

Below is the draft 2020 Texas Delegate Selection Plan.

It was posted as of February 23, 2019 for public comment.

The SDEC adopted the plan after reviewing comments on March 30, 2019.

The Plan will be submitted to the DNC Rules and ByLaws Committee on May 3, 2019.

DNC staff sent staff comments on September 17, 2019 for clarifications, typos and other deminimus corrections.

TDP Staff made corrections and resubmitted this Plan with corrections on October 12, 2019.

TDP Staff corrected two typos in the chart of district level delegates. SD 19 gender allocations were reversed and the odd delegate should be female, not male. District 24 female delegates should be 2, not 4.

# TEXAS DELEGATE SELECTION PLAN

FOR THE 2020 DEMOCRATIC NATIONAL  
CONVENTION

ISSUED BY THE  
TEXAS  
DEMOCRATIC PARTY

APPROVED BY STATE DEMOCRATIC EXECUTIVE COMMITTEE ON MARCH 30, 2019

## The Texas Delegate Selection Plan For the 2020 Democratic National Convention

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# Texas

## Delegate Selection Plan

### For the 2020 Democratic National Convention

#### Section I

#### Introduction & Description of Delegate Selection Process

##### A. Introduction

1. State has a total of 262 delegates and 19 alternates. (*Call I & Appendix B*)
2. The delegate selection process is governed by the *Charter and Bylaws of the Democratic Party of the United States*, the *Delegate Selection Rules for the 2020 Democratic National Convention* ("Rules"), the *Call for the 2020 Democratic National Convention* ("Call"), the *Regulations of the Rules and Bylaws Committee for the 2020 Democratic National Convention* ("Regs."), the rules of the Democratic Party of Texas, the Texas election code, and this Delegate Selection Plan. (*Call II.A*)
3. Following the State Party Committee's adoption of this Delegate Selection Plan, the State Party shall submit the Plan for review and approval by the DNC Rules and Bylaws Committee ("RBC"). The State Party Chair shall be empowered to make any technical revisions to this document as required by the RBC to correct any omissions and/or deficiencies as found by the RBC to ensure its full compliance with Party Rules. Such corrections shall be made by the State Party Chair and the Plan resubmitted to the RBC within 30 days of receipt of notice of the RBC's findings. (*Reg. 2.5, Reg. 2.6 & Reg. 2.7*)
4. Once this Plan has been found in Compliance by the RBC, any amendment to the Plan by the State Party must be submitted to and approved by the RBC before it becomes effective. (*Reg. 2.9*)

##### B. Description of Delegate Selection Process

1. State will use a proportional representation system based on the results of the Presidential Primary held Tuesday, March 3, 2020 for apportioning delegates to the 2020 Democratic National Convention.
2. The “first determining step” of State’s delegate selection process will occur on Tuesday, March 3, 2020, with a presidential primary. This primary is a state and county run primary under the Texas Election Code that includes selection of nominees for U.S. Senate, Congress, the State Legislature and county and district offices.

### C. Voter Participation

1. Participation in State’s delegate selection process is open to all voters who wish to participate as Democrats. (*Rule 2.A and Rule 2.C.*)
  - a. The deadline to register to vote/participate in the first step of the delegate selection process is Monday, February 3, 2020.
  - b. An overview of the state’s voter registration, enrollment procedures, and/or declaration process including:
    - (1) whether the state has registration by party: Texas does not allow or require registration by party.
    - (2) whether voters who are not registered or enrolled as Democrats are able to participate in the process: Any voter may participate in the Democratic Primary and nominating conventions by voting in the March 3, 2020 primary or signing an oath of affiliation with the Texas Democratic Party as spelled out in the Texas Election Code and Texas Democratic Party Rules; (*Rule 2.A & Reg. 4.3.B*)
    - (3) how voters publicly declare their Party preference and how that preference is publicly recorded: Under Texas Election Code, a voter declares party preference by signing an oath at the time of voting in the Democratic primary or signing the same oath subsequent to the primary. Voting in the primary is a public record, and signing the oath subsequently occurs at party conventions and becomes a part of the convention public record. Voting in the primary affiliates a voter with the Democratic Party. Any voter who did not vote in the primary subsequent to March 3, 2019 may take the oath of affiliation and become a Democrat. Anyone who has

executed the oath may participate in the convention process. (Rule 2.A & Reg. 4.3.A)

- c. To encourage participation by youth in the delegate selection process, any individual who will have turned 18 by the date of the November general election will be allowed to participate in the delegate selection process. (Reg. 4.3.C)
  - d. At no stage of Texas' delegate selection process shall any person be required, directly or indirectly, to pay a cost or fee as a condition for participating. Voluntary contributions to the Party may be made, but under no circumstances shall a contribution be mandatory for participation. (Rule 2.D & Reg. 4.4)
  - e. No person shall participate or vote in the nominating process for the Democratic presidential candidate who also participates in the nominating process of any other party for the corresponding election. (Rule 2.E)
  - f. Votes shall not be taken by secret ballot at any stage of the delegate selection process, including processes leading up to the selection of DNC Members or State Chairs or Vice Chairs, who serve as DNC members by virtue of their office, except that use of such voting by secret ballot may be used in a process that is the first determining stage of the delegate election process and in which all individual voters who wish to participate as Democrats are eligible to do so. (Rule 2.F)
  - g. No person shall vote in more than one (1) meeting which is the first meeting in the delegate selection process. (Rule 3.E & Reg. 4.7)
  - h. All times in this Plan are Central Time.
2. The Texas Democratic Party has taken steps in the just concluded 2019 Legislative session to seek enactment of legislation, rules, and policies at the state and local level to enhance voter and election security, to accomplish the following seven goals: (See Appendix 2 List of Election related bills filed)
- a. Maintain secure and accurate state voter registration rolls, so that every eligible American who registers to vote has their personal information protected and secure: Texas Democratic Party members are sponsoring and supporting new laws on cybersecurity and data integrity in the 2020

legislative session. We were successful in a federal court case against the Texas Secretary of State on illegal voter purges. *(Rule 2.H.1)*

- b. Implement transparent and accurate voter registration list maintenance procedures that comply with federal requirements and ensure that every eligible voter stays on the rolls; *(Rule 2.H.2)*
  - c. Promote the acquisition, maintenance, and regular replacement of precinct based optical scan voting systems; Texas Democratic Party is supporting the replacement of voting systems in each of the various counties before the 2020 election. We are on track to have touch screen with paper verifiable trail equipment used by over 85% of the Texas population by 2020. *(Rule 2.H.3)*
  - d. Ensure that any direct recording electronic systems in place have a voter verified paper record; Texas Democratic Party is supporting the replacement of voting systems in each of the various counties before the 2020 election. We are on track to have touch screen with paper verifiable trail equipment used by over 85% of the Texas population by 2020. Tarrant, Bexar, Bell, Travis, Dallas and El Paso counties have contracted to purchase ExpressVote touchscreen technology. *(Rule 2.H.4)*
  - e. Implement risk limiting post-election audits such as manual audits comparing paper records to electronic records; Texas statute requires a manual audit of voting. *(Rule 2.H.5)*
  - f. Ensure that all voting systems have recognized security measures; The 2020 Legislative session passed enhanced cybersecurity measures. *(Rule 2.H.6)*
  - g. Use accessible and secure voting machines that make it possible for individuals with disabilities to vote securely and privately. Texas law meets federal guidelines and requirements for disability machine in each polling place. *(Rule 2.H.7)*
3. In accordance with the Democratic Party's requirement to assess and improve participation with respect to presidential preference and the delegate selection process, the State Party has taken steps [or is taking steps] to establish, with DNC assistance, year-round voter protection programs to support educational, administrative, legislative, and litigation-based efforts



to protect and expand the vote and advance election fairness and security, including the six goals set forth below. . (Rule 2.1 and 2.1.1)

- a. Expand access to voting, including by early voting, no excuse absentee, same-day voter registration, and voting by mail; (Rule 2.1.1.a)

Texas currently has 12 days of early voting beginning the two weeks before the election Monday through Friday each week. In counties above 100,000 population there must be twelve hours of voting on Saturday and six hours on Sunday. Democrats are proposing to allow the two weekends before and after this current period to also be used. Additionally, the hours for early voting can be expanded beyond those required in statute by the local county commissioners and Clerks. Texas Democratic Party is proactively asking for additional hours, and the movement of the usual 7 am to 7 pm voting to instead by 10 am to 10 pm voting, to give working people more access after work hours. Texas Democrats have a proactive vote by mail program for seniors and disabled Texans (only seniors, disabled, incarcerated and out of county persons can now vote by mail). Legislators are attempting to expand that effort. TDP has built a growing list of disabled Texans to insure they have access to renew their applications each year. We mail over 1.5 million applications for mail ballots each cycle. Legislators have filed over two dozen bills to expand voting by mail and insuring ballots are not rejected.

Texas law allows seniors over 65 years of age, disabled voters, those confined to jail without an active felony, and those out of county to vote by mail. With leadership from the Party, we expect the legislature to allow those applications to be extended for a two year period, allow persons to apply beginning in September 2019 for the 2020 elections, allow out of county voters to receive ballots by email, and many other smaller reforms.

Current vote by mail applications can be submitted on January 1, 2020 for the Democratic Primary. TDP will mail over 800 thousand applications to seniors and disabled voters prior to the primary. Deadline for a vote by mail application is ten days prior to the election.

- b. Ensure that voting locations are accessible, fairly placed, and adequate in number, and have a sufficient number of voting machines; TDP is

proactively working with counties on this issue in light of the loss of the ability to vote a straight ticket with a single stroke or vote. *(Rule 2.1.1.b)*

- c. Speed up the voting process and minimize long lines; Texas will face major long lines because of the loss of straight ticket voting, and the extremely long ballots in our urban areas where we have elected judges (Harris County has over 108 races on the ballot in 2020). *(Rule 2.1.1.c)*
- d. Eliminate onerous and discriminatory voter identification requirements; Texas has one of the more draconian voter ID laws. While the state maintains a stringent and limited list of acceptable voter identification, the Texas Democratic Party has successfully litigated and won a court ordered ability to do a statement for a voter to bypass the ID law if they have a impediment to obtaining the ID. Legislators are attempting to expand the IDs that can be used (Tribal, Student, etc). *(Rule 2.1.1.d)*
- e. Count and include in the final total ballots from voters who are eligible to vote but cast their ballots in the wrong precinct, for offices for which they are eligible to vote; Texas Democratic legislators and county officials are moving to the use of county voting centers which will have over 85% of Texas population being able to vote at any location on election day (all voters can now vote at any early voting location in all counties). *(Rule 2.1.1.e)*
- f. Facilitate military and overseas voting. TDP, in conjunction with Democrats Abroad, will be expanding our social media to find and educate Texans overseas to vote in our elections, and how to use a Federal Post Card Application. *(Rule 2. 1.1.f)*
- g. Texas will have in place by January 1, 2020 a full voter protection and voter expansion team consisting of a Director of Voter Protection, A Director of Voter Expansion, a Hotline Director, a Volunteer Staffer, and a training director. This team will do all protection activities. They will develop Texas specific materials for election judges, alternate judges, clerks, poll watchers, central counting and ballot board members. The voter protection hotline will go live on January 5, 2020 and be operation through the November election. The Voter Expansion Director will work all TDP departments on voter registration, vote by mail programs (mail and in person), limited ballot voting, emergency hospital voting and the expansion of early voting hours and days in most Texas counties.

