

2019
RULES AND REGULATIONS
OF
THE DEMOCRATIC PARTY
OF THE
COUNTY OF BRONX

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**Rules and Regulations
of the
Democratic Party of the County of Bronx**

ARTICLE I. ORGANIZATION

§1-1. Party Membership. The Democratic Party of the County of Bronx (“the Party”) shall consist of all enrolled voters of the Party residing in the County of Bronx.

§1-2. Party Committees. The affairs of the Party shall be entrusted to, and conducted by, the following representative committees, each of which shall be constituted and governed as provided in the Election Law of the State of New York (“the Election Law”) and these Rules and Regulations (“the Rules”).

§1-2.1. County Committee. The County Committee of the Party (“the County Committee”) shall be as constituted and described in Article II of these Rules;

§1-2.2. Executive Committee. The Executive Committee of the County Committee of the Party (“the Executive Committee”) shall be as constituted and described in Article III of these Rules;

§1-2.3. Standing Subcommittees. The standing subcommittees of the County Committee and Executive Committee shall be as constituted and described in Article IV of these Rules; and

§1-2.4. Other Subcommittees. There may be such other subcommittees of the County Committee or the Executive Committee as may from time to time be deemed necessary and proper established by either the County Committee, the Executive Committee, or the Chairman of the Executive Committee, as provided in Article III of these rules.

ARTICLE II. THE COUNTY COMMITTEE

§2.1. County Committee Membership.

§2.1-1. Qualification and Number. In accordance with §2-104 of the Election Law and these Rules, the County Committee shall consist of members elected biennially in even numbered years and there shall be not less than two (2) nor more than four (4) qualified members for each of the election districts in the County of Bronx as more specifically provided in §2-1.2. Each member of the County Committee shall be an enrolled Democratic voter residing in the Bronx and in the Assembly District containing the election district in which such member seeks election, except that a member of the County Committee who, as a result of an alteration of Assembly District lines, no longer resides within such Assembly District may continue to serve for the balance of the term to which such member was elected. In addition, in accordance with §2-110 of the Election Law, Assembly District leaders shall automatically be members and shall have the right to participate and vote in meetings of the County Committee and in meetings of any subcommittee thereof.

§2-1.2. Proportional Representation. In accordance with subdivision 1 of §2-104 of the Election Law, the County Committee membership in each election district shall be calculated as follows:

(i) where there have been no boundary changes or new districts created since the last preceding gubernatorial election, then the calculation shall be upon and proportional to the Democratic Party vote in the district for governor at the last preceding gubernatorial election; or

(ii) where the boundaries of such district have been changed or a new election district created since the last preceding gubernatorial election, then the calculation shall be proportional to the party vote cast for member of the assembly; or

(iii) in the event there was no election for member of the assembly, then proportional to the number of enrolled voters of the Democratic Party in such district on the list of enrolled voters last published by the New York State/New York City Board of Elections, excluding voters in inactive status.

Each election district shall have at least two (2) County Committee members plus one (1) additional member if 200 or more votes and less than 401 votes were cast (or voters enrolled) as set forth above: and a total of two (2) additional members (thereby making a maximum of four(4) members) if 401 votes or more were cast (or voters enrolled) as set forth above.

§2-2. Officers of the County Committee. The County Committee shall have the following titled officers each of whom shall be selected at the Organizational Meeting of the County Committee, namely: Chairperson; Secretary; Treasurer; First Vice Chairperson; Vice Chairpersons, not to exceed twenty one (21); and Sergeant-at-Arms.

§2-2.1. The Chairperson. The Chairperson shall preside over all meetings of the County Committee, or any subdivision thereof, and shall discharge all the duties imposed upon the Chairperson by law or by these Rules or by resolution of the County Committee. The Chairperson shall continue in office and exercise all of the powers under these Rules until the election of the Chairperson of the County Committee at the next Organizational Meeting. In the absence of the Chairperson, at any duly called meeting of the County Committee, the other officers shall preside and shall act as substitute presiding officer in the order set forth above in §2.2.

