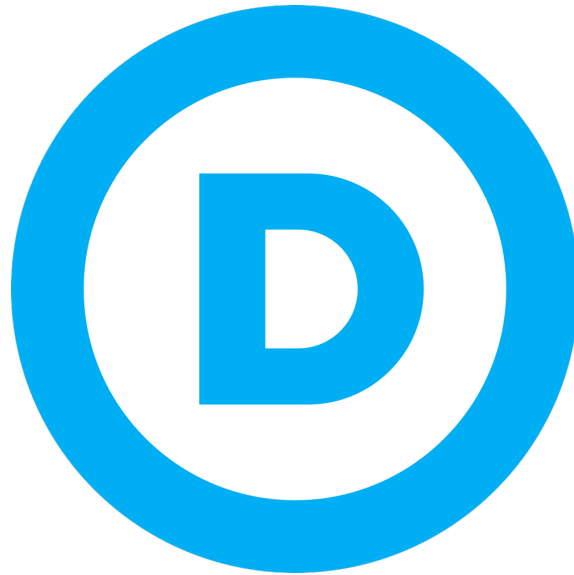


DELEGATE SELECTION RULES

For the ~~2016~~2020 Democratic National Convention



Tom Perez
Chair

PROPOSED DRAFT

Reflects changes previously reviewed and approved by the DNC Rules and Bylaws Committee at its meetings on May 9, 2018 and July 11, 2018, and is recommended for adoption by the full Democratic National Committee at its meeting on Saturday, August 25, 2018.

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Inserted Language is double underlined.
Deleted Language is shown with ~~strikethrough~~.

Rule 1 Publication and Submission of State Party Rules

A. State parties shall adopt a Delegate Selection Plan, including an Affirmative Action Plan and Outreach and Inclusion Program (as defined in Rules 6 and 7) which contain explicit rules and procedures governing all aspects of the delegate selection process.

These rules shall include, but are not limited to:

1. Procedures for electing and certifying delegates and alternates at all levels;
2. Timing of primary/caucuses/conventions;
3. Procedures providing for equal division in each state's convention delegation;
4. Procedures providing for the selection of the chair of the delegation;
5. Particulars concerning the scheduling of delegate selection meetings including methods by which each meeting or event will be publicized;
6. Affirmative Action Plans and Outreach and Inclusion Programs which include affirmative action and inclusion obligations of presidential candidates;
7. All filing and petition requirements, including filing fees, if applicable, and

corresponding deadlines prescribed by state law for delegate and alternate candidates and for presidential candidates;

8. All filing and petition requirements, including filing fees, if applicable, and corresponding deadlines prescribed by State Party rules for delegate and alternate candidates and for presidential candidates;

9. Procedures for ascertaining delegate/alternate preference at all stages;

10. Procedures for presidential candidate right of approval;

11. Method of awarding delegates and alternates to presidential candidates;

12. Methods and timetable for the selection of standing committee members;

13. Procedures for challenges of the delegate selection, affirmative action, and outreach and inclusion processes;

14. Methods and timetable for the selection of convention pages; and

15. Other appropriate provisions from these Rules, the Call, and the Regulations.

B. The following items are to be routinely included at an appropriate place in each state Delegate Selection ~~p~~Plan:

- 1
2 1. Eligibility requirements for participation
3 in the delegate selection process in
4 conformance with Rule 2 [Rule 2.A.];
5
6 2. Prohibition of cost and fees [Rule 2.D.];
7
8 3. Prohibition of participation by those
9 participating in another party’s process
10 [Rule 2.E.];
11
12 4. One-meeting limitation for first-stage
13 participants [Rule 3.E.];
14
15 5. “Six basic elements” of an open party
16 [Rule 4];
17
18 6. Non-discrimination principles [Rule 5];
19
20 7. Requirement that all steps take place
21 within calendar year of convention
22 [Rule 412.B.];
23
24 8. Required identification of preference of
25 candidates for delegate and alternate
26 [Rule 4213.A.];
27
28 9. Protection against coerced vote [Rule
29 4213.I.];
30
31 10. Quorum requirements [Rule 4516];
32
33 11. Proxy voting rules, if any [Rule 4617];
34
35 12. Unit rule prohibition [Rule 4718.A.];
36
37 13. Slate making limitations [Rule 4718.B.];
38 and
39
40 14. Succession of alternates to delegate
41 status and filling of vacancies in
42 delegate positions [Rule 4819].
43
44 C. Each State Party shall provide for a thirty
45 (30) day¹ period of public comment to solicit
46 opinion on the State’s Delegate Selection
47 Plan, Affirmative Action Plan and Outreach
48 and Inclusion Program prior to adoption.
49 All written public comments submitted to
50 the state Democratic Committee shall be
51 submitted along with the plans to the Rules
52 and Bylaws Committee of the Democratic
53 National Committee (“DNC Rules and
54 Bylaws Committee”).
55
56 D. State Delegate Selection Plans, including
57 Affirmative Action Plans and Outreach and
58 Inclusion Programs, shall be submitted to
59 the DNC Rules and Bylaws Committee for
60 approval on or before May 43, 20152019.
61
62 E. The DNC Rules and Bylaws Committee
63 shall act on the proposed plans as soon as
64 practicable, but in no case later than
65 September 4513, 20152019, or four months
66 before the respective State’s first
67 determining step, whichever is earlier. Its
68 decision shall be final and binding.
69
70 F. Implementation of state Affirmative Action
71 Plans and Outreach and Inclusion Programs
72 shall begin no later than September 4513,
73 20152019, or four months before the
74 respective state’s first determining step,
75 whichever is earlier.
76
77 G. State Delegate Selection Plans shall specify
78 the methods and timetable to be followed in
79 selecting members of standing committees
80 of the national convention. These
81 procedures shall be in conformity with the
82 rules to be contained in the Call for the
83 20162020 Convention.
84
85 H. The Democratic National Committee
86 (“DNC”) and the state parties shall publish
87 and make available at no cost their rules, the
88 20162020 National Delegate Selection Rules,
89 and a clear and concise explanation of how
90 Democratic voters can participate in the
91 delegate selection process. The DNC shall
92 prepare and provide at no cost to state
93 parties a clear and concise explanation of
94 the 20162020 Delegate Selection Rules. This
95 shall be done no later than October 1 of the
96 calendar year immediately preceding the
97 calendar year of the national convention.
98

¹ Unless otherwise explicitly specified, reference in these Rules to “day” or “days” means “calendar days.” If the last day of a

period falls on a Saturday, Sunday or a federally recognized holiday, the time shall be extended to the next business day.

Rule 2
Participation

- A. Participation in the delegate selection process shall be open to all voters who wish to participate as Democrats.
1. Democratic voters shall be those persons who publicly declare their Party preference and have that preference publicly recorded.
2. Implementation of this administrative matter shall be delegated to the DNC Rules and Bylaws Committee.
- B. Nothing in these rules shall be interpreted to encourage or permit states with party registration and enrollment, or states that limit participation to Democrats only, to amend their systems to open participation to members of other parties.
- C. State parties shall take all feasible steps to encourage non-affiliated and new voters to register or enroll, to provide simple procedures through which they may do so and to eliminate excessively long waiting periods for voters wishing to register or to change their party enrollment status. ~~In all caucuses or conventions conducted pursuant to these rules, all~~ All Democrats who comply with Rule 2.A., ~~2.A.(1), and 2.A.(2).~~ shall be allowed to participate in the delegate selection process.
- D. At no stage of the delegate selection process shall any person be required, directly or indirectly, to pay a cost or fee as a condition for participating in the delegate selection process. Voluntary contributions to the Party may be made, but under no circumstances shall a contribution be mandatory for participation.
- E. No person shall participate or vote in the nominating process for a Democratic presidential candidate who also participates in the nominating processes of any other party for the corresponding elections.

- F. In accordance with Article Nine, Section 12 of the Charter of the Democratic Party of the United States, votes shall not be taken by secret ballot at any stage of the delegate selection process, including processes leading up to the selection of DNC Members or State Chairs and Vice Chairs, who serve as DNC members by virtue of their office, except that use of such voting by secret ballot may be used in a process that is a state run or state party run primary which constitutes the first determining stage of the delegate election process and in which all individual voters are eligible to participate in accordance with the provisions of this Rule 2.
- G. The casting of ballots over the Internet may be used as a method of voting in a vote only for presidential preference in a State Party-run primary process constituting the first determining stage in the presidential nominating process, and only if such casting of ballots over the Internet:
1. Is used in a system in which voters may cast their ballots in person on the day of such primary process and /or by mail, and in which casting of ballots over the Internet is an alternate means of voting;
2. Is accompanied by a comprehensive, proactive education and outreach program on the use of Internet voting that is set forth in the state's delegate selection plan and approved by the DNC Rules and Bylaws Committee;
3. Is conducted in accordance with a plan approved by the DNC Rules and Bylaws Committee that is included in the state's delegate selection plan, and that provides adequate measures to achieve security, reliability, access to eligible voters and transparency, including contractual and other safeguards to secure exclusive ownership and control by the State Party of voting data;
4. Is accomplished through a system which provides the voter with an

