

DELEGATE SELECTION RULES

For the 2016 Democratic National Convention



DEMOCRATS
DEMOCRATIC NATIONAL COMMITTEE

Congresswoman Debbie Wasserman Schultz
Chair

Proposed Draft

Reflects changes previously reviewed and approved by the Rules and Bylaws Committee at its meetings on May 2, 2014, August 1, 2014 and August 22, 2014 and is recommended for adoption by the full Democratic National Committee at its meeting on Saturday, August 23, 2014.

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WORKING COPY

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Inserted language is **bold and double underlined**.

Deleted language is shown with ~~strikethrough~~.

1	Rule 1	64	7. All <u>filing and</u> petition requirements,
2	Publication and Submission of	65	<u>including filing fees, if applicable, and</u>
3	State Party Rules	66	<u>corresponding</u> deadlines <u>prescribed by</u>
4		67	<u>state law</u> for delegate and alternate
5	A. State parties shall adopt Delegate Selection	68	candidates and for presidential
6	Plan, Affirmative Action Plan and Inclusion	69	candidates;
7	Program which contain explicit rules and	71	
8	procedures governing all aspects of the	72	<u>8. All filing and petition requirements,</u>
9	delegate selection process. These rules shall	73	<u>including filing fees, if applicable, and</u>
10	include, but are not limited to:	74	<u>corresponding deadlines prescribed by</u>
11		75	<u>state party rules for delegate and</u>
12	1. Procedures for electing and certifying	76	<u>alternate candidates and for</u>
13	delegates and alternates at all levels;	52	<u>presidential candidates;</u>
14		63	
15	2. Timing of primary/caucuses/	64	8-9. Procedures for ascertaining
16	conventions;	65	delegate/alternate preference at all
17		56	stages;
18	3. Procedures providing for equal division	62	
19	in each state's convention delegation;	63	9-10. Procedures for presidential candidate
20		59	right of approval;
21	4. Procedures providing for the selection	65	
22	of the chair of the delegation;	66	10-11. Method of awarding delegates and
23		62	alternates to presidential candidates;
24	5. Particulars concerning the scheduling of	73	
25	delegate selection meetings including	74	11-12. Methods and timetable for the
26	methods by which each meeting or	75	selection of permanent standing
27	event will be publicized;	66	committee members;
28		77	
29	6. Affirmative Action Plans and Inclusion	78	12-13. Procedures for challenges of the
30	Programs in detail including affirmative	79	delegate selection, and affirmative
31	action and inclusion obligations of	70	action and inclusion processes;
32	presidential candidates;	76	
33		77	13-14. Methods and timetable for the
			selection of convention pages; and

2016 Delegate Selection Rules for the Democratic National Convention

- 1
2 ~~14-15.~~ Other appropriate provisions from
3 these Rules, the Call, and the
4 Regulations.
5
- 6 A. The following items are to be routinely
7 included at an appropriate place in each
8 state plan:
9 1. Eligibility requirements for participation
10 in the delegate selection process in
11 conformance with Rule 2 [Rule 2];
12
13 2. Prohibition of cost and fees [Rule 2.D.];
14
15 3. Prohibition of participation by those
16 participating in another party’s process
17 [Rule 2.E.];
18
19 4. One-meeting limitation for first-stage
20 participants [Rule 3.E.];
21
22 5. “Six basic elements” of an open party
23 [Rule 4];
24
25 6. Non-discrimination principles [Rule 5];
26
27 7. Requirement that all steps take place
28 within calendar year of convention
29 [Rule 11.B.];
30
31 8. Required identification of preference of
32 candidates for delegate and alternate
33 [Rule 12.A.];
34
35 9. Protection against coerced vote [Rule
36 12.I.];
37
38 10. Quorum requirements [Rule 15];
39
40 11. Proxy voting rules, if any [Rule 16];
41
42 12. Unit rule prohibition [Rule 17.A.];
43
44 13. Slate making limitations [Rule 17.B.];
45 and
46
47 14. Succession of alternates to delegate
48 status and filling of vacancies in
49 delegate positions [Rule 18].
50
- 51 C. Each state party shall provide for a thirty
52 (30) day¹ period of public comment to solicit
53 opinion on the State’s Delegate Selection
54 Plan, Affirmative Action Plan and Inclusion
55 Program prior to adoption. All written
56 public comments submitted to the state
57 Democratic Committee shall be submitted
58 along with the plans to the Rules and
59 Bylaws Committee of the Democratic
60 National Committee (“DNC Rules and
61 Bylaws Committee”).
62
- 63 D. State Delegate Selection Plans, Affirmative
64 Action Plans and Inclusion Programs shall
65 be submitted to the DNC Rules and Bylaws
66 Committee for approval on or before ~~May 2,~~
67 May 4, 2015.
68
- 69 E. The DNC Rules and Bylaws Committee
70 shall act on the proposed plans as soon as
71 practicable, but in no case later than
72 ~~September 16, 2011~~ September 15, 2015, or
73 four months before the respective State’s
74 first determining step, whichever is earlier.
75 Its decision shall be final and binding.
76
- 77 F. Implementation of state Affirmative Action
78 Plans and Inclusion Programs shall begin no
79 later than ~~September 16, 2011~~ September 15,
80 2015, or four months before the respective
81 state’s first determining step, whichever is
82 earlier.
83
- 84 G. State Delegate Selection Plans shall specify
85 the methods and timetable to be followed in
86 selecting members of standing committees
87 of the national convention. These
88 procedures shall be in conformity with the
89 rules to be contained in the Call for the ~~2012~~
90 2016 Convention.
91
- 92 H. The Democratic National Committee
93 (“DNC”) and the state parties shall publish
94 and make available at no cost their rules, the
95 ~~2012-2016~~ National Delegate Selection Rules,
96 and a clear and concise explanation of how

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.

1 Democratic voters can participate in the
2 delegate selection process. The DNC shall
3 prepare and provide at no cost to state
4 parties a clear and concise explanation of
5 the ~~2012-2016~~ Delegate Selection Rules. This
6 shall be done no later than October 1 of the
7 calendar year immediately preceding the
8 calendar year of the national convention.

