raise, receive, accept, solicit, borrow, maintain, and expend such funds as may be provided from any source not prohibited by law. The State Chair shall not borrow any funds on behalf of the Florida Democratic Party without prior approval of the Central Committee. The State Executive Committee may prescribe and enforce sanctions for violation of Party allegiance, Party rules, or any other lawful mandate by anyone within its jurisdiction. Such sanctions may include removal from Party office, Party nomination, or committee membership. Such action shall assure the accused party a fair hearing.

**SECTION 2.** *Membership:* The State Executive Committee shall be composed of the state committeeman and state committeewoman from each county, Democratic National Committee members from Florida, and automatic and appointed members of the Central Committee, including those automatic members as may be provided by Florida Statutes and which may be changed from time to time. The state committeemen and state committeewomen shall be elected at County Democratic Executive Committee organizational meetings from among those members who are elected from the precinct level. The term of office shall be four (4) years. The respective County Executive Committee shall fill any vacancy occurring in the position of county executive committee chair, state committeeman or state committeewoman.

**SECTION 3.** *Officers:* The State Executive Committee, at its organizational meeting, shall elect a Chair, a First Vice Chair, who shall be of the opposite sex from the Chair, a Secretary, and a Treasurer, who shall be of the opposite sex from the Secretary, each of whom shall be elected from among the county chairs, state committeemen and state committeewomen. In addition, the State Chair shall appoint two (2) other Vice Chairs who shall serve in addition to the First Vice Chair elected by the State Executive Committee. To ensure that the diversity of our Party is fully recognized, one of the Vice Chairs appointed by the Chair shall be of a different race or ethnic background from the Chair. Other officers may be prescribed in the Bylaws of the Florida Democratic Party. The term of office for those officers elected by the State Executive Committee shall be four (4) years or until respective successors are elected and for those officers appointed by the State Chair from the time of appointment until the end of the State Chair's term.

**SECTION 4.** *Meetings:* The State Executive Committee shall hold an organizational meeting called by the Chair of the preceding committee, within thirty (30) days after said committee members take office. Only committee members, automatic members, preceding officers and Democratic National Committee members shall be eligible to vote at the Organizational Meeting. If a member holds more than one office they shall vote only the

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highest weighted vote. The State Executive Committee shall meet at least twice every year or at the call of the State Chair.

## SECTION 5.

**Voting:** Voting on all business, except for the election of the First Vice Chair and congressional district vice chairs, shall be as follows: Each county's vote shall be based upon a number equal to its combined percentages of the total state Democratic registration and the average of the total state Democratic vote for Governor, the total state Democratic vote for President, and the total state Democratic vote for United States Senator, multiplied by five (5), and rounded to the nearest even whole number. The election figures used shall be those certified by the Florida Department of State for the most recent general election for Governor, President, or United States Senator, and the most recent registration figures announced and certified by the Florida Department of State. Each county shall be entitled to a minimum of two (2) votes. Each county's vote shall be divided equally between its state committeeman and state committeewoman. The elected officials listed below shall be allocated a number of votes based on the following formula:

Governor (when a Democrat)	7 percent of votes cast by state committeepersons
Lt. Governor (when a Democrat)	2 percent of votes cast by state committeepersons
Democratic Members of the State Cabinet	6 percent of votes cast by state committeepersons to be divided equally among each Democratic member of state cabinet
Speaker of the House or Minority Leader of the House (whichever is a Democrat)	2 percent of votes cast by state committeepersons
President of the Senate or Minority Leader of the Senate (whichever is a Democrat)	2 percent of votes cast by state committeepersons
Democratic Members of the U.S. Senate	4 percent of votes cast by state committeepersons to be equally divided by each Democratic member of the United States Senate representing Florida
Democratic Members of the U.S. House Representatives	3 percent of votes cast by state committeepersons to be equally divided by each Democratic member of the United States House of Representatives representing Florida

The formulas outlined above notwithstanding, the votes allocated to each elected official shall be rounded to the nearest even whole number.

The votes allocated to the elected officials named above shall be further allocated as follows:

One-half of the votes allocated to the elected official shall be held by the elected official and may be voted in any manner prescribed by the Charter and Bylaws.

One-half of the votes allocated to the elected official shall be transferred to a person of the opposite sex of the elected official who shall be appointed to the state executive

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committee by the elected official. Committee members appointed by an elected official as prescribed herein shall not already be a member of the state executive committee and shall be a registered Democrat residing in the geographic area represented by the elected official. The appointed member shall have all of the rights and privileges of any other member of the state executive committee, including the right to execute a proxy. The appointed member shall serve a one-year term beginning January 1 of each year. If a vacancy occurs in an elected office, all appointments made by the elected official creating the vacancy shall automatically expire and the successor to that elected office shall make an appointment for the remainder of the one-year term.

Voting by other members of the State Executive Committee shall be one (1) vote for each member. Only the portion of a county's vote and registration assignable to a congressional district may be used in calculating a county's district vote. Voting for the First Vice Chair and congressional district vice chair shall be one (1) vote for each member. A majority vote shall determine each election. In the event of a tie vote, the State Chair shall determine the outcome.

**SECTION 6.** **Committees:** Standing committees of the Florida Democratic Party shall be as set forth in the Bylaws of the Florida Democratic Party. The State Chair as deemed necessary might appoint special committees.

**6.1** **Judicial Council:** There shall be a Judicial Council of the Florida Democratic Party, appointed by the State Chair, the function of which shall be to adjudicate disputes arising out of the interpretation or application of the Charter of the Florida Democratic Party, the Bylaws of the Florida Democratic Party, rules or policies of the Florida Democratic Party and its respective county executive committees, or Florida Statutes.

**SECTION 7.** **Democratic National Committee Members:** Democratic National Committee members shall be elected by the State Executive Committee at its organizational meeting consistent with the rules of the Democratic National Committee.

### ARTICLE III. CENTRAL COMMITTEE

**SECTION 1.** **Creation and Authority:** There shall be a Central Committee which shall be the operating and managing committee of the State Executive Committee. The Central Committee shall administer, supervise, and control the policies and affairs of the State Executive Committee. It shall have the authority to make decisions between meetings of the State Executive Committee which are consistent with the Charter and Bylaws of the Florida Democratic Party and/or the Rules and policies set forth by the State Executive Committee. The Central Committee shall operate in accordance with the Charter and Bylaws of the Florida Democratic Party.

**SECTION 2.** **Membership:** Membership shall be as set forth in the Bylaws of the Florida Democratic Party.

**SECTION 3.** **Officers:** Officers of the State Executive Committee shall be the officers of the Central Committee.

**SECTION 4.** **Meetings:** The Central Committee shall meet at least once every six (6) months or at the call of the State Chair.

**SECTION 5.** **Voting:** Voting by members of the Central Committee shall be one (1) vote for each member.

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## ARTICLE IV. CONGRESSIONAL DISTRICT COMMITTEES

**SECTION 1. *Creation and Authority:*** There shall be a Congressional District Committee within each congressional district in the State responsible for discharging such duties as may be specifically delegated by the Florida Democratic Party or by Florida law.

**SECTION 2. *Membership:*** Membership shall be as set forth in the Bylaws of the Florida Democratic Party.

**SECTION 3. *Officers:*** Officers shall be as set forth in the Bylaws of the Florida Democratic Party.

## ARTICLE V. COUNTY DEMOCRATIC EXECUTIVE COMMITTEES

**SECTION 1. *Creation and Authority:*** There shall be a county Democratic Executive Committee within each county in the state responsible for discharging Florida Democratic Party affairs within the county.

**SECTION 2. *Membership:*** Membership shall be as set forth in the Bylaws of the Florida Democratic Party.

**SECTION 3. *Officers:*** County Democratic Executive Committees, at their organizational meetings, shall elect a chair, a vice chair, who shall be of the opposite sex from the chair, a secretary, and a treasurer, a state committeeman and a state committeewoman, each of whom shall be elected from among the elected membership of the county Democratic Executive Committee. Other officers may be prescribed in a county Democratic Executive Committee's bylaws. The term of office shall be for a maximum of four (4) years; however, the bylaws of a county Democratic Executive Committee may provide for lesser terms of office. The term of office for the state committeeman and state committeewoman is for four (4) years.

**3.1 *Duties of the State Committeeman and State Committeewoman:*** The duties of the State Committeeman and State Committeewoman are to serve as liaison between the Florida Democratic Party and the county DEC; liaison between the county DEC and the clubs; members of the State Executive Committee and county DEC Steering Committee; members of the county DEC Campaign Committee; and members of other committees as designated by the DEC Charter and Bylaws.

