

**Bylaws
of
The Standards Board
of
The United States
Election Assistance
Commission**



BYLAWS
UNITED STATES ELECTION ASSISTANCE COMMISSION
STANDARDS BOARD

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BYLAWS
OF THE U.S. ELECTION ASSISTANCE COMMISSION
STANDARDS BOARD

The U.S. Election Assistance Commission Standards Board, hereinafter referred to as Standards Board, embodies the vision of Congress to forge a partnership among federal, state and local election officials whose goal is to promote public confidence in the conduct of federal elections in the United States.

Article I. Authority

Pursuant to the Federal Advisory Committee Act and the Help America Vote Act of 2002 (HAVA) [Public Law 107-252], as such statutes may be amended from time to time, the Standards Board has been granted its authority through its charter with the United States Election Assistance Commission (EAC) (as filed with Congress on April 13, 2005 and to be renewed every two (2) years). The Standards Board, Executive Board and the committees of the Standards Board will comply fully with the provisions of the Federal Advisory Committee Act (FACA); and all other applicable Federal laws.¹

Article II. Objectives

The Standards Board will:

1. Advise EAC through review of the voluntary voting system guidelines described in Title II Part 3 of HAVA; through review of the voluntary guidance described under Title III of HAVA; and through the review of the best practices recommendations described in Section 241 of Title II of HAVA, as required by HAVA or as may be developed by EAC.
2. Provide guidance and advice to EAC on a variety of topics related to the administration of elections for Federal office.
3. Make recommendations to EAC. Neither the Executive Board nor any subcommittees of the Standards Board may make recommendations to EAC without the consideration and approval of the Standards Board.²
4. Function solely as an advisory body.

Article III. Standards Board Membership

Pursuant to Section 213(a) of HAVA, the Standards Board shall consist of 110 members, as follows:

1. Fifty-five (55) shall be state election officials selected by the chief State election official of each State.

¹ Article I was amended April 15, 2016 at the Carlsbad, CA Standards Board meeting

² Article II, Section 3 was amended on February 21, 2007 at the Atlanta, GA Standards Board meeting.

2. Fifty-five (55) shall be local election officials selected as follows:
 - a. Each state's local election officials, including the local election officials of Puerto Rico and the United States Virgin Islands, shall select a representative local election official from the state in a process supervised by the chief election official of the state.
 - b. In the case of the District of Columbia, Guam, and American Samoa, the chief election official shall establish a procedure for selecting an individual to serve as a local election official. The individual selected under such a procedure may not be a member of the same political party as the chief election official.
3. The two (2) Standards Board members who represent the same state may not be members of the same political party.

Article IV. Standards Board Member Vacancies

1. The chief election official of each state shall notify EAC and the Executive Board of the Standards Board within five (5) business days of any vacancy or membership changes to the Standards Board.
2. Vacancy appointments to the Standards Board shall be made in accordance with Section 213(a) of HAVA, as follows:
 - a. Fifty-five (55) shall be state election officials selected by the chief State election official of each State.
 - b. Fifty-five (55) shall be local election officials selected as follows:
 - i. Each state's local election officials, including the local election officials of Puerto Rico and the United States Virgin Islands, shall select a representative local election official from the state in a process supervised by the chief election official of the state.
 - ii. In the case of the District of Columbia, Guam, and American Samoa, the chief election official shall establish a procedure for selecting an individual to serve as a local election official. The individual selected under such a procedure may not be a member of the same political party as the chief election official.
 - c. The two (2) Standards Board members who represent the same state may not be members of the same political party.
3. In December of each year, EAC shall notify the appointing authority of each state or territory as to who represents their state or territory on the Standards Board.