9
10 **Rule 2**
11 **Participation**

- 12
13 A. Participation in the delegate selection
14 process shall be open to all voters who wish
15 to participate as Democrats.
16
17 1. Democratic voters shall be those persons
18 who publicly declare their Party
19 preference and have that preference
20 publicly recorded.
21
22 2. Implementation of this administrative
23 matter shall be delegated to the DNC
24 Rules and Bylaws Committee.
25
26 B. Nothing in these rules shall be interpreted
27 to encourage or permit states with party
28 registration and enrollment, or states that
29 limit participation to Democrats only, to
30 amend their systems to open participation
31 to members of other parties.
32
33 C. State parties shall take all feasible steps to
34 encourage non-affiliated and new voters to
35 register or enroll, to provide simple
36 procedures through which they may do so
37 and to eliminate excessively long waiting
38 periods for voters wishing to register or to
39 change their party enrollment status. In all
40 caucuses or conventions conducted
41 pursuant to these rules, all Democrats who
42 comply with Rule 2.A., 2.A.(1), and 2.A.(2).
43 shall be allowed to participate.
44
45 D. At no stage of the delegate selection process
46 shall any person be required, directly or
47 indirectly, to pay a cost or fee as a condition
48 for participating in the delegate selection
49 process. Voluntary contributions to the

- 65 Party may be made, but under no
66 circumstances shall a contribution be
67 mandatory for participation.
68
69 E. No person shall participate or vote in the
70 nominating process for a Democratic
71 presidential candidate who also participates
72 in the nominating processes of any other
73 party for the corresponding elections.
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135 F. In accordance with Article Nine, Section 12
136 of the Charter of the Democratic Party of the
137 United States, votes shall not be taken by
138 secret ballot at any stage of the delegate
139 selection process, including processes
140 leading up to the selection of DNC
141 Members or State Chairs and Vice Chairs,
142 who serve as DNC members by virtue of
143 their office, except that use of such voting
144 by secret ballot may be used in a state run or
145 state party run primary which constitutes
146 the first determining stage of the delegate
147 election process and in which all individual
148 voters are eligible to participate in
149 accordance with the provisions of this
150 Rule 2.
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1	Committee that is included in the state’s	51	election and prior to certification of
2	delegate selection plan, and that	52	results where possible;
3	provides adequate measures to achieve	53	
4	security, reliability, access to eligible	54	b. Parallel testing on Election Day;
5	voters and transparency, including	55	
6	contractual and other safeguards to	56	c. Physical and electronic security for
7	secure exclusive ownership and control	57	equipment;
8	by the state party of voting data;	58	
9		59	d. Banning use of wireless components
10	4. Is accomplished through a system	60	and connections <u>except where</u>
11	which provides the voter with an	61	<u>required to provide a voter with a</u>
12	opportunity to verify the voter’s ballot	62	<u>disability a secure and approved</u>
13	and correct any error before the voter’s	63	<u>means to access voting materials</u>
14	vote is cast; which can be permanently	64	<u>and exercise the right to vote;</u>
15	maintained by the voter at the voter’s	65	
16	option in paper, electronic or other	66	e. Public disclosure of software design;
17	form; and which produces a paper	67	
18	record of the voter’s vote that is	68	f. Use of transparent and random
19	preserved and maintained by the state	69	selection for all auditing procedures;
20	party in the event of a manual audit,	70	
21	until the expiration of the time for filing	71	g. Effective procedures for addressing
22	an implementation challenge under	72	evidence of fraud or error.
23	these Rules.	73	
24		74	I. <u>Each State Party shall include in its</u>
25	H. In states using government-run voting	75	<u>Delegate Selection Plan a description of</u>
26	systems in the delegate selection process,	76	<u>steps taken to assess and improve</u>
27	State Delegate Selection Plans shall include	77	<u>participation with respect to presidential</u>
28	provable positive steps (as defined in Rule	78	<u>preference and delegate selection contests</u>
29	21) taken or to be taken by the state party to:	79	<u>and procedures.</u>
30		80	
31	1. Promote the acquisition, <u>maintenance</u>	81	
32	<u>and regular replacement</u> of accessible	82	
33	precinct based optical scan systems	83	
34	wherever possible;	84	
35		85	A. All official Party meetings and events
36	2. Seek enactment of legislation, rules and	86	related to the national convention delegate
37	policies at the state and local level to	87	selection process, including caucuses,
38	ensure that direct recording electronic	88	conventions, committee meetings, filing
39	systems include a voter verified paper	89	dates, and Party enrollment periods, shall
40	record;	90	be scheduled for dates, times and public
41		91	places which would be most likely to
42	3. Seek enactment of legislation, rules and	92	encourage the participation of all
43	policies at the state and local level to	93	Democrats, and must begin and end at
44	ensure that both optical scan and direct	94	reasonable hours. <u>It shall be the</u>
45	recording electronic systems include	95	<u>responsibility of the state party to select</u>
46	recognized security measures such as:	96	<u>the dates, times and to provide facilities</u>
47		97	<u>for all official party meetings and events</u>
48	a. Automatic routine manual audits	98	<u>related to the national convention delegate</u>
49	comparing paper records to	99	<u>selection process.</u>
50	electronic records following every	100	

Rule 3
Scheduling of Delegate
Selection Meetings

1 B. All such meetings or events which are the 51
2 first meeting or event in the delegate 52
3 selection process shall be scheduled at times 53
4 and dates which are uniform throughout 54
5 the state, except where it is established by 55
6 the state party and approved by the DNC 56
7 Rules and Bylaws Committee that such 57
8 uniform times and dates would significantly 58
9 reduce participation in the delegate 59
10 selection process. 60
11
12 C. The times, dates, places, and rules for the 61
13 conduct of all caucuses, conventions, 62
14 meetings and other events involved in the 63
15 delegate selection process shall be 64
16 effectively publicized by the Party 65
17 organization, official, candidate or member 66
18 calling the same. 67
19
20 D. Concise statements in advance of all 68
21 meetings and events concerning the 69
22 relationship between the business to be 70
23 conducted and the delegate selection 71
24 process shall be effectively publicized by the 72
25 Party organization, official, candidate or 73
26 member calling the same. 74
27
28 E. No person shall participate in more than 75
29 one meeting which is the first meeting in the 76
30 delegate selection process. 77
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Rule 4
An Open Party

35 A. The Democratic National Committee 78
36 reaffirms its commitment to the 1964 79
37 resolution, and requires the national and 80
38 state parties to incorporate the Six Basic 81
39 Elements, as updated, into their Party rules 82
40 and to take appropriate steps to secure their 83
41 implementation. 84
42
43 B. The 1964 Democratic National Convention 85
44 adopted a resolution which conditioned the 86
45 seating of delegates at future conventions 87
46 on the assurances that discrimination in any 88
47 state party affairs on the ground of race, 89
48 color, creed or national origin did not occur. 90
49 The 1968 Convention adopted the 1964 91
50 Convention resolution for inclusion in the 92
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Call for the 1972 Convention. In 1966, the Special Equal Rights Committee, which had been created in 1964, adopted six anti-discrimination standards – designated as the Six Basic Elements, which, as updated, are as follows:

1. All public meetings at all levels of the Democratic Party in each state should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, **gender identity**, economic status or physical disability (hereinafter collectively referred to as “status”).
2. No test for membership in, nor any oaths of loyalty to, the Democratic Party in any state should be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination based on “status.”
3. The time and place for all public meetings of the Democratic Party on all levels should be publicized fully and in such manner as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons.
4. The Democratic Party, on all levels, should support the broadest possible registration without discrimination based on “status.”
5. The Democratic Party in each state should publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels. Publication of these procedures should be done in such fashion that all prospective and current members of

1 each state Democratic Party will be fully
2 and adequately informed of the
3 pertinent procedures in time to
4 participate in each selection procedure
5 at all levels of the Democratic Party
6 organization.

7
8 6. The Democratic Party in each state
9 should publicize fully and in such a
10 manner as to assure notice to all
11 interested parties a complete description
12 of the legal and practical qualifications
13 of all positions as officers and
14 representatives of the state Democratic
15 Party. Such publication should be done
16 in timely fashion so that all prospective
17 candidates or applicants for any elected
18 or appointed position within each state
19 Democratic Party will have full and
20 adequate opportunity to compete for
21 office.

22
23 C. These provisions demonstrate the intention
24 of the Democratic Party to ensure a full
25 opportunity for all "status" (as defined in
26 Rule 4.B.(1)) members to participate in the
27 delegate selection process.

28
29 **Rule 5**
30 **Non-Discrimination**

31
32 A. In order that the Democratic Party at all
33 levels be an open Party which includes
34 rather than excludes people from
35 participation, a program of effective
36 affirmative action and inclusion is hereby
37 adopted.
38
39 B. Discrimination on the basis of "status" in
40 the conduct of Democratic Party affairs is
41 prohibited.
42
43 C. In order to continue the Democratic Party's
44 ongoing efforts to include groups
45 historically under-represented in the
46 Democratic Party's affairs, by virtue of race,
47 ethnicity, age, sexual orientation, **gender**
48 **identity** or disability, each state party shall
49 develop and submit Party outreach

50 programs, including recruitment, education
51 and training, in order to achieve full
52 participation by such groups and diversity
53 in the delegate selection process and at all
54 levels of Party affairs.
55

56
57 **Rule 6**
58 **Affirmative Action**

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

79
80 1. The goal of such affirmative action shall
81 be to achieve participation in the
82 delegate selection process and in Party
83 organizations at all levels by the
84 aforementioned groups as indicated by
85 their presence in the Democratic
86 electorate.
87
88 2. This goal shall not be accomplished
89 either directly or indirectly by the
90 Party's imposition of mandatory quotas
91 at any level of the delegate selection
92 process or in any other Party affairs.
93
94 3. In the selection of each state's at-large
95 delegation, priority of consideration
96 shall be given to African Americans,
97 Hispanics, Native Americans, Asian
98 Americans and Pacific Islanders and

2016 Delegate Selection Rules for the Democratic National Convention

- 1 women, if such priority of consideration 51 delegate or alternate from a state shall
2 is needed to fulfill the affirmative action 52 be placed on the temporary roll of the
3 goals outlined in the state’s Delegate 53 ~~2012-2016~~ Democratic National
4 Selection Plan. Such remedial action is 54 Convention unless the Rules and
5 necessary in order to overcome the 55 Bylaws Committee has certified to the
6 effects of past discrimination. Use of the 56 Secretary of the Democratic National
7 at-large delegation to fulfill the plan’s 57 Committee that such state’s delegation
8 affirmative action goals does not obviate 58 complies with this equal division rule.
9 the need for the state party to conduct 59 It shall be the duty of the DNC Rules
10 outreach activities such as recruitment, 60 and Bylaws Committee to determine
11 education and training. Priority of 61 such compliance as soon as practicable
12 consideration shall also be given to 62 following the certification of the state’s
13 other groups as described in Rule 5.(C), 63 at-large delegates and alternates.
14 which are under-represented in 64
15 Democratic Party affairs, in order to 65
16 assist in the achievement of full 66
17 participation by these groups. 67
18
19 B. Performance under an approved 68
20 Affirmative Action Plan and composition of 69
21 the convention delegation shall be 70
22 considered relevant evidence in the 71
23 challenge to any state delegation. If a state 72
24 party has adopted and implemented an 73
25 approved affirmative action program, the 74
26 state party shall not be subject to challenge 75
27 based solely on delegation composition or 76
28 primary results. 77
29
30 C. State Delegate Selection Plans shall provide 78
31 for equal division between delegate men 79
32 and delegate women and alternate men and 80
33 alternate women within the state’s entire 81
34 convention delegation. For purposes of this 82
35 rule, the entire delegation includes all 83
36 pledged delegates and alternates and 84
37 unpledged delegates (including unpledged 85
38 party leaders and elected official delegates). 86
39
40 1. State Delegate Selection Plans shall, as 87
41 far as mathematically practicable, also 88
42 provide for equal division between 89
43 district-level delegate men and delegate 90
44 women and district-level alternate men 91
45 and alternate women. 92
46
47 2. The DNC Rules and Bylaws Committee 93
48 shall have continuing jurisdiction to 94
49 ensure compliance with this equal 95
50 division requirement. No at-large 96
97
98
99
3. Notwithstanding sub-paragraph A.(2) above, equal division at any level of delegate or committee positions between delegate men and delegate women or committeemen and committeewomen shall not constitute a violation of any provision thereof.
- D. For purposes of providing adequate notice of the delegate selection process under Rule 3, the times, dates, places and rules for the conduct of all caucuses, conventions, meetings and other events involved in the delegate selection process shall be effectively publicized, multilingually where necessary, to encourage the participation of minority groups.
- E. State Democratic Parties shall ensure that district lines used in the delegate selection process are not gerrymandered to discriminate against African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders or women.
- F. Each state Affirmative Action Plan shall provide for the appointment of a representative state Affirmative Action Committee by ~~March 1, 2011~~ **March 2, 2015**. Before the state party submits its Plan to the DNC Rules and Bylaws Committee, the Affirmative Action Committee shall review the proposed outreach program required in Rule 5.C.