**SECTION 4. *Meetings:*** County Democratic Executive Committees shall meet at least once every calendar quarter with such calendar quarter beginning in January of each year.

**SECTION 5. *Policy and Procedure:*** Each County Democratic Executive Committee shall submit a copy of its bylaws and any amendments thereto to the State Chair and the Rules Committee Chair. The State Chair, with the approval of the Central Committee, may develop guidelines and suggested bylaws for promoting uniformity among county Democratic Executive Committees. County Democratic Executive Committee bylaws shall be in compliance with Florida Statutes and the Charter and Bylaws of the Florida Democratic Party. The FDP Charter and Bylaws and the Florida Statutes shall prevail in the case of a conflict with a county's bylaws and shall govern in all cases to which the county's bylaws do not speak.

**SECTION 6. *Finances:*** County Democratic Executive Committees receiving party assessment fees shall spend same assisting in the election of Democrats. County Democratic Executive Committee audits shall be subject to review by the Florida Democratic Party concerning the appropriateness of the county Democratic Executive Committee's expenditures.

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**SECTION 7.** *Penalties:* The State Chair, at the direction of the Central Committee, shall be responsible for the imposition of penalties which shall be as set forth herein.

**7.1** *Compliance:* A county Democratic Executive Committee found in noncompliance with the Charter and Bylaws of the Florida Democratic Party or Florida Statutes may be notified by certified mail of such noncompliance by the State Chair. Said county Democratic Executive Committee shall have thirty (30) days to comply.

**7.2** *Suspension and Removal:* County Democratic Executive Committees or officers may be suspended by the State Chair for failure to comply within thirty (30) days. The Central Committee shall review the actions of the State Chair at the next meeting of the Central Committee and either affirm the suspension and remove the officer or county Democratic Executive Committee upon a two-thirds (2/3) vote of the entire membership of the Central Committee, or, in the alternative, reinstate said officer or county Democratic Executive Committee. A county Democratic Executive Committee officer who has been removed from office shall not be eligible to hold any county Democratic Executive Committee office for the remainder of said term.

## ARTICLE VI. CLUBS, ORGANIZATIONS, AND CAUCUSES

**SECTION 1.** *Charters:* Charters of clubs, organizations, and/or caucuses using the name Democrat, Democratic, or derivative thereof, other than those chartered by the Democratic National Committee, shall be approved by the Central Committee which shall retain continuing jurisdiction. Clubs shall be directly accountable to the Democratic Executive Committee in the county of charter. Local caucus chapters shall be directly accountable to the State Caucus under which they were chartered. Violation of the Charter or Bylaws of the Florida Democratic Party or Party policy by a club, organization, or caucus shall be grounds for revocation of its charter. The State Chair, with the approval of the Central Committee, shall set procedures and guidelines for granting charters to clubs, organizations, and caucuses desiring to use the name Democrat, Democratic, or derivative thereof. Membership therein is limited to Democrats registered to vote in Florida.

## ARTICLE VII. CONVENTIONS AND CONFERENCES

**SECTION 1.** *Conventions:* The Florida Democratic Party shall assemble in convention each year before the year in which an election for office of President of the United States is to be held.

**1.1** *Delegates:* Conventions shall be composed of delegates selected in a manner which conforms to the affirmative action programs and requirements of the Democratic National Committee and shall be as set forth in the Bylaws of the Florida Democratic Party.

**SECTION 2.** *Conferences:* The Florida Democratic Party may assemble in a conference each year before the year in which an election for office of Governor of the State of Florida is to be held.

**SECTION 3.** *Agenda of Conventions and Conferences:* The nature, agenda, composition, time, and place of conventions and conferences shall be determined by the Florida Democratic Party Central Committee.

**SECTION 4.** *National Conventions:*

**4.1** *Delegates:* Delegates to Democratic National Committee conventions shall be selected as mandated by the Democratic National Committee.

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## ARTICLE VIII. AMENDMENTS, BYLAWS, AND RULES/BYLAWS

**SECTION 1.** *Amendments to Charter:* The Charter of the Florida Democratic Party may be amended or repealed by two-thirds (2/3) of the votes eligible to be cast by the members of the State Executive Committee present and voting, provided no amendment may be voted upon without ten (10) days written notice of the proposed amendment and meeting.

**SECTION 2.** *Bylaws:* The Bylaws of the Florida Democratic Party shall provide for the governance of the affairs of the Florida Democratic Party in matters not provided for in the Charter of the Florida Democratic Party.

**2.1** *Adoption:* The Bylaws of the Florida Democratic Party shall be adopted by two-thirds (2/3) of the votes eligible to be cast by the State Executive Committee present and voting, provided no Bylaw may be voted upon without ten (10) days written notice of the proposed Bylaw adoption and meeting.

**2.2** *Amendments:* The Bylaws of the Florida Democratic Party may be amended by two-thirds (2/3) of the votes eligible to be cast by the State Executive Committee present and voting, provided no amendment may be voted upon without ten (10) days written notice of the proposed amendment and meeting.

**SECTION 3.** *Rules/Bylaws:* Official components of the Florida Democratic Party, created under the authority of the Charter of the Florida Democratic Party, shall adopt and conduct their affairs with written rules or bylaws which shall be in accordance with Florida Statutes, the Charter of the Democratic National Committee, the Charter and Bylaws of the Florida Democratic Party, and resolutions by either the Democratic National Committee or the Florida Democratic Party, and which shall be approved by the Florida Democratic Party.

# THE BYLAWS OF THE FLORIDA DEMOCRATIC PARTY

(As amended April 17, 2010)

## ARTICLE I. NAMES, POWERS, AND GENERAL POLICIES

### SECTION 1. *Rules of Procedure:*

- 1.1 **Government:** Unless otherwise provided in the Charter or Bylaws of the Florida Democratic Party, the most recent edition of Robert's Rules of Order shall govern.
- 1.2 **Proxies:** Any member who, for any reason, is unable to attend any meeting of the State Executive Committee, the Central Committee, a congressional district committee, a Florida Democratic Party standing or special committee, or any county Democratic Executive Committee may execute a written proxy. Such proxy shall be sworn to before a notary public, or, in the alternative, may be validated by two (2) registered Democrats signing as witnesses. Any proxy which is incomplete in any way shall be returned to the member issuing the proxy. The member sending the incomplete proxy shall be notified immediately by phone or facsimile transmission that the proxy is incomplete. The holder of such proxy shall be a qualified Democrat not a member of the committee before which said proxy is to be presented. No person shall be permitted to hold more than one (1) proxy.
  - 1.2.1 **State Executive Committee:** Other than Automatic Members, members of the State Executive Committee seeking to appoint a proxy shall designate a Democrat residing in the same county or group represented by said member. For a proxy to be honored by the State Executive Committee, the holder of the proxy shall submit the original copy of the proxy in person prior to the commencement of the meeting for which it is intended to be used.
  - 1.2.2 **Central Committee:** Members of the Central Committee seeking to appoint a proxy shall designate a Democrat of his or her choice to hold a proxy to a particular meeting specified in the proxy from the same congressional district or specified group represented by said member.
  - 1.2.3 **County Democratic Executive Committee:** An elected member of a county Democratic Executive Committee shall designate a Democrat residing in the same precinct or district as said elected member. An automatic or appointed member of a county Democratic Executive Committee shall designate a Democrat residing in the same county as said member. For a proxy to be honored by a county Democratic Executive Committee, the holder shall submit written notice to the county Democratic Executive Committee chair prior to the meeting.
  - 1.2.4 **Clubs, Organizations, and Caucuses:** Proxy voting shall be prohibited for Democratic clubs, organizations, and caucuses.
  - 1.2.5 **Form:** Proxies shall be substantially the same form as set forth herein.
  - 1.2.6 **Quorum Limitation:** Proxies may not account for more than fifteen percent (15%) in computing a quorum.
  - 1.2.7 **Attendance:** Proxies shall not be considered in the fulfillment of attendance requirements.

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- 1.3 Quorums:** The quorum requirements shall be as follows:
- 1.3.1 State Executive Committee:** Forty percent (40%) of the total membership then in office, as defined in Article II, Section 2 of the Charter of the Florida Democratic Party.
  - 1.3.2 State Central Committee:** Forty percent (40%) of the total membership.
  - 1.3.3 Congressional District Committee:** Forty percent (40%) of the total membership.
  - 1.3.4 Florida Democratic Party Standing Committees:** Thirty-five percent (35%) of the total membership.
  - 1.3.5 Florida Democratic Party Special Committees:** Forty percent (40%) of the total membership.
  - 1.3.6 Democratic Executive Committees:** Thirty percent (30%) of the total membership if total membership of 300 or more; forty percent (40%) of the total membership if total membership is 299 or less.
  - 1.3.7 Democratic Clubs and Caucuses:** Twenty percent (20%) of the total membership for clubs and caucuses with membership of 999 or less. Ten percent (10%) of the total membership for clubs and caucuses with membership of 1000 or more.
- 1.4 Accessibility:** All meetings of the Florida Democratic Party committees, clubs, organizations, and caucuses shall be held in facilities that are accessible to the physically disabled.
- 1.5 Voting:** Voting on all motions or matters presented to the State Executive Committee and/or the Central Committee shall take place in person, by proxy, or by such absentee voting, electronic voting or telephonic voting as may be specified in the Rules adopted by the State Executive Committee.

