



Rules Committee Report

Rules Committee Meeting held via Zoom

The California Republican Party Rules Committee met on July 22, 2023 via Zoom to consider proposed bylaw changes for adoption by the CRP. Chairman Matt Jacobs called the meeting to order at 10:00 A.M.

The following Rules Committee members were present: Luis Buhler, Jeff Burns, Shawn Collins, Matthew Dobler, Rex Frazier, Greg Gandrud, Matt Heath, Linda Lopez-Alvarez, Betsy Mahan, Charles Moran, Richard Sherman, Lindsey Stetson, Dwight Williams

Rules Committee Proposal #1: DO PASS AS AMENDED

Section 6.01 SELECTION OF PRESIDENTIAL NOMINATING CONVENTION DELEGATES

(A) Notwithstanding Section 1.04A of these bylaws, the selection of Presidential Nominating Convention Delegates to the Republican National Convention shall be conducted as provided in Chapter 2 of Part 1 of Division 6, commencing with section 6300, of the California Elections Code, ~~provided, however and as follows:~~

(1) Under circumstances when Rules of the Republican National Committee permit the State's delegates to be allocated all to one candidate (winner-take-all), such as when the Primary election takes place after a specified date. Presidential Nominating Convention delegates and alternate Presidential Nominating Convention delegates shall be chosen by the Presidential candidate who obtained the plurality of Republican votes within each Congressional district, and, for Presidential Nominating Convention delegates and alternate Presidential Nominating Convention delegates "at large," by the Presidential candidate who obtained the plurality of Republican votes statewide

(2) Under circumstances when Rules of the Republican National Committee do not permit the State's delegates to be allocated all to one candidate (winner-take-all), such as when the Primary elections takes place before a specified date (like the 2024 Primary election), Presidential

Nominating Convention at-large and Congressional district delegates and alternate Presidential Nominating Convention delegates shall be allocated proportionally based on the statewide vote. A candidate who receives a majority (50% plus 1) of votes statewide is entitled to all of the at-large and Congressional district delegates and alternates. If no candidate receives a majority (50% plus 1) of votes statewide, the at-large and Congressional district delegates and alternates shall be apportioned among all candidates based on the statewide vote, beginning with the candidate receiving the highest number of votes and rounding fractional delegates and alternates upward to the next whole number, and then awarding delegates and alternates to the second highest candidate in the same manner, and so forth until the at-large and Congressional district delegates and alternates to be apportioned have been fully awarded.

(B) The Chairman of the Committee shall certify the selections of Presidential Nominating Convention delegates and alternate Presidential Nominating Convention delegates made by the representatives of such Presidential candidate or candidates to the Secretary of State and to the Secretary of the Republican National Committee as required by law and by the Rules of the Republican Party. For purposes of the notification of the Chairman and Secretary, each Presidential candidate whose name appears on the Presidential primary election ballot shall identify the name and address of his or her representative who shall be authorized to identify the Presidential Nominating Convention delegates and alternate Presidential Nominating Convention delegates selected by that Presidential candidate under these Bylaws.

(1) Each Presidential candidate whose name appears on the Presidential primary election ballot shall identify to the Chairman and the Secretary of the Committee the names and addresses of delegates and alternate delegates at large and by Congressional District selected by the Presidential candidate as his or her delegates and identified to the California Secretary of State in accordance with state law. This identification shall be made within 5 calendar days of the date such names are submitted to the California Secretary of State, or 5 calendar days prior to the ~~June~~ Presidential Primary election, whichever is sooner. ~~and may be amended as necessary prior to the submission of authorized delegates by the Chairman and Secretary of the Committee to the Secretary of the Republican National Committee.~~