4. As part of encouraging participation in the delegate selection process by registered voters: *(Rule 2.I.2)*
  - a. *Voter registration modernization, including online voter registration and automatic and same-day registration; Legislation Filed in 2019 Session (Rule 2.I.2.a)*
  - b. *Pre-registration of high school students so that they are already registered once they reach voting age; Legislation Filed in 2019 Session and Party Rules allow those who will be 17 by November election to participate and run for delegate. (Rule 2.I.2.b)*
  - c. *Restoration of voting rights to all people who have served the time for their criminal conviction, without requiring the payment of court fees or fines; Current State Law (Rule 2.I.2.c)*
  - d. *Same-day or automatic registration of voters for the Democratic presidential nominating process.] Legislation Filed in 2019 Session (Rule 2.I.2.d)*
5. Texas does not register voters by party. A voter is allowed to establish their party affiliation by simply showing up during early voting or primary day and asking for the ballot of the Democratic Party. The Texas Democratic Party has established an online pre-registration system to allow persons to register and receive information on each step of the voting and convention process by email (while retaining a process for registration for participation at the county and senatorial district convention for same day walk-ins to register. *(Rule 2.J and Rule 2.J.1)*
6. Scheduling of Delegate Selection Meetings

The Texas Primary is March 3, 2020. County and senatorial district conventions are set by Party Rule for March 21, 2020. The State Democratic Convention is June 3, 4, and 5 at the Henry B Gonzalez Convention Center in San Antonio. None of these dates conflict with state, national or religious holidays or observances.

The State Party has ensured that these dates, times and locations of all official delegate selection meetings have been scheduled to encourage participation by Democrats and will begin and end at reasonable hours.

County and Senate District Convention locations at times are still to be set by the local county party executive committees and the State Party will monitor those selections and settings.

All meetings including these conventions must be in full compliance with all applicable state and local laws, specifically including the Americans with Disabilities Act. (*Rule 3.A & Reg. 4.*)

## Section II Presidential Candidates

### A. Ballot Access

1. A presidential candidate gains access to the State presidential preference primary ballot, or is eligible to participate in the State's first-tier caucuses, by the following:

Presidential candidates must file a federal ballot application with the Texas Democratic Party during the same period as candidates filing for the state and county primary accompanied by filing fee of \$2500 or a petition in lieu of filing fees of 5000 registered voters. Filing period begins on November 9, 2019 and ends at 6:00 pm Central Time on December 9, 2019. Filing is conducted by mail or in person at Texas Democratic Party, 314 E. Highland Mall Blvd, Suite 508, Austin, TX, 78752. Filing forms and petitions forms are available on the Secretary of State website or from the Texas Democratic Party, by email at [glen@txdemocrats.org](mailto:glen@txdemocrats.org) upon request. The form must be notarized before being submitted. A waiver to Rule 12.B and 15.E was submitted to the Rules and Bylaws Committee on June 25, 2019 for permission to do this filing outside the 2020 calendar year. (*Rule 1.A.7*)

2. The Texas Democratic Party rules mirror state law. (*Rule 1.A.8*)
3. Applications must be accompanied by: A filing fee of \$2500 made payable to the "Texas Democratic Party"; or In lieu of filing fee, a petition signed by 5000 or more registered voters, submitted in accordance with those

provisions of the Election Code applicable to a candidate for statewide office; however, no signatures appearing on a petition for more than one presidential candidate shall be counted for any presidential candidate. (*Texas Democratic Party Rules and Texas Statute*)

The following provisions concerning presidential candidate filing requirements are met by state law, other than as noted:

- a. No fee for presidential candidates in connection with the presidential nominating process shall exceed \$2,500. (*Rule 15.B*)
- b. Any signature requirements or fees cannot exceed those in effect as of January 1, 1994. (*Rule 15.D*)
- c. Any filing deadline must be no less than 30 and no more than 75 days before the date of the primary or caucus, and all filing deadlines must be in 2020. Texas has requested a formal waiver of this rule because of state law for filing period. (*Rule 15.E*)
- d. Uncommitted does not appear on the Texas Democratic Primary ballot. Write-in candidates are not allowed. (*Rule 11.C, Rule 14.A, Rule 14.C, Rule 14.D, Rule 14.E, & Rule 15.H*)

## B. Other Requirements

1. Each presidential candidate shall certify in writing to the State Democratic Chair, the name(s) of their authorized representative(s) by **December 15 , 2019**. (*Rule 13.D.1*) This filing should include the name, mailing address, and day and cell phone numbers of that candidate's designated representative (the designated representative may be changed later as necessary);
2. Each presidential candidate shall use their best efforts to ensure that their respective delegation within the state delegation achieves the affirmative action, outreach and inclusion goals established by this Plan and is equally divided between men and women. (*Rule 6.I*)

## Section III

### Selection of Delegates and Alternates

#### A. District-Level Delegates

1. State is allocated 149 district-level delegates and 19 statewide at-large alternates. *(Rule 8.C, Call I.B, I.I, & Appendix B) [Pursuant to Reg. 4.34]* Alternates shall be allocated at-large statewide.
2. District-level delegates shall be allocated by a Presidential preference primary followed by a post-primary caucus for the election of the delegates. District-level delegates will be selected on Friday, June 5, 2020 on paper ballots distributed during registration for the State Convention.
3. State's district-level delegates are apportioned among state senate districts based on a formula giving equal weight to the vote for the Democratic candidates in the 2016 presidential and the 2018 gubernatorial elections. The State Executive Committee has chosen this formula because the extraordinary turnout of Democrats in the 2018 General Election best expresses the Hispanic and African American Vote in the various counties and senate districts in Texas. By averaging the presidential year turn out with the 2018 gubernatorial turnout, this is the fairest representation of the Democratic electorate to date. *(Rule 8.A, Reg. 4.12, Reg. 4.11 & Appendix A)*
4. The number of men and the number of women in the state's total number of district-level delegates will not vary by more than one. *(Rule 6.C.1 & Reg. 4.9)*
5. The district-level delegates are apportioned to districts as indicated in the following table. The gender was assigned in districts with odd numbers of delegates by random drawing by the State Executive Committee.

*\*(Assuming no gender non-binary delegates are elected.)*

SD	Total	Male	Female	Either
Totals	149	74	74	1
1	3	1	2	
2	4	2	2	
3	3	2	1	
3	4	2	2	
5	5	3	2	
6	4	2	2	
7	5	3	2	
8	6	3	3	
9	4	2	2	
10	6	3	3	
11	4	2	2	

12	5	2	3	
13	7	3	4	
14	10	5	5	
15	6	3	3	
16	6	3	3	
17	6	3	3	
18	4	2	2	
19	5	2	3	
20	4	2	2	
21	5	2	2	1 either gender
22	3	2	1	
23	7	3	4	
24	3	1	2	
25	7	4	3	
26	6	3	3	
27	4	2	2	
28	2	1	1	
29	6	3	3	
30	3	2	1	



31	2	1	1	
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## 6. District-Level Delegate Filing Requirements

- a. A district-level delegate candidate may run for election only within the district in which they are registered to vote. *(Rule 13.H)*
- b. An individual can qualify as a candidate for district-level delegate to the 2020 Democratic National Convention by filing a statement of candidacy designating their singular presidential preference and a signed pledge of support for the presidential candidate with the State Party by May 25, 2020 at 6 pm. Central Time. A delegate candidate may modify their singular presidential preference by submitting an updated pledge of support no later than the filing deadline. *(Rule 13.B, Rule 15.F & Reg. 4.23)*
- c. An application for delegate may be obtained from the State Party website or from the state office at 314 E. Highland Mall Blvd, Suite 508, Austin, TX, 78752 beginning on Monday, March 23, 2020.
- d. The candidate for delegate must also indicate the following information on the form. Failure to answer any demographic information does not disqualify any candidate from running; however, it shall disqualify the person from being considered under the affirmative action goals if left blank or answered outside the instructional requirement.
  - (1) Ethnicity - selecting any or all that apply (Anglo, African American, Hispanic, Asian or Pacific Islander, Native American)
  - (2) Age (Over 65 or Under 36 at the time of election)
  - (3) Disability
  - (4) Lesbian, Gay, Bisexual, Transgender

- e. An application may be filed in person, or by USPS or common carrier if delivered on or before the 6:00 pm Central Time deadline on May 25, 2020. The only proof of receipt will be an official receipt from the USPS or common carrier. Applicants should mail applications in a timely manner.
  - f. The Party shall time-stamp each application upon receipt or note the email time stamp as printed out from the email where the application was sent. An email date and time shall be proof of timely receipt.
  - g. The Texas Democratic Party shall post to their internet site each applicant, their filed affirmative action statuses, and categories of delegate sought, and their presidential preferences within 24 hours of receipt of the application.
  - h. An applicant may file for district level delegate, Pledged Party or Elected Official, or At-Large delegate or At-Large alternate on a single application.
  - i. No applicant may change an application after the deadline unless expressly allowed by this Delegate Selection Plan. (*Rule 1.A.7, Rule 1.A.8 & Reg. 4.23*)
  - j. A person not selected as a delegate may be considered as an alternate. (*Rule 13.C*)
7. Presidential Candidate Right of Review for District-Level Delegates
- a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than May 27, 2020 at 5:00 p.m., a list of all persons who have filed for delegate pledged to that presidential candidate. (*Rule 13.D & Rule 13.F*)
  - b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Democratic Chair by June 3, 2020 at 6:00 pm Central Time a list of all such candidates they have approved, provided that approval be given to at least three (3) separate individuals for each position for delegate. (*Rule 13.E.1, Reg. 4.24 & Reg. 4.25*)

- c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate, or the authorized representative(s), signifies otherwise in writing to the State Democratic Chair not later than June 3, 2020 at 6:00 pm. Central time.
- d. National convention delegate 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 at that level pledged to that presidential candidate. (*Rule 13.E & Reg. 4.24*)
- e. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate has used their best efforts to ensure that their respective district-level delegate candidates meet the affirmative action and outreach and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved district-level delegate candidates as indicated in Section III.A.5.b of this Plan. (*Rule 6.I & Reg.4.10.C*)

#### 8. Fair Reflection of Presidential Preference

- a. Presidential Primary - Proportional Representation Plan (*Rule 14.A, Rule 14.B & Rule 14.D*)

The State presidential primary election is a "binding" primary. Accordingly, delegate positions shall be allocated so as to fairly reflect the expressed presidential preference of the primary voters in each district. The National Convention delegates selected at the district level shall be allocated in proportion to the percentage of the primary vote won in that district by each preference, except that preferences falling below a 15% threshold shall not be awarded any delegates.

- b. Within a district, if no presidential preference reaches a 15% threshold, the threshold shall be half the percentage of the vote received in that district by the front-runner. (*Rule 14.F*)

#### 9. Equal Division of District-Level Delegates

- a. To ensure the district-level delegates are equally divided between men and women (determined by gender self-identification) delegate

positions within each district will be designated by presidential preference beginning with the highest vote-getting presidential preference. This assignment of delegate positions, will continue with the next highest vote-getting preferences in descending order, with positions assigned to either male and female alternating by gender as mathematically practicable, until the gender of each position has been assigned. In the case of non-binary gender delegates, they shall not be counted in either the male or female category. (*Rule 6.C., Rule 6.C.1 & Reg. 4.10*)

- b. Texas delegates are selected at a post-primary state convention, and the delegate positions shall be pre-designated so that the gender of the first position to be filled by the winning presidential candidate is pre-determined. Once the allocation of district delegates among presidential preference(s) has been calculated, the remaining delegate positions can be assigned to the presidential preference(s), in order of vote won, alternating by gender.
10. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee (DNC) the election of the state's district-level delegates to the Democratic National Convention within 10 days after their election on or before June 15, 2020. (*Rule 8.C & Call IV.A*)

The State Chair will certify the number of delegates immediately after the state canvas of the vote which will occur on March 12, 2020. This falls within the ten day period. (*Reg. 5.4.B & Reg. 5.4.C*)

11. District level delegates are elected on June 5, 2020 by presidential caucuses at the senate district level. The state convention will ratify those choices at their first session on June 6, 2020. (*Rule 10.B.3*)

## **B. Automatic Delegates**

- 1. Automatic Party Leaders and Elected Officials
  - a. The following categories (if applicable) shall constitute the Automatic Party Leaders and Elected Official delegate positions:
    - (1) Members of the Democratic National Committee who legally reside in the state; (*Rule 9.A.1, Call I.F, Call I.J, & Reg. 4.15*)