## **SECTION 2. Powers:**

- 2.1 Removal From Office:** A member of any Florida Democratic Party committee, club, organization, or caucus may be removed from office upon a two-thirds (2/3) vote of the entire membership at a regular or special meeting of same provided that there shall have been at least ten (10) days written notice of the purpose of said meeting. An officer of any Florida Democratic Party committee, club, organization, or caucus may be removed from office upon a two-thirds (2/3) vote of the entire membership at a regular or special meeting provided that there shall have been at least ten (10) days written notice of the purpose of said meeting. Such removal may be for cause including, but not limited to, malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, and/or conviction of a felony involving moral turpitude.

## **SECTION 3. Endorsement:**

- 3.1 Definition:** Endorsement shall be defined as endorsing, certifying, screening, or recommending, in any manner, candidates in primary elections.

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- 3.2 Party Assessment Fees:** Party assessment fees to which a county Democratic Executive Committee is entitled shall be retained by the State Executive Committee if a county Democratic Executive Committee chooses to endorse.
- 3.3 Campaign Support:** All State Executive Committee funds and campaign support shall be withheld from such county Democratic Executive Committee until after the second primary election.
- 3.4 Candidate Qualifying:** No endorsement shall be made prior to the close of the period of candidate qualifying.
- 3.5 Requirements:** The following requirements shall be met prior to a county Democratic Executive Committee being eligible to endorse:
- 3.5.1 Precinct or District Positions.** Eighty percent (80%) of all precinct committee positions or ninety percent (90%) of all district committee positions, as appropriate, shall be filled.
- 3.5.2 Meetings.** The county Democratic Executive Committee shall have held at least four (4) meetings at which a quorum was present during the previous twelve (12) month period.
- 3.5.3 Membership Support:** Two-thirds (2/3) of the total membership of the county Democratic Executive Committee, exclusive of its automatic members, shall vote in favor of endorsement.
- 3.6 Standards:** The following standards shall be met for a county Democratic Executive Committee to endorse:
- 3.6.1 Membership Support:** Two-thirds (2/3) of the total membership of the county Democratic Executive Committee, exclusive of its automatic members, shall vote in favor of endorsing a candidate in a given race.
- 3.6.2 Limitations:** Endorsements by a county Democratic Executive Committee shall be limited to those races in which the county Democratic Executive Committee assessment applies or to non-partisan races in which registered Democrats are running.

## ARTICLE II STATE EXECUTIVE COMMITTEE

### SECTION 1. Membership:

- 1.1 Automatic Members:** Automatic members shall be all Democratic members of the United States Congress representing Florida, all Democratic statewide elected officials, either the Florida Senate President or Minority Leader, whoever is a Democrat, either the Florida Speaker of the House or Minority Leader, whoever is a Democrat, and such Democratic members of the legislature as may be required by Florida Statutes.
- 1.2 Vacancies:** Should an elected state committee member move his or her residency from the county he or she represents, said members shall no longer represent that county on the State Executive Committee and that seat shall be deemed vacant. A vacancy in membership for any reason shall be filled for the unexpired term by the county Democratic Executive Committee by election within thirty (30) days of creation of said vacancy. If a county Democratic Executive Committee fails to act within that time, the State Chair shall fill the vacancy by appointing a Democrat residing within that county

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who shall be chosen from among the elected precinct or district committee members. At large members who have been appointed by the County Democratic Executive Committee shall not be eligible to be appointed to serve as State Committeeman or Committeewoman.

## **SECTION 2. Officers:**

**2.1 Requirements:** Officers and appropriate staff members shall be under adequate bond within thirty (30) days of taking office. Officers shall be required to deliver to their successors, before their bond may be released, all records of the Florida Democratic Party within their custody.

**2.2 Duties and Authority of the State Chair:** The State Chair shall be the chief executive officer of the State Executive Committee and shall have the authority and duties implied by such title and expressed or implied by the Charter and Bylaws of the Florida Democratic Party. The State Chair shall have the authority to make decisions between meetings of the State Executive Committee and the Central Committee that are consistent with the Charter and Bylaws of the Florida Democratic Party, Florida Statutes, and Florida Democratic Party policy and shall perform such duties as prescribed by law or usual to such office.

**2.2.1 Standing Committees:** The State Chair may refer any question coming before a meeting of the State Executive Committee or Central Committee to any standing committee and require it to meet and consider such question and report to the State Executive Committee or Central Committee prior to adjournment.

**2.2.2 Staff:** The State Chair shall hire staff for the Florida Party.

**2.2.3 Records:** The State Chair shall be responsible for taking such action and keeping accurate records as follows: of the proceedings of the State Executive Committee and the Central Committee; an accurate, complete, and permanent record of all receipts and disbursements; shall issue all checks for the disbursement of funds of the Florida Democratic Party; shall make available to the Budget and Finance Committee all financial records; and shall furnish promptly all information on the affairs of the committee upon written request of any member of the State Executive Committee.

**2.2.4 Finances:** Funds shall be kept on deposit in the name of the Florida Democratic Party or in the name of a committee, campaign, or special fund as the case may be. The State Chair may deposit funds to the credit of a committee or special fund as may be necessary. Funds may be disbursed by bank draft or check drawn by the State Chair. For purposes of these rules, electronic wire transfers or credit card purchases shall be treated the same as checks. Accounts of the Florida Democratic Party, its committees, and special funds shall be subject to an annual audit. The State Chair shall appoint a certified public accountant, with the approval of the Central Committee, to conduct said audit. Audit reports shall be maintained for a period of five (5) years. Copies of same shall be distributed to members of the State Executive Committee and to county Democratic Executive Committee chair within the time provided for filing same with the Florida Department of State.

**2.2.5 Budget:** The State Chair shall propose and submit a budget annually to the Budget and Finance Committee and Central Committee for approval. The fiscal year shall be the same as the calendar year. Said budget shall be distributed to all members of the State Executive Committee and county chairs within sixty (60) days following the end of the fiscal year. Upon approval of the budget, the

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State Chair shall be authorized to expend funds consistent therein. The State Chair is not authorized to expend more than twenty-five thousand dollars (\$25,000) on any non-budgeted item without the approval of the Budget and Finance Committee. Any non-budgeted items of more than five thousand dollars (\$5,000) and less than twenty-five thousand dollars (\$25,000) expended by the State Chair shall be presented to the next meeting of the Central Committee for approval. The Budget and Finance Committee may modify the budget at any time.

**2.2.6** *Checks:* Checks in excess of twenty-five thousand dollars (\$25,000), with the exception of staff salaries, shall be signed by the State Chair and either the Treasurer, or one of two persons appointed by the Budget and Finance Committee. The State Chair shall notify the Budget and Finance Committee in writing (via mail, facsimile, or email) or by conference call of the expenditure. Checks in the amount of twenty-five thousand dollars (\$25,000) or less and staff salary checks may be signed by the State Chair only.

**2.2.7** *Salary and Expenses:* The State Chair may receive a salary and actual expenses as incurred. Said salary shall be subject to approval and annual review by the Budget and Finance Committee and the State Executive Committee.

At the discretion of the Budget and Finance Committee, the First Vice Chair, the Vice Chairs, the Secretary, and Treasurer of the Florida Democratic Party may receive an amount, not to exceed one hundred dollars (\$100) per month, for miscellaneous expenses incurred.

**2.3** *Duties and Authority of First Vice Chair:* The First Vice Chair shall assist the State Chair and shall have the duties and authority implied by that title, assigned by the State Chair, or specified by the charter and bylaws of the Florida Democratic Party. In addition, when the First Vice Chair is of the opposite sex from the State Chair, the First Vice Chair shall be the designated "Vice Chair" to serve on the Democratic National Committee, pursuant to the Charter, Bylaws, and Rules of the Democratic National Committee. When the First Vice Chair is not of the opposite sex from the State Chair, the automatic slot on Democratic National Committee normally reserved for the First Vice Chair shall be held by the next highest ranking elected FDP officer who is of the opposite sex from the State Chair.