~~(2) The Chairman of the Committee shall certify the selections of delegates and alternate delegates made by the representatives of such Presidential candidate or candidates to the Secretary of State as required by law. For purposes of the notification of the Chairman and Secretary, each Presidential candidate whose name appears on the Presidential primary election ballot shall identify the name and address of his or her representative who shall be authorized to identify the delegates and alternate delegates selected by that Presidential candidate under these Bylaws. Not later than 7 days after the completion of the official canvass of the vote as required in California Elections Code Section 6420, each Presidential candidate awarded delegates shall submit a revised list of delegates and alternates corresponding to the allocation awarded pursuant to subsection (A). If no candidate receives a majority (50% plus 1) of votes statewide, the presidential candidate who received the most Republican statewide votes shall determine first which of their delegates will be selected. Each presidential candidate receiving delegates, shall select their delegates in the order of the statewide Republican vote received. Provided, however, if no candidate receives a majority (50% plus 1) of votes in a Congressional district, then no candidate may select more than two delegates in that Congressional district, unless a greater~~

number is required in order to ensure that 3 delegates are selected for each Congressional District. The list may be amended as necessary prior to the submission of authorized delegates to the Secretary of the Republican National Committee.

(3) Should the last possible date for the completion of the official canvass of the vote as required in ~~the~~ California Elections Code Sections ~~62—~~and 6420 be less than 21 days before the date of the meeting of the National Convention, then Delegates and Alternate Delegates shall be selected in the following manner:

(a) The Semifinal Official Canvass of the vote, as defined in California Election Code Sections 15000 – 15290 shall be used in place of the official canvass of the vote.

(b) The determination of which presidential nominee obtained the plurality of the vote in any Congressional district, or at large, shall be based on the Semifinal Official Canvass.

(c) The names of Delegates and Alternate Delegates as chosen by the presidential nominees shall be forwarded to the Secretary of the Republican National Committee by the Chairman and the Secretary of the California Republican Party, as required by Rule 20(b)(2) of the Republican National Committee.

(d) Once the official canvass becomes or updates become available, any changes in the California Delegation will be sent to the Secretary of the Republican National Committee.

(C) In the event that the Republican National Convention in even-numbered years shall be concluded after the statutory deadline for certifying candidates for President and Vice President for the November election ballot who have received the nomination as a candidate for public office pursuant to California law, the Chairman of the Committee shall be empowered prior to the statutory filing deadline as set forth in Cal. Elec. Code Sec. 8148 to notify the Secretary of State of the nomination of the Republican candidates for President and Vice President of the United States, upon the Chairman's determination that the Presidential nominating convention is substantially likely to nominate persons as candidates for those offices in the general election, on the basis of the following determinations: (a) that a candidate for President has attained a sufficient number of delegate votes to assure nomination at the Republican National Convention; (b) that the candidate for President has identified a person who will be nominated to run for the office of Vice President; and (c) that the Republican National Convention is likely to nominate the person who is the choice of the candidate for President for the Vice Presidential nomination.

~~(D) For the 2020 Primary Election, the determination of which presidential nominees obtained delegates and corresponding alternates in any congressional district, or at large, shall be based on the following formula from the Primary Election votes:~~

~~I. If a presidential candidate receives a majority (50% plus 1) of the Republican statewide vote, that candidate shall be awarded all of California's congressional and at large delegates and corresponding alternates.~~

~~H. If no candidate receives a majority of the Republican statewide vote, then delegates and corresponding alternates shall be awarded proportionally. To qualify for receiving delegates a candidate must receive at least twenty percent (20%) of the Republican statewide vote.~~

~~III. The presidential candidate who received the most Republican statewide votes shall determine first which of their delegates will be selected. Each presidential candidate receiving delegates, shall select their delegates in the order of the statewide Republican vote received.~~

~~This subdivision will become inoperative as of January 1, 2021.~~

~~(E) Notwithstanding any other provision of these bylaws, for the 2020 Primary Election, if California law imposes additional requirements on presidential candidates to be placed on the ballot and a nationally recognized candidate for President is denied access to the ballot, the Committee shall meet after March 15, 2020 and determine the Presidential candidate who shall identify the slate of delegates and alternate delegates to the Presidential Nominating Convention. This subdivision shall be inoperative as of January 1, 2021.~~

~~(D) This section will become inoperative as of December 31st, 2024~~

Respectfully Submitted,

Matt Jacobs, CRP Rules Committee Chairman