§2-2.2. The Secretary. The Secretary shall:

- (i) keep all records other than financial,
- (ii) prepare all notices and certificates,
- (iii) prepare and file the statement as to party positions to be filled at the primary election pursuant to §2-120 of the Election Law, and
- (iv) act as the Secretary of the Executive Committee

§2-2.3. The Treasurer. The Treasurer shall:

- (i) receive, hold and disburse the County Committee funds on behalf of the Party,
- (ii) keep all financial records of the County Committee,
- (iii) file all necessary reports in compliance with any and all statutory provisions,
- (iv) within ninety (90) days after termination of the fiscal year, deliver to each member of the Executive Committee a financial report of County Committee funds for the preceding year, which shall begin the day after the November general election and end on the day of the next November general election, and
- (v) act as the Treasurer of the Executive Committee.

§2-2.4. The First Vice Chairperson and the Vice Chairpersons. The First Vice Chairperson and the Vice Chairpersons shall perform such duties as shall be assigned to them by the Chairperson or in the absence of the Chairperson, by the substitute presiding officer.

§2-2.5 The Sergeant-at-Arms. The Sergeant-at-Arms shall maintain order at all meetings of the County Committee and the Executive Committee.

§2-3. Vacancies. Vacancies shall be filled in accordance with Sections 2-110 and 2-118 of the Election Law and these Rules, as follows:

§2-3.1 District Leader, Vacancy. In accordance with §2-110 of the Election Law, a vacancy in the office of District Leader shall be filled by the members of the County Committee within the Assembly District or part thereof, as the case may be, until the first primary election following the creation of said vacancy at which time the successor shall be directly elected as provided in the Election Law.

§2-3.2 Member Vacancy, By Other Than a Tie Vote. A vacancy in the membership of the County Committee, created by other than a tie vote at a primary election, shall be filled by the County Committee by selection of a qualified enrolled Democrat(s), upon the recommendations of the District Leader of the Assembly District or party thereof containing the election district in which the vacancy shall exist.

§2-3.3. Member Vacancy, By a Tie Vote. A vacancy created by a tie vote at the primary election shall be filled in the same manner as set forth in §2-3.2 above, except that such vacancy must be filled by the selection of one of the candidates involved in the tied vote.

§2-3.4. Officer Vacancy. In the event of a vacancy in any of the County Committee officer positions identified in §2-2 above, said vacancy shall be filled by the Executive Committee.

§2-3.5. Vacancy Determination. The Secretary of the County Committee may from time to time determine if a vacancy exists in accordance with §2-118 of the Election Law.

§2-3.6. Certification and Filing. The County Committee and/or the Executive Committee shall, within ten (10) days after such a vacancy is filled, file a certificate with the New York City Board of Elections setting forth the name, address and unit of representation of the person so selected.

§2-4. Removal of Members. Any member of the County Committee may be removed in accordance with the provisions of §2-116 of the Election Law.

§2-5. Powers. The County Committee shall have the power to amend these Rules, and shall have such other powers as may be provided by the Election Law and other laws of the State of New York.

§2---6. Meetings. The County Committee shall be required to meet at least once each year.

§2-6.1. Organizational Meeting. The County Committee shall meet and conduct its organizational meeting within twenty (20) days after the date of a primary election held in even numbered years. The outgoing Chairman shall exercise all of the powers of Chairperson until a temporary Chairperson shall be chosen at the Organizational Meeting.

§2-6.2. The Order of Business at the Organizational Meeting. The Order of Business at the Organizational Meeting shall be as follows:

- (i) roll call,
- (ii) filling of vacancies of the County Committee,
- (iii) election of Temporary Chairperson,
- (iv) election of Temporary Secretary,
- (v) election of Chairperson,
- (vi) election of Secretary,
- (vii) adoption of Rules and Regulations, and
- (viii) election of other officers.