**2.3.1** *State Chair's Absence:* The First Vice Chair shall perform the duties of the State Chair in his or her absence or in the event of a vacancy in the office. The First Vice Chair shall perform other duties usual to such office or which are required in the State Chair's absence, except for appointments to standing committees or to the Central Committee. The First Vice Chair shall preside over meetings of the State Executive Committee in the absence of the State Chair.

**2.4** *Duties and Authority of the Vice Chairs:* The Vice Chairs appointed by the State Chair shall assist the Chair in the development and implementation of a plan to strengthen the outreach of the Party to all of its various constituency groups. The Budget and Finance Committee shall authorize the reimbursement of travel and related expenses necessary to carry out these duties.

**2.5** *Duties and Responsibilities of the Secretary:* The secretary shall be the official record keeper of the Florida Democratic Party and shall assist the State Chair with roll calls, voting tabulations, and membership lists and shall perform other duties as deemed necessary by the State Chair.

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**2.6** *Duties and Responsibilities of the Treasurer:* The treasurer may countersign checks as provided in Article II, Section 2.2.6, and shall perform other duties as deemed necessary by the State Chair.

**2.7** *Vacancies:* In the event of a vacancy in the office of State Chair, the First Vice Chair shall call a meeting of the Central Committee within thirty (30) days for the election of a new State Chair who shall serve until the next regular meeting of the State Executive Committee. In the event of a vacancy in any other elected office, it shall be filled for the unexpired term by election by majority vote at the next meeting of the Central Committee.

### **SECTION 3. Meetings:**

**3.1** *Notice:* The State Chair may call meetings upon written notice of no less than ten (10) days.

**3.2** *Call by Petition:* A meeting shall be called by the State Chair within twenty (20) days after receipt of a petition representing no less than thirty percent (30%) of the total votes of the State Executive Committee.

**3.3** *Agenda:* The chair of each standing committee, or designee, shall report at each meeting.

**3.4** *Organizational Meeting:* Organizational meetings of the State Executive Committee shall remain in continuous session until all business properly coming before the committee has been disposed of, however, they may recess to a time certain or from day to day.

**3.4.1** *Agenda:* The organizational meeting shall be called to order by the State Chair who shall preside until the election of the new State Chair who shall then assume the Chair. The order of business shall be as follows:

- (1) Invocation
- (2) Pledge of Allegiance
- (3) Roll Call
- (4) Reports of Standing Committees
- (5) Election of State Chair
- (6) Election of First Vice Chair
- (7) Election of Secretary
- (8) Election of Treasurer
- (9) Election of Democratic National Committee members
- (10) Election of Congressional District Chair and Vice Chair

**3.4.2** *Failure to Call:* In the event the State Chair fails to call an organizational meeting, the State Executive Committee shall meet in Tallahassee on the fourth (4th) Saturday following their election.

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## **SECTION 4. Policy and Procedure:**

- 4.1 Salaries:** No member of the State Executive Committee, except the State Chair, shall receive a salary. No member of the State Executive Committee shall hold a contractual agreement with the State Executive Committee without the approval of the Budget and Finance Committee.
- 4.2 Records:** Copies of minutes of proceedings of State Executive Committee and Central Committee meetings shall be available to members at the headquarters of the Florida Democratic Party within thirty (30) days following such meetings.

## **SECTION 5. Committees:**

- 5.1 Standing Committees:** Standing Committees shall be the Rules Committee, the Judicial Council, the Affirmative Action Committee, the Committee on Clubs, Organizations, and Caucuses, the Legislative Liaison Committee, and the Campaign Committee. Standing committees shall be appointed by the State Chair within sixty (60) days following the organizational meeting.
- 5.2 Membership:** The chair and members of standing committees shall be appointed by the State Chair for one (1) year terms unless otherwise provided in these Bylaws. The State Chair and First Vice Chair shall serve as ex officio members of all standing committees, unless otherwise provided herein. All standing committee appointments shall terminate with the election of a new State Chair.
- 5.3 Budget and Finance Committee:**
- 5.3.1 Chair and Membership:** There shall be a Budget and Finance Committee which shall consist of the Chair, First Vice Chair, Vice Chairs, Treasurer, Secretary, and Democratic National Committee members. The State Chair shall serve as the Chair of this committee.
- 5.3.2 Duties:** The duties of the committee shall be to approve and submit an annual budget to the Central Committee for approval, to review such budget on a quarterly basis, to approve any amendments to the approved budget, to approve any non-budgeted expenditures of more than twenty-five thousand dollars (\$25,000), to prescribe the expense reimbursement policy of the Florida Democratic Party, to review the campaign plans of county Democratic Executive Committees receiving party assessment fees, and to assist the State Chair in fundraising.
- 5.4 Rules Committee:**
- 5.4.1 Duties:** The duties of the committee shall be to interpret the Charter and Bylaws of the Florida Democratic Party, to review all proposed amendments to same, to review all proposed Party Rules, to develop all rules and delegate selection procedures relating to Florida Democratic Party conventions and conferences, and to oversee county Democratic Executive Committee bylaws.
- 5.4.2 Appeals:** Appeals of Rules Committee decisions shall be to the Judicial Council.
- 5.5 Judicial Council:**
- 5.5.1 Membership:** Members shall consist of one (1) person from each congressional district, who may be either a member of the State Executive Committee, a

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county Democratic Executive Committee chair, or a county Democratic Executive Committee vice chair.

- 5.5.2 *Duties:*** The duties of the Judicial Council shall be to hear appeals from Florida Democratic Party committees resulting from the application and/or enforcement of the Charter and Bylaws of the Florida Democratic Party.
- 5.5.3 *Subcommittee:*** The Judicial Council may, at the chair's discretion, sit as a subcommittee of no less than three (3) members. The subcommittee shall have the full authority, when duly appointed, as the council.
- 5.5.4 *Notice of Appeal:*** An appeal shall be initiated within thirty (30) days of such action as may give rise to an appeal. Failure to file a timely notice of appeal shall be grounds for dismissal of the appeal with prejudice. Such appeal shall be commenced and initiated by written notice sent by certified mail, to the State Chair at the headquarters of the Florida Democratic Party. The State Chair shall immediately forward said notice to the chair of the Judicial Council. The notice of appeal shall set forth all ultimate facts giving rise to the appeal and the specific relief requested by the petitioner. The chair of the Judicial Council may require the petitioner to enlarge and/or clarify any issue raised in the notice of appeal. Such requirement shall be given within a reasonable time in advance of any hearing scheduled on the appeal. The appropriate party(ies) shall be afforded an opportunity for a written response or an answer to a notice of appeal.
- 5.5.5 *Hearings:*** Within ninety (90) days of receipt of the notice of appeal, the chair of the Judicial Council shall call a meeting to hear evidence and render judgment on the issues raised by the appeal. A notice of hearing shall be sent by the chair of the Judicial Council to the petitioner by certified mail within no more than thirty (30) days nor less than ten (10) days of the hearing, stating the time, date, and place of said hearing. The Judicial Council, after hearing all evidence and affording all parties a full opportunity to be heard, shall deliberate and render judgment on the appeal by a majority vote. In the event of a dispute on material fact(s) concerning the appeal, the council shall publish a "Finding of Facts" and its judgment on the issue(s). A copy of the council's report shall be furnished to the State Chair and to the petitioner(s).
- 5.5.6 *County Democratic Executive Committees:*** When an appeal involves a county Democratic Executive Committee or its officers and a subcommittee is assigned hearing responsibilities, the chair of the Judicial Council shall enlarge the subcommittee to include an equal number of county Democratic Executive Committee chairs or county Democratic Executive Committee vice chairs from the counties located within one hundred (100) miles of the county involved in the appeal.
- 5.5.7 *Appeals to the Central Committee:*** Rulings by the Judicial Council may be appealed to the Central Committee at its next regularly scheduled meeting unless two-thirds (2/3) of the membership of the Central Committee shall agree in writing, sent to the State Chair by certified mail, to hear the appeal at an earlier time. An appeal to the Central Committee must be initiated within ten (10) days following receipt of the report of the Judicial Council. The State Chair shall then call a special meeting of the Central Committee within fifteen (15) days of receipt of such agreement. If the appeal is filed by the original petitioner(s), it shall be deemed initiated by a written request, sent by certified mail, to the State Chair. If the appeal is filed by the State Chair, it shall be deemed initiated by notice of such appeal served upon the original petitioner(s).