Article V. Executive Board of the Standards Board

Pursuant to Section 213(c) of HAVA, the Standards Board shall select nine (9) of its members to serve as the Executive Board of the Standards Board as follows:

1. Membership.
 - a. Not more than five (5) members of the Executive Board may be state election officials.
 - b. Not more than five (5) members of the Executive Board may be local election officials.
 - c. Not more than five (5) members of the Executive Board may be of the same political

- party.³
- d. All members who are unaffiliated with a political party shall be counted as the same political party for the purpose of calculating the party affiliation balance of the Executive Board pursuant to HAVA Section 213(c)⁴
 - e. An Executive Board member shall immediately notify the Executive Board and the DFO of any change made in the member's party affiliation while serving as a member of the Executive Board. If such change in the member's party affiliation results in more than five (5) members of the Executive Board being of the same political party, a vacancy shall be present in the seat of the member who changed party affiliation.⁵
2. Nominations.⁶
- a. Expired Terms.
 - i. The Nominating Committee shall solicit nominations for the Executive Board from Standards Board members. The Nominating Committee shall send to Standards Board members a solicitation no later than December 1st immediately prior to the expiration of any Executive Board member's term. The solicitations shall designate the address and form for submitting nominations.
 - ii. Standards Board members may nominate themselves or other Standards Board members by responding to the solicitation.
 - iii. Nominations shall be submitted to the Standards Board's Designated Federal Officer (DFO) (or the DFO's designee) in writing and may be submitted electronically no later than January 15th immediately prior to the expiration of any Executive Board member's term. In the event that January 15th is a federal holiday, nominations are due no later than January 16th.
 - iv. Upon receipt of nominations, the Nominating Committee shall prepare ballot information to be distributed to the Standards Board at least fifteen (15) days prior to the date of the Standards Board meeting immediately following the submission deadline.⁷
 - v. Nominations for membership on the Executive Board shall not be accepted from the floor of a Standards Board meeting.
 - vi. If the Nominating Committee does not receive a sufficient number of nominees for the positions to be filled, taking into account the regional, party, and state/local requirements of each open position, the Nominating Committee shall meet and submit a list of nominees at least twenty (20) days prior to the date of the Standards Board meeting immediately following the submission deadline.
 - b. Vacancies Before the End of a Term.⁸
 - i. This subsection applies if a vacancy on the Executive Board occurs more than ninety (90) days before the expiration of a member's term on the Executive Board. The Nominating Committee shall send to Standards Board members a solicitation no later than sixty (60) days before the next meeting of the Standards Board. The solicitations shall designate the address and form for submitting nominations.
 - ii. Standards Board members may nominate themselves or other Standards Board members by responding to the solicitation.

³ Article V, Section 1(c) was amended on February 21, 2007 at the Atlanta, GA Standards Board meeting.

⁴ Article V, Section 1(d) was amended on December 13, 2007 at the Austin, TX Standards Board meeting.

⁵ Article V, Section 1(e) was added on February 26, 2009, at the Orlando, FL Standards Board meeting.

⁶ Article V, Section 2 was amended on July 27, 2010 at the Standards Board Virtual meeting.

⁷ Article V, Section 2(a)(iv) was amended on December 13, 2007 at the Austin, TX Standards Board meeting.

⁸ Article V, Section 2 was amended on April 15, 2016 at the Carlsbad, CA Standards Board meeting.