§2-6.3. Order of Business – Other Meetings. The Order of Business for all meetings of the County Committee, other than the Organizational Meeting, shall be as follows:

- (i) roll call,
- (ii) reading of minutes,
- (iii) report of standing committees,
- (iv) report of special committees,
- (v) communications,
- (vi) unfinished business, and
- (vii) any miscellaneous business.

§2-6.4. Call. Meetings of the County Committee, or of the members from any political subdivision of the County Committee, shall be called either by:

(i) the Chairperson of the Executive Committee; or

(ii) the Chairperson or the Secretary of the County Committee at the written request of either a majority of the Executive Committee or one-fourth of the members of the County Committee for the entire Bronx County; or

(iii) a resolution of the Executive Committee or of the County Committee adopted at a prior meeting.

§2-6.5. Notices. All notices for meetings of the County Committee or any subdivision thereof shall be given in writing and mailed via ordinary mail to each member of the County Committee at least five (5) days before the meeting is scheduled. Notice shall also be sent electronically to all email addresses on file with the Secretary at least five (5) days before the meeting is scheduled. Each notice shall include an agenda of the matters to be acted upon at the meeting.

§2-6.6. Quorum and Proxy. One tenth (1/10) of the members of the County Committee or any subdivision thereof shall be a quorum for the meeting and a member present at the meeting which continues later than 10:00pm may leave and give his or her proxy to any other member.

§2-6.7. Voting Procedure. All votes at a meeting of the County Committee except for contested elections shall be by voice unless the Chairperson shall decide that a vote shall be by standing division or roll call (i.e. by Assembly district or by part thereof). Where more than one candidate is placed in nomination for any temporary or permanent office of the County Committee a vote shall be by standing division. Upon request of 150 or more members of the County Committee present at said meeting, a roll call shall be taken. On every roll call, the vote of the members of each Assembly district shall be announced by a District Leader. If one-third (1/3) of the County Committee members present in an Assembly district (or part thereof in a divided district) request a polling of such members, the Chairperson of the County Committee shall appoint two (2) tellers to conduct such poll on the floor of the meeting; and while such poll is being taken of the particular Assembly district (or subdivision thereof) the roll call of the balance of the County Committee shall continue.

§2-6.8. Resolutions. If so requested by the Chairperson of the County Committee, any member offering a resolution at a meeting of the County Committee shall reduce such resolution to writing and identify the sponsor or sponsors.

§2-6.9. Limitation of Speaking. No member shall speak more than three (3) minutes without the Chairperson's consent; no more than three speakers may speak on the same side of any questions without the consent of the Chairperson or a majority of the members present.

§2-6.10. Credentials. Members whose names are on the official roll and who have personally signed a copy of such roll upon entering the meeting shall be deemed prima facie entitled to their seats and shall have the right to vote on all questions except that of their right to their own seats. The copy of the roll with members' signatures shall be filed by the Secretary with the minutes of the meeting. In the event of a contest for membership in the Committee, a Committee on Contested Seats shall be appointed by the Chairperson. The calling of the names of the official roll may be dispensed with on motion at any meeting. All reports upon contested seats shall be in writing, and shall state the facts as found by the Committee, together with the action recommended and reasons therefore. The right to seats from each Assembly District shall, in case of contest, be decided separately from the right to seats from every other Assembly District. The failure of a member to sign, or the failure of the Secretary to file the roll, shall be deemed mere irregularities which will not invalidate any action taken by the County Committee.

ARTICLE III. EXECUTIVE COMMITTEE

§3-1. Executive Committee Members. The Executive Committee of the County Committee shall consist of the following:

- (i) the Chairperson of the Executive Committee,
- (ii) the Chairperson of the County Committee,
- (iii) the First Vice Chairperson of the County Committee,
- (iv) the Vice Chairpersons of the County Committee,
- (v) the Secretary of the County Committee,
- (vi) the Treasurer of the County Committee,
- (vii) a Counsel,
- (viii) a Parliamentarian,
- (ix) a Sergeant-at-Arms,
- (x) one male and one female District Leader for each full Assembly District (or part thereof) of the Bronx as it exists at the time of the biennial primary election, and
- (xi) in a split Assembly District, two male and two female District Leaders each of whom shall have proportional voting rights as hereinafter set forth.