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In the event that a special meeting is called, the State Chair shall send notice to the petitioner(s), by certified mail, stating time, date and place of said meeting. The Central Committee shall review such appeal, with or without a formal hearing. The Central Committee shall consider the record of appeal and in cases where a hearing is permitted, may allow oral arguments by appropriate party(ies) to the appeal. The record on appeal shall be the report of the Judicial Council together with any briefs which the parties may submit on their behalf. Such briefs shall be restricted to issues and evidence presented to the Judicial Council. The Central Committee may delegate a duly constituted subcommittee or special master to review or hear any appeal from the Judicial Council. Such subcommittee or special master shall report its findings to the Central Committee. An appeal to the Central Committee shall be determined by a majority vote and that vote shall be final.

**5.5.8 *Supplemental Rules:*** The Judicial Council upon approval of the Central Committee, may adopt rules of procedures which are consistent with these Bylaws and are necessary to assist in the orderly conduct of business of the Judicial Council. Any such rules shall be provided to the petitioner(s) at or before the hearing.

### **5.6 *Affirmative Action Committee:***

**5.6.1 *Duties:*** The duties of the committee shall be to implement the affirmative action policies of the Democratic National Committee and the Florida Democratic Party. The Affirmative Action Committee may review and recommend to the State Executive Committee such changes of the affirmative action policies of the Party as may be appropriate.

### **5.7 *Committee on Clubs, Organizations, and Caucuses:***

**5.7.1 *Duties:*** The duties of the committee shall be to review and grant or deny charter applications from clubs, organizations, and caucuses, and to prescribe procedure for same, unless otherwise provided herein.

**5.7.2 *Appeals:*** Unless otherwise provided herein, the committee shall hear all appeals regarding clubs, organizations, or caucuses. Said appeal shall be heard only if the State Chair and the Chair of the Committee on Clubs, Organizations, and Caucuses agree that such an appeal is in order. All decisions by this committee shall be final.

### **5.8 *Legislative Liaison Committee:***

**5.8.1 *Duties:*** The duties of the committee shall be liaison between the Florida Democratic Party and the Florida Legislature and the Florida Democratic Party and the United States Congress. The committee shall monitor statutory matters relating to Florida Democratic Party operation.

### **5.9 *Campaign Committee:***

**5.9.1 *Duties:*** The duties of the committee shall be the development of a basic Campaign Plan for county Democratic Executive Committees that would coordinate with the Florida Democratic Party campaign plan.

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## **SECTION 6. Democratic National Committee Members:**

- 6.1 Membership:** Members shall be divided as equally as is practical between men and women.
- 6.2 Term of Office:** The term of office shall be for four (4) years and shall begin on the day of the Florida Democratic Party's Organizational Meeting.
- 6.3 Vacancies:** An office is deemed vacant upon death or resignation of the office holder or when a member fails to attend three (3) meetings in any one (1) calendar year of the Democratic National Committee, the State Executive Committee, and/or the Central Committee. A vacancy shall be filled by the State Chair and shall be confirmed at the next meeting of the State Executive Committee.
- 6.4 Expense Reimbursement:** Reimbursement for expenses incurred while attending Democratic National Committee meetings shall be as prescribed by the Budget and Finance Committee and approved by the Central Committee. This policy shall be reviewed annually.

## **ARTICLE III CENTRAL COMMITTEE**

**SECTION 1. Membership:** The Central Committee shall be composed of the State Chair, First Vice Chair, Vice Chairs, Secretary, and Treasurer of the Florida Democratic Party; the Chair Emeritus of the Florida Democratic Party; the chair and vice chair of each congressional district; Florida members of the Democratic National Committee; the presidents of the Florida Young Democrats, the Democratic Women's Club of Florida, the Democratic Black Caucus of Florida, the Democratic Gay, Lesbian, Bisexual, and Transgender Caucus, the Democratic Hispanic Caucus of Florida, the Democratic Caribbean Caucus of Florida, and the Democratic Veterans Caucus of Florida; the chair of the Democratic County Chairs' Association; the chair of the Small County Coalition; ten (10) persons appointed by the State Chair to achieve political, economic, or minority balance, five (5) of whom shall be men and five (5) of whom shall be women, one of each sex who shall be chosen by the Trustees to represent them; the chairs of all Standing Committees; automatic members as may be designated by Florida Statutes and which may be changed from time to time; and eight (8) county Democratic Executive Committee chairs who shall be appointed by the State Chair. Two (2) of the county Democratic Executive Committee chairs shall be from the two (2) counties with the highest number of registered Democrats, three (3) of the county Democratic Executive Committee chairs shall be from the ten (10) counties with the next highest number of registered Democrats, and three (3) of the county Democratic Executive Committee chairs shall be from the remaining counties. All appointments shall be confirmed by the Central Committee. Appointed members shall serve for a one (1) year period; however, they may be reappointed. All appointments to the Central Committee shall terminate upon the election of a new State Chair.

## **SECTION 2. Meetings:**

- 2.1 Notice:** The State Chair may call meetings upon written notice of no less than ten (10) days.
- 2.2 Call by Petition:** A meeting shall be called by the State Chair within twenty (20) days after receipt of a petition from a majority of the members of the Central Committee.
- 2.3 Agenda:** The chair of each standing committee, or designee, shall report at each meeting.

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## **SECTION 3. Policy and Procedure:**

- 3.1 **Salaries:** No member of the Central Committee, except the State Chair, shall receive a salary.
- 3.2 **Records:** Copies of synopses of proceedings of the Central Committee shall be furnished to members within thirty (30) days following such meetings.
- 3.3 **Votes by Mail:** The State Chair, at his or her discretion, may take a vote of the membership by certified mail, facsimiles and/or telephone polling on any matter.

## **ARTICLE IV CONGRESSIONAL DISTRICT COMMITTEES**

**SECTION 1. Membership:** The congressional district committees shall be composed of the state committeemen, and state committeewomen from those counties either totally or partially within a congressional district.

**SECTION 2. Officers:** There shall be a chair and a vice chair, who shall be of the opposite sex from the chair, elected from among the members of the congressional district committee.

2.1 **Congressional District Chair:** Voting for congressional district chair shall be as follows: Each county's vote shall be based upon a number equal to its combined percentages of the total state Democratic registration and the average of the total state Democratic vote for Governor, the total state Democratic vote for President, and the total state Democratic vote for United States Senator multiplied by five (5) and rounded to the nearest even whole number. The election figures used shall be those certified by the Florida Department of State for the most recent registration figures announced and certified by the Florida Department of State. Each county shall be entitled to a minimum of two (2) votes. Each county's vote shall be divided equally between its state committeeman, and state committeewoman. Only the portion of a county's vote and registration assignable to a congressional district may be used in calculating a county's district vote. A majority vote shall determine the election. In the event of a tie vote, the State Chair shall determine the outcome.

2.2 **Congressional District Vice Chair:** Voting for congressional district vice chair shall be one (1) vote per state committeeman and state committeewoman. A majority vote shall determine the election. In the event of a tie vote, the State Chair shall determine the outcome.

2.3 **Other Officers:** Other officers and voting procedure for such may be established by the congressional district committee.

2.4 **Term of Office:** The term of office for congressional district committee officer shall be four (4) years unless abbreviated terms occur due to reapportionment of Florida's congressional districts.

## **SECTION 3. Policy and Procedure:**

3.1 **Reapportionment:** Within sixty (60) days following the last election of candidates subject to Florida's most recent certified reapportionment plan, the Florida Democratic Party shall reapportion its congressional district committees and elect new congressional district committee officers.