- (2) All of State's Democratic Members of the U.S. House of Representatives; (*Rule 9.A.3, Call I.H & Call I.J*)
- b. An Automatic delegate may run and be elected as a Pledged delegate. If an Automatic delegate is elected and certified as a Pledged delegate, that individual shall not serve as an Automatic delegate at the 2020 National Convention. (*Call I.J*)
- c. The certification process for the Automatic Party Leader and Elected Official delegates is as follows:
  - (1) Not later than March 6, 2020, the Secretary of the Democratic National Committee shall officially confirm to the State Democratic Chair the names of the Automatic delegates who legally reside in State. (*Rule 9.A*)
  - (2) Official confirmation by the Secretary shall constitute verification of the Automatic delegates from the categories indicated above. (*Call IV.B.1*)
  - (3) The State Democratic Chair shall certify in writing to the Secretary of the DNC the presidential preference of state's Automatic delegates 10 days after the completion of the State's Delegate Selection Process. (*Call IV.C*)
- 2. For purposes of achieving equal division between delegate men and delegate women within the state's entire convention delegation (determined by gender self-identification), the entire delegation includes all pledged and Automatic delegates, including those who identify as male or female. (*Rule 6.C and Reg. 4.9*)

### C. Pledged Party Leader and Elected Official (PLEO) Delegates

- 1. State is allotted 30 pledged Party Leader and Elected Official (PLEO) delegates. (*Call I.D, Call I.E & Appendix B*)
- 2. Pledged PLEO Delegate Filing Requirements. Candidates shall indicate on filing forms available beginning March 23, 2020 from the State Democratic Party office, 314 E. Highland Mall Blvd, Suite 508, Austin, TX, 78752 (same form for District and At-Large Delegates and At-Large Alternates). Delegate application deadline is May 25, 2020 Central Time at 6:00 p.m.

- a. Individuals shall be eligible for the pledged Party Leader and Elected Official delegate positions according to the following priority: big city mayors and state-wide elected officials (to be given equal consideration); state legislative leaders, state legislators, and other state, county and local elected officials and party leaders. Automatic delegates who choose to run for PLEO delegate will be given equal consideration with big city mayors and state-wide elected officials. *(Rule 10.A.1 & Reg. 4.16)*
  - b. An individual can qualify as a candidate for a position as a pledged PLEO delegate by filing a statement of candidacy with the State Chair by **May 25 2020** Central Time at the Texas Democratic Party office, 314 E. Highland Mall Blvd, Suite 508, Austin, TX, 78752. *(Rule 10.A.3, Rule 15.G, Reg. 4.18 & Reg. 4.17)*
  - c. If persons eligible for pledged PLEO delegate positions have not already made known their presidential preference as candidates for district-level or at-large delegate positions, their preference shall be ascertained through the following alternative procedure: These persons shall have one hour after the certification of district-level delegates to file a Statement of Candidacy as a pledged party and elected official delegate. *(Rule 10.A.3 & Reg. 4.17)*
3. Presidential Candidate Right of Review
- a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than May 27, 2020 **at 6:00 pm** Central Time, a list of all persons who have filed for a party and elected official delegate pledged to that presidential candidate. *(Rule 10.A.3 & Rule 13.D)*
  - b. Each presidential candidate, or that candidate's authorized representative(s), must file with the State Democratic Chair, by **June 6, 2020** a list of all such candidates they have approved, as long as approval is given to at least **two (2)** names for every position to which the presidential candidate is entitled. *(Rule 13.E.2 & Reg. 4.25)*

The deadline by which a presidential candidate is required to exercise their right of review **for PLEO delegate candidates shall be 8 a.m. on June 6, 2020** after the election of district-level delegates. Furthermore,

the minimum number of names to be approved for each PLEO position must be at least two (2) names for every position to which the presidential candidate is entitled. (*Rule 13.D.3, Rule 13.E.2 & Reg. 4.25*)

The authorized presidential representative shall make these recommendations after consulting with their Delegate Recommendation committee to have feedback on the qualifications and support level for the presidential candidate by the possible nominees.

- c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative(s) signifies otherwise in writing to the State Democratic Chair not later than 8 a.m. June 3 2020. (*Rule 13.D*)
  - d. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate has used their best efforts to ensure that their respective pledged PLEO delegate candidates meet the affirmative action and outreach and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved pledged PLEO candidates as indicated in Section III.C.3.b of this Plan. (*Rule 6.I & Reg. 4.10.C*)
4. Selection of Pledged Party Leader and Elected Official Delegates
- a. The pledged PLEO slots shall be allocated among presidential preferences on the same basis as the at-large delegates. (*Rule 10.A.2, Rule 11.C, Rule 14.E & Rule 14.F*)
  - b. Selection of the pledged PLEO delegates will occur at 10:00 a.m. on June 6, 2020 at the Henry B Gonzalez Convention Center in San Antonio, Texas , which is after the election of district-level delegates and prior to the selection of at-large delegates. The Nominations Committee for At-Large Delegates shall consult with the presidential campaigns to help ensure these PLEO members will best reflect the demographic goals established in this Plan by working with the designated representatives of the presidential campaigns and the members of the Nominations Committee representing each presidential campaign. The Committee shall use these positions to meet the affirmative action goals of historically underrepresented groups. (*Rule 10.A*)

- c. These delegates will be selected by the state convention upon recommendation based on the list of delegate candidates as approved by the respective presidential campaigns as submitted by the Nominations Committee. *(Rule 10.B)*
5. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's pledged Party Leader and Elected Official delegates to the Democratic National Convention within 10 days after their election on or before June 15, 2020. *(Call IV.A & Reg. 5.4.A)*
  6. Pursuant to Rule 13. E. 2. The presidential campaigns have an obligation to consult with the State Party in developing each campaign's list of approved PLEO delegate candidates, the authority of the campaigns to determine their own lists of delegate candidates cannot be superceded by any other entity. Pursuant to the DNC's Rules, the nominations committee does not have the authority to determine the list of approved PLEO delegates because that determination is the sole responsibility of the respective presidential campaigns.

#### D. At-Large Delegates and Alternates

1. The state of State is allotted 49 at-large delegates and 19 at-large alternates. *(Rule 8.C, Call I.B, II, Appendix B & Reg. 4.34)*
2. At-Large Delegate and Alternate Filing Requirements
  - a. Persons desiring to seek at-large delegate or alternate positions may file a statement of candidacy designating their singular presidential signed pledge of support for the presidential candidates with the State Party by May 25, 2020 at 6:00 p.m. A delegate or alternate candidate may modify their singular presidential preference by submitting an updated pledge of support no later than the filing deadline. *(Rule 13.A., Rule 13.B, Rule 15.G, Reg. 4.22, Reg. 4.23, & Reg. 4.31)*
  - b. The statement of candidacy for at-large delegates and for at-large alternates will be the same. After the at-large delegates are elected by the Texas Democratic Convention delegates those persons not chosen will then be considered candidates for at-large alternate positions unless they specify otherwise when filing. *(Rule 19.A)*



### 3. Presidential Candidate Right of Review

- a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than May 27, 2020 at 5:00 pm Central Time a list of all persons who have filed for delegate or alternate pledged to that presidential candidate. (*Rule 13.D, Reg. 4.24.D & Reg. 4.31.C*)
- b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Democratic Chair, by June 3, 2020, a list of all such candidates they have approved, provided that, at a minimum, two (2) names remains for every national convention delegate or alternate position to which the presidential candidate is entitled. The deadline by which a presidential candidate is required to exercise their right of review for at-large delegate candidates is after the election of PLEO delegate on June 6, 2020. Furthermore, per Rule 13.E.2, the minimum number of names to be approved for each at-large delegate and at-large alternate position is the same minimum number applied to the list of PLEO delegates. (*Rule 13.D.4, Rule 13.E.2 & Reg. 4.25*)
- c. Failure to respond on time will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative(s) signifies otherwise in writing to the State Democratic Chair not later than June 6, 2020.
- c. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate has used their best efforts to ensure that their respective at-large delegate candidates and at-large alternate candidates meet the affirmative action and outreach and inclusion considerations and goals detailed in the Affirmative Action and Outreach and Inclusion section of this Plan within three (3) business days of returning the list of approved at-large delegate candidates and at-large alternate candidates as indicated in this Section.
- d. Pursuant to Rule 13. E. 2. The presidential campaigns have an obligation to consult with the State Party in developing each campaign's list of approved PLEO delegate candidates, the authority of the campaigns to determine their own lists of delegate candidates cannot be superceded

by any other entity. Pursuant to the DNC's Rules, the nominations committee does not have the authority to determine the list of approved At-Large delegates because that determination is the sole responsibility of the respective presidential campaigns.

#### 4. Fair Reflection of Presidential Preference

- a. At-large delegate and alternate positions shall be allocated among presidential preferences according to results of the March 3, 2020 statewide presidential primary. *(Rule 11.C)*
- b. Preferences which have not attained a 15% threshold on a state-wide basis shall not be entitled to any at-large delegates. *(Rule 14.E)*
- c. If no presidential preference reaches a 15% threshold, the threshold shall be half the percentage of the statewide vote received by the front-runner. *(Rule 14.F)*
- d. If a presidential candidate otherwise entitled to an allocation is no longer a candidate at the time of selection of the at-large delegates, their allocation will be proportionally divided among the other preferences entitled to an allocation. *(Rule 11.C)*
- e. If a given presidential preference is entitled to one (1) or more delegate positions but would not otherwise be entitled to an alternate position, that preference shall be allotted one (1) at-large alternate position. *(Rule 19.B, Call I.I & Reg. 4.33)*

#### 5. Selection of At-Large Delegates and Alternates

- a. An individual can qualify as a candidate for a position as a At-Large delegate or Alternate by filing a statement of candidacy with the State Chair by **May 25 2020** Central Time at the Texas Democratic Party office, 314 E. Highland Mall Blvd, Suite 508, Austin, TX, 78752. *(Rule 10.A.3, Rule 15.G, Reg. 4.18 & Reg. 4.17)*

The selection of the at-large delegates and alternates will occur at 12:00 p.m. on June 6, 2020 at Gonzalez Convention Center, San Antonio Texas, which is after all pledged Party Leader and Elected Official delegates have been selected. The members of the Nominations Committee for National Delegates and the appointed presidential campaign representatives will meet to discuss the list of delegates that cause the overall delegation to meet the affirmative action goals as stated in this plan. *(Call III)*

- b. These delegates and alternates will be selected by the State convention. *(Rule 11.B & Rule 11.B)*
- c. Priority of Consideration
  - (1) In the selection of the at-large delegation priority of consideration shall be given to African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women, if such priority of consideration is needed to fulfill the affirmative action goals outlined in the state's Delegate Selection Plan. *(Rule 6.A.3)*
  - (2) To continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs and to assist in the achievement of full participation by these groups, priority of consideration shall be given other groups by virtue of race, sex, age, color, creed, national origin, religion, ethnic identify, sexual orientation, gender identity and expression, economic status or disability. *(Rule 5.C, Rule 6.A.3, Rule 7 & Reg. 4.8)*
  - (3) The election of at-large delegates and alternates shall be used, if necessary, to achieve the equal division of positions between men and women as far as mathematically practicable, and may be used to achieve the representation goals established in the Affirmative Action Plan and Outreach and Inclusion Program section of this Plan. *(Rule 6.A, Rule 6.C and Reg. 4.9)*
  - (4) Delegates and alternates are to be considered separate groups for this purpose. *(Rule 6.C.1, Rule 11.A, Reg. 4.9 & Reg. 4.20)*
- 6. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's at-large delegates

and alternates to the Democratic National Convention within 10 days after their election. *(Rule 8.C & Call IV.A)*