- 1 G. Each State Affirmative Action Plan shall 49
2 include outreach provisions to encourage 50
3 the participation and representation of 51
4 persons of low and moderate income, and a 52
5 specific plan to help defray expenses of 53
6 those delegates otherwise unable to 54
7 participate in the national convention. 55
8
9 H. State parties in their Delegate Selection 56
10 Plans shall impose reasonable specific 57
11 Affirmative Action and Inclusion 58
12 obligations upon presidential candidates 59
13 consistent with the delegate selection 60
14 system employed by the state. 61
15
16 1. State parties shall require presidential 62
17 candidates to submit statements that 63
18 specify what steps such candidates will 64
19 take to encourage full participation in 65
20 their delegate selection process, 66
21 including, but not limited to, procedures 67
22 by which persons may file as candidates 68
23 for delegate or alternate. Provided 69
24 further that presidential candidates 70
25 submit such full participation 71
26 statements to the DNC Rules and 72
27 Bylaws Committee at the same time 73
28 they are submitted to state parties. 74
29
30 2. State parties shall require presidential 75
31 candidates to submit demographic 76
32 information with respect to candidates 77
33 for delegate and alternate pledged to 78
34 them. 79
35
36 I. Each state party shall certify to the Rules 80
37 and Bylaws Committee whether each 81
38 presidential candidate (including 82
39 uncommitted status) has used best efforts to 83
40 ensure that their respective delegations at 84
41 each level within a state's delegation shall 85
42 fulfill the requirements of Rule 6 and Rule 7 86
43 established by the state's Delegate Selection 87
44 Plan and that the respective delegations of 88
45 each presidential candidate within the 89
46 state's delegation shall be equally divided 90
47 between men and women. 91
48 92
93
94
95

Rule 7
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 community, people with disabilities, and youth. The National and State Parties shall adopt and implement 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. As is already the practice in some states, State Parties ~~may~~ **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, 2012~~ **January 1, 2016**; or

1 4. A formula giving one-third (1/3) weight 46
2 to each of the formulas in items (1), (2), 47
3 and (3). 48
4
5 B. Apportionment for each body selecting 49
6 delegates to state, district, and county 50
7 conventions shall be based upon population 51
8 and/or some measure of Democratic 52
9 strength. 53
10
11 C. The Call for the ~~2012~~ 2016 Convention shall 55
12 state the base delegation for each 56
13 delegation. Seventy-five percent (75%) of 57
14 each state's base delegation shall be elected 58
15 at the congressional district level or smaller. 59
16 Twenty-five percent (25%) of each state's 60
17 base delegation shall be elected at large. 61
18 Delegates so elected shall hereafter be 62
19 termed "district-level" and "at-large" 63
20 delegates, respectively. Each State 64
21 Democratic Chair shall certify all delegates 65
22 in writing to the Secretary of the DNC. 66
23
24 D. In those states with more than one 68
25 congressional district, after the election of 69
26 district-level delegates and prior to the 70
27 selection of at-large delegates, each State 71
28 Democratic Chair shall certify pledged 72
29 party leader and elected official delegates 73
30 equal to 15% of the state's base delegation 74
31 selected pursuant to Rule 9. 75
32
33 E. The election of district-level and at-large 77
34 delegates and alternates may take place at 78
35 the same meeting, provided that district- 79
36 level delegates are selected first. In states 80
37 with one congressional district the election 81
38 of delegates selected in accordance with 82
39 Rules 8.B., 8.C., and 9.A., may be conducted 83
40 simultaneously. In all cases, affirmative 84
41 action, inclusion and fair reflection 85
42 guidelines must be met and the Democratic 86
43 Chair of each such state shall make the 87
44 certifications required by subsection 8.D. 88
45

Rule 9
Unpledged and Pledged Party
Leaders and Elected Official
Delegates

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

Not later than ~~March 1, 2012~~ March 1, 2016,
the Secretary of the Democratic National
Committee shall officially confirm to each
State Democratic Chair the names of the
following unpledged 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. Following the selection of district-level
delegates under 8.E., pledged party leader

- 1 and elected official delegates are to be 51 of population and/or some measure of
2 selected subject to the following procedures: 52 Democratic strength;
3 53
- 4 1. Persons shall be considered for pledged 54 2. Members of the State Party Committee
5 party leader and elected official 55 have been elected through open
6 delegates and alternates according to 56 processes in conformity with the basic
7 the following priority: big city mayors 57 procedural guarantees utilized for
8 and state-wide elected officials to be 58 delegate selection;
9 given equal consideration; state 59
10 legislative leaders, state legislators, and 60
11 other state, county and local elected 61
12 officials and party leaders. 62
13 63
- 14 2. These slots shall be allocated on the 64 4. Members of the State Party Committee
15 same basis as the state’s at-large 65 exercising such authority shall have
16 delegates. 66 been elected no earlier than ~~the date of~~
17 67 the previous presidential election the
18 3. If persons eligible for pledged party 68 calendar year of the previous national
19 leader and elected official delegate 69 convention; and
20 positions have not made known their 70
21 presidential preference under the 71
22 procedures established by the state 72
23 pursuant to Rule 12 for candidates for 73
24 district-level and at-large delegate 74
25 positions, their preferences shall be 75
26 ascertained through alternative 76
27 procedures established by the state 77 D. Except as provided in 9.A. above, no person
28 party, which shall require a signed 78 shall serve as an automatic delegate at any
29 pledge of support for a presidential 79 level of the delegate selection process by
30 candidate. Such an alternative system 80 virtue of holding a public or party office.
31 shall have a final deadline for 81
32 submitting a pledge of support after the 82
33 selection of all district-level delegates 83
34 has been completed and must provide 84
35 an opportunity for disapproval by the 85
36 presidential candidate or the candidate’s 86
37 authorized representative. 87
- 38 88
- 39 C. A state’s party leader and elected official 89
40 delegates may be chosen by a state 90
41 convention or by a committee consisting of 91
42 a quorum of district-level delegates. They 92
43 may also be chosen by the State Party 93
44 Committee, as recognized by the 94
45 Democratic National Committee, but only if 95
46 the state’s Delegate Selection Plan is in full 96
47 compliance with these rules, and provided: 97
- 48 98
- 49 1. Membership on the State Party 99
50 Committee is apportioned on the basis

Rule 10
Selection of At-Large
Delegates

- A. The selection of at-large delegates shall be used, if necessary, to achieve the equal division of positions between men and women and the representation goals established in the state party’s Affirmative Action Plan and Inclusion Program. Such goals apply to the state’s entire delegation considered as a whole. For purposes of this rule, the entire delegation includes all unpledged as well as all pledged delegates. Delegates and alternates shall each, as a group, be equally divided and, to the extent possible, each as a group shall reflect the representation goals established in the

1 state’s Affirmative Action Plan and
2 Inclusion Program.
3
4 B. A state’s at-large delegates and alternates
5 shall be selected by one of the bodies,
6 subject to the same conditions specified in
7 Rule 9.C. above, provided, however, the
8 State Party Committee may choose such
9 delegates and alternates only if the state’s
10 Delegate Selection Plan is in full compliance
11 with these rules.