§3-2. Officers of the Executive Committee. The Executive Committee shall have the following titled officers: Chairperson of the Executive Committee; Secretary; Treasurer; Counsel; Parliamentarian and Sergeant-at-Arms. The Secretary, Treasurer, and Sergeant-at-Arms shall occupy that position automatically by virtue of their election as officers of the County Committee. The remaining officers set forth above, namely the Chairperson of the Executive Committee, the Counsel and the Parliamentarian shall be elected by the remaining members of the Executive Committee at the Organizational Meeting.

§3-2.1. Eligibility for Office. All officers of the Executive Committee need not be members of the County Committee to be eligible for election to office.

§3-2.2. Chairperson of the Executive Committee. The Chairperson of the Executive Committee shall be the principal political, executive and administrative officer of the Party. The Chairperson of the Executive Committee shall designate an Acting Secretary if a vacancy occurs in that office who shall have the same duties and powers on the Executive Committee as that granted to the Secretary. The Chairperson of the Executive Committee shall appoint, and may remove at any time, any member of the subcommittees of the County Committee. The Chairperson of the Executive Committee shall call the meeting of the Executive Committee and shall preside over same.

§3-2.3. Secretary of the Executive Committee. In addition to the duties imposed as Secretary of the County Committee, the Secretary shall:

- (i) preside at all meetings of the Executive Committee in the absence of the Chairperson,
- (ii) keep full and accurate minutes and records of the proceedings of the Executive Committee,
- (iii) prepare and maintain a list of the names and addresses of the members of the Executive Committee,
- (iv) notify all such members of the time and place of all meetings of the Executive Committee, &
- (v) perform such other duties as may be assigned by the Executive Committee or by the Chairperson of the Executive Committee.

§3-2.4. Counsel and Parliamentarian. The Counsel and Parliamentarian shall each be available to aid and assist the Executive Committee at the request of the Chairperson.

§3-2.5. Treasurer. In addition to the duties imposed as Treasurer for the County Committee, the Treasurer shall perform such other duties as may be assigned by the Executive Committee or by Chairperson of the Executive Committee..

§3-2.6. Sergeant-at-Arms. The Sergeant-at-Arms shall maintain order at all meetings of the Executive Committee and County Committee.

§3-2.7. Removal. Any officer or member of the Executive Committee may be removed from such office pursuant to the provisions of the Election Law of the State of New York.

§3-3. Voting Rights. The members of the Executive Committee shall have the following voting rights.

§3-3.1. The Chairperson of the County Committee, the First Vice Chairperson of the County Committee, and the Counsel and the Parliamentarian shall each have one (1) vote; and

§3-3.2. Every other member of the Executive Committee, except the Vice Chairpersons and Sergeant-at-Arms, shall have two (2) votes, except that where an Assembly District has been divided into two or more parts, in which case the standard two votes per district leader shall be divided and proportionally allocated to the total number of district leaders in that Assembly District, based upon ratios each of which will have as its denominator the last total party enrollment available for the entire Assembly District; and its numerator for each part of the split district the total party enrollment in that part of the split district. The vote resulting from the application of these ratios shall be rounded to the nearest ten percent of a vote. If only part of an Assembly District is in the Bronx, the vote of each District Leader member from such District may be adjusted proportionately by the Executive Committee.

§3-3.3. The Vice Chairperson of the County Committee and the Sergeant-at-Arms shall have no voting rights.

§3-4. Powers. Except as otherwise provided by statute, the Executive Committee shall have and may exercise all the powers of the County Committee at all times when the County Committee is not in actual session except to either change or modify these Rules. The Executive Committee shall have sole power to authorize, in accordance with §6-120 of the Election Law, the designation or nomination as a candidate for public office of a person who is not enrolled as a member of the Party.