## E. Replacement of Delegates and Alternates

1. A pledged delegate or alternate may be replaced according to the following guidelines:
  - a. Permanent Replacement of a Delegate: *(Rule 19.D.3)*
    - (1) A permanent replacement occurs when a delegate resigns or dies prior to or during the national convention and the alternate replaces the delegate for the remainder of the National Convention.
    - (2) Any alternate permanently replacing a delegate shall be of the same presidential preference and gender of the delegate they replace, and to the extent possible shall be from the same political subdivision within the state as the delegate.
      - (a) In the case where the presidential candidate has only one (1) alternate, that alternate shall become the certified delegate.
      - (b) If a presidential candidate has only one (1) alternate, and that alternate permanently replaces a delegate of a different gender, thereby causing the delegation to no longer be equally divided, the delegation shall not be considered in violation of Rule 6.C. In such a case, notwithstanding Rule 19.D.2, the State Party Committee shall, at the time of a subsequent permanent replacement, replace a delegate with a person of a different gender, in order to return the delegation to equal division of men and women. *(Reg. 4.36)*
    - (3) If a delegate or alternate candidate who has been elected but not certified to the DNC Secretary resigns, dies, or is no longer eligible to serve, they shall be replaced, after consultation with the State Party, by the authorized representative of the presidential candidate to whom they are pledged. *(Rule 19.D.2)*

b. Temporary Replacement of a Delegate: *(Rule 19.D.4)*

- (1) A temporary replacement occurs when a delegate is to be absent for a limited period of time during the convention and an alternate temporarily acts in the delegate's place.
- (2) Any alternate who temporarily replaces a delegate must be of the same presidential preference as the delegate they replace, and to the extent possible shall be of the same gender and from the same political subdivision within the state as the delegate.

c. The following system will be used to select permanent and temporary replacements of delegates: *(Rule 19.D.1)*

- (1) The delegate chooses the alternate from among alternates of the same presidential preference; or
- (2) If the delegate does not choose, the delegates of the same presidential preference will choose the alternate through an online voting process consisting of the Chair distributing a google form with the candidates. The delegates shall rank order the candidates. This process shall be an instant runoff election where if no person receives a majority of the votes, the votes of the lowest candidate shall be redistributed to their second choice. This process shall continue of assigning the lowest candidate's votes to their second choice until a candidate has achieved a majority.

d. Certification of Replacements

- (1) Any alternate who permanently replaces a delegate shall be certified in writing to the Secretary of the DNC by the State Democratic Chair. *(Rule 19.D.3)*
- (2) Permanent replacement of a delegate (as specified above) by an alternate and replacement of a vacant alternate position shall be certified in writing by the State's Democratic Chair to the Secretary of the Democratic National Committee within three (3) days after the replacement is selected. *(Call IV.D.1)*

- (3) Certification of permanent replacements will be accepted by the Secretary up to 72 hours before the first official session of the Convention is scheduled to convene. (*Call IV.D.1 & Reg. 4.35*)
- (4) In the case where a pledged delegate is permanently replaced after 72 hours before the time the first session is scheduled to convene or, in the case where a pledged delegate is not on the floor of the Convention Hall at the time a roll call vote is taken, an alternate may be designated (as specified above) to cast the delegate's vote. In such case, the Delegation Chair shall indicate the name of the alternate casting the respective delegate's vote on the delegation tally sheet. (*Call IX.F.3.e, Call IX.F.3.c & Reg. 5.6*)
- d. A vacant alternate position shall be filled by the State Chair upon the recommendation of the presidential candidate's authorized representative of at least two candidates. The replacement shall be of the same presidential preference, of the same gender and, to the extent possible, from the same political subdivision as the alternate being replaced. (*Rule 19.E*)
- 2. Automatic delegates shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except under the following circumstances: (*Call IV.D.2 & Reg. 4.37*)
  - a. Members of Congress shall not be entitled to name a replacement. In the event of changes or vacancies in the state's Congressional Delegation, following the official confirmation and prior to the commencement of the National Convention, the DNC Secretary shall recognize only such changes as have been officially recognized by the Democratic Caucus of the U.S. House of Representatives or the Democratic Conference of the U.S. Senate. In the event of a change or vacancy in the state's office of Governor, the DNC shall recognize only such changes as have been officially recognized by the Democratic Governors' Association. (*Call IV.D.2.a*)
  - b. Members of the Democratic National Committee shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except in the case of death of such delegates. In the case where the state's DNC membership changes following the DNC Secretary's official confirmation, but prior to the commencement of the 2020 Democratic National Convention, acknowledgment by the Secretary of the new

DNC member certification shall constitute verification of the corresponding change of Automatic delegates. (*Call, IV.D.2.b*)

- c. In no case may an alternate cast a vote for an Automatic delegate. (*Call IX.F.3.e*)

## Section IV

### Selection of Convention Standing Committee Members

#### A. Introduction

1. State has been allocated **10** member(s) on each of the three (3) standing committees for the 2020 Democratic National Convention (Credentials, Platform and Rules), for a total of 30 members. (*Call VII.A & Appendix D*)
2. Members of the Convention Standing Committees need not be delegates or alternates to the 2020 Democratic National Convention. (*Call VII.A.3*)
3. These members will be selected in accordance with the procedures indicated below. (*Rule 1.G*)

#### B. Standing Committee Members

1. Selection Meeting
  - a. The members of the standing committees shall be elected by a quorum of State's National Convention delegates, at a meeting to be held on June 6, 2020 upon adjournment of the State Convention from among a list of names submitted by presidential candidates. (*Call VII.B.1*)
  - b. All members of the delegation shall receive adequate notice of the time, date and place of the meeting to select the standing committee members. (*Call VII.B.1*)
2. Allocation of Members
  - a. The members of the standing committees allocated to State shall proportionately represent the presidential preference of all candidates receiving the threshold percentage used in the state's delegation to calculate the at-large apportionment pursuant to Rule 14.E. of the Delegate Selection Rules. (*Call VII.C.1 & Reg. 5.9*)
  - b. The presidential preference of each candidate receiving the applicable percentage or more within the delegation shall be multiplied by the total number of standing committee positions allocated to State. If the result of such multiplication does not equal 0.455 or above, the



presidential preference in question is not entitled to representation on the standing committee. If the result of such multiplication is 0.455 but less than 1.455, the presidential preference is entitled to one (1) position. Those preferences securing more than 1.455 but less than 2.455 are entitled to two (2) positions, etc. (*Call VII.C.2*)

- c. Where the application of this formula results in the total allocation exceeding the total number of committee positions, the presidential candidate whose original figure of representation is farthest from its eventual rounded-off total shall be denied that one (1) additional position. Where the application of this formula results in the total allocation falling short of the total number of committee positions, the presidential candidate whose original figure of representation is closest to the next rounding level shall be allotted an additional committee position. (*Call VII.C.3*)
- d. Standing committee positions allocated to a presidential candidate shall be proportionately allocated, to the extent practicable, to each of the three (3) standing committees. When such allocation results in an unequal distribution of standing committee positions by candidate preference, a drawing shall be conducted to distribute the additional positions. (*Call VII.C.4*)

### 3. Presidential Candidate Right of Review

- a. Each presidential candidate, or that candidate's authorized representative(s), shall be given adequate notice of the date, time and location of the meeting of the state's delegation authorized to elect standing committee members. (*Call VII.D.1*)
- b. Each presidential candidate, or that candidate's authorized representative(s), must submit to the State Democratic Chair, by June 6, 2020, a minimum of (1) name for each slot awarded to that candidate for members of each committee. The delegation shall select the standing committee members from among names submitted by the presidential candidates (including, Presidential candidates shall not be required to submit the name of more than one (1) person for each slot awarded to such candidate for members of standing committees. (*Call VII.D.2*)

#### 4. Selection Procedure to Achieve Equal Division

- a. Presidential candidates shall use their best efforts to ensure that their respective delegation of standing committee members shall achieve State's affirmative action, outreach and inclusion goals and that their respective male and female members are equally divided between the men and women determined by gender self-identification. (*Rule 6.1 & Reg. 4.10*)
- b. The first binary gender position on each standing committee shall be assigned by binary gender as self-identified. For example, the first binary position on the Credentials Committee of the presidential candidate with the most standing committee positions shall be designated for a female, and the next binary position, if one occurs, will be designated for a male, and the remaining binary positions, to the extent they occur, shall be designated in like fashion, alternating between males and females, where applicable. For avoidance of doubt: there is no requirement that positions be assigned to gender non-binaries but the described alternation of binary genders may not be used to exclude a gender non-binary from consideration for a committee position. Positions for presidential candidates on each committee shall be ranked according to the total number of standing positions allocated to each such candidate. After positions on the Credentials Committee are designated by gender, the designation shall continue with the Platform Committee, then the Rules Committee.
  - (1) A separate election shall be conducted for membership on each standing committee.
  - (2) The male and female membership of the standing committees shall be as equally divided among the men and women as possible under the state allocation; the variance between men and women in any committee or among the three committees in aggregate shall not exceed one. (*Call VII.E.2*)
  - (3) Gender non-binary committee members shall not be counted as either a male or female, and the remainder of the delegation shall be equally divided between male gender (men) and female gender (women). (*Call VII.E.1*)

- (4) The positions allocated to each presidential candidate on each committee shall be voted on separately, and the winners shall be the highest vote-getter(s) of the appropriate gender.

## 5. Certification and Substitution

- a. The State Democratic Chair shall certify the standing committee members in writing to the Secretary of the Democratic National Committee within three (3) days after their selection. (*Call VII.B.3*)
- b. No substitutions will be permitted in the case of standing committee members, except in the case of resignation or death. Substitutions must be made in accordance with the rules and the election procedures specified in this section, and must be certified in writing to the Secretary of the Democratic National Committee within three (3) days after the substitute member is selected but not later than 48 hours before the respective standing committee meets, except in the case of death. (*Call VII.B.4*)
- c. Temporary Standing Committee Members
  1. Temporary members for the Convention Platform Standing Committee, will be selected by the Texas Democratic Executive Committee at the first quarterly meeting of the State Democratic Executive Committee on March 7, 2020. The meeting shall be open to the public and well publicized in accordance with this Plan. Members of the Executive Committee shall receive timely notice of the meeting, in accordance with State Party rules. (*Call VII.G.2*)
  2. Any Democrat may apply for a position as a temporary member of the Platform Committee. Persons wishing to be considered must submit an application to the State Chair with Glen Maxey at [gmaxey@txdemocrats.org](mailto:gmaxey@txdemocrats.org), or 314 E. Highland Mall Blvd, Suite 508, Austin, TX, 78752, no later than thirty days prior to the meeting.
  3. The male and female membership of the standing committee shall be equally divided among men and women (determined by self-identification). (*Call VII.E.2*) In the case of gender non-binary committee members, they shall not be counted as either a male or female, and the remainder of the standing committee members shall be equally divided between male gender (men) and female gender (women). (*Call VII.E.1*)
  4. Temporary members will serve only in the event that the Platform Committee is called to meet prior to completion of the state's delegate selection process and subsequent selection of permanent standing committee members on June 6, 2020. No temporary member may continue to serve after the selection of the permanent standing committee members unless they are elected as a permanent member. (*Call VII.G.3*)
  5. Temporary members selected after March 3, 2020, which is the first determining step for the Texas delegate selection process, shall reflect

the Presidential preferences so established. (Call VII.G.3)

6. The State Chair shall certify the temporary standing committee members in writing to the Secretary of the Democratic National Committee within three (3) days after their selection. Substitutions in a state's list of temporary members may only be made up to ten (10) days prior to the time the standing committee meets. Substitute temporary standing committee members will be selected at a meeting of the State Party in accordance with the provisions outlined above. (Call VII.B.3 and Call VII.G.4)

## Section V

### Delegation Chair and Convention Pages

#### A. Introduction

State will select one (1) person to serve as Delegation Chair and 6 to serve as Convention Pages. (Call IV.E, Call IV.F.1 & Appendix C)

#### B. Delegation Chair

##### 1. Selection Meeting

- a. The Delegation Chair shall be selected by a quorum of the state's National Convention Delegates, at a meeting to be held on June 6, 2020 upon adjournment of the State Convention. (Call IV.E & Call VII.B.1)
  - b. All members of the delegation shall receive timely notice of the time, date and place of the meeting to select the Delegation Chair. (Rule 3.C)
2. The State Democratic Chair shall certify the Delegation Chair in writing to the Secretary of the Democratic National Committee within three (3) days after their selection. (Call IV.E)

#### C. Convention Pages

1. Six individuals will be selected to serve as State's Convention Pages by the State Democratic Chair in consultation with members of the Democratic

**National Committee.** This selection will take place on June 6, 2020. (Call IV.F.3, Appendix C & Reg. 5.7)

2. The Convention Pages shall be as evenly divided between men and women (determined by self-identification) as possible under the state allocation and shall reflect as much as possible, the Affirmative Action and Outreach and Inclusion guidelines in the state plan. In the case of gender non-binary pages, they shall not be counted as either a male or female, and the remainder of the pages shall be equally divided. (Reg. 5.7.A)
3. The State Democratic Chair shall certify the individuals to serve as State's Convention Pages in writing to the Secretary of the Democratic National Committee within three (3) days after the selection, (Call IV.F.3 & Reg. 5.7.B)

## Section VI Presidential Electors

### A. Introduction

State Convention will select 38 persons to serve as Presidential Electors for the 2020 Presidential election.