12
13 C. At-large delegates and alternates (including
14 pledged party leader and elected official
15 delegates, which shall include those to be
16 allocated to uncommitted status) in primary
17 states shall be allocated according to the
18 state-wide primary vote or, in states holding
19 no state-wide primary, according to the
20 division of preferences among convention
21 and caucus participants. In non-primary
22 states which do not hold state conventions
23 authorized to elect delegates, at-large
24 delegates shall be apportioned according to
25 the division of preferences among district-
26 level delegates at the time of district-level
27 selection. If a presidential candidate
28 entitled to an allocation under this rule is no
29 longer a candidate at the time at-large
30 delegates are selected, his/her allocation
31 shall be proportionately divided among the
32 other preferences entitled to an allocation.

33
34 **Rule 11**
35 **Timing of the Delegate**
36 **Selection Process**

37
38 A. No meetings, caucuses, conventions or
39 primaries which constitute the first
40 determining stage in the presidential
41 nomination process (the date of the primary
42 in primary states, and the date of the first
43 tier caucus in caucus states) may be held
44 prior to the first Tuesday in March or after
45 the second Tuesday in June in the calendar
46 year of the national convention. Provided,
47 however, that the Iowa precinct caucuses
48 may be held no earlier than 29 days before
49 the first Tuesday in March; that the New

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

63
64 B. All steps in the delegate selection process,
65 including the filing of presidential
66 candidates, must take place within the
67 calendar year of the Democratic National
68 Convention (except as otherwise provided
69 in these rules or specifically allowed by the
70 DNC Rules and Bylaws Committee).

71
72 **Rule 12**
73 **Presidential Preference**

74
75 A. All candidates for delegate and alternate in
76 caucuses, conventions, committees and on
77 primary ballots shall be identified as to
78 presidential preference or uncommitted
79 status at all levels of a process which
80 determines presidential preference.
81 Candidates may state a preference for only
82 one presidential candidate, including
83 uncommitted at any time. In no case shall
84 a candidate for delegate or alternate
85 indicate more than one such presidential
86 preference at each level.

87
88 B. All persons wishing to be elected to a
89 district-level or at-large delegate position
90 must file a statement of candidacy
91 designating the presidential or
92 uncommitted preference of the delegate
93 candidate and a signed pledge of support
94 for the presidential candidate (including
95 uncommitted status) the person favors, if
96 any, with the state party by a date certain as
97 specified in the state’s Delegate Selection
98 Plan. Persons wishing to be elected as

2016 Delegate Selection Rules for the Democratic National Convention

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

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

Rule 13
Fair Reflection of Presidential
Preferences

- A. Delegates shall be allocated in a fashion that
93 fairly reflects the expressed presidential
94 preference or uncommitted status of the
95 primary voters or, if there is no binding
96 primary, the convention and/or caucus
97 participants.
98

2016 Delegate Selection Rules for the Democratic National Convention

- 1
2 B. States shall allocate district-level delegates
3 and alternates in proportion to the
4 percentage of the primary or caucus vote
5 won in that district by each preference,
6 except that preferences falling below a
7 fifteen percent (15%) threshold shall not be
8 awarded any delegates. Subject to section F.
9 of this rule, no state shall have a threshold
10 above or below fifteen percent (15%). States
11 which use a caucus/convention system,
12 shall specify in their Delegate Selection
13 Plans the caucus level at which such
14 percentages shall be determined.
15
16 C. A presidential candidate or his/her
17 authorized representative(s) should act in
18 good faith to slate delegate and alternate
19 candidates, however, in any event, if a
20 presidential candidate (including
21 uncommitted status) has qualified to receive
22 delegates and alternates but has failed to
23 slate a sufficient number of delegate and
24 alternate candidates, then additional
25 delegates and alternates for that preference
26 will be selected in a special post-primary
27 procedure. The State Party will administer
28 special post-primary procedures according
29 to rules approved by the DNC Rules and
30 Bylaws Committee and such procedures
31 should be set forth in the state’s delegate
32 selection plan, where applicable.
33
34 D. District-level delegates and alternates shall
35 be allocated according to the following
36 procedures:
37
38 Step 1: Tabulate the percentage of the vote
39 that each presidential preference
40 (including uncommitted status)
41 receives in the congressional district
42 to three decimals.
43
44 Step 2: Retabulate the percentage of the
45 vote to three decimals, received by
46 each presidential preference
47 excluding the votes of presidential
48 preferences whose percentage in
49 Step 1 falls below 15%.
50
51 Step 3: Multiply the number of delegates to
52 be allocated by the percentage
53 received by each presidential
54 preference.
55
56 Step 4: Delegates shall be allocated to each
57 presidential preference based on the
58 whole numbers which result from
59 the multiplication in Step 3.
60
61 Step 5: Remaining delegates, if any, shall be
62 awarded in order of the highest
63 fractional remainders in Step 3.
64
65 E. At-large and pledged party leader and
66 elected official delegate and alternate
67 positions shall be allocated to presidential
68 preferences by reference to primary or
69 convention votes or to the division of
70 preference among district-level delegates or
71 alternates, as the case may be, as specified in
72 Rule 10.C., except that a preference falling
73 below a threshold of fifteen percent (15%)
74 shall not be awarded any delegates or
75 alternates at this level. Such delegates and
76 alternates in primary states shall be
77 allocated to presidential preference
78 (including uncommitted status) according
79 to the statewide primary vote.
80
81 F. In all situations where no preference reaches
82 the applicable threshold, the threshold shall
83 be the percentage of the vote received at
84 each level of the delegate selection process
85 by the front-runner minus 10 percent.
86
87 G. Under no circumstances shall the use of
88 single-delegate districts be permitted.
89
90 H. For the purpose of fairly reflecting the
91 division of preferences, the non-binding
92 advisory presidential preference portion of
93 primaries shall not be considered a step in
94 the delegate selection process and is
95 considered detrimental. State parties must
96 take steps to educate the public that a non-
97 binding presidential preference event is
98 meaningless, and state parties and
99 presidential candidates should take all steps
100 possible not to participate.
101

1 1. In a state that uses a caucus and/or
2 convention to determine presidential
3 preference of voters, the plan must
4 provide for the timely reporting of the
5 election results to the state party.