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## ARTICLE V COUNTY DEMOCRATIC EXECUTIVE COMMITTEES

### SECTION 1. *Membership:*

#### 1.1 *Elected Members:*

- 1.1.1 *Definition:*** Elected members shall be defined as those persons elected pursuant to Article V, Section 1.1.4 and those elected by the county Democratic Executive Committee to fill vacancies in precincts or districts. Once a person is elected in a precinct or district, even if that person should move out of that precinct or district and be appointed at-large or to fill a vacancy in the precinct or fill a vacancy in the precinct or district into which he or she moved, for the purpose of eligibility to seek office, such person shall be classified as an elected member for the duration of that term. If a vacancy does not exist in the precinct or district where the member moves, a special at-large status shall be created for that member not to be counted against the total number of appointed members available to that county.
- 1.1.2 *Precinct System:*** The elected membership of the county Democratic Executive Committee shall consist of a man and a woman from each precinct who are registered Democrats, and who reside in, are registered to vote in, and are elected from the precinct they are to represent. Should the Democratic registration of any precinct total more than one thousand (1,000) as of January 1 of a year in which qualifying for election to county Democratic Executive Committee occurs, an additional one (1) man and one (1) woman are entitled to be elected to represent all such precincts. They shall be elected by a plurality vote on the First Primary Ballot of each presidential election year. At any time a precinct totals one thousand (1,000) registered Democrats or when new precincts are created, additional County Democratic Executive Committee positions may be created. Such positions shall be filled by the county Democratic Executive Committee according to its procedure for filling vacancies.
- 1.1.3 *Optional Precinct System:*** In a county consisting of fewer than two hundred (200) precincts, the elected membership of the county Democratic Executive Committee shall consist of a man and a woman from each precinct who are registered Democrats, and who reside in, are registered to vote in, and are elected from the precinct they are to represent. Should the voter registration of any precinct total more than one thousand (1,000) as of January 1 of a year in which qualifying for election to county Democratic Executive Committee occurs, the county Democratic Executive Committee may, by amendment to its Bylaws, and upon immediate notification to the Supervisor of Elections of that county by certified mail, and upon immediate notification to the State Chair by certified mail, elect an additional one (1) man and one (1) woman to represent all such precincts. They shall be elected by a plurality vote on the first primary ballot of each Presidential election year. At any time a precinct totals one thousand (1,000) registered voters or when new precincts are created, additional county Democratic Executive Committee positions may be created. Such positions shall be filled by the county Democratic Executive Committee according to its procedures for filling vacancies.
- 1.1.4 *District System:*** In a county consisting of more than one hundred (100) precincts, the elected membership of the county Democratic Executive Committee may, by a majority vote of all county Democratic Executive Committee members prior to December 31 of each year before the year in

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which an election for the office of President of the United States is to be held, consist of a man and a woman who are registered Democrats, and who reside in, are registered to vote in and are elected from election districts. The chair of the county Democratic Executive Committee shall notify the State Chair of such decision by certified mail. The Florida Democratic Party shall request, no later than December 31, 1983 and every fourth year thereafter, the Supervisor of Elections of that county, with approval of the board of County Commissioners, or the body having ultimate responsibility for the conduct of elections within the county, to provide for election districts as nearly equal in number of registered voters as possible. Such districts shall be created in accordance with the following requirements:

- (1) The election districts shall have as equal a number of precincts as possible.
- (2) The number of registered voters in any election district shall not vary by more than ten percent (10%) of the average number of registered voters in all election districts.
- (3) No precinct shall be divided in the formation of districts.
- (4) A district shall be composed of contiguous precincts.

County Democratic Executive Committees adopting district pursuant to this Section shall file notice of same with the State Chair, the Florida Department of State, and its board of County Commissioners, or the body having ultimate responsibility for the conduct of elections within the county. Said body shall forthwith direct the Supervisor of Elections, or other appropriate official within the county, to complete such formalities as may be necessary to conduct elections within the county, to complete such formalities as may be necessary to conduct elections within such districts.

**1.1.5 Election of Members:** County Democratic Committee members shall qualify and be elected to office at such times and in such manner as provided by Florida Statutes.

**1.1.6 Term of Office:** Elected members of the county Democratic Executive Committee shall take office on the first day of the month following each presidential general election and shall serve for a term of four (4) years.

**1.1.7 Attendance:** The State Chair, First Vice Chair, Vice Chairs, Secretary, and Treasurer of the Florida Democratic Party shall be exempt from the attendance requirements of the county Democratic Executive Committee to which they may belong.

### 1.2 Automatic Members:

**1.2.1 Definition:** Automatic members shall be defined as those who are members by virtue of Florida Statutes or those who are members by virtue of county Democratic Executive Committee bylaw provision naming county Democratic elected officials, presidents of duly chartered Democratic Clubs, or presidents of chartered local Democratic caucus chapters who reside in said county. Such members shall serve for the duration of their term of office. Automatic members shall enjoy voting privileges, however, they shall not serve as officers of the county Democratic Executive Committee.

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**1.2.2 Attendance:** Automatic members shall not be required to meet attendance requirements. Automatic members shall not be computed when determining a quorum.

## **1.3 Appointed Members:**

**1.3.1 Definition:** Membership of a county Democratic Executive Committee may include an additional ten percent (10%) of the total elected membership to which entitled. These members shall be appointed by the county Democratic Executive Committee chair and approved by a majority vote of the membership of the county Democratic Executive Committee present and voting. Appointed members shall be registered Democrats residing in the county. Appointed members shall serve at-large and shall enjoy voting and other privileges and responsibilities of membership except holding office. Selection of appointed members shall be made in order to achieve political, economic, or minority balance within the county Democratic Executive Committee.

**1.3.2 Term of Office:** The term of office for appointed members shall be one (1) year commencing with the date of appointment, however, it shall expire immediately prior to the commencement of the organizational meeting of the next committee. Said members may be appointed.

**1.3.3 Special At-Large Status:** At any time after the election of officers, a county Democratic Executive Committee may allow, at the request of a Democratic Party elected official from the county, state, or national Democratic Party level, a special at-large status for that person. Such positions shall not be included in a county Democratic Executive Committee's appointed membership quota. If the elected official is an elected member of the county Democratic Executive Committee, a vacancy would be created in the district or precinct that he or she represents. Said vacancy shall be filled in accordance with that county Democratic Executive Committee's bylaws.

**1.4 Vacancies:** An office shall be deemed vacant when a member accumulates three (3) unexcused absences in any one (1) calendar year. Vacancies on a county Democratic Executive Committee shall be filled by action of the county Democratic Executive Committee within sixty (60) days in accordance with Florida Statutes. After a vacancy has existed for sixty (60) days, it may be filled by the State Chair. Those persons appointed to fill precinct or district vacancies must be registered Democrats residing within the precinct or district that they are appointed to represent. An absence is excused for reason of illness, business, out-of-town or other reasonable excuse, with prior notification to an officer.

## **SECTION 2. Officers:**

**2.1 Term of Office:** Terms of office are for four (4) years, unless otherwise provided for in a county Democratic Executive Committee's bylaws.

**2.2 Vacancies:** In the event of a vacancy in the office of county Democratic Executive Committee chair, a meeting shall be held within forty-five (45) days, upon written notice to members of at least fifteen (15) days, to elect a new chair. Notice of vacancy shall be sent by certified mail to the State Chair within ten (10) days of said vacancy. Vacancies on a county Democratic Executive Committee shall not be filled by action of the county Democratic Executive Committee within the period from the time the county Democratic Executive Committee chair position is declared vacant until the election of a new Democratic Executive Committee chair to replace the previous chair. In the event that a vacancy in the office of county Democratic Executive Committee chair is filled by a person

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of the same sex as the county Democratic Executive Committee vice chair, or vice versa, the requirement that they be of the opposite sex shall be waived for the unexpired term.

- 2.3** *Leave of Absence:* Any officer of a county Democratic Executive Committee seeking the Democratic nomination for public office shall take a leave of absence from the county Democratic Executive Committee office commencing at the time of opening a campaign account for said public office and extending for the duration of the campaign. The vacancy created shall be filled by the county Democratic Executive Committee for the interim period.

## **SECTION 3. Meetings:**

- 3.1** *Failure to Call:* In the event a meeting is not called for a period of two (2) calendar quarters, the chair of the congressional district in which the county Democratic Executive Committee is primarily located, or the congressional district vice chair at the direction of the congressional district chair, shall call a meeting for the purpose of reorganization upon written notice of at least two (2) weeks to all members of the membership list on file with the county Supervisor of Elections. The State Chair shall be notified by certified mail.

- 3.2** *Organizational Meeting:* Each county Democratic Executive Committee shall hold an organization meeting, called by the county Democratic Executive Committee chair of the preceding committee, within thirty (30) days after said committee members take office.

**3.2.1** *Agenda:* The organizational meeting shall be called to order by the county Democratic Executive Committee chair who shall chair the meeting until the election of the new chair who shall then assume the chair. The order of business shall be as follows:

- (1) Invocation
- (2) Pledge of Allegiance
- (3) Roll Call
- (4) Credentials Report
- (5) Election of Chair
- (6) Election of State Committeewoman
- (7) Election of State Committeeman
- (8) Election of Vice Chair
- (9) Election of Secretary
- (10) Election of Treasurer
- (11) Election of Any Other Officers

**SECTION 4. Voting:** Voting shall be one (1) vote for each member.

- 4.1** *Voting by Appointed Members:* The term of office for appointed members expires prior to the commencement of the organizational meeting occurring within thirty (30) days following the election of precinct committeemen and precinct committeewomen,

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therefore, appointed members shall not vote for officers at the organizational meeting. In the event an office becomes vacant during the term, appointed members shall have voting privileges.