### B. Selection of Presidential Electors

The Presidential Electors shall be selected by the State Convention on June 6, 2020. Each senate district caucus will recommend one elector nominee in senate district caucuses on June 5, 2020. The remaining seven are assigned by awarding a second nominee from the district with the most delegates and next highest, etc. until the seven are allocated. The entire convention then ratifies the 38 nominees. The Convention will ratify the senate district recommendations at the Saturday June 6 general session

The elected Electors are reported to the Texas Secretary of State **by September 1, 2020.** (Call VI

### C. Affirmation

1. Each candidate for Presidential Elector shall certify in writing that they will vote for the election of the Democratic Presidential and Vice Presidential

nominees. The State Chair shall collect from each nominated Elector said oath to support the nominees. *(Call VIII)*

2. In the selection of the Presidential Electors, the State Party will take the following steps to ensure the persons selected are bona fide Democrats who are faithful to the interests, welfare, and success of the Democratic Party of the United States, who subscribe to the substance, intent and principles of the Charter and the Bylaws of the Democratic Party of the United States: The Electors are nominated and elected by the delegates at the Texas Democratic State Convention and are vetted through that process. *(Call VIII)*

## Section VII

### General Provisions and Procedural Guarantees

- A. The State Democratic Party reaffirms its commitment to an open party by incorporating the “six basic elements” as listed below. As our Party strives to progress in the fight against discrimination of all kinds, these six basic elements have evolved and grown along with the constant push for more inclusion and empowerment. These provisions demonstrate the intention of the Democratic Party to ensure a full opportunity for all minority group members to participate in the delegate selection process. *(Rule 4.A, Rule 4.B & Rule 4.C)*
  1. All public meetings at all levels of the Democratic Party in 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 and expression, economic status or disability (hereinafter collectively referred to as “status”). *(Rule 4.B.1)*
  2. No test for membership in, nor any oaths of loyalty to, the Democratic Party in 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.” *(Rule 4.B.2)*
  3. The time and place for all public meetings of the Democratic Party in State 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. *(Rule 4.B.3)*

4. The Democratic Party in State, on all levels, should support the broadest possible registration without discrimination based on "status." (*Rule 4.B.4*)
  5. The Democratic Party in 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 the State Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party organization. As part of this, the State Democratic Party should develop a strategy to provide education programs directly to voters who continue to experience confusing timelines for registration, changing party affiliation deadlines, or lack of awareness of the process for running for delegate, to ensure all Democratic voters understand the rules and timelines and their impact on voter participation. (*Rule 4.B.5*)
  6. The Democratic Party in State should publicize fully and in such a manner as to assure notice to all interested parties, a complete description of the legal and practical qualifications of all positions as officers and representatives of the State Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within each State Democratic Party will have full and adequate opportunity to compete for office. (*Rule 4.B.6*)
- B. Discrimination on the basis of "status" in the conduct of Democratic Party affairs is prohibited. (*Rule 5.B*)
  - C. State's delegation shall be equally divided between delegate men and delegate women, and alternate men and alternate women, i.e. the number of men and women shall not vary by more than one. Such goal applies to the entire delegation, which includes all pledged delegates and alternates and all automatic delegates. Delegates and alternates shall be considered separate groups for purposes of achieving equal division as determined by gender self-identification. In the case of gender non-binary delegates or alternates, they shall not be counted as either a male or female, and the remainder of the delegation shall be equally divided by gender. (*Rule 6.C*)
  - D. All delegate and alternate candidates must be identified as to presidential preference at all levels which determine presidential preference. (*Rule 13.A*)

- E. No delegate at any level of the delegate selection process shall be mandated by law or Party rules to vote contrary to that person's presidential choice as expressed at the time the delegate is elected. *(Rule 13.I)*
- F. Delegates elected to the national convention pledged to a presidential candidate shall in all good conscience reflect the sentiments of those who elected them. *(Rule 13.J)*
- G. Each delegate, alternate and standing committee member must be a bona fide Democrat, who is faithful to the interests, welfare and success of the Democratic Party of the United States, who subscribes to the substance, intent and principles of the Charter and Bylaws of the Democratic Party of the United States, and who will participate in the Convention in good faith. *(Rule 13.H, Call VII.A.4 & Reg. 4.26)*
- H. Forty percent 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 National Convention delegates, alternates, standing committee members, and other official Convention participants. *(Rule 16)*
- I. There shall be no proxy voting. *(Rule 17 & Reg. 4.32)*
- J. 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. *(Rule 18.A)*
- K. 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.B)*
- L. All steps in the delegate selection process, except the filing of presidential candidates (required to be in 2019 by the Texas Election Code) must take place within the calendar year of the Democratic National Convention, except with respect to the implementation of the Affirmative Action Plan and Outreach and Inclusion Programs. *(Rule 1.F & Rule 12.B)*



- M. In electing and certifying delegates and alternates to the 2020 Democratic National Convention, the State Democratic Party hereby undertakes to assure all Democratic voters in State, a full, timely and equal opportunity to participate in the delegate selection process and in all Party affairs and to implement affirmative action and outreach and inclusion plans toward that end; that the delegates and alternates to the Convention shall be selected in accordance with the Delegate Selection Rules for the 2020 Democratic National Convention; and that the delegates certified will not publicly support or campaign for any candidate for President or Vice President other than the nominees of the Democratic National Convention. *(Call II.B)*

## Section VIII

### Affirmative Action Plan and Outreach and Inclusion Program

#### A. Statement of Purpose and Organization

##### 1. Purpose and Objectives

- a. To make sure that the Texas Democratic Party at all levels be an open Party which includes rather than excludes people from participation, a program of effective affirmative action is hereby adopted by the Texas Democratic Party, (hereafter referred to as the TDP). *(Rule 5.A)*
- b. Discrimination on the basis of "status" in the conduct of the TDP affairs is prohibited. *(Rule 5.B)*
- c. All public meetings at all levels of the TDP should be open to all members of the Texas Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, economic status or disability (hereinafter collectively referred to as "status"). *(Rule 4.B.1)*
- d. Consistent with the Democratic Party's commitment to including groups historically under-represented in the TDP's affairs, by virtue of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, or disability, the TDP has established goals for these groups. *(Rule 5.C & Reg. 4.8)*
- e. To encourage full participation by all Democrats in the delegate selection process and in all Party affairs, the TDP has adopted and will

implement programs with specific goals and timetables for African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women. To further encourage full participation in the process, the TDP has established goals and timetables for other underrepresented groups, including the LGBTQ+ community, people with disabilities, and youth. (*Rule 6.A & Rule 7*)

- (1) The goal of the programs shall be to encourage participation in the delegate selection process and in Party organizations at all levels by the aforementioned groups as indicated by their presence in the Democratic electorate. (*Rule 6.A.1*)
- (2) For the delegate selection process, "Youth" is defined as any participant younger than 36 years old at the time of election. (*Reg. 5.3.A*)
- (3) For the delegate selection process, individuals identifying as Native Americans should provide their tribal affiliation and indicate if they are enrolled in a tribe. (*Reg. 5.3.B*)
- (4) These goals shall not be accomplished either directly or indirectly by the Party's imposition of mandatory quotas at any level of the delegate selection process or in any other Party affairs. (*Rule 6.A.2*)

## 2. Organizational Structure

- a. An Affirmative Action Committee was appointed by the Texas Democratic Chair, Gilberto Hinojosa, on January 21, 2019 (*Rule 6.F*)
- b. The Texas Democratic Chair shall certify in writing to the Rules and Bylaws Committee of the Democratic National Committee the compliance of the Texas Democratic Party's Affirmative Action Committee with Rules 5.C, 6.A and 7, and submit the names, demographic data and contact information of the members no later than 15 days after their appointment. (*Reg. 2.2.J*)
- c. The Committee shall consist of members who are regionally diverse and represent the Democratic constituency groups set forth in the Introduction to the Affirmative Action Plan and Outreach and Inclusion Program. [Attach a list of the Affirmative Action Committee with each member's relevant demographic ("status") information.

- d. The Affirmative Action Committee shall be responsible for:
  - (1) Helping develop and design the proposed Affirmative Action Plan and Outreach and Inclusion Program and making recommendations to the State Democratic Chair. *(Rule 6.F)*
  - (2) Directing the implementation of all requirements of the Affirmative Action Plan and Outreach and Inclusion Program section of this Plan.
  - (3) Implementing a specific outreach and financial assistance program for persons of low and moderate income to encourage their participation and representation in the national convention delegation. *(Rule 6.G)*
  - (4) Ensuring, on behalf of the TDP Committee, 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 and women. *(Rule 6.E)*
- e. Financial and staff support for the Affirmative Action Committee shall be provided by the TDP to the greatest extent feasible, including, but not limited to, making available on a priority basis, the TDP staff and volunteers, and covering all reasonable costs incurred in carrying out this Plan.
- 3. Implementation of the Affirmative Action Plan and Outreach and Inclusion Program shall begin no later than September 13, 2019, with the distribution of the press kits, and will continue through the end of the delegate selection process. *(Rule 1.F)*

## **B. Representation Goals**

- 1. In cooperation with the Democratic National Committee, the TDP has determined the demographic composition of African Americans, Hispanics, Native Americans, and Asian Americans and Pacific Islanders in the state's Democratic electorate. These constituency percentages shall be established as goals for representation in the Texas convention delegation. *(Rule 6.A)*

2. In cooperation with the Democratic National Committee, the TDP has determined the demographic composition of members of the LGBTQ community, people with disabilities, and youth in the state's Democratic electorate. The TDP has chosen to establish these percentages as goals for representation in the state's convention delegation. (*Rule 7 & Reg. 4.8.C.iii*)
3. The Affirmative Action Committee for the TDP chose to use the following method to determine the demographic composition of the state of Texas Democratic electorate. The results of that analysis, showing the constituency percentages and the numeric goals for each constituency's representation in the convention delegation, is stated in the chart below.

For African American and Hispanic participation, the average of the percentage participation rates of the 2016 and 2018 Democratic Primary was used. For all other categories, the data provided by the Democratic National Committee "Demographics of Democratic Supporters in Texas, DNC Data and Analytics Team, February 15 2019" was used.

Because of the historic support for Democrats of African Americans in Texas, the State Democratic Executive Committee chose to hold harmless the number of raw delegates that community received in 2016. Therefore, African Americans were awarded a goal of an additional 6 delegates over the 71 allocated for a total of 77. Hispanic delegates are awarded 109 (Hispanic delegates in 2016 were allocated 75. This is an increase of 34 raw delegates, an almost 50% increase).