6
7 **Rule 14**
8 **Petition Requirements and**
9 **Filing Deadlines**

- 10
11 A. If a state requires the filing of petitions with
12 the signatures of registered/enrolled voters
13 as the sole method to place a presidential
14 candidate's name on the primary ballot in
15 connection with the Democratic presidential
16 nominating process, such number of valid
17 signatures shall not exceed 5,000.
18
19 B. If a state requires the payment of a fee by a
20 presidential candidate in connection with
21 the Democratic presidential nominating
22 process, such fee shall not exceed \$2,500.
23
24 C. If a state requires the filing of a petition with
25 the signatures of registered/enrolled voters
26 in order to have a delegate/alternate
27 candidate gain access to the primary ballot
28 in connection with the Democratic
29 presidential nominating process, the
30 number of valid signatures shall not exceed
31 either one half of one percent (.5%) of the
32 registered/enrolled Democrats in such
33 district or one half of one percent (.5%) of
34 the total votes in such district for all
35 Democratic presidential candidates
36 (including uncommitted) during the
37 immediately preceding presidential
38 nominating process, whichever is lower, but
39 in no event shall the number of valid
40 signatures required exceed 500.
41
42 D. Subject to the prior sections of this rule, the
43 number of valid signatures required of a
44 presidential candidate to file a petition to
45 gain access to the primary ballot, and the
46 number of valid signatures required of a
47 delegate/alternate candidate to gain access
48 to the primary ballot, and the fees required
49 to be paid to the state by a presidential

- 80 candidate and by a delegate/alternate
81 candidate to gain access to the primary
82 ballot, in connection with the Democratic
83 presidential nominating process, shall not
84 exceed those in effect in the particular state
85 as of January 1, 1994.
61
87 E. No deadline for the filing of petitions for
88 participation in the presidential nomination
89 process by a presidential candidate shall be
90 less than 30 days in advance of the primary
91 or caucus nor more than 75 days in advance
92 of the primary or caucus.
68
139 F. No candidate for delegate or alternate shall
140 be required to file a statement of candidacy
141 or a pledge of support as required by Rule
142 12.B. prior to 30 days before such delegate
143 or alternate candidate is to be selected or
144 elected in a primary, caucus or pre-primary
145 caucus; provided, however, that in states
146 holding a presidential primary where
147 individual district-level delegates or
148 alternates are to be voted upon on the ballot,
149 no candidate for delegate or alternate shall
150 be required to submit or file a statement of
151 candidacy or a pledge of support prior to 90
152 days before the date on which they are to be
153 voted upon.
84
115 G. No candidate for at-large or pledged party
116 leader and elected official delegate or
117 alternate shall be required to file a statement
118 of candidacy or a pledge of support
119 required by Rule 12.B. prior to 30 days
120 before the date when the delegate or
121 alternate is to be selected or voted upon.
92
123 H. No state's delegate selection rules may
124 require the filing of district-level delegate or
125 alternate candidates pledged to a
126 presidential candidate or uncommitted
127 status as a condition of access by a
128 presidential candidate to the primary ballot
129 for voting upon presidential preference.
100
101
102
103
104

Rule 15
Quorum Requirements

No less than forty percent (40%) of the members of any Party body above the first level of the delegate selection process shall constitute a quorum for any business pertaining to the selection of convention delegates.

Rule 16
Proxy Voting

To insure full participation in the delegate selection process, state party rules may, at their discretion, provide for proxy voting. Such rules shall allow an accredited participant in a caucus, convention or committee meeting, after having appeared at such meeting and having established credentials, to register the non-transferable proxy with another duly accredited participant at that meeting (except where an accredited alternate is present and eligible to serve as a replacement). Unless otherwise specified, a proxy shall be deemed to be general and uninstructed. No such rule shall allow a person to hold more than three (3) proxies at a time.

Rule 17
Unit Rule and Slate-Making

- A. The unit rule, or any rule or practice whereby all members of a Party unit or delegation may be required to cast their votes in accordance with the will of a majority of the body, shall not be used at any stage of the delegate selection process.
- B. Any individual or group of Democrats may sponsor or endorse a slate of candidates for convention delegates. But no slate may, by virtue of such endorsement, receive a preferential place on a delegate selection ballot or be publicly identified on the ballot as the official Democratic Party organization slate, and all slates must meet identical qualifying requirements for appearing on a

ballot at all levels of the delegate selection process.

Rule 18
Alternates and Vacancies

- A. Alternate delegates shall be selected by primary, convention or committee processes subject to the same National Party Rules applicable to the selection of delegates, except that the provisions of Rule 9.A. shall not apply to the election of alternates. Each State Democratic Chair shall certify all alternates in writing to the Secretary of the DNC.
- B. If a given presidential preference is entitled to one or more delegate positions in a state but would not otherwise be entitled to an alternate position, that preference shall be allotted one at-large alternate position.
- C. The proportions of alternates elected at the district level, and at-large, and as pledged party leader and elected official alternates, may be the same as the proportions of delegates elected in those categories.
- D. Each state Delegate Selection Plan shall specifically provide how and under what conditions an alternate is to replace or act in lieu of (collectively referred to as “replace” or “replaces”) a delegate.
 - 1. Delegate Selection Plans may specify one or any combination of the following alternatives for permanent and temporary replacements:
 - a. The delegate chooses the alternate;
 - b. The delegation chooses the alternate;
 - c. The alternate who receives the highest number of votes; or
 - d. Such other process as protects the interests of presidential candidates, delegates and alternates.