1	opportunity to verify the voter’s ballot	52	<u>7. Use accessible and secure voting</u>
2	and correct any error before the voter’s	53	<u>machines that make it possible for</u>
3	vote is cast; which can be permanently	54	<u>individuals with disabilities to vote</u>
4	maintained by the voter at the voter’s	55	<u>securely and privately.</u>
5	option in paper, electronic or other	56	<u>1.—Promote the acquisition, maintenance</u>
6	form; and which produces a paper	57	<u>and regular replacement of accessible</u>
7	record of the voter’s vote that is	58	<u>precinct based optical scan systems</u>
8	preserved and maintained by the State	59	<u>wherever possible;</u>
9	Party in the event of a manual audit,	60	
10	until the expiration of the time for filing	61	<u>2.—Seek enactment of legislation, rules and</u>
11	an implementation challenge under	62	<u>policies at the state and local level to</u>
12	these Rules.	63	<u>ensure that direct recording electronic</u>
13		64	<u>systems include a voter verified paper</u>
14	H. In states using government run voting	65	<u>record;</u>
15	systems in the delegate selection process,	66	
16	State Delegate Selection Plans shall include	67	<u>3.—Seek enactment of legislation, rules and</u>
17	provable positive steps (as defined in Rule	68	<u>policies at the state and local level to</u>
18	24) a description of actions taken or to be	69	<u>ensure that both optical scan and direct</u>
19	taken by the State Party to seek enactment	70	<u>recording electronic systems include</u>
20	of legislation, rules, and policies at the state	71	<u>recognized security measures such as:</u>
21	and local level to enhance voter and election	72	
22	security, that will: taken or to be taken by the	73	<u>a.—Automatic routine manual audits</u>
23	state party to:	74	<u>comparing paper records to</u>
24		75	<u>electronic records following every</u>
25	<u>1. Maintain secure and accurate state voter</u>	76	<u>election and prior to certification of</u>
26	<u>registration rolls, so that every eligible</u>	77	<u>results where possible;</u>
27	<u>American who registers to vote has their</u>	78	
28	<u>personal information protected and</u>	79	<u>b.—Parallel testing on Election Day;</u>
29	<u>secure;</u>	80	
30		81	<u>c.—Physical and electronic security for</u>
31	<u>2. Implement transparent and accurate</u>	82	<u>equipment;</u>
32	<u>voter registration list maintenance</u>	83	
33	<u>procedures that comply with federal</u>	84	<u>d.—Banning use of wireless components</u>
34	<u>requirements and ensure that every</u>	85	<u>and connections except where</u>
35	<u>eligible voter stays on the rolls;</u>	86	<u>required to provide a voter with a</u>
36		87	<u>disability a secure and approved</u>
37	<u>3. Promote the acquisition, maintenance,</u>	88	<u>means to access voting materials</u>
38	<u>and regular replacement of precinct</u>	89	<u>and exercise the right to vote;</u>
39	<u>based optical scan voting systems;</u>	90	
40		91	<u>e.—Public disclosure of software design;</u>
41	<u>4. Ensure that any direct recording</u>	92	
42	<u>electronic systems in place have a voter</u>	93	<u>f.—Use of transparent and random</u>
43	<u>verified paper record;</u>	94	<u>selection for all auditing procedures;</u>
44		95	
45	<u>5. Implement risk limiting post-election</u>	96	<u>g.—Effective procedures for addressing</u>
46	<u>audits such as manual audits comparing</u>	97	<u>evidence of fraud or error.</u>
47	<u>paper records to electronic records;</u>	98	
48		99	I. Each State Party shall include in its Delegate
49	<u>6. Ensure that all voting systems have</u>	100	Selection Plan a description of steps taken <u>or</u>
50	<u>recognized security measures; and</u>	101	<u>to be taken</u> to assess and improve
51		102	participation with respect to presidential

1 preference and delegate selection contests
2 and procedures.

3
4 1. Such steps shall include establishment
5 with DNC assistance, of year-round
6 voter protection programs. As part of
7 such programs, state parties are
8 encouraged to support educational,
9 administrative, legislative, and litigation
10 based efforts to protect and expand the
11 vote and advance election fairness and
12 security. Such efforts may include the
13 goals set forth below.

14
15 a. Expand access to voting, including
16 by early voting, no excuse
17 absentee, same-day voter
18 registration, and voting by mail;

19
20 b. Ensure that voting locations are
21 accessible, fairly placed, and
22 adequate in number, and have an
23 sufficient number of voting
24 machines;

25
26 c. Speed up the voting process and
27 minimize long lines;

28
29 d. Eliminate onerous and
30 discriminatory voter identification
31 requirements;

32
33 e. Count and include in the final total
34 ballots from voters who are
35 eligible to vote but cast their ballot
36 in the wrong precinct, for offices
37 for which they are eligible to vote;
38 and

39
40 f. Facilitate military and overseas
41 voting.

42
43 2. As part of encouraging participation in
44 the delegate selection process by
45 registered voters, state parties are
46 encouraged to support efforts to make
47 voter registration easier including:

48
49 a. Voter registration modernization,
50 including online voter registration
51 and automatic and same-day
52 registration;

53
54 b. Pre-registration of high school
55 students so that they are already
56 registered once they reach voting
57 age;

58
59 c. Restoration of voting rights to all
60 people who have served the time
61 for their criminal conviction,
62 without requiring the payment of
63 court fees or fines; and

64
65 d. Allow same-day or automatic
66 registration for the Democratic
67 presidential nominating process.

68
69 I. When employing government-run voting
70 systems, it is important for State Parties to
71 resist attempts at voter suppression,
72 disenfranchisement, and ensure an open
73 and inclusive process. These efforts include
74 revising State Party rules and encouraging
75 administrative rules, legislation, or
76 considering litigation to:

77
78 1. Allow same-day party switching for the
79 Democratic presidential nominating
80 process or to achieve state laws that
81 allow voters to switch parties at least as
82 late as the deadline for registering to
83 vote.

84
85 K. While parties are encouraged to use
86 government-run primaries, in states where
87 the State Party chooses to hold a Party-run
88 process to establish presidential preference,
89 the State Party's Delegate Selection Plan
90 shall prevent attempts at voter suppression,
91 disenfranchisement, and ensure an open
92 and inclusive process. Further, the Rules
93 and Bylaws Committee shall determine
94 whether the State Party's Delegate Selection
95 Plan meets the requirements specified in
96 this section, including:

97
98 1. Incorporating mechanisms with
99 reasonable safeguards against error and
100 fraud to vote absentee or vote early;

101
102 1.2. Demonstrating that the State Party has
103 the financial and technical ability to
104 successfully run the process;

- 1
- 2 2.3. Implementing same-day voter
- 3 registration and party-affiliation
- 4 changes at the voting location;
- 5
- 6 4. Creating a process for publicly reporting
- 7 the total statewide and district level
- 8 results for each candidate based on the
- 9 first expression of preference by the
- 10 participants at the first determining
- 11 step, as determined in the State's Plan;
- 12
- 13 3.5. Requiring that the allocation of all
- 14 national delegates, be locked in at the
- 15 final expression of preference at the first
- 16 determining step, as determined by the
- 17 State's Plan, subject to recount;
- 18
- 19 4.6. Ensuring final expressions of preference
- 20 as part of the presidential nominating
- 21 process are securely preserved, in a
- 22 method to be specified in the State's
- 23 Plan, that ensures the availability of a
- 24 prompt and accurate recount or
- 25 recount;
- 26
- 27 5.7. Providing a standard and procedure by
- 28 which a presidential candidate may
- 29 request a recount or recount that is
- 30 paid for by the candidate and carried
- 31 out in a timely manner;
- 32
- 33 6.8. Creating mechanisms that allow voters
- 34 who are unable to be a part of the
- 35 process in person to ~~can~~ participate.
- 36 This can include, but is not limited to
- 37 those serving in the military, those with
- 38 a disability or illness preventing
- 39 participation, those who are not able to
- 40 take time off from work or obtain child
- 41 care, and other reasons; and
- 42
- 43 7.9. Taking appropriate steps to ensure
- 44 voters in party-run processes, like those
- 45 in primary states, have a right to
- 46 participate in the process. These steps
- 47 could include any required rules
- 48 changes and the proper education and
- 49 outreach to ensure accessibility,
- 50 including specifically for people with
- 51 disabilities and for people with limited
- 52 English proficiency in accordance with

53 the Americans With Disabilities Act and
 54 Sections 203 and 208 of the Voting
 55 Rights Act.

Rule 3 Scheduling of Delegate Selection Meetings

- 61 A. All official Party meetings and events
- 62 related to the national convention delegate
- 63 selection process, including caucuses,
- 64 conventions, committee meetings, filing
- 65 dates, and Party enrollment periods, shall
- 66 be scheduled for dates, times and public~~ly~~
- 67 accessible places which would be most
- 68 likely to encourage the participation of all
- 69 Democrats, and must begin and end at
- 70 reasonable hours. It shall be the
- 71 responsibility of the State Party to select the
- 72 dates, times and to ~~provide~~locate and
- 73 confirm the availability of publicly
- 74 accessible facilities for all official party
- 75 meetings and events related to the national
- 76 convention delegate selection process.
- 77
- 78 B. All such meetings or events which are the
- 79 first meeting or event in the delegate
- 80 selection process shall be scheduled at times
- 81 and dates which are uniform throughout
- 82 the state, except where it is established by
- 83 the State Party and approved by the DNC
- 84 Rules and Bylaws Committee that such
- 85 uniform times and dates would significantly
- 86 reduce participation in the delegate
- 87 selection process.
- 88
- 89 C. The times, dates, places, and rules for the
- 90 conduct of all caucuses, conventions,
- 91 meetings and other events involved in the
- 92 delegate selection process shall be
- 93 effectively publicized by the Party
- 94 organization, official, candidate or member
- 95 calling the same.
- 96
- 97 D. Concise statements in advance of all
- 98 meetings and events concerning the
- 99 relationship between the business to be
- 100 conducted and the delegate selection
- 101 process shall be effectively publicized by the
- 102 Party organization, official, candidate or
- 103 member calling the same.