NOTE: The Rules require us to set affirmative action goals for historically underrepresented communities. For those who wish to know the number of non-minority (or Anglo) delegates, you subtract the allocated delegates on this chart from 262. In the chart below, that would be 62 Anglo or white delegates.

Delegates	African Americans	Hispanics	Native Americans	Asian Americans and Pacific Islanders	LGBTQ+ Americans	People with Disabilities	Youth
Percent in Democratic Electorate	19.5%	30%	.05%	5%	6%	14%	38%

Numeric Goals for Delegation	71 + 6 bonus	109	1	13	16	36	100
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Alternates	African Americans	Hispanics	Native Americans	Asian Americans and Pacific Islanders	LGBTQ+ Americans	People with Disabilities	Youth
Numeric Goals for Delegation	4	6	0	1	1	3	7

4. When selecting the at-large portion of the delegation, the demographic composition of the other delegates (district-level, pledged PLEO, and Automatic) shall be compared with the TDP's representation goals to achieve an at-large selection process that helps to bring about a representative balance. (*Rule 11.A*)
5. Although the selection of the at-large delegation may be used to fulfill the affirmative action goals established by this Plan, the TDP will conduct outreach and inclusion activities such as recruitment, education and training at all levels of the delegate selection process. (*Rule 6.A.3*)

### C. Efforts to Educate on the Delegate Selection Process

1. Well-publicized educational workshops will be conducted in each of the delegate districts beginning in September 2019. These workshops will be designed to encourage participation in the delegate selection process, including apprising potential delegate and alternate candidates of the availability of financial assistance. These workshops will be held in places that

- are easily accessible to persons with disabilities. The times, dates, places and rules for the conduct of all education workshops, meetings and other events involved in the delegate selection process shall be effectively publicized by the party organization and include mailings to various organizations representative of the Democratic voting electorate. (*Rule 3.A, Rule 3.C & Rule 3.D*)
2. A speakers bureau of volunteers from the TDP, including the Affirmative Action Committee, shall be comprised of individuals who are fully familiar with the process, will be organized to appear before groups, as needed, to provide information concerning the process.
  3. The TDP's education efforts will include outreach to community leaders within the Democratic Party's constituencies and making sure that information about the delegate selection process is available to Democratic clubs and Party caucuses representing specific constituencies.
  4. The State Party will publish and make available at no cost: a clear and concise explanation of how Democratic voters can participate in the delegate selection process. As well, the TDP shall also make available copies of the State Party Rules, the Delegate Selection Plan (and its attachments), the Affirmative Action Plan and Outreach and Inclusion Program, and relevant state statutes at no cost. Copies of documents related to the Texas delegate selection process will be prepared and the TDP and Affirmative Action Committee will distribute them in the various delegate districts not later than September 3, 2019 (*Rule 1.H*)
  5. Participation in the delegate selection process shall be open to all voters who wish to participate as Democrats. Democratic voters shall be those persons who publicly declare their Party preference and have that preference publicly recorded. (*Rule 2.A*)
  6. The TDP shall take all feasible steps to encourage non-affiliated voters and new voters to register to vote, to provide simple instructions for voting in the primary and attending the local caucus in order to become a delegate at the local level. (*Rule 2.C*)
  7. The Affirmative Action Committee will develop a TDP strategy to be implemented beginning September 3<sup>rd</sup>, 2019 that will provide education programs directly to voters in order to inform them on the process required in the state of Texas to become a delegate, to ensure all Democratic voters

understand the rules and timelines and their impact on voter participation.  
(Rule 4.B.5)

#### **D. Efforts to Publicize the Delegate Selection Process**

1. The TDP shall direct special attention to publicizing the delegate selection process in Texas. Such publicity shall include information on eligibility to vote and how to become a candidate for delegate, the time and location of each stage of the delegate selection process, and where to get additional information. The foregoing information will also be published in the TDP communications and on the TDP website. The Party organization, official, candidate, or member calling a meeting or scheduling an event, shall effectively publicize the role that such meeting or event plays in the selection of delegates and alternates to the Democratic National Convention. (Rule 3.C & Rule 3.D)
2. The TDP shall have a Delegate Selection Media Plan (see Attachment 2.i) for using all available and appropriate resources, such as social media, websites, newspapers, radio and television, to inform the general public how, when and where to participate in the delegate selection process. Specifically, the Delegate Selection Media Plan will provide details as to how to qualify to run as a delegate candidate. Regular updates should be posted/released throughout the state's delegate selection process to ensure broad and timely coverage and awareness about the process to all interested persons. (Rule 4.B.3 & Rule 6.D)
3. A priority effort, as described in the Delegate Selection Media Plan, shall be directed at publicity among the Democratic Party's constituencies.
  - a. Information about the delegate selection process will be posted on and made available to social and specialty media directed toward the Democratic constituency groups set forth in the introduction of this Affirmative Action Plan and Outreach and Inclusion Program.
  - b. The TDP shall be responsible for the implementation of this publicity effort. For purposes of providing adequate notice of the delegate selection process, the times, dates, places and rules for the conduct of caucuses, conventions and meetings, shall be effectively publicized, multilingually where necessary, to encourage the participation of minority groups. (Rule 6.D)

4. Not later than September 1, 2019 the TDP will make information about the delegate selection process available on its website and publicize the resource through press releases and communications to Party leaders, activists and targeted constituencies. Information to be posted on the website will include:
  - a. materials designed to encourage participation and inform prospective delegate candidates;
  - b. a summary explaining the role of the 2020 Convention in nominating the Party's Presidential and Vice-Presidential candidates and adopting the National Platform;
  - c. a summary of the TDP's delegate selection process including all pertinent rules, dates, and filing requirements related to the process;
  - d. a map of delegate districts and how many delegates will be elected within each district, along with filing forms or information on how to obtain the filing forms.

#### **E. Obligations of Presidential Candidates to Maximize Participation**

1. Presidential candidates shall assist the State Democratic Party in meeting the demographic representation goals reflected in the Affirmative Action Plan and Outreach and Inclusion Program. *(Rule 6.H)*
2. Each presidential candidate must submit a written statement to the State Democratic Chair by January 15, 2020 which indicates the specific steps they will take to encourage full participation by their supporters in State 's delegate selection process, including, but not limited to, procedures by which persons may file as candidates for delegate or alternate pledged to the presidential candidate. *(Rule 6.H.1)*
3. Each presidential candidate must submit demographic information with respect to all candidates for delegate and alternate pledged to them. Such information shall be submitted in conjunction with the list of names approved for consideration as delegate and alternate candidates pledged to the presidential candidate. *(Rule 6.H.2)*
4. Presidential candidates shall use their best effort to ensure that their



respective delegates, alternates and standing committee members shall achieve the affirmative action goals reflected in the Affirmative Action Plan and Outreach and Inclusion Program and that the number of men and the number of women in their respective delegations shall not differ by more than one (as determined by gender self-identification). Furthermore, presidential candidates shall use their best efforts at the district level to approve delegate, alternate, and standing committee candidates who meet applicable equal division and affirmative action considerations to promote and achieve the state's affirmative action, outreach and inclusion goals and equal division for their respective delegations. (*Rule 6.C., Rule 6.I; Reg. 4.10*)

#### F. Outreach and Inclusion Program

1. The State Democratic Party is committed to help achieve full participation of those groups of Americans who have historically been explicitly denied the right to vote or who have been subjected to discriminatory and exclusionary practices that have denied them voting rights and full participation in the delegate selection process and other Party meetings, events and elections, along with other groups of Americans who are also underrepresented in Party affairs.
2. As such, the State Democratic Party has developed outreach and inclusion programs and is committed to fully implementing the programs so that all persons who wish to participate as Democrats understand they are welcome and encouraged to be a part of the delegate selection process and in the Party at the local, state and national levels.
3. The State Party will make accommodations to facilitate greater participation by people with disabilities. These include making websites and materials meet guidelines for readability, closed captioning where possible at convention events, braille schedules of state convention and all venues meeting full Americans with Disability Act requirements.
4. In addition to the education, publicity and other steps described above, the State Party will hire outreach staff for the African American, Hispanic, Asian American and Pacific Islander, disability and LGBTQ communities. These staffers will be available to conduct trainings and other informational services to people in these communities to educate on the delegate selection process. The Coalition of Black Democrats, Tejano

Democrats, Texas Democratic Women, Texas Young Democrats, Texas College Democrats, Democrats with Disabilities, Texas Veteran Democrats, Texas Stonewall Democrats, and Asian American Democrats will all play a full role in the delegate selection education and participation process.

## Section IX Challenges

### A. Jurisdiction & Standing

1. Challenges related to the delegate selection process are governed by the *Regulations of the DNC Rules and Bylaws Committee for the 2020 Democratic National Convention (Reg. Sec. 3)*, and the "Rules of Procedure of the Credentials Committee of the 2020 Democratic National Convention." (*Call Appendix A*)
2. Under Rule 21.B. of the *2020 Delegate Selection Rules*, the DNC Rules and Bylaws Committee has jurisdiction over challenges pertaining to the submission, non-implementation and violation of state Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program. (*Rule 21.B & Call Appendix A*)
3. The Rules and Bylaws Committee has jurisdiction to hear and decide any challenge provided it is initiated before the 56th day preceding the date of the commencement of the 2020 Democratic National Convention. (*Call Appendix A & Reg. 3.1*)
4. Challenges to the credentials of delegates and alternates to the 2020 Democratic National Convention initiated on or after the 56th day preceding the date of commencement of the Democratic National Convention shall be processed in accordance with the "Rules of Procedure of the Credentials Committee of the 2020 Democratic National Convention." (*Call Appendix A*)
5. Any challenge to the credentials of a standing committee member shall be considered and resolved by the affected standing committee in accordance with Appendix A of the *Call for the 2020 Democratic National Convention*.

The Rules and Bylaws Committee shall have jurisdiction over challenges brought before the 56th day preceding the date of the commencement of the Democratic National Convention. (*Call VII.B.5*)

6. Copies of the Regulations of the Rules and Bylaws Committee and/or the Call for the 2020 Democratic National Convention, including the Rules of Procedure of the Credentials Committee (*Appendix A*), shall be made available by the State Party upon reasonable request.
7. Any group of 15 Democrats with standing to challenge as defined in Reg. 3.2 or the Call (*Appendix A, Sec. 2.A*), may bring a challenge to this Plan or to the implementation of this Plan, including its Affirmative Action provisions.

## **B. Challenges to the Status of the State Party and Challenges to the Plan**

1. A challenge to the status of the State Party Committee as the body entitled to sponsor a delegation from that state shall be filed with the Rules and Bylaws Committee not later than 30 calendar days prior to the initiation of the state's delegate selection process. (*Rule 21.A & Reg. 3.4.A*)
2. A challenge to the state's Delegate Selection Plan shall be filed with the Chair of the State Democratic Party and the Co-Chairs of the Rules and Bylaws Committee within 15 calendar days after the adoption of the Plan by the State Party. (*Reg. 3.4.B*)
3. A challenge to a Plan must be brought in conformity with the Rules and the RBC Regulations, which should be consulted for a detailed explanation of challenge procedures.