- iii. Nominations shall be submitted to the Standards Board’s Designated Federal Officer (DFO) (or designee) in writing and may be submitted electronically no later than the date indicated on the solicitation.
 - iv. Upon receipt of nominations, the Nominating Committee shall prepare ballot information to be distributed to the Standards Board at least fifteen (15) days prior to the date of the Standards Board meeting immediately following the submission deadline.
 - v. Nominations for membership on the Executive Board shall not be accepted from the floor of a Standards Board meeting.⁹
- c. Elections.¹⁰¹¹
- i. Except as provided in this subdivision, elections to the Executive Board shall be by secret ballot. If the number of candidates is equal to the number of seats to be elected, and a secret ballot is not necessary to determine the length of the term in which a member is to be elected, the Standards Board may instead elect the candidates by acclamation. Except as provided in this subdivision, elections to the Executive Board shall take place at a meeting of the Standards Board. No later than twenty (20) days before the date of a Standards Board meeting immediately following the nominations submission deadline under subsection (a), the Executive Board may authorize an election to the Executive Board to be conducted by mail-in ballot if the Executive Board determines that the only principal items of business to be voted upon by the Standards Board are the election of members of the Executive Board and matters such as the approval of the minutes of previous Standards Board meetings. If the Executive Board authorizes an election to be conducted by mail-in ballot, the election shall be conducted as follows:
 - a. The Nominating Committee shall create forms and envelopes for a mail-in ballot election.
 - b. Mail-in ballots shall be received by the DFO (or designee) at the address indicated on the ballot envelope no later than eight (8) days prior to the start date of the Standards Board meeting immediately following the nominations submission deadline.
 - c. The DFO (or designee) shall review all ballot envelopes received by the deadline to ensure that they include all identifying information requested on the form(s). Where identifying information is missing, the DFO (or designee) shall contact Standards Board members to complete the identifying information on the envelope.
 - d. The DFO (or designee) shall give all sealed official envelopes containing mail-in ballots received by the deadline indicated in these bylaws to the appointed Election Certification Committee chair or the chair’s designee at the Standards Board meeting immediately following the nominations submission deadline.
 - e. The appointed Election Certification Committee shall record the receipt of each mail-in ballot.
 - ii. The ballot shall be designed to enable Standards Board members to select

⁹ Article V, Section 2(b)(v) was adopted on December 13, 2007 at the Austin, TX Standards Board meeting.

¹⁰ Article V, Section 2(c) was amended on December 13, 2007 at the Austin, TX Standards Board meeting.

¹¹ Article V, Section 2(c)(i) was amended on July 31, 2020 at the Standards Board Virtual meeting.

candidates based on the following: (1) The Candidate's political party affiliation, (2) whether the candidate is a state or local election official, (3) which state or territory the candidate represents, (4) whether the candidate was elected or appointed, and (5) in the case of state election officials, what position the candidate holds. Concise biographical information for each candidate shall be provided to each Standards Board member in advance of the election.¹²

- iii. All election results shall be tabulated and certified by the Election Certification Committee. Except as provided in this subdivision, all tabulation and certification processes shall take place in the presence of the members at a time and place designated by the Election Certification Committee. If an election is conducted by mail-in ballot, the tabulation and certification process shall take place at a time and location designated by the Executive Board at the time that the election by mail-in ballot is authorized. Notice concerning the time and location of the tabulation and certification process must be included with the mail-in ballot sent to each Standards Board member. Any member may be present for the tabulation and certification process conducted as part of an election by mail-in ballot.
- iv. In the case of the election of a candidate(s) which causes an unbalanced ratio of political party representation, the person(s) in the party with the smaller political party representation receiving the highest number of votes shall be elected until the political party representation ratio is restored.
- v. In the case of the selection of a candidate(s) which causes an unbalanced ratio of state and local governmental unit representation, the person(s) in the governmental unit with a smaller representation unit with the smallest representation receiving the highest number of votes shall be elected until the governmental unit representation ratio is restored.
- vi. In the case of a tie vote between the candidates at an election, the Election Certification Committee shall automatically recount the votes cast for the tied candidates. If following the recount a tie remains, the Election Certification Committee shall resolve the tie by the toss of a coin.
- vii. For the first election conducted after April 29, 2015 (not including any special elections to fill unexpired terms), two (2) of the three (3) positions shall be for local election officials. For the second election conducted after April 29, 2015, two (2) of the (3) three positions shall be for state election officials. The number of positions for state and local election officials on the Executive Board shall continue to alternate in subsequent elections.
- viii. Within thirty (30) days of an Executive Board election, the Executive Board members shall convene to elect a Chair, Vice-Chair, and Secretary. If the Executive Board is unable to meet for elections before the end of the term of the officers, the sitting officers shall remain in their elected capacity until the Executive Board is able to meet again and elect new officers.
- ix. If the Standards Board is unable to meet for elections before the end of an Executive Board member's term, the sitting members of the Executive Board shall remain in their elected capacity until the Standards Board is able to meet again and a new member is elected.
- x. This subdivision does not apply to an election which the Executive Board authorizes to be conducted by mail-in ballot. Votes for Executive Board elections may be made by absentee ballot provided the following:

¹² Article V, Section 2(c)(ii) was amended on February 21, 2007 at the Atlanta, GA Standards Board meeting.