1
2 E. No person shall participate in more than
3 one meeting which is the first ~~meeting~~
4 determinative step in the delegate selection
5 process.

6
7 **Rule 4**
8 **An Open Party**

9
10 A. The Democratic National Committee
11 reaffirms its commitment to the 1964
12 resolution, and requires the national and
13 state parties to incorporate the Six Basic
14 Elements, as updated, into their Party rules
15 and to take appropriate steps to secure their
16 implementation.

17
18 B. The 1964 Democratic National Convention
19 adopted a resolution which conditioned the
20 seating of delegates at future conventions
21 on the assurances that discrimination in any
22 State Party affairs on the ground of race,
23 color, creed or national origin did not occur.
24 The 1968 Convention adopted the 1964
25 Convention resolution for inclusion in the
26 Call for the 1972 Convention. In 1966, the
27 Special Equal Rights Committee, which had
28 been created in 1964, adopted six anti-
29 discrimination standards – designated as
30 the Six Basic Elements. As our Party strives
31 to progress in the fight against
32 discrimination of all kinds, these Six Basic
33 Elements have evolved and grown along
34 with the constant push for more inclusion
35 and empowerment. These working
36 principles which, as updated, are as follows:

- 37
38 1. All public meetings at all levels of the
39 Democratic Party in each state should be
40 open to all members of the Democratic
41 Party regardless of race, sex, age, color,
42 creed, national origin, religion, ethnic
43 identity, sexual orientation, gender
44 identity and expression, economic status
45 or ~~physical~~ disability (hereinafter
46 collectively referred to as “status”).
47
48 2. No test for membership in, nor any
49 oaths of loyalty to, the Democratic Party
50 in any state should be required or used
51 which has the effect of requiring

52 prospective or current members of the
53 Democratic Party to acquiesce in,
54 condone or support discrimination
55 based on “status.”
56

57 3. The time and place for all public
58 meetings of the Democratic Party on all
59 levels should be publicized fully and in
60 such manner as to assure timely notice
61 to all interested persons. Such meetings
62 must be held in places accessible to all
63 Party members and large enough to
64 accommodate all interested persons.
65

66 4. The Democratic Party, on all levels,
67 should support the broadest possible
68 registration without discrimination
69 based on “status.”
70

71 5. The Democratic Party in each state
72 should publicize fully and in such a
73 manner as to assure notice to all
74 interested parties a full description of
75 the legal and practical procedures for
76 selection of Democratic Party officers
77 and representatives on all levels.
78 Publication of these procedures should
79 be done in such fashion that all
80 prospective and current members of
81 each State Democratic Party will be fully
82 and adequately informed of the
83 pertinent procedures in time to
84 participate in each selection procedure
85 at all levels of the Democratic Party
86 organization. Each State Party should
87 develop a strategy to provide education
88 programs directly to voters who
89 continue to experience confusing
90 timelines for registration, changing
91 party affiliation deadlines, or lack of
92 awareness of the process for running for
93 delegate, to ensure all Democratic voters
94 understand the rules and timelines and
95 their impact on voter participation.
96

97 6. The Democratic Party in each state
98 should publicize fully and in such a
99 manner as to assure notice to all
100 interested parties a complete description
101 of the legal and practical qualifications
102 of all positions as officers and
103 representatives of the state Democratic

1 Party. Such publication should be done
2 in timely fashion so that all prospective
3 candidates or applicants for any elected
4 or appointed position within each State
5 Democratic Party will have full and
6 adequate opportunity to compete for
7 office.

8
9 C. These provisions demonstrate the intention
10 of the Democratic Party to ensure a full
11 opportunity for all "status" (as defined in
12 Rule 4.B.(1)) members to participate in the
13 delegate selection process.

14
15 **Rule 5**
16 **Non-Discrimination**

17
18 A. In order that the Democratic Party at all
19 levels be an open Party which includes
20 rather than excludes people from
21 participation, a program of effective
22 affirmative action and inclusion is hereby
23 adopted.

24
25 B. Discrimination on the basis of "status" in
26 the conduct of Democratic Party affairs is
27 prohibited.

28
29 C. In order to continue the Democratic Party's
30 ongoing efforts to include groups
31 historically under-represented in the
32 Democratic Party's affairs, by virtue of race,
33 sex, age, color, creed, national origin,
34 religion, ethnic identity, sexual orientation,
35 gender identity and expression, economic
36 status or disability ~~race, ethnicity, age,~~
37 ~~sexual orientation, gender identity or~~
38 ~~disability~~, each State Party shall develop
39 and submit Party outreach programs,
40 including recruitment, education and
41 training, in order to achieve full
42 participation by such groups and diversity
43 in the delegate selection process and at all
44 levels of Party affairs.

46
47
48 **Rule 6**
49 **Affirmative Action**

50 A. The promises of a democratically elected
51 government and the right to vote have not
52 always been extended equally to all
53 Americans. Historically, certain groups of
54 Americans have been explicitly denied the
55 right to vote or have been subjected to
56 discriminatory and exclusionary practices
57 with the intended effect of denying them
58 voting rights. In recognition of this past
59 history of discriminatory denial of the
60 franchise and in order to encourage full
61 participation by all Democrats in the
62 delegate selection process and in all Party
63 affairs, the national and state Democratic
64 Parties shall adopt and implement
65 affirmative action programs with specific
66 goals and timetables for African Americans,
67 Hispanics, Native Americans, Asian
68 Americans and Pacific Islanders and
69 women.

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1. The goal of such affirmative action shall be to achieve participation in the delegate selection process and in Party organizations at all levels by the aforementioned groups as indicated by their presence in the Democratic electorate.
 2. This goal shall not be accomplished either directly or indirectly by the Party's imposition of mandatory quotas at any level of the delegate selection process or in any other Party affairs.
 3. In the selection of each state's at-large delegation, priority of consideration shall be given to African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women, if such priority of consideration is needed to fulfill the affirmative action goals outlined in the state's Delegate Selection Plan. Such remedial action is necessary in order to overcome the effects of past discrimination. Use of the at-large delegation to fulfill the plan's affirmative action goals does not obviate

1 the need for the State Party to conduct
2 outreach activities such as recruitment,
3 education and training. Priority of
4 consideration shall also be given to
5 other groups as described in Rule 5.(C),
6 which are under-represented in
7 Democratic Party affairs, in order to
8 assist in the achievement of full
9 participation by these groups.

10
11 4. The DNC will work with the State Party
12 to ascertain the demographic make-up
13 of the aforementioned groups of the
14 state's Democratic electorate.

15
16 B. Performance under an approved
17 Affirmative Action Plan and Outreach and
18 Inclusion Program and composition of the
19 convention delegation shall be considered
20 relevant evidence in the challenge to any
21 state delegation. If a State Party has
22 adopted and implemented an approved
23 affirmative action program, the State Party
24 shall not be subject to challenge based solely
25 on delegation composition or primary
26 results.

27
28 C. State Delegate Selection Plans shall provide
29 for equal division between delegate men
30 and delegate women and alternate men and
31 alternate women within the state's entire
32 convention delegation (determined by
33 gender-self-identification). For purposes of
34 this rule, the entire delegation includes all
35 pledged delegates and alternates and
36 ~~unpledged~~automatic delegates (including
37 ~~unpledged~~automatic party leaders and
38 elected official delegates). In the case of
39 gender non-binary delegates, they shall not
40 be counted as either a male or female, and
41 the remainder of the delegation shall be
42 equally divided by gender.

43
44 1. State Delegate Selection Plans shall, as
45 far as mathematically practicable, also
46 provide for equal division between
47 district-level delegate men and delegate
48 women and district-level alternate men
49 and alternate women, as described in
50 Rule 6.C.
51

52 2. The DNC Rules and Bylaws Committee
53 shall have continuing jurisdiction to
54 ensure compliance with this equal
55 division requirement. No at-large
56 delegate or alternate from a state shall
57 be placed on the temporary roll of the
58 2016~~2020~~ Democratic National
59 Convention unless the Rules and
60 Bylaws Committee has certified to the
61 Secretary of the Democratic National
62 Committee that such state's delegation
63 complies with this equal division rule.
64 It shall be the duty of the DNC Rules
65 and Bylaws Committee to determine
66 such compliance as soon as practicable
67 following the certification of the state's
68 at-large delegates and alternates.

69
70 3. Notwithstanding sub-paragraph A.(2)
71 above, equal division at any level of
72 delegate or committee positions
73 between delegate men and delegate
74 women or committeemen and
75 committeewomen shall not constitute a
76 violation of any provision thereof.

77
78 D. For purposes of providing adequate notice
79 of the delegate selection process under Rule
80 3, the times, dates, places and rules for the
81 conduct of all caucuses, conventions,
82 meetings and other events involved in the
83 delegate selection process shall be
84 effectively publicized, multilingually where
85 necessary, to encourage the participation of
86 minority groups.