## **C. Challenges to Implementation**

1. A challenge may be brought alleging that a specific requirement of an approved Plan has not been properly implemented. Jurisdiction over all challenges initiated in a timely fashion shall reside with either the Rules and Bylaws Committee or the Credentials Committee of the National Convention (See Section VII.A. above). However, the Rules and Bylaws Committee may provide advice, assistance or interpretations of the Delegate Selection Rules at any stage of the delegate selection process. (*Reg. 3.1.C*)
2. An implementation challenge brought before the Rules and Bylaws Committee is initiated by filing a written challenge with the State Party

- Committee and with the Rules and Bylaws Committee not later than 15 days after the alleged violation occurred. The State Party has 21 days to render a decision. Within 10 days of the decision, any party to the challenge may appeal it to the Rules and Bylaws Committee. If in fact, the State Party renders no decision, any party to the challenge may request the Rules and Bylaws Committee to process it. The request must be made within 10 days after expiration of the above 21-day period. (*Reg. 3.4.C, Reg. 3.4.E & Reg. 3.4.H*)
3. Performance under an approved Affirmative Action Plan and Outreach and Inclusion Program and composition of the convention delegation shall be considered relevant evidence in the challenge to any state delegation. If a State Party has adopted and implemented an approved affirmative action program, the State Party shall not be subject to challenge based solely on delegation composition or primary results. (Rule 6.B) The procedures are the same for challenges alleging failure to properly implement the Affirmative Action Plan and Outreach and Inclusion Programs of a Plan, except that such challenges must be filed not later than 30 days prior to the initiation of the state's delegate selection process. (*Reg. 3.4.C*)
  4. Depending on the appropriate jurisdiction (see Section VIII.A. above), implementation challenges must be brought in conformity with the Regulations of the Rules and Bylaws Committee or the Rules of Procedure of the Credentials Committee, which should be consulted for a detailed explanation of challenge procedures.

## Section X

### Summary of Plan

#### A. Selection of Delegates and Alternates

State will use a proportional representation system based on the results of the apportioning of its delegates to the 2020 Democratic National Convention.

The “first determining step” of State’s delegate selection process will occur on March 3, 2020 with a primary election to allocate presidential preference. The delegates for each preference will begin with precinct caucuses within a county or senate district convention (caucus) on March 21, 2020 and culminating at the State Democratic Convention on June 4-6 in San Antonio, TX.

Persons wishing to be a delegate will file an application with the State Chair between March 23, 2020 and May 25, 2020 at the Texas Democratic Party office, 314 E. Highland Mall Blvd, Suite 508, Austin, TX, 78752. Applications will be available during the filing period at that location, on the website at [txdemocrats.org](http://txdemocrats.org) or upon request from [gmaxey@txdemocrats.org](mailto:gmaxey@txdemocrats.org).

Delegates and alternates will be selected as summarized on the following chart:

Type	Delegates	Alternates	Date of Selection	Selecting Body
				<b>Filing Requirements and Deadlines</b>
District-Level Delegates	149	0	6/5/2020	Elected by Senate District Caucuses and ratified by State Convention on June 5 2020 <b>File Statement of Candidacy and Presidential Pledge of Support with State Chair March 23 to May 25 2020</b>
Automatic Party Leader and Elected Official Delegates*	34	n/a	n/a	Automatic by virtue of respective public or Party office as provided in Rule 9.A. of the 2020 Delegate Selection Rules. (DNC and Congress only)
Pledged Party Leaders and Elected Officials (PLEOs)	30	**	6/6/2020	State Convention on June 6 2020 <b>File Statement of Candidacy and Presidential Pledge of Support with State Chair March 23 to May 25 2020</b>

At-Large Delegates At-Large Alternates	49	19	6/6/2020 6/6/2020	State Convention on June 6 2020 <b>File Statement of Candidacy and Presidential Pledge of Support with State Chair March 23 to May 25 2020</b>
TOTAL Delegates and Alternates	262	19		

- \* Automatic Party Leader and Elected Official (PLEO) delegates includes the following categories, if applicable, who legally reside in the state: the Democratic National Committee Members, the Democratic President, the Democratic Vice President, all Democratic members of the U.S. House of Representatives and the U.S. Senate, the Democratic Governor, and any other Distinguished Party Leader as specified in Rule 9.A. of the *2020 Delegate Selection Rules*. The exact number of Automatic PLEO Delegates is subject to change due to possible deaths, resignations, elections or special elections.

**B. Selection of Standing Committee Members (For the Credentials, Platform and Rules Committees)**

Standing committee members will be selected by the state's National Convention delegates as summarized below:

Members Per Committee	Total Members	Selection Date	Filing Requirements and Deadlines
10	10	6/6/2020	Selected <b>by the National Convention Delegates</b> from nominees from presidential campaigns on June 6, 2020

Temporary committee persons shall be appointed by the State Chair and announced to the State Democratic Executive Committee at their quarterly meeting in March, 2020.

**C. Selection of Delegation Chair and Convention Pages**

The Delegation Chair will be selected by the National Convention Delegates on **6/6/2020**.

Six Convention Pages will be selected by the State Democratic Chair on 6/6/2020.

**D. Selection of Presidential Electors**

38 Presidential Electors will be selected by the Democratic State Convention on **6/6/2020**. Each Senate district caucus will recommend one Elector. The seven largest senate districts by number of allocated state delegates will recommend a second Elector. The state convention will ratify those Electors for a total of 38.

#### E. Presidential Candidate Filing Deadline

Pursuant to Texas statutes, filing period must be from November 9, 2019 to 6:00 pm Central Time on December 9, 2019. Candidates will file with Glen Maxey, Primary Director, 314 E. Highland Mall Blvd, Suite 508, Austin, TX, 78752. (Rule 11.B & Rule 14.E)

Presidential candidates must certify the name of their authorized representative(s) to the State Democratic Chair by December 15, 2019.

#### F. Timetable

Date	Activity
<b>2019</b>	
February 21	Delegate Selection Affirmative Action Committee members were appointed by the State Chair.
February 21	List of Affirmative Action Committee members submitted to DNC Rules and Bylaws Committee.
February 28	Affirmative Action Committee meets to draft proposed Delegate Selection and Affirmative Action Plans.
February 28	Proposed Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program is tentatively approved for public comment by State Party Committee.
February 28	Public comments are solicited on the proposed Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program. Press releases are mailed announcing the public comment period.
March 30	Period for public comment on State Plan is concluded. Responses are compiled for review by the State Party Committee.
March 30	State Party Committee reviews public comments and adopts revised Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program for submission to DNC Rules and Bylaws Committee. Press releases are mailed announcing the approval of the Plan.
March 30	Presidential candidate petition forms are available from the State Party Committee Headquarters.
April 1	Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program is forwarded to the DNC Rules and Bylaws Committee.
September 13	State Party begins implementation of the Affirmative Action Plan and Outreach and Inclusion Program. Press kits, as described in the Affirmative Action Plan and Outreach and Inclusion Program, are sent to all state media.
October 1	Deadline for each announced presidential candidate to submit a statement specifying steps the candidate will take to encourage full participation in the delegate selection process. (Individuals who announce their candidacy after this date must provide this full participation statement to the State Party not later than 30 days after their announcement.)
November 9	Filing period opens.

December 9	Filing period closes at 6 p.m.
December 15, 2019	Presidential candidate deadline for certifying the name(s) of their authorized representative(s) to the State Party.
<b>2020</b>	
February 17 2020	First date on which vote-by-mail ballots are mailed to voters.
February 17, 2020	In-person voting begins for Presidential preference primary.
March 1 2020	Delegate and alternate candidates may obtain the statement of candidacy and pledge of support forms and filing instructions from State Party Committee Headquarters, in person, by mail, or from State Party's web site at <a href="http://www.txdemocrats.org">[e.g., www.txdemocrats.org]</a> .
March 2 2020	<b>Presidential preference primary.</b>
March 13, 2020	State Chair canvasses the vote of the March 3 primary.
March 23	First day for filing delegate or alternate statement of candidacy forms with the TDP
May 25, 2020	District-level delegate deadline for filing the statement of candidacy and pledge of support forms with State Party.
May 25 2020 6:00 pm CT	Pledged PLEO and at-large delegate or alternate candidate deadline for filing the statement of candidacy and pledge of support forms with State Party.
May 27, 2020	State Party provides list of <b>District, PLEO</b> and at-large delegate and alternate candidates to the respective Presidential candidates.
June 3, 2020	Presidential candidates provide approved list of pledged <b>District</b> candidates to State Party.
June 5, 2020	<b>State Convention convenes. District level delegates elected in the Senate Districts where they were allocated by the primary. Presidential Preference Delegate Recommendation Committees are elected and meet at 9 pm.</b>
<b>June 5, 2020</b>	<b>Senate district caucus vote to recommend Presidential Electors</b>
June 6, 2020	<b>Presidential candidates return lists of approved PLEO delegate candidates after the election of district-level delegates.</b>
June 6, 2020	<b>Nominations Committee meets to recommend PLEO delegates at 8 am. State Convention selects PLEO delegates, presidential candidates provide approved list of at-large delegate and alternate candidates to State Party. State Convention selects at-large delegates and alternates. Presidential candidates submit lists of candidates for standing committee members to State Party.</b>
<b>June 6, 2020</b>	<b>Convention ratifies Presidential Elector recommendations from Senate District Caucus.</b>
June 6, 2020	National Convention delegation meeting. National Delegates select National Convention Standing Committee Members and Delegation Chair. State Chair names convention pages.
June 9, 2020	State Chair certifies in writing to the Secretary of the DNC the State's Delegation Chair, Convention Pages and Standing Committee Members.
June 15, 2020	State Party certifies elected district-level delegates and alternates to the Secretary of the Democratic National Committee.



June 15 2020	State Chair certifies in writing to the Secretary of the DNC the State's Delegation Chair, Convention Pages and Standing Committee Members.
June 15 2020	State Party certifies in writing to the Secretary of the DNC the presidential preference of Pledged PLEOs and At-Large Delegates and Alternates.
June 15 2020	State Party certifies in writing to the Secretary of the DNC the presidential preference of the state's Automatic Delegates.

## Section XI

### Overview of Convention Process

#### A. Introduction

Persons serving as National Delegates shall be selected through a variety of methodologies. Texas' 261 delegates and 19 alternates break down as follows: 149 Senatorial District Level Delegates; 30 Pledged Party Leader and Elected Official Delegates; 49 Pledged At-Large Delegates and 19 Alternates; and 34 Automatic Delegates are automatically elected by virtue of their status.

#### B. County/Senate District Conventions

County/Senate District Conventions shall be held on Saturday, March 21, 2020 at a time and place set by the Democratic County Executive Committees at their statutory meeting in December 2019 and finalized no later than January 31, 2020. County Conventions are held in each county in Texas. However, if a county contains multiple State Senate districts, there will be held a convention in each senate district within the county instead of a countywide convention (unless the County Executive Committee has affirmatively voted to consolidate the SD conventions to one meeting place.

Each participant shall have pre-registered through the online registration system on the State Party website or shall register in person prior to the convention being called to order. This registration will also include each person confirming their singular presidential preference at the time of sign-in. This presidential preference may be modified by submitting an updated pledge at any point before the start of the County/Senatorial District Convention. The results of this poll will determine the percentage support of each presidential candidate for the purpose of determining the allocation of delegates from the convention to the state convention.

The County/Senate District Convention is called to order by the County Chair, Senate District Chair, or any qualified participant if the County Chair or Senate District Chair is absent or does not choose to chair the meeting.

The first order of business is the report of the Credentials Committee.

The delegates elect a secretary of the convention. The chair announces the results of the poll and the percentage support of each presidential preference. The chair announces the allocation of delegates to the state convention for each preference who have met the 15% threshold. If no presidential preference reaches the 15% threshold, the threshold will be half the percentage received by the front-runner

Delegates caucus by precinct, or group of precincts, to elect delegates to the State Convention. Delegates to the State Convention shall be elected in accordance with Art. IV, State Party Rules by delegates being selected by precinct conventions and by at-large delegate selected by a Nominations Committee and ratified by the full County/Senate District Convention.

- a. Allocation of delegate strength for County/Senatorial Conventions shall be based on the votes for the Democratic nominee for governor in the 2018 General Election. Use of this election for this allocation was chosen because it is the traditional marker required by statute through 2012. Although the statute was modified for the Party to decide by rule how to allocate delegate strength, the governor's election was retained. It is the most recent election and there are considerably less changes in precinct lines. Because of Texas' rapid growth, especially in urban areas, many precincts are divided, paired and eliminated by precinct redistricting since 2016. A comparison was done between 2016 presidential returns and 2018 gubernatorial returns by senate district to determine if any voting demographic was harmed in using the most recent returns. Turnout in 2018 approached the 2016 presidential turnout across Texas. While turnout was slightly higher in a presidential year, it was found that the relative voting strength of the major voting constituencies of African American and Hispanic areas was not diminished relatively. Moreover, the 2018 voting results reflected growth in the several high growth areas of the state and will more accurately reflect voting strength of Democratic primary voters in 2020. Each precinct is allocated one delegate for every full 300 votes cast for the Democratic nominee for governor in the 2018 General Election. (Example: 299 votes in a precinct would not qualify for a delegate and would be paired with another precinct(s), and 599 only gets one delegate). If a precinct cast too few votes to be allocated a delegate by itself, it is grouped with similar precincts according to the Rules.