1
2 **2. If a delegate or alternate candidate who**
3 **has been elected but not yet certified to the**
4 **Secretary of the DNC resigns, dies or is no**
5 **longer eligible to serve, the delegate-elect**
6 **or alternate-elect shall be replaced, after**
7 **consultation with the State Party, by the**
8 **authorized representative of the**
9 **presidential candidate to whom the**
10 **delegate or alternate was pledged.**

11
12 ~~2.~~ **3.** A permanent replacement occurs when
13 a delegate resigns ~~or~~ dies **or is no longer**
14 **eligible to serve** prior to or during the
15 National Convention and the alternate
16 replaces the delegate for the remainder of
17 the National Convention. Any alternate
18 who permanently replaces a delegate shall
19 be certified in writing to the Secretary of the
20 DNC by the State Democratic Chair.
21 He/She shall be of the same presidential
22 preference (including uncommitted status)
23 and sex of the delegate he/she replaces, and
24 to the extent possible shall be from the same
25 political subdivision within the state as the
26 delegate; except in the case where the
27 presidential candidate has only one
28 alternate, in which case, that alternate shall
29 become the certified delegate.

30
31 ~~3.~~ **4.** A temporary replacement occurs when
32 a delegate is to be absent for a limited
33 period of time during the convention and an
34 alternate temporarily acts in the delegate's
35 place. Any alternate who temporarily
36 replaces a delegate must be of the same
37 presidential preference (including
38 uncommitted status) as the delegate he/she
39 replaces, and to the extent possible shall be
40 of the same sex and from the same political
41 subdivision within the state as the delegate.

42
43 E. A vacant alternate position shall be filled by
44 the delegation. The replacement shall be of
45 the same presidential preference (or
46 uncommitted status), of the same sex and, to
47 the extent possible, from the same political
48 subdivision as the alternate being replaced.
49 Each replacement of a vacant alternate
50 position shall be certified in writing to the

61 Secretary of the DNC by the State
62 Democratic Chair.

58
59
60 **Rule 19**
DNC Rules and Bylaws
Committee

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83 A. The DNC Rules and Bylaws Committee will
84 assist in the administration and enforce
85 affirmative action, inclusion and delegate
86 selection requirements for the national and
87 state Democratic Parties.

84 B. The DNC Rules and Bylaws Committee
85 shall implement the Delegate Selection
86 Rules in a manner consistent with these
87 rules.

89 C. The DNC Rules and Bylaws Committee will
90 provide state parties with a model Delegate
91 Selection Plan and an Affirmative Action
92 Plan and Inclusion Program.

84 D. The DNC Rules and Bylaws Committee
85 shall:

101 1. review Affirmative Action Plans,
102 Inclusion Programs and Delegate
103 Selection Plans submitted by state
104 parties and approve or recommend
105 changes in such plans;

107 2. conduct periodic evaluations and
108 provide technical assistance to state
109 parties on affirmative action plan,
110 inclusion program and delegate
111 selection implementation;

108 3. hear and recommend solutions to
109 affirmative action plans and inclusion
110 programs complaints unresolved by
111 appropriate state party bodies.

123 E. The DNC Rules and Bylaws Committee
124 shall retain jurisdiction over the approval of
125 amendments to state Delegate Selection
126 Plans and state delegation compliance with
127 equal division requirements, even after the
128 Convention Credentials Committee assumes

1	jurisdiction over challenges to the	51	any such program shall be
2	credentials of delegates.	52	presumptively in compliance.
3		53	
4	F. No later than December 15, 2010 December	54	b. If challenged and upheld, the
5	15, 2014 , the DNC Rules and Bylaws	55	compliance of such implementation
6	Committee shall send to state parties its	56	programs shall be conclusive but not
7	regulations adopted pursuant to these rules	57	as to compliance or non-compliance
8	and a checklist.	58	that may occur after the date of the
9		59	challenge.
10	G. The DNC shall allocate sufficient financial	60	
11	resources and staff to implement this rule.	61	2. Challenges regarding alleged violation
12		62	of an approved Delegate Selection Plan
13		63	shall first be brought to the appropriate
14		64	state Democratic Party body for a
15		65	decision to be rendered within twenty-
16	A. Jurisdictional Challenges. Any challenges	66	one (21) days. After due notice, any
17	to a state party organization in respect to its	67	aggrieved party shall have the right to
18	status as the body entitled to sponsor a	68	appeal to the DNC Rules and Bylaws
19	delegation from that state must be	69	Committee within ten (10) days
20	presented to the DNC at any time up to	70	following the decision of the state body
21	thirty (30) days prior to the initiation of the	71	according to procedures established by
22	state's delegate selection process. Such a	72	DNC Rules and Bylaws Committee.
23	challenge must be brought by at least fifteen	73	
24	(15) Democrats from the state.	74	3. The DNC Rules and Bylaws Committee
25		75	shall either certify compliance, certify
26	B. Submission, Non-Implementation and	76	non-compliance or require corrective
27	Violation Challenges. Failure to submit or	77	action after which compliance or non-
28	implement an approved affirmative action	78	compliance shall be certified.
29	program and inclusion program by the	79	C. 1. a. Violation of timing: In the event the
30	deadline specified in these rules shall	80	Delegate Selection Plan of a state
31	constitute grounds for a challenge with the	81	party provides or permits a meeting,
32	burden of proof on the challenged party.	82	caucus, convention or primary
33		83	which constitutes the first
34	1. At any time up to thirty (30) days prior	84	determining stage in the
35	to the initiation of the state's delegate	85	presidential nominating process to
36	selection process, any group of not less	86	be held prior to or after the dates for
37	than fifteen (15) Democrats in that state	87	the state as provided in Rule 11 of
38	can challenge the affirmative action plan	88	these rules, or in the event a state
39	and inclusion program on the basis of	89	holds such a meeting, caucus,
40	non-implementation of a specific	90	convention or primary prior to or
41	requirement of a state plan, which	91	after such dates, the number of
42	challenge shall include reasonable	92	pledged delegates elected in each
43	documentation of alleged violations. (In	93	category allocated to the state
44	such challenges, the challenging party	94	pursuant to the Call for the National
45	shall have the burden of proof, but the	95	Convention shall be reduced by fifty
46	challenged party shall present its case	96	(50%) percent, and the number of
47	first.)	97	alternates shall also be reduced by
48		98	fifty (50%) percent. In addition,
49	a. In the absence of any such	99	none of the members of the
50	challenge, the implementation of	100	Democratic National Committee