- a. The Nominating Committee shall create forms and envelopes for absentee voting.
 - b. Absentee ballots shall be received by the DFO or designee at the address indicated on the absentee ballot envelope no later than eight (8) days prior to the start date of the Standards Board meeting immediately following the nominations submission deadline.
 - c. The DFO or designee shall review all absentee ballot envelopes received by the deadline to ensure that they include all identifying information requested on the form(s). Where identifying information is missing, the DFO or designee shall contact Standards Board members to complete the identifying information on the envelope.
 - d. The DFO or designee shall give all absentee sealed official envelopes containing absentee ballots received by the deadline indicated in these bylaws to the appointed Election Certification Committee chair or the chair's designee at the Standards Board meeting immediately following the nominations submission deadline.
 - e. The appointed Election Certification Committee shall record and tabulate each absentee ballot and include absentee ballots in election results.
- d. Executive Board Members Terms of Service and Vacancies.¹³
- i. Generally.
 - a. The Chair of the Executive Board shall notify EAC and the Nominating Committee Chair within five (5) business days of any vacancy on the Executive Board.
 - b. The Chair, Vice Chair, and Secretary, shall serve for a term of not more than one (1) year. An Executive Board member shall not serve for two (2) consecutive terms for the same office, except in the case of a member serving the unexpired term of an office, in which case the member may be elected to the same office for the succeeding term.
 - c. An Executive Board member may be removed from the Executive Board, for cause, by a vote of two-thirds (2/3) of Standards Board members at a Standards Board meeting.
 - d. This subsection applies if a vacancy on the Executive Board is not subject to subsection b.1. The remaining members of the Executive Board may appoint an interim member of the Executive Board until the next Standards Board meeting at which an election of Standards Board members is conducted, or until a member is elected in a special election conducted under subsection b., whichever occurs first. The appointment of an interim member must result in the composition of the Executive Board remaining in compliance with the requirements of HAVA and these Bylaws.
 - ii. Initial Term.

Pursuant to Section 213(c)(3) of HAVA, of the members first selected to serve on the Executive Board of the Standards Board:

 - a. Three (3) shall serve for one (1) term.
 - b. Three (3) shall serve for two (2) consecutive terms.
 - c. Three (3) shall serve for three (3) consecutive terms.
 - iii. Subsequent Terms.
 - a. Pursuant to Section 213(c)(2) of HAVA, members of the Executive Board

¹³ Article V, Section 2(d)(i)(d) was amended on July 31, 2020 at the Standards Board Virtual meeting.

- shall serve for a term of two (2) years and may not serve for more than three (3) consecutive terms.
- b. Members of the Standards Board who have previously served on the Executive Board shall be eligible to be nominated to the Executive Board no sooner than two (2) years from the last term in which they served on the Executive Board.
- e. Meetings.
- i. Any two (2) members of the Executive Board may call an Executive Board meeting by filing the original call of the meeting with and obtaining approval from the DFO, including the stated reason for calling the meeting, and the date and time of the meeting. Such meetings include, but are not limited to meetings by conference call and virtual (electronic media) meetings. These meetings must allow each Executive Board member to include their comments and hear or view others' comments.
 - ii. A majority of Executive Board Members shall be present for a quorum.
 - iii. The Executive Board shall agree to actions by a majority roll call vote of seated members of the Executive Board.
 - iv. Proxy voting shall not be allowed in Executive Board votes.
 - v. Any member of the Standards Board may attend and at the discretion of the Chair, may participate in any and all discussion at an Executive Board meeting, but may not vote.