87
88 E. State Democratic Parties shall ensure that
89 district lines used in the delegate selection
90 process are not gerrymandered to
91 discriminate against African Americans,
92 Hispanics, Native Americans, Asian
93 Americans and Pacific Islanders or women.

94
95 F. Each state Affirmative Action Plan shall
96 provide for the appointment of a
97 representative state Affirmative Action
98 Committee by March 21, 2015~~2019~~. Before
99 the State Party submits its Plan to the DNC
100 Rules and Bylaws Committee, the
101 Affirmative Action Committee shall review
102 the proposed outreach program required in
103 Rule 5.C.

1
2 G. Each State Affirmative Action Plan shall
3 include outreach provisions to encourage
4 the participation and representation of
5 persons of low and moderate income, and a
6 specific plan to help defray expenses of
7 those delegates otherwise unable to
8 participate in the national convention.
9

10 H. State Parties in their Delegate Selection
11 Plans shall impose reasonable specific
12 Affirmative Action and Inclusion
13 obligations upon presidential candidates
14 consistent with the delegate selection
15 system employed by the state.
16

17 1. State Parties shall require presidential
18 candidates to submit statements that
19 specify what steps such candidates will
20 take to encourage full participation in
21 their delegate selection process,
22 including, but not limited to, procedures
23 by which persons may file as candidates
24 for delegate or alternate. Provided
25 further that presidential candidates
26 submit such full participation
27 statements to the DNC Rules and
28 Bylaws Committee at the same time
29 they are submitted to state parties.
30

31 2. State Parties shall require presidential
32 candidates to submit demographic
33 information with respect to candidates
34 for delegate and alternate pledged to
35 them.
36

37 I. Each State Party shall certify to the Rules
38 and Bylaws Committee whether each
39 presidential candidate (including
40 uncommitted status) has used best efforts to
41 ensure that their respective delegations at
42 each level within a state's delegation shall
43 fulfill the requirements of Rule 6 and Rule 7
44 established by the state's Delegate Selection
45 Plan and that the respective delegations of
46 each presidential candidate within the
47 state's delegation shall be equally divided
48 between men and women (as described in
49 Rule 6.C).
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Rule 7

Outreach and Inclusion Programs

The Democratic National Committee recognizes that other groups of Americans in addition to those described in Rule 6 may be under-represented in Party affairs. These groups include members of the LGBT~~Q~~⁺ community, people with disabilities, and youth. The National and State Parties shall adopt and implement Outreach and Inclusion Programs in order to achieve the full participation of members of these and other groups in the delegate selection process and in all party affairs, as indicated by their presence in the Democratic electorate. The DNC will work with the State Party to ascertain the presence of these groups in the State's Democratic electorate. As is already the practice in ~~most~~^{some} states, State Parties should use goals to achieve these ends; however, in no event may such participation be accomplished by the use of quotas.

Rule 8

National Convention Delegate Apportionment

- A. Apportionment of district-level delegates within states shall be based on one of the following:
1. A formula giving equal weight to total population and to the average of the vote for the Democratic candidates in the two most recent presidential elections;
 2. A formula giving equal weight to the vote for the Democratic candidates in the most recent presidential and gubernatorial elections;
 3. A formula giving equal weight to the average of the vote for the Democratic candidates in the two most recent presidential elections and to Democratic Party registration or enrollment as of January 1, ~~2016~~²⁰²⁰; or

4. A formula giving one-third (1/3) weight to each of the formulas in items (1), (2), and (3).

B. Apportionment for each body selecting delegates to state, district, and county conventions shall be based upon population and/or some measure of Democratic strength.

C. The Call for the 2016~~2020~~ Convention shall state the base delegation for each delegation. Seventy-five percent (75%) of each state's base delegation shall be elected at the congressional district level or smaller. Twenty-five percent (25%) of each state's base delegation shall be elected at large. Delegates so elected shall hereafter be termed "district-level" and "at-large" delegates, respectively. Each State Democratic Chair shall certify all delegates in writing to the Secretary of the DNC.

D. In those states with more than one congressional district, after the election of district-level delegates and prior to the selection of at-large delegates, each State Democratic Chair shall certify pledged party leader and elected official delegates equal to 15% of the state's base delegation selected pursuant to Rule 9~~10~~.

E. The election of district-level and at-large delegates and alternates may take place at the same meeting, provided that district-level delegates are selected first. In states with one congressional district the election of delegates selected in accordance with Rules 8.B., 8.C., and 9~~10~~.A., may be conducted simultaneously. In all cases, affirmative action, inclusion and fair reflection guidelines must be met and the Democratic Chair of each such state shall make the certifications required by subsection 8.D.

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Rule 9 **Automatic Unpledged-Party Leaders and Elected Official Delegates**

~~A.~~—The procedure to be used for certifying ~~automatic unpledged~~ party leader and elected official delegates is as follows:

Not later than March 16, 2016~~2020~~, the Secretary of the Democratic National Committee shall officially confirm to each State Democratic Chair the names of the following ~~unpledged~~automatic delegates who legally reside in their respective state and who shall be recognized as part of their state's delegation unless any such member has publicly expressed support for the election of, or has endorsed, a presidential candidate of another political party:

1. The individuals recognized as members of the DNC (as set forth in Article Three, Sections 2 and 3 of the Charter of the Democratic Party of the United States); and,
2. The Democratic President and the Democratic Vice President of the United States, if applicable; and,
3. All Democratic members of the United States House of Representatives and all Democratic members of the United States Senate; and,
4. The Democratic Governor, if applicable; and,
5. All former Democratic Presidents, all former Democratic Vice Presidents, all former Democratic Leaders of the U.S. Senate, all former Democratic Speakers of the U.S. House of Representatives and Democratic Minority Leaders, as applicable, and all former Chairs of the Democratic National Committee.

B. Except as provided in 9.A. above, no person shall serve as an automatic delegate at any

1 level of the delegate selection process by
2 virtue of holding a public or party office.

3
4 **Rule 10**
5 **Pledged Party Leaders and**
6 **Elected Official Delegates**

7
8 A. Following the selection of district-level
9 delegates under 8.E., pledged party leader
10 and elected official delegates are to be
11 selected subject to the following procedures:

12
13 1. Persons shall be considered for pledged
14 party leader and elected official
15 delegates and alternates according to
16 the following priority: big city mayors
17 and state-wide elected officials to be
18 given equal consideration; state
19 legislative leaders, state legislators, and
20 other state, county and local elected
21 officials and party leaders.

22
23 2. These slots shall be allocated on the
24 same basis as the state’s at-large
25 delegates.

26
27 3. If persons eligible for pledged party
28 leader and elected official delegate
29 positions have not made known their
30 presidential preference under the
31 procedures established by the state
32 pursuant to Rule ~~12-13~~ for candidates
33 for district-level and at-large delegate
34 positions, their preferences shall be
35 ascertained through alternative
36 procedures established by the State
37 Party, which shall require a signed
38 pledge of support for a presidential
39 candidate. Such an alternative system
40 shall have a final deadline for
41 submitting a pledge of support after the
42 selection of all district-level delegates
43 has been completed and must provide
44 an opportunity for disapproval by the
45 presidential candidate or the candidate’s
46 authorized representative.

47
48 B. A state’s party leader and elected official
49 delegates may be chosen by a state
50 convention or by a committee consisting of
51 a quorum of district-level delegates. They

52 may also be chosen by the State Party
53 Committee, as recognized by the
54 Democratic National Committee, but only if
55 the state’s Delegate Selection Plan is in full
56 compliance with these rules, and provided:

- 57
58 1. Membership on the State Party
59 Committee is apportioned on the basis
60 of population and/or some measure of
61 Democratic strength;
62
63 2. Members of the State Party Committee
64 have been elected through open
65 processes in conformity with the basic
66 procedural guarantees utilized for
67 delegate selection;
68
69 3. Such delegates are elected at a public
70 meeting subsequent to the election of
71 district-level delegates;
72
73 4. Members of the State Party Committee
74 exercising such authority shall have
75 been elected no earlier than the calendar
76 year of the previous national
77 convention; and
78
79 5. Membership of the State Party
80 Committee complies with the equal
81 division requirements of Article 9,
82 Section 16 of the Charter of the
83 Democratic Party of the United States.

84
85 **Rule 1011**
86 **Selection of At-Large**
87 **Delegates**

88
89 A. The selection of at-large delegates shall be
90 used, if necessary, to achieve the equal
91 division of positions between men and
92 women and the representation goals
93 established in the State Party’s Affirmative
94 Action Plan and Outreach and Inclusion
95 Program. Such goals apply to the state’s
96 entire delegation considered as a whole.
97 For purposes of this rule, the entire
98 delegation includes all unpledgedautomatic
99 as well as all pledged delegates. Delegates
100 and alternates shall each, as a group, be
101 equally divided and, to the extent possible,
102 each as a group shall reflect the

1 representation goals established in the
2 state's Affirmative Action Plan and
3 Outreach and Inclusion Program.

4
5 B. A state's at-large delegates and alternates
6 shall be selected by one of the bodies,
7 subject to the same conditions specified in
8 Rule ~~9~~10.B, above, provided, however, the
9 State Party Committee may choose such
10 delegates and alternates only if the state's
11 Delegate Selection Plan is in full compliance
12 with these rules.