§3---5. Meetings of the Executive Committee

§3-5.1. Organizational Meeting. The Executive Committee shall meet for organization within twenty (20) days following the first meeting of the newly elected County Committee and elect a Chairperson of the Executive Committee, a Counsel and a Parliamentarian. The Chairperson of the County Committee shall preside at such meeting until the Chairperson of the Executive Committee shall have been elected, thereafter, the Chairperson of the Executive Committee shall preside.

§3-5.2. Minimum Number of Meetings. The Executive Committee shall be required to meet not less than three (3) times during each year, which said year shall be construed to commence from the date of the first meeting of the County Committee, until the expiration of twelve months thereafter or until the election of a new County Committee, whichever occurs first.

§3-5.3. Call. Meetings shall be called by the Chairperson, or by the Secretary, at the request of a majority of the Executive Committee.

§3-5.4. Notices. All notices for Executive Committee meetings shall be in writing and mailed to each member at least three (3) days before the meeting is scheduled and sent to all email addresses of Executive Committee members on file with the Secretary, except that oral notice given at the County Committee Organizational Meeting shall be sufficient for the Organizational Meeting of the Executive Committee.

§3-5.5. Quorum. A majority of the members of the Executive Committee entitled to cast votes shall constitute a quorum. Every member of the Executive Committee may attend any meeting thereof and vote in person.

§3-6. Subcommittees. The Chairperson of the Executive Committee may establish and create any subcommittee that the Chairperson deems necessary and proper. The Chairperson shall appoint, and may remove at any time, with or without cause, any member of any subcommittee established and created. Organizational and subsequent meetings of the subcommittees shall be held on the call of their respective chairpersons. The chairperson of each said subcommittee shall make a report to the Executive Committee and shall keep a written record of all actions taken by said subcommittee.

§3-6.1. Confidentiality. No subcommittee shall cause to be made public or issue any report unless such report and its publication have the prior approval of the Executive Committee. Neither the chairperson of any subcommittee nor any other officer or member of said subcommittee shall issue any public statements on behalf of the subcommittee or make any public appearance on behalf of the subcommittee or permit the use of title or membership as identification in connection with any public appearance without the prior approval of the Executive Committee or the Chairperson of the Executive Committee.

ARTICLE IV. STANDING SUBCOMMITTEES

§4-1. Standing Subcommittees. The County Committee shall have the following standing subcommittees:

§4-1.1. Committee on Resolutions. The committee shall prepare such resolutions as may be directed by the County Committee or the Executive Committee, and shall consider and report on such resolutions as may be referred to it by wither committee.

§4-1.2. Committee on Rules. This committee shall consider and report to the County Committee on all amendments proposed to these Rules.

§4-1.3. Independent Judicial Screening Panel. An independent judicial screening panel is established for the designation/nomination of all judicial candidates seeking the support of the Party for election to judicial office. There shall be a panel administrator who organizes and conducts the screening panel. The panel administrator shall provide notice of the judicial screening panel questionnaire's availability in the New York Law Journal. There shall be a minimum of seven (7) participants comprising the independent screening panel, consisting of bar and community groups and these groups shall be solely responsible for the selection of the participating member on the panel without any direction of the Party. Only those candidates deemed qualified by the panel shall be considered for designation or nomination for the respective judicial office.

4-1.4 Subcommittee on Community Engagement. This subcommittee shall engage in voter registration and other events as approved by the subcommittee and the Executive Committee.

ARTICLE V. CODE OF ETHICS

§5-1. Notwithstanding any contrary provision contained within these Rules, the Executive Committee is empowered to adopt, and to amend, a Code of Ethics for the Party. The Chairperson of the Executive Committee is empowered to implement and enforce the code of Ethics.