Article VI. Executive Board Duties¹⁴¹⁵

1. Chair. The Chair shall:
 - a. Preside over all meetings of the Executive Board and Standards Board.
 - b. Appoint the chair of standing committees and any ad hoc committees of the Standards Board.
 - c. Establish the agenda for meetings of the Executive Board and Standards Board in consultation with the DFO.
 - d. Call meetings of the Executive Board and Standards Board in consultation with the DFO.
 - e. Act as the official liaison between the Standards Board and EAC for all resolutions, recommendations, and information requests.
 - f. Serve as an *ex officio* member of all committees.
 - g. Appoint a Parliamentarian to advise and assist the Chair in running all meetings in accordance with Robert's Rules of Order.
2. Vice-Chair. The Vice-Chair shall:
 - a. Preside over meetings of the Executive Board and Standards Board in the Chair's absence.
 - b. Perform other duties as may be appropriate in the Chair's absence.
 - c. Assist the Chair, from time to time, as the Chair may designate.
 - d. In the event of a vacancy before the completion of the Chair's term, become the Chair for the remainder of the unexpired term.
3. Secretary. The Secretary shall:
 - a. Review Board minutes before distribution to Standards Board members.

¹⁴ Article VI, Section I was amended on April 15, 2016 at the Carlsbad, CA Standards Board Meeting.

¹⁵ Article VI, Sections 2 and 3 were amended and Sections 4 and 5 were added at the July 31, 2020 Standards Board Virtual Meeting.

- b. Ensure, with assistance from the DFO, that meeting minutes are properly on file at EAC.
 - c. Assist the Chair at meetings and, from time to time, as the Chair may designate.
 - d. In the event of a vacancy in both the office of Chair and in the office of Vice-Chair, become the Chair for the remainder of the unexpired term.
4. Vacancies Among Officers. The following provisions do not apply to the filling of a vacancy addressed in subsection 2 or 3 of this Article.
- a. Except as provided in subsection 2 or 3 of this Article, the Chair may appoint a member to fill a vacancy in the office of Vice-Chair or Secretary for the remainder of the unexpired term of the office.
 - b. If there are no Executive Board members serving as officers, the three individuals with the longest tenure as Executive Board members become officers for the remainder of the unexpired terms of the offices. The individual with the longest tenure on the Executive Board becomes the Chair. The individual with the second longest tenure becomes the Vice Chair. The individual with the third longest tenure becomes the Secretary. If more than one of these individuals has the same length of tenure, then the individual who is the representative of the state whose name is first alphabetically takes precedence.
5. Terms. The term of an elected officer begins on April 28 of each year.
6. Executive Board, Generally. The Executive Board shall:
- a. Perform all duties required under HAVA and other applicable Federal laws.
 - b. Appoint the membership of appropriate standing committees and ad hoc committees by soliciting interest from the Standards Board membership.
 - c. Meet as necessary to address issues of concern in between Standards Board meetings.
 - d. Convene Standards Board meetings, including, but not limited to, meetings by conference call and virtual (electronic media) meetings. Such meetings must allow each Standards Board member to include their comments and view or hear others' comments. Such meetings shall be held in accordance with all applicable federal laws.
 - e. Consult with the DFO to ensure compliance with federal statutes and other applicable regulations.
 - f. Attend Executive Board meetings, including, but not limited to, meetings by conference call and virtual meetings, in accordance with these bylaws.
 - g. As soon as possible and in consultation with the DFO, provide Standards Board Members all proposed guidelines to be adopted pursuant to Section 222(b)(3) of HAVA. Executive Board recommendations to the Standards Board pursuant to Section 222(b)(3) of HAVA shall include an appendix of all dissenting comments from Executive Board members.
 - h. Perform all other duties as from time to time the Standards Board may delegate to the Executive Board.
 - i. Immediately upon notice of an Executive Board meeting, the Executive Board shall notify the Standards Board of the Executive Board meeting.
7. Designated Federal Officer (DFO). The DFO shall:
- a. Serve as the government's agent for all Standards Board activities.
 - b. Approve or call Standards Board meetings.
 - c. Approve agendas proposed by the Executive Committee.
 - d. Attend all Standards Board and Executive Board meetings.
 - e. Adjourn Standards Board and Executive Board meetings when such adjournment is in the public interest.
 - f. Provide adequate staff support to the Standards Board, to assist with:

- i. Notice. The DFO shall:
 - a. Notify members of the time and place for each meeting of the Standards Board and the Executive Board.
 - b. Notify the public of time and place for the meeting of the Standards Board.
 - c. Notify appointing authorities of any and all vacancies on the Standards Board.
 - d. Perform other duties as required in these Bylaws.
- ii. Recordkeeping and Administration. The DFO shall:
 - a. Maintain records for all meetings, including subgroup or working group activities, as required by law.
 - b. Maintain the roll.
 - c. Assure that minutes of all Standards Board meetings are prepared and distributed.
 - d. Maintain and house at EAC all official Standards Board records, including subgroup and working group activities.
 - e. File all papers and submissions prepared for or by the Standards Board, including those items generated by subgroups and working groups.
 - f. Respond to official correspondence.
 - g. Prepare and handle all reports, including the annual report as required by FACA.
 - h. Act as the Standard Board's agent to collect, validates, and pay all vouchers for pre- approved expenditures.

Article VII. Meetings

1. Consistent with the requirements of HAVA 215(a)(2), the Standards Board shall meet on an annual basis or otherwise as requested by EAC to address its responsibilities under HAVA and attend to other issues presented by EAC. Such meetings include, but are not limited to, meetings by conference call and virtual (electronic media) meetings. These meetings must allow each Standards Board member to include their comments and view or hear others' comments. Such meetings shall be held in accordance with all applicable Federal laws.
2. Meetings shall be called by the DFO in consultation with the Executive Board.
3. The DFO shall approve the agenda for all meetings. EAC shall distribute the agenda to Standards Board members prior to each meeting and shall publish notice of the meeting in the Federal Register as required by FACA.
4. Standards Board members and members of the public may submit agenda items to the DFO or Executive Board Chair.
5. Meetings.
 - a. Open Meetings.
 - i. Unless otherwise determined in advance, all Standards Board meetings shall be open to the public.
 - ii. Members of the public may attend any meeting or portion of a meeting that is not closed to the public and may, at the determination of the Chair, offer oral comment at such meeting. The Chair may decide in advance to exclude oral public comment during a meeting, in which case the meeting announcement published in the Federal Register will note that oral comment from the public is excluded. In such a case, the Standards Board will accept written comments as an alternative. In addition, members of the public may submit written statements to EAC at any

- time.
 - iii. All materials brought before, or presented to, the Board during the conduct of an open meeting, including, but not limited to, the minutes of the proceedings of the previous open meeting, will be available to the public for review or copying at the time of the scheduled meeting.
 - iv. Minutes of open meetings shall be available to the public upon request.
 - v. Once an open meeting has begun, it will not be closed to the public unless prior approval of the closure has been obtained and proper notice of the closed meeting has been given to the public.
 - vi. If, during the course of an open meeting, matters inappropriate for public disclosure arise during discussion, the Chair will order such discussion to cease and will schedule it for closed meeting.
- b. Closed Sessions.
- i. Notices regarding portions of meetings to be closed (to be referred to as sessions hereinafter) will be published in the Federal Register at least fifteen (15) calendar days in advance.
 - ii. Standards Board sessions will be closed to the public only in limited circumstances and in accordance with applicable law. The Standards Board must obtain prior approval to conduct a closed session. Requests for closed sessions must be submitted by the DFO to EAC's Office of General Counsel a minimum of forty-five (45) days in advance of the proposed closed session.
 - iii. Where the DFO, in conjunction with the Office of General Counsel, has determined in advance that discussions during a Standards Board meeting will involve matters about which public disclosure would be harmful to the interests of the government, industry, or others, an advance notice of a closed session, citing the applicable exemptions of the Government in the Sunshine Act (GISA), shall be published in the Federal Register. The notice may announce the closing of all or just part of a meeting.
 - iv. Minutes of closed sessions are not available to the public, and as a result, not subject to the Freedom of Information Act (FOIA).