13
14 C. At-large delegates and alternates (including
15 pledged party leader and elected official
16 delegates, which shall include those to be
17 allocated to uncommitted status) in primary
18 states shall be allocated according to the
19 state-wide primary vote or, in states holding
20 no state-wide primary, according to the
21 division of preferences among convention
22 and caucus participants. In non-primary
23 states which do not hold state conventions
24 authorized to elect delegates, at-large
25 delegates shall be apportioned according to
26 the division of preferences among district-
27 level delegates at the time of district-level
28 selection. If a presidential candidate
29 entitled to an allocation under this rule is no
30 longer a candidate at the time at-large
31 delegates are selected, his/her allocation
32 shall be proportionately divided among the
33 other preferences entitled to an allocation.

34
35 **Rule ~~11~~12**
36 **Timing of the Delegate**
37 **Selection Process**

38
39 A. No meetings, caucuses, conventions or
40 primaries which constitute the first
41 determining stage in the presidential
42 nomination process (the date of the primary
43 in primary states, and the date of the first
44 tier caucus in caucus states) may be held
45 prior to the first Tuesday in March or after
46 the second Tuesday in June in the calendar
47 year of the national convention. Provided,
48 however, that the Iowa precinct caucuses
49 may be held no earlier than 29 days before
50 the first Tuesday in March; that the New
51 Hampshire primary may be held no earlier

52 than 21 days before the first Tuesday in
53 March; that the Nevada first-tier caucuses
54 may be held no earlier than 10 days before
55 the first Tuesday in March; and that the
56 South Carolina primary may be held no
57 earlier than 3 days before the first Tuesday
58 in March. ~~In no instance may a state which~~
59 ~~scheduled delegate selection procedures on~~
60 ~~or between the first Tuesday in March and~~
61 ~~the second Tuesday in June 1984 move out~~
62 ~~of compliance with the provisions of this~~
63 ~~rule.~~

64
65 B. All steps in the delegate selection process,
66 including the filing of presidential
67 candidates, must take place within the
68 calendar year ~~twelve months~~ of the
69 Democratic National Convention (except as
70 otherwise provided in these rules or
71 specifically allowed by the DNC Rules and
72 Bylaws Committee).

73
74 **Rule ~~12~~13**
75 **Presidential Preference**

76
77 A. All candidates for delegate and alternate in
78 caucuses, conventions, committees and on
79 primary ballots shall be identified as to
80 presidential preference or uncommitted
81 status at all levels of a process which
82 determines presidential preference.
83 Candidates may state a preference for only
84 one presidential candidate, including
85 uncommitted at any time. In no case shall a
86 candidate for delegate or alternate indicate
87 more than one such presidential preference
88 at each level.

89
90 B. All persons wishing to be elected to a
91 district-level or at-large delegate position
92 must file a statement of candidacy
93 designating the presidential or
94 uncommitted preference of the delegate
95 candidate and a signed pledge of support
96 for the presidential candidate (including
97 uncommitted status) the person favors, if
98 any, with the State Party by a date certain as
99 specified in the state's Delegate Selection
100 Plan. Persons wishing to be elected as
101 pledged party leader and elected official
102 delegates shall comply with Rule ~~9~~10.B.(3).

1		53	
2	C. All candidates considered for district-level	54	4. Presidential candidates or their
3	alternate positions must meet the same	55	authorized representatives shall not be
4	requirements as candidates for district-level	56	required to exercise their right of
5	delegate positions, except that the state may	57	candidate approval with respect to at-
6	allow candidates who were not chosen at	58	large delegate candidates until such
7	the delegate level to be considered at the	59	time after the pledged party leader and
8	alternate level.	60	elected official (PLEO) delegates have
9		61	been elected.
10	D. Prior to the selection of national convention	62	E. National convention delegate and alternate
11	delegates and alternates, the State Party	63	candidates removed from the list of bona
12	shall convey to the presidential candidate,	64	fide supporters by a presidential candidate,
13	or that candidate's authorized	65	or that candidate's authorized
14	representative(s), a list of all persons who	66	representative(s), may not be elected as a
15	have filed for delegate or alternate positions	67	delegate or alternate at that level pledged to
16	pledged to that presidential candidate. All	68	that presidential candidate (including
17	such delegate and alternate candidates shall	69	uncommitted status).
18	be considered bona fide supporters of the	70	
19	presidential candidate whom they have	71	1. Presidential candidates may not remove
20	pledged to support, unless the presidential	72	any candidate for a district-level
21	candidate, or that candidate's authorized	73	delegate or alternate position from the
22	representative(s), signifies otherwise in	74	list of bona fide supporters unless, at a
23	writing to the State Party by a date certain	75	minimum, three (3) names remain for
24	as specified in the state's Delegate Selection	76	every such position to which the
25	Plan.	77	presidential candidate is entitled.
26		78	Provided, however, that in states where
27	1. Presidential candidates shall certify in	79	individual district-level delegates and
28	writing to the Democratic State Chair	80	alternates are voted upon on a primary
29	the name(s) of their authorized	81	ballot, the presidential candidate, or that
30	representative(s) by a date certain.	82	candidate's authorized
31		83	representative(s), may approve a
32	2. In states where delegates are voted	84	number of delegate candidates or
33	upon on the ballot, the date by which	85	alternate candidates equal to or greater
34	the presidential candidate, or that	86	than the number of delegates or
35	candidate's authorized	87	alternates allocated to the district.
36	representative(s), signifies approval or	88	
37	disapproval of the list of delegate and	89	2. Presidential candidates (including
38	alternate candidates in writing to the	90	uncommitted status), in consultation
39	State Party as required by Rule 12 <u>13</u> .D.,	91	with the State Party, may remove any
40	must allow sufficient time to ensure that	92	candidate for at-large and pledged party
41	names removed from the list do not	93	leader and elected official delegate or
42	appear on the ballot.	94	alternate position from the list of bona
43		95	fide supporters as long as, at a
44	3. Presidential candidates or their	96	minimum, one (1) name remains for
45	authorized representatives shall not be	97	every national convention delegate or
46	required to exercise their right of	98	alternate position to which the
47	candidate approval with respect to	99	presidential candidate is entitled, except
48	pledged party leader and elected official	100	that a state may provide in its delegate
49	(PLEO) delegate candidates until such	101	selection plan, if the plan is approved by
50	time after the district-level delegates	102	the Rules and Bylaws Committee, that
51	have been elected.	103	presidential candidates (including
52		104	uncommitted status), may remove any

- 1 candidate for an at-large and party
2 leader and elected official delegate or
3 alternate position from the list of bona
4 fide supporters as long as, at a
5 minimum, two (2) names remain for
6 every position to which the presidential
7 candidate is entitled.
- 8
- 9 F. State parties shall ensure that state Delegate
10 Selection Plans provide fair and adequate
11 time for persons to file for delegate or
12 alternate positions, and for presidential
13 candidates, or their authorized
14 representative(s), to review the list of
15 persons who have filed, and to remove from
16 that list persons not confirmed by the
17 presidential candidate or his/her
18 representative(s) as bona fide supporters of
19 the presidential candidate.
- 20
- 21 G. Except in states where individual delegates
22 and alternates are selected on the primary
23 ballot, district-level national convention
24 delegates and alternates pledged to a
25 presidential candidate (including
26 uncommitted status) shall be selected or
27 nominated by a caucus of persons from the
28 unit electing the delegates and alternates
29 who sign statements of support for that
30 presidential candidate. Uncommitted
31 delegates and alternates shall be elected by
32 the uncommitted caucus from the
33 appropriate unit.
- 34
- 35 H. A district-level delegate and alternate
36 candidate may run for election only within
37 the district in which he or she is registered
38 to vote. For purposes of these rules, all
39 delegates and alternates at any level of the
40 delegate selection process must be bona fide
41 Democrats (which shall include being
42 registered as a Democrat in states that
43 permit Democratic Party registration) who
44 have the interests, welfare and success of
45 the Democratic Party of the United States at
46 heart, who subscribe to the substance, intent
47 and principles of the Charter and the
48 Bylaws of the Democratic Party of the
49 United States, and who will participate in
50 the Convention in good faith.
- 51
- 52 I. No delegate at any level of the delegate
53 selection process shall be mandated by law
54 or Party rule to vote contrary to that
55 person's presidential choice as expressed at
56 the time the delegate is elected.
- 57
- 58 J. Delegates elected to the national convention
59 pledged to a presidential candidate shall in
60 all good conscience reflect the sentiments of
61 those who elected them.
- 62
- 63 K. 1. Based on the right of the Democratic
64 Party to freely assemble and to
65 determine the criteria for its candidates,
66 it is determined that all candidates for
67 the Democratic nomination for
68 President or Vice President shall:
- 69
- 70 a. be registered to vote, and shall
71 have been registered to vote in the
72 last election for the office of
73 President and Vice President; and
- 74
- 75 ~~b. have demonstrated a commitment~~
76 ~~to the goals and objectives of the~~
77 ~~Democratic Party as determined~~
78 ~~by the National Chair and will~~
79 ~~participate in the Convention in~~
80 ~~good faith.~~
- 81
- 82 b. as determined by the National
83 Chairperson of the Democratic
84 National Committee, be a bona
85 fide Democrat whose record of
86 public service, accomplishment,
87 public writings, and/or public
88 statements affirmatively
89 demonstrates that the candidate is
90 faithful to the interests, welfare,
91 and success of the Democratic
92 Party of the United States at heart,
93 who subscribes to the substance,
94 intent, and principles of the
95 Charter and the Bylaws of the
96 Democratic Party of the United
97 States, and who will participate in
98 the Convention in good faith.
- 99
- 100 2. It is further determined that these
101 requirements are in addition to the
102 requirements set forth by the United

1 States Constitution and any law of the
2 United States.

3
4 **Rule 1314**
5 **Fair Reflection of Presidential**
6 **Preferences**

7
8 A. Delegates shall be allocated in a fashion that
9 fairly reflects the expressed presidential
10 preference or uncommitted status of the
11 primary voters or, if there is no binding
12 primary, the convention and/or caucus
13 participants.