ARTICLE VI. DIVIDED ASSEMBLY DISTRICTS

§6-1. The 82nd Assembly District, Parts A & B. In accordance with §2-120 of the Election Law, the 82nd Assembly District, as defined by Chapters 16 and 20 of the Laws of 2012 of the State of New York, shall be divided as follows:

§6-1.1. Part A. Part A of the 82nd Assembly District shall consist of that part of the 82nd Assembly District geographically located within the area described as follows: beginning at a point where East Gun Hill Road intersects with Stillwell Avenue, thence northwesterly along said Road to Gunther Avenue, thence northwesterly along said avenue to Bartow Avenue, thence northeasterly along said Avenue to New England Thruway, thence northerly along said Thruway to the Hutchison River, thence northerly along the western bank of said river to the Bronx-Westchester county line, thence southeasterly through said waters north of Goose Island to Shore Road, thence southerly along said road then westerly to Pelham Parkway to Hutchison River Parkway, thence northerly alongside said Parkway Expressway to the point and place of beginning.

§6-1.2. Part B. Part B of the 82nd Assembly District shall consist of that party of the 82nd Assembly District not geographically located in the 82nd Assembly District Part A.

ARTICLE VII. GENERAL PROVISIONS

§7-1. Seal. The County Committee shall have a seal bearing the words “Democratic County Committee of the County of Bronx.” The Chairperson and the Secretary of the County Committee shall each have authority to affix said seal to all necessary and proper documents.

§7-2. Nomination for Public Office. Whenever a Party nomination, other than a nomination required to be made at a primary election, is to be made for a public office to be filled at a general or special election, such nomination shall be made as follows:

§7-2.1. Nominations by Executive Committee. If the nomination is for a public office to be filled by voters of a political subdivision whose boundaries are coterminous with the boundaries of the Bronx, such nomination and any vacancy in a nomination is made shall be made by the members of the Executive Committee.

§7-2.2. Nominations by Part of the County Committee. If the nomination for a public office to be filled by voters of a political subdivision wholly contained in the Bronx, such nomination shall be filled by the members of the County Committee from the election districts within such political subdivision.

§7-2.3. Nominations in Accordance with State Rules. If such nomination is for a public office to be filled by the voters of a political subdivision partly contained within and partly contained without the Bronx, such nomination and any vacancy in a nomination so made shall be filled in accordance with the Rules of the New York State Democratic Committee.

§7-2.4. One Person-One Vote Principle. All nominations made in accordance with the aforesaid provisions shall be made pursuant to a formula that complies with the one person-one vote principle. The procedures to be employed shall be considered by the Rules Committee and submitted to the Executive Committee for adoption.

§7-3. Amendments. These Rules may be amended from time to time by the County Committee in the manner provided for in the Election Law.

§7-4. Robert's Rules. Unless otherwise provided herein, the procedures for meetings of the County Committee, the Executive Committee, and all other committees established pursuant to these Rules shall be governed by Robert's Rules of Order, Newly Revised.

§7-5. Open Meetings. Meetings of the County Committee, the Executive Committee, and all other committees established pursuant to these Rules, shall be open to the press and public. Members of the press and public shall be required to remain in designated areas during such meetings and to conduct themselves so as not to interfere with the conduct of the meeting. Upon a two-thirds (2/3) vote of the members present, a committee established pursuant to these Rules shall have the right to conduct its business in Executive Session. Such vote can be made at any time.

§7-6. Copies of County Committee Rules. A copy of these Rules as currently in effect shall be filed with the minutes of meetings following each Organizational Meeting of the County Committee. A copy of such Rules shall be furnished to any member of the County Committee upon request. In addition, a copy of the rules shall be sent to all email addresses of members on file with the Secretary and shall be posted on the official party website within two (2) weeks of adoption.

§7-7. Severability. If any provision of these Rules or its application to any matter or circumstance shall be held invalid, the remainder of these Rules and the applicability of its provisions to other matters and circumstances shall not be affected thereby.

§7-8. Discipline. Any duly enrolled member of the Party, as defined in section 1-1 hereinabove, who shall have their enrollment canceled, pursuant to the provisions of §16-110 [1] or [2] of the New York State Election Law, shall be barred from re-enrolling in the Democratic Party in the County of the Bronx for a period of five (5) years from the date of said cancellation.