6. Minutes.

- a. The DFO, or his or her designee, shall assure that detailed minutes of each meeting are prepared and distributed to Standards Board members.
- b. Meeting minutes shall include the following: (1) Time, (2) date, (3) location, (4) record of persons present, including the names of Standards Board members, EAC Commissioners and staff, and the names of members of the public making written or oral presentations, (5) a complete and accurate description of the matters discussed and conclusions reached, and (6) copies of all reports received, issued, or approved by the Standards Board.
- c. Meeting minutes are considered part of the official government record.
- d. All documents, reports, or other materials prepared by or for the Standards Board constitute official government records and shall be housed at EAC and maintained according to the Federal Records Act.

Article VIII. Quorum and Proxy Voting

1. Quorum.

- a. A quorum shall be established when 56 Standards Board members are present for a meeting as determined by a roll call or quorum call of the Standards Board members.

2. Proxy Votes.¹⁶
 - a. Proxy designations may be submitted in writing to the Chair up to the day of the Standards Board meeting by the designated meeting start time established via the meeting agenda. A proxy designation may be submitted by electronic transmission. An original signature is not required if a proxy designation is submitted by electronic transmission.
 - b. Proxy votes may only be cast by Standards Board members, provided proxy designations have been timely filed in advance with the Chair clearly identifying the Standards Board member selected to cast an absent member's proxy vote.
 - c. The Chair shall appoint a proxy committee to verify the eligibility of a member(s) designating a proxy vote and of the member(s) designated to cast a proxy vote(s) on behalf of absent Standard's Board members.
 - d. Proxy voting shall be allowed for all business matters, other than Executive Board elections.
 - e. Proxy voting shall not be allowed for Executive Board elections.
3. Voting Generally.
 - a. The Standards Board shall agree to actions by majority vote of those present and voting unless otherwise specified by these bylaws.
 - b. Votes by the Standard Board on recommendations to EAC shall have the ayes, nays, and abstentions recorded.
 - c. Votes taken during meetings conducted by conference call and through virtual (electronic media) means shall have a quorum established prior to voting.

Article IX. Committees

In appointing members to committees, the Standards Board shall pay particular attention to ensuring diverse membership. Accordingly, the Executive Board shall do due diligence to ensure that committee members (1) affiliate with diverse parties, (2) are representative of both state and local election officials, (3) represent different states and territories, and (4) are representative of both elected and appointed officials.

1. Meetings.
 - a. All committees may meet informally at any time for the purpose of conducting their business, including telephonically or through electronic media.
2. Standing Committees.
 - a. Nominating Committee. The Nominating Committee shall:¹⁷
 - i. Be comprised of five (5) members.
 - ii. Solicit nominations for the Executive Board from Standards Board members.
 - iii. Prepare and distribute to Standards Board members ballots that include all the information listed in Article V, section 1, subsection c, paragraph ii of these Bylaws.
 - iv. Create and disseminate absentee balloting materials.
 - v. Submit nominees for all positions for which the Nominating Committee has received insufficient nominations.
 - b. Bylaws Committee. The Bylaws Committee shall:
 - i. Be comprised of seven (7) members.

¹⁶ Article VIII, Section 2 was amended on July 27, 2010 at the Standards Board Virtual Meeting.

¹⁷Article IX, Section 2(a) was amended on December 13, 2007 at the Austin, TX Standards Board meeting.