14
15 B. States shall allocate district-level delegates
16 and alternates in proportion to the
17 percentage of the primary or caucus vote
18 won in that district by each preference,
19 except that preferences falling below a
20 fifteen percent (15%) threshold shall not be
21 awarded any delegates. Subject to section F.
22 of this rule, no state shall have a threshold
23 above or below fifteen percent (15%). States
24 which use a caucus/convention system,
25 shall specify in their Delegate Selection
26 Plans the caucus level at which such
27 percentages shall be determined.

28
29 C. A presidential candidate or his/her
30 authorized representative(s) should act in
31 good faith to slate delegate and alternate
32 candidates, however, in any event, if a
33 presidential candidate (including
34 uncommitted status) has qualified to receive
35 delegates and alternates but has failed to
36 slate a sufficient number of delegate and
37 alternate candidates, then additional
38 delegates and alternates for that preference
39 will be selected in a special post-primary
40 procedure. The State Party will administer
41 special post-primary procedures according
42 to rules approved by the DNC Rules and
43 Bylaws Committee and such procedures
44 should be set forth in the state's delegate
45 selection plan, where applicable.

46
47 D. District-level delegates and alternates shall
48 be allocated according to the following
49 procedures:
50

51 Step 1: Tabulate the percentage of the vote
52 that each presidential preference
53 (including uncommitted status)
54 receives in the congressional district
55 to three decimals.

56
57 Step 2: Retabulate the percentage of the
58 vote to three decimals, received by
59 each presidential preference
60 excluding the votes of presidential
61 preferences whose percentage in
62 Step 1 falls below 15%.

63
64 Step 3: Multiply the number of delegates to
65 be allocated by the percentage
66 received by each presidential
67 preference.

68
69 Step 4: Delegates shall be allocated to each
70 presidential preference based on the
71 whole numbers which result from
72 the multiplication in Step 3.

73
74 Step 5: Remaining delegates, if any, shall be
75 awarded in order of the highest
76 fractional remainders in Step 3.

77
78 E. At-large and pledged party leader and
79 elected official delegate and alternate
80 positions shall be allocated to presidential
81 preferences by reference to primary or
82 convention votes or to the division of
83 preference among district-level delegates or
84 alternates, as the case may be, as specified in
85 Rule 1011.C., except that a preference falling
86 below a threshold of fifteen percent (15%)
87 shall not be awarded any delegates or
88 alternates at this level. Such delegates and
89 alternates in primary states shall be
90 allocated to presidential preference
91 (including uncommitted status) according
92 to the statewide primary vote.

93
94 F. In all situations where no preference reaches
95 the applicable threshold, the threshold shall
96 be half the percentage of the vote received
97 at each level of the delegate selection
98 process by the front-runner, minus 10%.

99
100 ~~G. Under no circumstances shall the use of~~
101 ~~single-delegate districts be permitted.~~
102

1 H.G. For the purpose of fairly reflecting the
2 division of preferences, the non-binding
3 advisory presidential preference portion of
4 primaries shall not be considered a step in
5 the delegate selection process and is
6 considered detrimental. State Parties must
7 take steps to educate the public that a non-
8 binding presidential preference event is
9 meaningless, and State Parties and
10 presidential candidates should take all steps
11 possible not to participate.

- 12
13 1. In a state that uses a caucus and/or
14 convention to determine presidential
15 preference of voters, the plan must
16 provide for the timely reporting of the
17 election results to the State Party.

18
19 **Rule 1415**
20 **Petition Requirements and**
21 **Filing Deadlines**

22
23 A. If a state requires the filing of petitions with
24 the signatures of registered/enrolled voters
25 as the sole method to place a presidential
26 candidate's name on the primary ballot in
27 connection with the Democratic presidential
28 nominating process, such number of valid
29 signatures shall not exceed 5,000.

30
31 B. No fee in excess of \$2,500 may be charged
32 (either to a presidential campaign or State
33 Party) as the sole method to place a
34 presidential candidate on the ballot in
35 connection with the Democratic presidential
36 nominating process. If state law requires
37 such a fee in excess of \$2,500, such law was
38 in place prior to 2018, and a State Party has
39 taken provable, positive steps to change
40 such law, then a State Party may seek a
41 waiver of this provision to charge such a fee
42 to presidential campaigns.

43 ~~B. If a state requires the payment of a fee by a~~
44 ~~presidential candidate in connection with~~
45 ~~the Democratic presidential nominating~~
46 ~~process, such fee shall not exceed \$2,500.~~

47
48 C. If a state requires the filing of a petition with
49 the signatures of registered/enrolled voters
50 in order to have a delegate/alternate
51 candidate gain access to the primary ballot

52 in connection with the Democratic
53 presidential nominating process, the
54 number of valid signatures shall not exceed
55 either one half of one percent (.5%) of the
56 registered/enrolled Democrats in such
57 district or one half of one percent (.5%) of
58 the total votes in such district for all
59 Democratic presidential candidates
60 (including uncommitted) during the
61 immediately preceding presidential
62 nominating process, whichever is lower, but
63 in no event shall the number of valid
64 signatures required exceed 500.

65
66 D. Subject to the prior sections of this rule, the
67 number of valid signatures required of a
68 presidential candidate to file a petition to
69 gain access to the primary ballot, and the
70 number of valid signatures required of a
71 delegate/alternate candidate to gain access
72 to the primary ballot, and the fees required
73 to be paid to the state by a presidential
74 candidate and by a delegate/alternate
75 candidate to gain access to the primary
76 ballot, in connection with the Democratic
77 presidential nominating process, shall not
78 exceed those in effect in the particular state
79 as of January 1, 1994.

80
81 E. No deadline for the filing of petitions for
82 participation in the presidential nomination
83 process by a presidential candidate shall be
84 less than 30 days in advance of the primary
85 or caucus nor more than 75 days in advance
86 of the primary or caucus.

87
88 F. No candidate for delegate or alternate shall
89 be required to file a statement of candidacy
90 or a pledge of support as required by Rule
91 ~~1213~~.B. prior to 30 days before such delegate
92 or alternate candidate is to be selected or
93 elected in a primary, caucus or pre-primary
94 caucus; provided, however, that in states
95 holding a presidential primary where
96 individual district-level delegates or
97 alternates are to be voted upon on the ballot,
98 no candidate for delegate or alternate shall
99 be required to submit or file a statement of
100 candidacy or a pledge of support prior to 90
101 days before the date on which they are to be
102 voted upon.
103

- 1 G. No candidate for at-large or pledged party
- 2 leader and elected official delegate or
- 3 alternate shall be required to file a statement
- 4 of candidacy or a pledge of support
- 5 required by Rule ~~12~~13.B. prior to 30 days
- 6 before the date when the delegate or
- 7 alternate is to be selected or voted upon.
- 8
- 9 H. No state’s delegate selection rules may
- 10 require the filing of district-level delegate or
- 11 alternate candidates pledged to a
- 12 presidential candidate or uncommitted
- 13 status as a condition of access by a
- 14 presidential candidate to the primary ballot
- 15 for voting upon presidential preference.

51 votes in accordance with the will of a

52 majority of the body, shall not be used at

53 any stage of the delegate selection process.

- 54
- 55 B. Any individual or group of Democrats may
- 56 sponsor or endorse a slate of candidates for
- 57 convention delegates. But no slate may, by
- 58 virtue of such endorsement, receive a
- 59 preferential place on a delegate selection
- 60 ballot or be publicly identified on the ballot
- 61 as the official Democratic Party organization
- 62 slate, and all slates must meet identical
- 63 qualifying requirements for appearing on a
- 64 ballot at all levels of the delegate selection
- 65 process.

16

17 **Rule 1516**

18 **Quorum Requirements**

19

20 No less than forty percent (40%) of the members

21 of any Party body above the first level of the

22 delegate selection process shall constitute a

23 quorum for any business pertaining to the

24 selection of convention delegates.

25

26 **Rule 1617**

27 **Proxy Voting**

28

29 To insure full participation in the delegate

30 selection process, State Party rules may, at their

31 discretion, provide for proxy voting. Such rules

32 shall allow an accredited participant in a

33 caucus, convention or committee meeting, after

34 having ~~appeared at such meeting and having~~

35 established credentials, to register the non-

36 transferable proxy with another duly accredited

37 participant at that meeting (except where an

38 accredited alternate is present and eligible to

39 serve as a replacement). Unless otherwise

40 specified, a proxy shall be deemed to be general

41 and uninstructed. No such rule shall allow a

42 person to hold more than ~~three~~ one (1) proxies

43 proxy at a time.