Rule 20
Challenges

2016 Delegate Selection Rules for the Democratic National Convention

- 1 and no other unpledged delegate 50
2 allocated pursuant to Rule 9.A. from 51
3 that state shall be permitted to vote 52
4 as members of the state’s delegation. 53
5 In determining the actual number of 54
6 delegates or alternates by which the 55
7 state’s delegation is to be reduced, 56
8 any fraction below .5 shall be 57
9 rounded down to the nearest whole 58
10 number, and any fraction of .5 or 59
11 greater shall be rounded up to the 60
12 next nearest whole number. 61
13
14 b. A presidential candidate who 62
15 campaigns in a state where the state 63
16 party is in violation of the timing 64
17 provisions of these rules, or where a 65
18 primary or caucus is set by a state’s 66
19 government on a date that violates 67
20 the timing provisions of these rules, 68
21 may not receive pledged delegates 69
22 or delegate votes from that state. 70
23 Candidates may, however, 71
24 campaign in such a state after the 72
25 primary or caucus that violates these 73
26 rules. “Campaigning” for purposes 74
27 of this section includes, but is not 75
28 limited to, purchasing print, 76
29 internet, or electronic advertising 77
30 that reaches a significant percentage 78
31 of the voters in the aforementioned 79
32 state; hiring campaign workers; 80
33 opening an office; making public 81
34 appearances; holding news 82
35 conferences; coordinating volunteer 83
36 activities; sending mail, other than 84
37 fundraising requests that are also 85
38 sent to potential donors in other 86
39 states; using paid or volunteer 87
40 phoners or automated calls to 88
41 contact voters; sending emails or 89
42 establishing a website specific to 90
43 that state; holding events to which 91
44 Democratic voters are invited; 92
45 attending events sponsored by state 93
46 or local Democratic organizations; 94
47 or paying for campaign materials to 95
48 be used in such a state. The Rules 96
49 and Bylaws Committee will 97
50 determine whether candidate 51
52 activities are covered by this section.
53
54 2. Violation of proportional representation:
55 In the event the Delegate Selection Plan
56 of a state party provides or permits the
57 pledged delegates or alternates to be
58 allocated to a presidential preference
59 (including uncommitted status) other
60 than as provided under Rule 13 of these
61 rules, or in the event a state party, in
62 fact, allocates its pledged delegates or
63 alternates to a presidential preference
64 (including uncommitted status) other
65 than as provided under Rule 13 of these
66 rules, the delegation of the state shall be
67 reduced by the same amount and as
68 provided in section C.(1) of this rule.
69
70 3. Violation of the threshold: In the event
71 the Delegate Selection Plan of a state
72 party provides or permits a threshold
73 other than fifteen percent (15%) percent
74 as set forth in Rule 13 of these rules, or
75 in the event a state party in fact permits
76 the implementation of a threshold other
77 than fifteen percent (15%) percent as
78 provided in Rule 13 of these rules, the
79 delegation of the state shall be reduced
80 by the same amount and as provided in
81 section C.(1) of this rule.
82
83 4. Upon a determination of the DNC Rules
84 and Bylaws Committee that a state is in
85 violation as set forth in subsections (1),
86 (2) or (3) of section C. of this rule, the
87 reductions required under those
88 subsections shall become effective
89 automatically and immediately and
90 without further action of the DNC Rules
91 and Bylaws Committee, the Executive
92 Committee of the DNC, the DNC or the
93 Credentials Committee of the
94 Democratic National Convention.
95
96 5. Nothing in the preceding subsections of
97 this rule shall be construed to prevent
98 the DNC Rules and Bylaws Committee
99 from imposing additional sanctions,
including, without limitation, those

2016 Delegate Selection Rules for the Democratic National Convention

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

1 procedures shall be subject to the review
2 and approval of the DNC Rules and
3 Bylaws Committee. In the event a
4 state’s Delegate Selection Plan does not
5 provide for the specific method and
6 procedures referred to in the
7 immediately preceding sentence, or in
8 the event the state’s Delegate Selection
9 Plan is either not approved by the DNC
10 Rules and Bylaws Committee or the
11 specific method and procedures referred
12 to in the first sentence of this subsection
13 (8) are not approved by the DNC Rules
14 and Bylaws Committee, or in the event a
15 state’s Delegate Selection Plan specifies
16 the method and procedures which have
17 been approved by the DNC Rules and
18 Bylaws Committee, but the state party
19 fails or refuses to implement those
20 specific method and procedures, and in
21 the event the state’s delegation is
22 required to be reduced pursuant to this
23 Rule 20, then the DNC Rules and
24 Bylaws Committee shall, by lottery, or
25 other appropriate method determined
26 by the DNC Rules and Bylaws
27 Committee, determine which delegates
28 and alternates shall not be a part of the
29 state’s delegation in order to achieve the
30 reduction of the state’s delegation
31 pursuant to this Rule 20. Any reduction
32 of delegates under this provision shall
33 be accomplished in a manner which
34 complies with the requirement of
35 proportional representation as provided
36 for in Rule 13.

37
38 9. Except as provided by subsection (7) of
39 this section C., the fact that a state party
40 took provable, positive steps as
41 provided in Rule 21 of these rules shall
42 not preclude the state’s delegation from
43 being subject to the sanctions set forth in
44 subsections (1), (2), (3), (4) and (5) of this
45 section C.

46
47 D. Unresolved Challenges and Report to the
48 Credentials Committee. The DNC Rules and
49 Bylaws Committee shall report its activities,
50 together with all challenges and complaints,

51 to the Credentials Committee of the
52 Democratic National Convention. In cases
53 involving unresolved challenges which are
54 appealed to the Credentials Committee, the
55 burden of proof shall rest with the party
56 presenting the challenge.

57
58 **Rule 21**
59 **State Legislative Changes**

- 60
61 A. Subject to Rule 19.C. of these Rules,
62 wherever any part of any section contained
63 in these rules conflicts with existing state
64 laws, the state party shall take provable
65 positive steps to achieve legislative changes
66 to bring the state law into compliance with
67 the provisions of these rules.
68
69 B. Provable positive steps shall be taken in a
70 timely fashion and shall include, but not be
71 limited to: the drafting of corrective
72 legislation; public endorsement by the state
73 party and the other relevant Democratic
74 party leaders and elected officials of such
75 legislation; efforts to educate the public on
76 the need for such legislation; active support
77 for the legislation by the state party
78 lobbying state legislators, other public
79 officials, Party officials and Party members;
80 and encouraging consideration of the
81 legislation by the appropriate legislative
82 committees and bodies.
83
84 C. A state party may be required by a vote of
85 the DNC Executive Committee upon a
86 recommendation of the DNC Rules and
87 Bylaws Committee to adopt and implement
88 an alternative Party-run delegate selection
89 system which does not conflict with these
90 rules, regardless of any provable positive
91 steps the state may have taken.