- ii. Submit a report with all recommended bylaws amendments to the Executive Board for a seven (7) day comment period before submitting recommendations to the Standards Board for resolution and adoption.
- 3. Ad-Hoc Committees.
 - a. A Standards Board member wishing to establish an ad-hoc committee must present to the Standards Board the reason(s) he/she is requesting the committee.
 - b. The Standards Board may, at any time, by majority vote, establish an ad-hoc committee.
- 4. Once an ad-hoc committee has been established, the Executive Board shall appoint members to the ad-hoc committee.
- 5. Special Committees.¹⁸
 - a. As necessary, the Chair of the Standards Board Executive Board shall appoint Standards Board members to special committees for limited purposes.
 - i. The Chair of the Standards Board Executive Board shall state the special committee's limited purpose, scope, and duration at its inception.
 - b. The Chair of the Standards Board Executive Board shall appoint five (5) Standards Board members to a special Election Certification Committee on the first day of a Standards Board meeting at which an Executive Board election is scheduled to take place. The special Election Certification Committee shall tabulate and certify all Executive Board election results.
 - c. The Chair of the Standards Board Executive Board shall appoint five (5) Standards Board members to a Resolutions Committee on the first day of a Standards Board meeting if it appears likely that the Standards Board will present and/or adopt resolutions.
 - d. The Chair of the Standards Board Executive Board shall appoint five (5) Standards Board members to a Proxy Committee on the first day of a Standards Board meeting at which voting on general business matters is scheduled to take place. The Proxy Committee shall review and certify all proxy votes.

Article X. Amendments

- 1. The Standards Board's Bylaws Committee shall promulgate a form for proposing an amendment to the Standards Board's Bylaws.
 - a. The form shall require the specific language of the proposed amendment to be included, identify the author of the amendment, and be designed to elicit the rationale and impact of the proposed amendment.
- 2. All proposed bylaw changes must be submitted in writing to the DFO at least seventy (70) days before the date of the Standards Board Meeting at which the changes are to be considered for adoption. The DFO shall issue an immediate notification to all Standards Board members concerning any proposed change to the bylaws.¹⁹
- 3. After receiving proposed bylaw changes, the DFO shall forward the proposed changes to the Standards Board Bylaws Committee and EAC's General Counsel.
 - a. The General Counsel shall report in an expeditious manner to the Bylaws Committee and the Executive Board whether or not a proposed change to the Bylaws is consistent with

¹⁸ Article IX, Section 4 was adopted on December 13, 2007 at the Austin, TX Standards Board meeting.

¹⁹ Article X, Section 2 was amended on July 27, 2010 at the Standards Board Virtual Meeting.

- federal law and/or rules.
- b. The Bylaws Committee shall transmit a report containing the proposed bylaw changes to the Executive Board.
 - c. The Standards Board's Executive Board shall place the report on the proposed change to the Standards Board's Bylaws on the agenda for the next meeting of the Standards Board.
4. The Executive Board shall forward all proposed changes to Standards Board members at least thirty (30) days prior to the next meeting of the Standards Board via email and U.S. Mail to the applicable address of record on file with EAC. The Executive Board shall request that EAC post the proposed change to the bylaws and all supporting material on EAC's website at least thirty (30) days prior to the next meeting of the Standards Board.
 5. The bylaws may be amended by a two-thirds (2/3) vote of the members present and voting at any Standards Board meeting.

Article XI. Expenses and Reimbursement

1. Expenses related to Standards Board operations will be borne by EAC.
2. Expenditures of any kind must be approved in advance by the DFO.
3. Standards Board members shall not receive any compensation for their services, but shall be paid travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of federal agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in performance of their services for the Standards Board.

Article XII. Parliamentary Authority

1. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Standards Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Standards Board may adopt.
2. Voting procedures for the Standards Board, the Executive Board, and the subcommittees shall follow the accepted procedure according to Robert's Rules of Order.

Article XIII. Effective Date

1. These By-Laws are effective upon adoption by the Standards Board.

Article XIV. Transition Procedures and Ratification

1. The adoption of the bylaws has no effect on the selection, terms or appointment of the officers or members of the Standards Board, the Executive Board, or a committee of the Board serving on the effective date of these bylaws.
2. All acts of the Standards Board, the Executive Board, or a committee of the Board are hereby ratified, except to the extent that an act does not conform with a resolution adopted by the Standards Board before the effective date of these Bylaws.

These Bylaws were amended at the July 31, 2020 Standards Board meeting.

/S/ _____
Reynaldo Valenzuela Jr., Chair

Date

/S/ _____
Benjamin Hovland, DFO

Date