44

45 **Rule 1718**

46 **Unit Rule and Slate-Making**

- 47
- 48 A. The unit rule, or any rule or practice
- 49 whereby all members of a Party unit or
- 50 delegation may be required to cast their

66

67 **Rule 1819**

68 **Alternates and Vacancies**

- 69
- 70 A. Alternate delegates shall be selected by
- 71 primary, convention or committee processes
- 72 subject to the same National Party Rules
- 73 applicable to the selection of delegates,
- 74 except that the provisions of Rule 9.A. shall
- 75 not apply to the election of alternates. Each
- 76 State Democratic Chair shall certify all
- 77 alternates in writing to the Secretary of the
- 78 DNC.
- 79
- 80 B. If a given presidential preference is entitled
- 81 to one or more delegate positions in a state
- 82 but would not otherwise be entitled to an
- 83 alternate position, that preference shall be
- 84 allotted one at-large alternate position.
- 85
- 86 C. The proportions of alternates elected at the
- 87 district level, and at-large, and as pledged
- 88 party leader and elected official alternates,
- 89 may be the same as the proportions of
- 90 delegates elected in those categories.
- 91
- 92 D. Each state Delegate Selection Plan shall
- 93 specifically provide how and under what
- 94 conditions an alternate is to replace or act in
- 95 lieu of (collectively referred to as “replace”
- 96 or “replaces”) a delegate.
- 97
- 98 1. Delegate Selection Plans may specify
- 99 one or any combination of the following
- 100 alternatives for permanent and
- 101 temporary replacements:

- a. The delegate chooses the alternate; 54 extent possible shall be of the same sex
 - b. The delegation chooses the 55 and from the same political subdivision
 - alternate; 56 within the state as the delegate.
 - c. The alternate who receives the 57 E. A vacant alternate position shall be filled by
 - highest number of votes; or 58 the delegation. The replacement shall be of
 - d. Such other process as protects the 59 the same presidential preference (or
 - interests of presidential candidates, 60 uncommitted status), of the same sex and, to
 - delegates and alternates. 61 the extent possible, from the same political
 - 62 subdivision as the alternate being replaced.
 - 63 Each replacement of a vacant alternate
 - 64 position shall be certified in writing to the
 - 65 Secretary of the DNC by the State
 - 66 Democratic Chair.
- Rule 1920**
DNC Rules and Bylaws
Committee
- A. The DNC Rules and Bylaws Committee will 72 assist in the administration and enforce
 - affirmative action, inclusion and delegate 73
 - selection requirements for the national and 74
 - state Democratic parties. 75
 - B. The DNC Rules and Bylaws Committee 76
 - shall implement the Delegate Selection 77
 - Rules in a manner consistent with these 78
 - rules. 79
 - C. The DNC Rules and Bylaws Committee will 80
 - provide State Parties with a model Delegate 81
 - Selection Plan and an Affirmative Action 82
 - Plan and Outreach and Inclusion Program. 83
 - D. The DNC Rules and Bylaws Committee 84
 - shall: 85
 - 1. review Affirmative Action Plans, 86
 - Outreach and Inclusion Programs and 87
 - Delegate Selection Plans submitted by 88
 - State Parties and approve or 89
 - recommend changes in such plans; 90
 - 2. conduct periodic evaluations and 91
 - provide technical assistance to state 92
 - parties on ~~affirmative~~ Affirmative action 93
 - Action plan ~~Plan~~, Outreach and 94
 - inclusion ~~program~~ Program and 95
 - delegate selection implementation; and 96
- 2. If a delegate or alternate candidate who 67 has been elected but not yet certified to
 - the Secretary of the DNC resigns, dies or 68
 - is no longer eligible to serve, the 69
 - delegate-elect or alternate-elect shall be 70
 - replaced, after consultation with the 71
 - State Party, by the authorized 72
 - representative of the presidential 73
 - candidate to whom the delegate or 74
 - alternate was pledged. 75
 - 3. A permanent replacement occurs when 76
 - a delegate resigns, dies or is no longer 77
 - eligible to serve prior to or during the 78
 - National Convention and the alternate 79
 - replaces the delegate for the remainder 80
 - of the National Convention. Any 81
 - alternate who permanently replaces a 82
 - delegate shall be certified in writing to 83
 - the Secretary of the DNC by the State 84
 - Democratic Chair. He/She shall be of 85
 - the same presidential preference 86
 - (including uncommitted status) and sex 87
 - of the delegate he/she replaces, and to 88
 - the extent possible shall be from the 89
 - same political subdivision within the 90
 - state as the delegate; except in the case 91
 - where the presidential candidate has 92
 - only one alternate, in which case, that 93
 - alternate shall become the certified 94
 - delegate. 95
 - 4. A temporary replacement occurs when 96
 - a delegate is to be absent for a limited 97
 - period of time during the convention 98
 - and an alternate temporarily acts in the 99
 - delegate's place. Any alternate who 100
 - temporarily replaces a delegate must be 101
 - of the same presidential preference 102
 - (including uncommitted status) as the 103
 - delegate he/she replaces, and to the

- 1 3. hear and recommend solutions to 52
- 2 resolve complaints regarding Delegate 53
- 3 Selection Plans, including affirmative 54
- 4 Affirmative action Action plans Plans 55
- 5 and and inclusion Inclusion 56
- 6 programs Programs, complaints 57
- 7 unresolved by appropriate state party 58
- 8 bodies. 59
- 9 60
- 10 E. The DNC Rules and Bylaws Committee 61
- 11 shall retain jurisdiction over the approval of 62
- 12 amendments to state Delegate Selection 63
- 13 Plans and state delegation compliance with 64
- 14 equal division requirements, even after the 65
- 15 Convention Credentials Committee assumes 66
- 16 jurisdiction over challenges to the 67
- 17 credentials of delegates. 68
- 18 69
- 19 F. No later than December ~~1521, 2014~~2018, the 70
- 20 DNC Rules and Bylaws Committee shall 71
- 21 send to state parties its regulations adopted 72
- 22 pursuant to these rules and a checklist. 73
- 23 74
- 24 G. The DNC shall allocate sufficient financial 75
- 25 resources and staff to implement this rule. 76
- 26 77

Rule 2021
Challenges

- 30 A. Jurisdictional Challenges. Any challenges 82
 - 31 to a State Party organization in respect to its 83
 - 32 status as the body entitled to sponsor a 84
 - 33 delegation from that state must be 85
 - 34 presented to the DNC at any time up to 86
 - 35 thirty (30) days prior to the initiation of the 87
 - 36 state’s delegate selection process. Such a 88
 - 37 challenge must be brought by at least fifteen 89
 - 38 (15) Democrats from the state. 90
 - 39 91
 - 40 B. Submission, Non-Implementation and 92
 - 41 Violation Challenges. Failure to submit or 93
 - 42 implement an approved affirmative 94
 - 43 Affirmative action Action program Program 95
 - 44 and Outreach and inclusion Inclusion 96
 - 45 program Program by the deadline specified 97
 - 46 in these rules shall constitute grounds for a 98
 - 47 challenge with the burden of proof on the 99
 - 48 challenged party. 100
 - 49 101
 - 50 1. At any time up to thirty (30) days prior 102
 - 51 to the initiation of the state’s delegate 103
- selection process, any group of not less 52
 - than fifteen (15) Democrats in that state 53
 - can challenge the affirmative 54
 - Affirmative action Action plan Plan and 55
 - Outreach and inclusion Inclusion 56
 - program Program on the basis of non- 57
 - implementation of a specific 58
 - requirement of a state plan, which 59
 - challenge shall include reasonable 60
 - documentation of alleged violations. (In 61
 - such challenges, the challenging party 62
 - shall have the burden of proof, but the 63
 - challenged party shall present its case 64
 - first.) 65
 - 66
 - a. In the absence of any such 67
 - challenge, the implementation of 68
 - any such program shall be 69
 - presumptively in compliance. 70
 - 71
 - b. If challenged and upheld, the 72
 - compliance of such implementation 73
 - programs shall be conclusive but not 74
 - as to compliance or non-compliance 75
 - that may occur after the date of the 76
 - challenge. 77
 - 78
 - 79
 - 80
 - 81
 - 2. Challenges regarding alleged violation 82
 - of an approved Delegate Selection Plan 83
 - shall first be brought to the appropriate 84
 - state Democratic Party body for a 85
 - decision to be rendered within twenty- 86
 - one (21) days. After due notice, any 87
 - aggrieved party shall have the right to 88
 - appeal to the DNC Rules and Bylaws 89
 - Committee within ten (10) days 90
 - following the decision of the state body 91
 - according to procedures established by 92
 - DNC Rules and Bylaws Committee. 93
 - 94
 - 95
 - 96
 - 97
 - 3. The DNC Rules and Bylaws Committee 98
 - shall either certify compliance, certify 99
 - non-compliance or require corrective 100
 - action after which compliance or non- 101
 - compliance shall be certified. 102
 - 103
 - C. 1. a. Violation of timing: In the event the 104
 - Delegate Selection Plan of a State 105
 - Party provides or permits a meeting, 106
 - caucus, convention or primary 107
 - which constitutes the first 108
 - determining stage in the 109