Precinct Conventions shall be held on the day of the County or Senatorial District Convention, March 21, 2020, during the meeting

after the credentials report and election of officers. Precinct Conventions are held as part of each County or Senatorial District Convention and are open to anyone who votes in the Democratic primary. A sign shall be posted at the polling places on March 3, 2020 indicating the location of the Convention. In most counties, the County party will distribute a flyer with information about time and place of all levels of conventions to each voter when they sign in to vote in the primary.

After all participants have registered and the convention is called to order, the County or Senatorial District Chair shall call for precincts (or grouped small precincts) to meet as precinct conventions for the purpose of electing the allocated delegates from the precinct (or grouped small precincts) to the State Convention.

The Precinct Chair announces the number of delegates to the State Convention to be elected. The convention will be called to order by the Precinct Chair. If the Precinct Chair is absent, any qualified participant may call the meeting to order. The Convention is governed by Robert's Rules of Order and Art. IV, State Party Rules.

The first order of business is for every participant to sign-in and identify their presidential preference. The State Party will provide an online electronic pre-registration site to create pre-populated lists of potential attendees for this sign-in process whereby an attendee may sign their name and confirm their presidential. A person may also register at the door.

- b. The Nominations Committee of the County/Senate District convention uses the results of the precinct caucuses to allocate at-large delegates among presidential preferences so that the delegation as a whole reflects the proportionate share of sign-ins for each preference.

However, preferences that do not secure 15% of the sign-ins will not be allocated any at-large delegates.

### **C. Tier Three: State Convention**

The State Convention shall be held June 4 through June 6, 2020 in San Antonio, Texas at the Henry B Gonzalez Convention Center at a time set by

the State Democratic Executive Committee. Delegates and alternates to the National Convention shall be elected in accordance with this plan.

Any person eligible to participate in the delegate selection process (i.e. any person who voted in the 2020 Democratic Primary or signs an affidavit of affiliation with the Democratic Party) may qualify as a candidate for National Convention delegate or alternate by filing a Statement of Candidacy with the Texas Democratic Party State Chair, State Democratic Executive Committee, 314 E. Highland Mall Blvd, Suite 508, Austin, TX, 78752. A person need not attend in person a convention at any level to be a candidate for or nominated or elected as a national delegate. They must be a Democrat in good standing by having either voted in the March 3, 2020 Democratic Presidential Primary or executing an Oath of Affiliation as set out in state statute and Party rules.

Statements of Candidacy must be submitted no earlier than Monday, March 23, 2020 and no later than 5:00 p.m. on Thursday, May 25, 2020 (*Rules 12B & 14F*). Statements of Candidacy must be submitted on forms approved by the State Democratic Executive Committee and must contain the individual's name, State Senate district number, voter unique identification number (VUID or voter registration number), mailing address, residence address, day and night phone numbers, email address, a pledge of support to the Democratic nominee for president, and a signed pledge of support to the individual's presidential preference (or uncommitted status) or an oath that the individual is currently uncommitted. To aid in meeting affirmative action and inclusion goals, the Statement of Candidacy or other application shall contain a statement to allow an individual to voluntarily indicate their status in groups historically underrepresented.

A Statement of Candidacy may be amended or changed or pledge to a candidate by submitting a new Statement of Candidacy before the filing deadline on May 25, 2020.

The Texas Presidential Primary is a binding primary. Accordingly, National Convention Delegates elected at the senatorial district level shall be allocated proportionate to the percentage of the primary vote won in that district by each presidential preference, except that preferences receiving less than 15% of the vote shall not be awarded any delegates.

If no presidential preference receives 15% of the votes cast in the district, the 15% threshold shall be reduced to the percent of the vote received by the

front-runner in the district, minus 10 percentage points (Rules 13F).

The State Chair shall deliver to each presidential candidate or that candidate's designated representative no later than May 27, 2020, at 6 p.m. a list of all persons who have filed a Statement of Candidacy and who have pledged support to that presidential candidate (*Rule 12D & 12F*). Each presidential candidate or designated representative must file a list of all approved candidates with the State Chair no later than June 3, 2020, at 6:00 p.m. provided that approval must be given to at least three times the number of delegate and alternate women and to three times the number of delegate and alternate men that will be elected at the Senate District Level. Failure to timely respond shall be considered approval of all candidates submitted (*Rules 12E(1) & Reg. 4.23*). Candidates removed from the list of bona fide supporters by a presidential candidate at one level may be elected as a delegate or alternate pledged to that presidential candidate at another level (*Rules 12E*).

The order of business for delegate selection processes at the State Convention shall be the Order of Business of the State Convention as prescribed in the State Party Rules.

1. The State Democratic Chair shall canvass and certify the results of the presidential primary on March 3, 2020. Presidential Primary results shall be certified by senatorial district (*Texas Election Code 172.120*).
2. The State Democratic Chair shall use these results to proportionately allocate senatorial district delegates among presidential preferences. The Chair shall use the results to also allocate the at-large delegates and alternates among presidential preferences receiving 15% or more of the statewide vote. The State Chair shall certify this allocation to the Temporary Chair of the State Convention, if different.
3. At the State Convention, each senatorial district shall hold a caucus on Friday, June 5, 2016, to elect one member to the Credentials Committee of the convention, and shall also elect a chair of the Senate District's convention delegation if the district convention or the delegation has not previously done so.
4. The Temporary Chair shall certify each district's allocation of national delegates to the chair of that senatorial district's convention delegation.

5. Delegates will register a presidential preference when they are credentialed at the state convention.
6. Those delegates in each senatorial district who signed in for a presidential preference eligible to elect a national delegate from the senatorial district shall caucus separately to elect their share of national delegates as allocated by the primary. They shall also elect a member to serve of the Presidential Preference Delegate Recommendation Committee. Delegates may only participate in the caucus of the presidential preference for whom they signed in. A Delegate who signs in for a presidential preference (or uncommitted status) that is not entitled to elect delegates in the Senate District, shall not participate in election of delegates. A candidate for delegate who is not elected in an initial delegate election is eligible to run for subsequent at-large delegate positions and for at-large alternate delegate positions for their presidential preference.  
In addition, when a presidential preference in a senate district is allocated a delegate and there are no Statements of Candidacy for that presidential preference in that senate district, that delegate position shall be chosen through the Committee to Nominate At-Large Delegates as well. (The members of the Committee to Nominate At-Large Delegates supporting that presidential preference shall choose a delegate of their presidential preference from any other Senate District). The delegate must have filed a Statement of Candidacy in accordance with Section III.D of this plan.

The Texas Delegation as a whole shall be equally divided between men and women (excluding non-binary gender delegates). Delegates and alternates shall be considered separately in achieving equal division (*Rules 6C*). District-level delegates shall be equally divided between men and women as far as mathematically practicable (*Rules 6C (1)*). Districts entitled to an odd number of Delegates shall draw to determine the gender of the odd delegate at the statutory SDEC meeting following the general election primary (*Rules 6C (1) & Reg 4.8.B*).

#### D. Senatorial District Level Delegates

At the Senate District level, 149 delegates shall be apportioned by a presidential preference primary and elected through a three-tier, post-primary convention system (*Rules 8C*). Candidates for senatorial district-level delegates may run only in the district in which they are registered to vote (*Rules 12.H*).

The 149 delegates are apportioned to senatorial districts based on a formula giving equal weight to the vote cast for the Democratic nominee for president in 2012 and the Democratic nominee for governor in 2014. (*Rules 8A(2)*)

Following the primary, delegate positions will be allocated to preferences based on the presidential primary vote in each district based on a formula giving equal weight to the vote cast for the Democratic nominee for president in 2016 and the Democratic nominee for governor in 2018.

Pursuant to Reg. 4.18, any automatic delegates to the State Convention will not be involved in the allocation process.

The district caucus for each presidential preference shall allocate delegate positions as assigned by the State Committee.

#### **E. Presidential Delegate Recommendation Committee Meetings**

Members of the Presidential Preference Delegate Recommendation Committees will meet in groups according to their Presidential preference with the authorized representative for that Presidential campaign at 9 pm Central Time on Friday, June 5, 2020.

Each group will elect a chair, plus one additional representative to the Nominations committee for At-Large Delegates to the National Convention for every decile (10%) of the primary vote that candidates receiving 15% of the primary vote earned.



Every reasonable effort shall be made by the Nominations Committee to achieve equal division by gender and to meet other affirmative action goals in the overall category of 30 Pledged Party Leader and Elected Official Delegates.

## ATTACHMENTS

### A. Affirmative Action Committee

1. List of Affirmative Action Committee Members APPENDIX 1
2. Statement from the State Chair confirming that the composition of the State Affirmative Action Committee complies with Rules 5.C, 6.A., and 7 and that the names, demographic data and contact information of members was submitted to the RBC 15 days after their appointment. (Reg. 2.2.K)  
APPENDIX 5

### B. *[As specified in Reg. 2.2, the following documentation must accompany the state's Delegate Selection Plan at the time it is formally submitted to the Rules and Bylaws Committee.]*

1. **A summary** of the process for selecting delegates, alternates, standing committee members, the delegation chair and convention pages, and Presidential Electors, along with related deadlines. **WITHIN PLAN**
2. **A timetable** reflecting all significant dates in the state's delegate selection process. - **see Section I. of the Model Plan.]** (Reg. 2.2.B) **WITHIN PLAN**
3. **A copy of the press release** distributed by the State Party Committee announcing its adoption of the Plan and summarizing the major components of the Plan. (Reg. 2.2.D) **APPENDIX 10**
4. **A statement from the State Democratic Chair certifying the following:**
  - a. **The Plan** as submitted to the RBC was approved by the State Party Committee. (Reg. 2.2.C) **APPENDIX 5**
  - b. **The proposed Plan**, including all attachments and appendices, was placed on the State Party website during the 30-day public comment period. (Reg. 2.2.E) **APPENDIX 5**
  - c. **Compliance with Rule 1.C** which requires a 30-day public comment period prior to the adoption of the Plan by the State Party Committee,

provided that the State Party has published specific guidance for the submission of public comments. (Reg. 2.2.F) **APPENDIX 5**

5. A statement from the Chair of the Affirmative Action Committee certifying **compliance with Rule 6.F.**, which requires that the Affirmative Action Committee has reviewed the proposed Affirmative Action outreach plan, including any numerical goals established. (Rule 6.F & Reg. 2.2.I) **APPENDIX 6**
6. **A copy of all written public and online comments** submitted through the process provided above about the Plan. **APPENDIX 4**
7. **A blank copy of forms** to be filed with the state and the State Party by delegate and alternate candidates. (Rule 1.A.7, Rule 1.A.8 & Reg. 2.2.H) **APPENDIX 7**
8. **Copies of all state statutes and other relevant legal authority** reasonably related to:
  - a. the Delegate Selection Process (Reg. 2.2.L) **APPENDIX 8**
  - b. The election of Presidential Electors **APPENDIX 8**
9. A copy of all **presidential candidate qualifying forms** to be filed with the state and the State Party. (Reg. 2.2.M) **APPENDIX 9**
10. A copy of the **State Delegate Selection Media Plan**, describing how the State Party will communicate information about the process to all available and appropriate sources, including social and specialty media directed toward Democratic constituency groups as described in the Affirmative Action Plan and Outreach and Inclusion Program. **WITHIN PLAN**