### **SECTION 5. Policy and Procedure:**

**5.1 Committees:** County Democratic Executive Committees shall establish the following committees to further the goals and policies of the Florida Democratic Party:

**5.1.1 Affirmative Action Committee** which shall work in conjunction with the Florida Democratic Party Affirmative Action Committee.

**5.1.2 Young Democrats Committee** which will work with the Florida Young Democrats.

**5.2 Membership Lists:** The names and addresses of the members of county Democratic Executive Committees, as well as the officers of same, shall be furnished to the State Chair immediately after the organizational meeting. Changes in membership shall be furnished in writing to the State Chair within ten (10) days. A complete and updated membership list shall be sent to the State Chair by January 31 of each year.

**5.3 Records:** Minutes shall be kept of all meetings and shall be presented at the next meeting for approval. Copies shall be sent to the State Chair within twenty (20) days following such meetings.

**5.4 Annual Audit:** There shall be annual audits of the financial condition of every county Democratic Executive Committee for each calendar year ending December 31 in compliance with applicable Florida Statutes and conducted by qualified examiners who shall not be members of the county Democratic Executive Committee. Audits shall be conducted in substantial compliance with standard accounting procedures. Copies shall be retained by the chair of each county Democratic Executive Committee for the examination of any member thereof and copies shall be furnished to the Supervisor of Elections and to the State Chair prior to April 1 of the ensuing year. The State Chair may have a qualified examiner conduct an audit of a county Democratic Executive Committee for any reason at the expense of the Florida Democratic Party.

**5.5 FDP Policy Manual:** The FDP shall make available to each County DEC a Policy Manual containing current standardized guidelines and practices for Party operations.

**SECTION 6. Finances:** A county Democratic Executive Committee receiving Party assessment fees shall submit a campaign plan detailing the expenditure of such fees to the State Chair and the Budget and Finance Committee for approval.

**6.1 Distribution of Funds:** The distribution of county Democratic Executive Committee funds among members is forbidden. A county Democratic Executive Committee may reimburse its members for actual travel expenses incurred at regular or special meetings in those cases where the meeting is more than thirty (30) miles in each direction from the member's home. Payment is then authorized at the accepted mileage rate reimbursed to State Executive Committee members and shall be paid out of county Democratic Executive Committee funds.

**SECTION 7. Party Assessment Fees:** Party assessment fees shall be two percent (2%) of the annual salary of the office sought by the respective candidate. All assessments shall be remitted to the Florida Democratic Party and distributed as described herein. Any county Democratic Executive Committee that endorses, or intends to endorse, certify, screen, or otherwise recommend one (1) or more candidates for nomination shall forfeit all party

# The Bylaws of the Florida Democratic Party

assessments which would otherwise be returned to that county Democratic Executive Committee and such assessments shall be remitted instead to the Florida Democratic Party State Executive Committee. The State Chair shall return the two percent (2%) party assessment fee to the appropriate County Democratic Executive Committee upon the State Chair's determination that the County Democratic Executive is in compliance with all Florida Statutes and all Florida Democratic Party Charter, rules, and bylaws.

## ARTICLE VI CLUBS, ORGANIZATIONS, AND CAUCUSES

**SECTION 1. *Statewide Clubs, Organizations and Caucuses:*** Organization of statewide Democratic clubs, organizations and caucuses shall be prohibited without the recommendation of the State Chair and a two-thirds vote of approval by the Central Committee, unless otherwise provided herein. The charter of such clubs, organizations and caucus shall be entirely within the jurisdiction of the State Democratic Party.

**SECTION 2. *Democratic Club Charters:***

**2.1 *Jurisdiction:*** The charter of a Democratic club shall be entirely within the jurisdiction of the county Democratic Executive Committee where the majority of the membership resides. A county Democratic Executive Committee shall not be authorized to establish a maximum number of Democratic clubs for said county.

**2.2 *Requirement for Chartering:*** It shall be the duty of the county Democratic Executive Committees to provide Democratic clubs with copies of the standard bylaws, applications for chartering and recertification and procedural guidelines for same, and any other forms and information necessary for establishing and operating said club. Democratic club bylaws shall be in compliance with county Democratic Executive Committee bylaws, the Charter and Bylaws of the Florida Democratic Party, and Florida Statutes and shall include the following, unless otherwise provided herein; the anti-discrimination policies of the Florida Democratic Party, a provision prohibiting endorsement in primary elections and prohibiting the endorsement of anyone other than the Democratic nominee in general elections, a provision requiring votes by secret ballot for officers and directors only; a provision for adding amendments to the standard bylaws, a provision prohibiting proxy voting, and a provision that the quorum of any meeting of a Democratic club shall be ten percent (10%) or twenty percent (20%) based on the total membership of the club. With the exception of the organizational meeting, the standard club bylaws shall include a forty-five (45) day membership requirement prior to a member being permitted to vote or participate in any club election for officers or board members. Prior to being chartered, prospective clubs must submit a packet that includes a copy of the completed standard bylaws, an application for a charter, and a list of officers and members to the Certification Committee, composed of the chair, state committeeman, and the state committeewoman of the Democratic Executive Committee in the county in which the club is to be chartered. Should one (1) person hold two (2) of these offices, the vice chair of the county Democratic Executive Committee shall be a member of the Certification Committee. With at least two (2) of the county Democratic Executive Committee officers signing the application, a recommendation to approve or to reject the club shall be submitted to the county Democratic Executive Committee for ratification. Upon approval, the signed application for charter and the club packet of information shall be sent by the county Democratic Executive Committee chair to the State Chair and to the Chair of the Committee on Clubs, Organizations, and Caucuses. The Committee on Clubs, Organizations, and Caucuses shall review the packet and shall recommend approval or disapproval to the State Chair. Once the State Chair approves, the Central Committee shall make the final decision. Certificates of charter for approved clubs shall be sent to the appropriate county Democratic Executive Committee chair for presentation to the club.

# The Bylaws of the Florida Democratic Party

**2.3 Charter Recertification:** In July of every odd numbered year, Democratic Clubs shall submit an application for a Certificate of Compliance to determine their compliance with the Charter and Bylaws of the Florida Democratic Party, Florida Statutes, and bylaws of the county Democratic Executive Committee. Clubs shall submit applications for recertification with a copy of their current bylaws, officers, and membership to the Certification Committee. The Certification Committee shall review the application and bylaws and shall issue a Certificate of Compliance unless it is determined the club is in violation of the Charter and Bylaws of the Florida Democratic Party, Florida Statutes, or the bylaws of the county Democratic Executive Committee. If it is determined a club is in violation, it shall be so notified and shall have sixty (60) days from receipt of notification to correct the violations(s). If the violations(s) is not corrected by the end of the said period, the Certification Committee may recommend the revocation of the club's charter to the county Democratic Executive Committee. In the event such recommendation is made, said club shall be so notified. Notice of revocation shall also be given to the State Chair and to the Chair of the Committee on Clubs, Organizations, and Caucuses. Charter revocation shall result in the forfeiture of all rights and privileges of the use of the word Democrat, Democratic, or derivative thereof.

**2.4 Membership:** A county Democratic Executive Committee may require a Democratic club to have a minimum number of members prior to chartering, unless otherwise provided herein.

**2.5 Annual Party Contribution:** In January of each year, each Democratic club chartered under the rules of the Florida Democratic Party shall pay an annual contribution based on membership as of December 31 of the preceding year to the Democratic Executive Committee in the county of charter based on the following:

Clubs with 0 to 50 members .....	\$ 25.00
Clubs with 51 to 100 members .....	50.00
Clubs with 101 to 300 members.....	75.00
Clubs with 301 to 500 members.....	100.00
Clubs with 501 to 750 members.....	150.00
Clubs with 751 to 1000 members.....	250.00
Clubs with over 1000 members.....	500.00

Any club chartered after January 1, 1985, will pay a contribution based on the number of members at the time of chartering which is consistent with the annual party contribution fee schedule.

Eighty percent (80%) of the contribution shall remain with the county Democratic Executive Committee and twenty percent (20%) shall be remitted to the Florida Democratic Party no later than April 1 of that year.

**2.6 Grievances:** Unless otherwise provided herein, disputes and grievances involving Democratic clubs may be resolved by the chair, state committeeman, and state committeewoman of the county Democratic Executive Committee in the county of charter. Should one (1) person hold two (2) of these offices, the vice chair of the county Democratic Executive Committee shall also be involved in said resolution. Such resolution may be appealed to the county Democratic Executive Committee whose decision shall be final unless appealed to the Judicial Council no later than forty-five (45) days from the date of said decision.

**2.7 Dissolution:** Upon dissolution of a club for any reason, the club's assets and funds, after all debts have been satisfied, shall become the property of the county Democratic Executive Committee in the county of charter.