1	presidential nominating process to	53	activities; sending mail, other than
2	be held prior to or after the dates for	54	fundraising requests that are also
3	the state as provided in Rule 11 <u>12</u> of	55	sent to potential donors in other
4	these rules, or in the event a state	56	states; using paid or volunteer
5	holds such a meeting, caucus,	57	phoners or automated calls to
6	convention or primary prior to or	58	contact voters; sending emails or
7	after such dates, the number of	59	establishing a website specific to
8	pledged delegates elected in each	60	that state; holding events to which
9	category allocated to the state	61	Democratic voters are invited;
10	pursuant to the Call for the National	62	attending events sponsored by state
11	Convention shall be reduced by fifty	63	or local Democratic organizations;
12	(50%) percent, and the number of	64	or paying for campaign materials to
13	alternates shall also be reduced by	65	be used in such a state. The Rules
14	fifty (50%) percent. In addition,	66	and Bylaws Committee will
15	none of the members of the	67	determine whether candidate
16	Democratic National Committee	68	activities are covered by this section.
17	and no other unpledged <u>automatic</u>	69	
18	delegate allocated pursuant to Rule	70	2. Violation of proportional representation:
19	9.A. from that state shall be	71	In the event the Delegate Selection Plan
20	permitted to vote as members of the	72	of a State Party provides or permits the
21	state’s delegation. In determining	73	pledged delegates or alternates to be
22	the actual number of delegates or	74	allocated to a presidential preference
23	alternates by which the state’s	75	(including uncommitted status) other
24	delegation is to be reduced, any	76	than as provided under Rule 13 <u>14</u> of
25	fraction below .5 shall be rounded	77	these rules, or in the event a State Party,
26	down to the nearest whole number,	78	in fact, allocates its pledged delegates or
27	and any fraction of .5 or greater	79	alternates to a presidential preference
28	shall be rounded up to the next	80	(including uncommitted status) other
29	nearest whole number.	81	than as provided under Rule 13 <u>14</u> of
30		82	these rules, the delegation of the state
31	b. A presidential candidate who	83	shall be reduced by the same amount
32	campaigns in a state where the State	84	and as provided in section C.(1) of this
33	Party is in violation of the timing	85	rule.
34	provisions of these rules, or where a	86	
35	primary or caucus is set by a state’s	87	3. Violation of the threshold: In the event
36	government on a date that violates	88	the Delegate Selection Plan of a State
37	the timing provisions of these rules,	89	Party provides or permits a threshold
38	may not receive pledged delegates	90	other than 15% as set forth in Rule 13 <u>14</u>
39	or delegate votes from that state.	91	of these rules, or in the event a State
40	Candidates may, however,	92	Party in fact permits the implementation
41	campaign in such a state after the	93	of a threshold other than 15% as
42	primary or caucus that violates these	94	provided in Rule 13 <u>14</u> of these rules, the
43	rules. “Campaigning” for purposes	95	delegation of the state shall be reduced
44	of this section includes, but is not	96	by the same amount and as provided in
45	limited to, purchasing print,	97	section C.(1) of this rule.
46	internet, or electronic advertising	98	
47	that reaches a significant percentage	99	4. Upon a determination of the DNC Rules
48	of the voters in the aforementioned	100	and Bylaws Committee that a state is in
49	state; hiring campaign workers;	101	violation as set forth in subsections (1),
50	opening an office; making public	102	(2) or (3) of section C. of this rule, the
51	appearances; holding news	103	reductions required under those
52	conferences; coordinating volunteer	104	subsections shall become effective

1	automatically and immediately and	53	Committees; reducing, in part or in
2	without further action of the DNC Rules	54	whole, the number of guests, VIP and
3	and Bylaws Committee, the Executive	55	other passes/tickets to the National
4	Committee of the DNC, the DNC or the	56	Convention and related functions;
5	Credentials Committee of the	57	assignment of location of the state’s
6	Democratic National Convention.	58	delegates and alternates in the
7		59	Convention hall; and assignment of the
8	5. Nothing in the preceding subsections of	60	state’s housing and other convention
9	this rule shall be construed to prevent	61	related facilities.
10	the DNC Rules and Bylaws Committee	62	
11	from imposing additional sanctions,	63	7. In the event a state shall become subject
12	including, without limitation, those	64	to subsections (1), (2) or (3) of section C.
13	specified in subsection (6) of this section	65	of this rule as a result of state law but
14	C., against a State Party and against the	66	the DNC Rules and Bylaws Committee,
15	delegation from the state which is	67	after an investigation, including
16	subject to the provisions of any of	68	hearings if necessary, determines the
17	subsections (1) through (3) of this	69	State Party and the other relevant
18	section C., including, without limitation,	70	Democratic party leaders and elected
19	establishing a committee to propose and	71	officials took all provable, positive steps
20	implement a process which will result in	72	and acted in good faith to achieve
21	the selection of a delegation from the	73	legislative changes to bring the state law
22	affected state which shall (i) be broadly	74	into compliance with the pertinent
23	representative, (ii) reflect the state’s	75	provisions of these rules and determines
24	division of presidential preference and	76	that the State Party and the other
25	uncommitted status and (iii) involve as	77	relevant Democratic party leaders and
26	broad participation as is practicable	78	elected officials took all provable,
27	under the circumstances.	79	positive steps and acted in good faith in
28		80	attempting to prevent legislative
29	6. Nothing in these rules shall prevent the	81	changes which resulted in state law that
30	DNC Rules and Bylaws Committee	82	fails to comply with the pertinent
31	from imposing sanctions the Committee	83	provisions of these rules, the DNC Rules
32	deems appropriate with respect to a	84	and Bylaws Committee shall determine
33	state which the Committee determines	85	that all or a portion of the state’s
34	has failed or refused to comply with	86	delegation shall not be reduced. The
35	these rules, where the failure or refusal	87	State Party shall have the burden of
36	of the State Party is not subject to	88	proving by clear and convincing
37	subsections (1), (2) or (3) of this section	89	evidence that it and the other relevant
38	C. Possible sanctions include, but are	90	Democratic party leaders and elected
39	not limited to: reduction of the state’s	91	officials took all provable, positive steps
40	delegation; pursuant to Rule 21 <u>22</u> .C.,	92	and acted in good faith to achieve
41	recommending the establishment of a	93	legislative changes to bring the state law
42	committee to propose and implement a	94	into compliance with the pertinent
43	process which will result in the selection	95	provisions of these rules and that it and
44	of a delegation from the affected state	96	the other relevant Democratic party
45	which shall (i) be broadly	97	leaders and elected officials took all
46	representative, (ii) reflect the state’s	98	provable, positive steps and acted in
47	division of presidential preference and	99	good faith in attempting to prevent the
48	uncommitted status and (iii) involve as	100	legislative changes which resulted in
49	broad participation as is practicable	101	state law that fails to comply with the
50	under the circumstances; reducing, in	102	pertinent provisions of these rules.
51	part or in whole, the number of the	103	
52	state’s members to the Standing		

8. A State Party may provide in its Delegate Selection Plan the specific method and procedures by which it will reduce its delegation pursuant to this Rule 2021 in the event the State Party or delegation becomes subject to this Rule 2021 by which categories of delegates must be reduced by 50%, which specific method and procedures shall be subject to the review and approval of the DNC Rules and Bylaws Committee. In the event a state’s Delegate Selection Plan does not provide for the specific method and procedures referred to in the immediately preceding sentence, or in the event the state’s Delegate Selection Plan is either not approved by the DNC Rules and Bylaws Committee or the specific method and procedures referred to in the first sentence of this subsection (8) are not approved by the DNC Rules and Bylaws Committee, or in the event a state’s Delegate Selection Plan specifies the method and procedures which have been approved by the DNC Rules and Bylaws Committee, but the State Party fails or refuses to implement those specific method and procedures, and in the event the state’s delegation is required to be reduced pursuant to this Rule 2021, then the DNC Rules and Bylaws Committee shall, by lottery, or other appropriate method determined by the DNC Rules and Bylaws Committee, determine which delegates and alternates shall not be a part of the state’s delegation in order to achieve the reduction of the state’s delegation pursuant to this Rule 2021. Any reduction of delegates under this provision shall be accomplished in a manner which complies with the requirement of proportional representation as provided for in Rule 1314.

9. Except as provided by subsection (7) of this section C., the fact that a State Party took provable, positive steps as provided in Rule 2122 of these rules shall not preclude the state’s delegation from being subject to the sanctions set

53 forth in subsections (1), (2), (3), (4) and
54 (5) of this section C.

D. Unresolved Challenges and Report to the Credentials Committee. The DNC Rules and Bylaws Committee shall report its activities, together with all challenges and complaints, to the Credentials Committee of the Democratic National Convention. In cases involving unresolved challenges which are appealed to the Credentials Committee, the burden of proof shall rest with the party presenting the challenge.

Rule 2122 State Legislative Changes

A. Subject to Rule 19201921.C. of these Rules, wherever any part of any section contained in these rules conflicts with existing state laws, the State Party shall take provable positive steps to achieve legislative changes to bring the state law into compliance with the provisions of these rules.

B. Provable positive steps shall be taken in a timely fashion and shall include, but not be limited to: the drafting of corrective legislation; public endorsement by the State Party and the other relevant Democratic party leaders and elected officials of such legislation; efforts to educate the public on the need for such legislation; active support for the legislation by the State Party lobbying state legislators, other public officials, Party officials and Party members; ~~and~~ encouraging consideration of the legislation by the appropriate legislative committees and bodies; ~~and evaluation and initiation of litigation where feasible and appropriate.~~

C. A State Party may be required by a vote of the DNC Executive Committee upon a recommendation of the DNC Rules and Bylaws Committee to adopt and implement an alternative Party-run delegate selection system which does not conflict with these rules, regardless of any provable positive steps the state may have taken.