# The Bylaws of the Florida Democratic Party

**SECTION 3.** *Chartered Caucuses:* The following are chartered caucuses of the Florida Democratic Party:

Democratic Black Caucus of Florida  
Democratic Disability Caucus of Florida  
Democratic Hispanic Caucus of Florida  
Democratic Gay, Lesbian, Bisexual, and Transgender Caucus  
Democratic Caribbean Caucus of Florida  
Democratic Veterans Caucus of Florida

The bylaws of all chartered caucuses shall be in compliance with the Charter and Bylaws of the Florida Democratic Party and Florida Statutes. Notwithstanding the provisions of other sections of the Bylaws of the Florida Democratic Party, the rules and procedures for chartering county chapters of chartered caucuses shall be governed by the provisions set forth herein.

Each chartered caucus shall submit a Certification of Compliance to the Central Committee in July of every odd numbered year. The Certification of Compliance shall include a copy of the chartered caucus current bylaws, a list of its officers, a list of its local chapters and their officers, and a general summary of the chartered caucus' sponsored events and activities during the preceding twelve (12) months. The Central committee may request review and recommendation of the Committee on Clubs, Caucuses, and Organizations.

**3.1** *Charter:* The charter of all caucuses and all changes and amendments thereto, shall be approved by the Central Committee. The Central Committee may suspend or revoke the charter upon violation of the provisions of the Charter or Bylaws of the Florida Democratic Party.

**3.2** *Local Chapters:* Any chartered caucus shall have the authority, subject to the provisions set forth herein, to charter local chapters at the county level. The bylaws of such chapters shall be in compliance with the Charter and Bylaws of the Florida Democratic Party, Florida Statutes, and the bylaws of the caucus under which the county chapter is seeking to affiliate.

**3.2.1** *Charter Procedure:* Proposed local chapters shall apply to the State Caucus President of the caucus for charters. Upon approval, the State Caucus President shall submit a proposed charter to the Caucus officers for approval. Upon final approval of said charter, the State Caucus President shall notify the Chair of the county Democratic Executive Committee and the State Party Chair. Upon final approval, the signed application for charter and the caucus packet of information shall be sent by the State Caucus to the State Party Chair and to the Chair of the Committee on Clubs, Organizations, and Caucuses. The Clubs, Organizations and Caucuses Committee shall review the packet and shall recommend approval or disapproval to the State Party Chair. Once the State Chair approves, the Central Committee shall make the final decision. Certificates for charter for approved local caucus chapters shall be sent to the State Caucus for presentation to the local chapter.

**3.2.2** *Charter Recertification:* Local chapters shall apply to their State Caucus for charter recertification in July of every odd numbered year. Chapters shall submit applications for recertification and copies of their current bylaws, officers, and membership. If it is determined a local caucus chapter is in violation, it shall be so notified and shall have sixty (60) days from receipt of notification to correct the violations(s). If the violation(s) is not corrected by

## The Bylaws of the Florida Democratic Party

the end of the said period, the State Caucus may recommend the revocation of the local caucus chapter's charter. In the event such recommendation is made, said local caucus chapter shall be so notified. Notice of revocation shall also be given to the State Chair, the Chair of the County Democratic Executive Committee and to the Chair of the Committee on Clubs, Organizations, and Caucuses. Charter revocation shall result in the forfeiture of all rights and privileges of the use of the word Democrat, Democratic, or derivative thereof. Failure to be recertified may be appealed to the State Chair by the president of the applicable local chapter or the president of the caucus.

**3.2.3** ***Grievances:*** Unless otherwise provided herein, disputes and grievances involving Democratic caucus chapters may be resolved by the president and officers of the State Caucus. Such resolution may be appealed to the Judicial Council no later than forty-five (45) days from the date of said decision.

**3.2.4** ***Dissolution:*** Upon dissolution of a local caucus chapter for any reason, the local caucus chapter's assets and funds, after all debts have been satisfied, shall become the property of the State Caucus of charter.

## ARTICLE VII CONVENTIONS AND CONFERENCES

**SECTION 1.** ***Delegates:*** Elected delegate positions for Florida Democratic Party conventions and conferences shall be apportioned by county based upon Democratic voter registration and Democratic strength. The Florida Democratic Party State Executive Committee may provide for automatic or appointed positions.

## ARTICLE VIII AMENDMENTS, BYLAWS, AND RULES/BYLAWS

**SECTION 1.** ***Rules/Bylaws:*** The rules or bylaws of official components of the Florida Democratic Party and any changes or amendments thereto, shall be filed with the Florida Democratic Party within thirty (30) days following adoption.

# Attachment 1 -- Proxy Form

## PROXY FORM -- Option 1. (Use either Option 1 OR Option 2.)

I hereby appoint \_\_\_\_\_ as my proxy to attend the  
*(Print name of proxy holder)*

\_\_\_\_\_ meeting to be held on \_\_\_\_\_  
*(Name of meeting) (Date of meeting)*

in \_\_\_\_\_ to vote on any and all matters and to do any and all acts that I could do if present.  
*(City)*

\_\_\_\_\_  
*Member's Name (print)*

\_\_\_\_\_  
*County*

\_\_\_\_\_  
*Member's Signature*

\_\_\_\_\_  
*Date*

STATE OF FLORIDA COUNTY OF _____	
Sworn to and subscribed before me this _____ day of _____, 20 _____, by <i>(name of person making statement)</i> _____.	
_____ <i>Signature of Notary Public – State of Florida</i>	
_____ <i>Name of Notary typed, printed or stamped</i>	
<input type="checkbox"/> Personally Known	OR <input type="checkbox"/> Produced Identification
Type of ID Produced: _____	

## PROXY FORM -- Option 2. (Use either Option 1 OR Option 2.)

I hereby appoint \_\_\_\_\_ as my proxy to attend the  
*(Print name of proxy holder)*

\_\_\_\_\_ meeting to be held on \_\_\_\_\_  
*(Name of meeting) (Date of meeting)*

in \_\_\_\_\_ to vote on any and all matters and to do any and all acts that I could do if present.  
*(City)*

\_\_\_\_\_  
*Member's Name (print)*

\_\_\_\_\_  
*County*

\_\_\_\_\_  
*Member's Signature*

\_\_\_\_\_  
*Date*

_____ <b>WITNESS #1</b> Name (print)	_____ <i>County</i>
_____ <i>Signature</i>	_____ <i>Date</i>

_____ <b>WITNESS #2</b> Name (print)	_____ <i>County</i>
_____ <i>Signature</i>	_____ <i>Date</i>

# Attachment 2 – Loyalty Oath

## Florida Democratic Party LOYALTY OATH

County of \_\_\_\_\_, Florida

I, \_\_\_\_\_, having been duly sworn, say that I am a member of the Democratic Party,

that I am a qualified elector of \_\_\_\_\_ County, Florida; that during my term of office, I will not support the election of the opponent of any Democratic nominee, I will not oppose the election of any Democratic nominee, nor will I support any non-Democrat against a Democrat in any election other than in judicial races; that I am qualified under the Constitution and Laws of the State of Florida and the Charter and Bylaws of the Florida Democratic Party to hold the office I am seeking, or to which I have been elected; that I have not violated any of the laws of the State of Florida relating to election or the Charter and Bylaws of the Florida Democratic Party.

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Signature*

### OPTION 1. SIGNED BY A NOTARY PUBLIC

(Use either Option 1 OR Option 2.)

STATE OF FLORIDA COUNTY OF _____	
Sworn to and subscribed before me this _____ day of _____, 20 _____, by (name of person making statement) _____.	
_____ <i>Signature of Notary Public – State of Florida</i>	
_____ <i>Name of Notary typed, printed or stamped</i>	
<input type="checkbox"/> Personally Known	OR <input type="checkbox"/> Produced Identification
Type of ID Produced: _____	

### OPTION 2. SIGNED BY TWO WITNESSES

(Use either Option 1 OR Option 2.)

WITNESS #1	
_____	_____
<i>Date</i>	<i>County</i>
_____ <b>WITNESS #1: Print Name</b>	
_____ <i>Signature</i>	
_____ <i>Address</i>	
_____ <i>City</i>	
_____	_____
<i>State</i>	<i>Zip Code</i>

WITNESS #2	
_____	_____
<i>Date</i>	<i>County</i>
_____ <b>WITNESS #2: Print Name</b>	
_____ <i>Signature</i>	
_____ <i>Address</i>	
_____ <i>City</i>	
_____	_____
<i>State</i>	<i>Zip Code</i>

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<b>Attachment 1. Proxy Form</b>	<b>29</b>
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<b>Attachment 2. Loyalty Oath</b>	<b>30</b>
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