



Karol Swartzlander, Executive Director
Gavin Newsom, Governor

The Bylaws of the California Commission on Aging

(10/21/2024 Revision)

ARTICLE I: NAME AND AUTHORIZATION

Section 01: The name of this organization is the California Commission on Aging (hereafter referred to as Commission). (Welfare and Institutions Code Section 9008).

Section 02: Authorization: Authorized by Sections 9200-9205 of the California Welfare and Institutions Code

ARTICLE II: DUTIES AND FUNCTIONS

The duties and functions of the Commission shall be to:

- A. Serve as the principal advocate body in the state on behalf of older individuals, including, but not limited to, advisory participation in the consideration of all legislation, regulations, and initiatives made by state and federal departments and agencies relating to programs and services that affect older adults, adults with disabilities, and caregivers.
- B. Participate with the Department of Aging (hereafter referred to as the Department) in training workshops for community, regional, and statewide aging and disability advocates, to promote greater understanding of the legislative, regulatory, and program implementation processes.
- C. Prepare, publish, and disseminate information, findings, and recommendations regarding the health and well-being of older individuals.
- D. Actively participate and advise the Department of Aging in the development and preparation of the State Plan on Aging, conduct public hearings on the State Plan on Aging, review and comment on the State Plan, and monitor the process of the plan's implementation.
- E. Meet formally at least four (4) times annually to study problems of older individuals, develop findings, and make recommendations.
- F. Hold hearings throughout the state, which may include conducting an annual statewide hearing inviting all departments administering programs affecting older adults, adults with disabilities, and caregivers, in order to gather information and advise the Governor, Legislature, Department, and agencies on all levels of government regarding solutions to problems confronting older individuals and the most effective use of existing resources and available services for individuals.



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- G. Hire an executive director, who will, within budgetary limits, hire staff as may be necessary for the Commission to fulfill its duties.
- H. Perform other duties as may be required by statute, regulation, resolution, or executive order.
- I. Meet and consult with the Area Agency on Aging Advisory Council of California in order to exchange information and assist in training, planning, and development of advocacy skills.
- J. Monitor and, when deemed appropriate, engage in federal advocacy efforts that may include, but not be limited to, providing comments on federal Older Americans Act reauthorizations and federal rulemaking packages impacting older adults, adults with disabilities, and caregivers.

ARTICLE III: MEMBERSHIP

Section 01: Eligibility, size, selection, and term of members are outlined in California Welfare and Institutions Code Division 8.5, Chapter 3, Sections 9200 and 9201.

Section 02: Vacancies. In the event a vacancy on the Commission occurs, the Commission shall request the appropriate appointing body to appoint a replacement who shall start a new term.

Section 03: Absences. If a Commissioner fails to attend two consecutive meetings or who fails to attend four meetings per year, without having given a written excuse acceptable to the Commission, the Commission shall notify the appointing authority, who may declare the position vacant, as outlined in Division 8.5, Welfare and Institutions Code, Sections 9200 (b), 9201. The vacancy will remain open until a new appointment is made.

A. The Commission defines an “excuse acceptable to the Commission” as follows:

1. the illness of the Commissioner or a member of their family.
2. inclement weather or other conditions that prevent travel to a given meeting
3. religious holidays
4. the death of a person close to the Commissioner

B. Chronic illness that repeatedly prevents a Commissioner’s attendance may not be considered as an excused absence.

ARTICLE IV: OFFICERS

Section 01: Officers. The officers of the Commission shall be the Chair and Vice Chair as provided in (Division 8.) Welfare and Institutions Code, Section 9201, and the members of the Commission's Executive Committee.

A. The Executive Committee shall be composed of seven members elected by the full Commission.

Section 02: Elections. Election of officers shall be held annually at the last Commission meeting of the calendar year.

At the Commission meeting before the last meeting of the calendar year, the Commission Chair shall appoint a three-member Nominating Committee. The Nominating Committee shall present in writing to all Commissioners, at least ten (10) days before the last meeting of the calendar year, a slate of nominees for Commission Chair, Vice Chair, and four or five members-at-large, the number to be determined under Article VI, Section 01. The nominating committee should consider succession planning when developing a slate of nominees.

In addition to the slate of officers presented by the Nominating Committee, additional nominations may be made from the floor with the consent of the person being nominated. The election will be conducted per the Bagley-Keene Open Meeting Act and Robert's Rules of Order.

Section 03: Term. All officers shall assume their offices after the meeting at which they were elected and shall serve until the next annual election. The Chair and Vice Chair may be elected to the same office for two (2) full terms. In the event the Chair is elected to fill a partial term, that individual will be eligible to run for two full terms.

Section 04: Vacancies. A vacancy on the Executive Committee other than the Chair shall be filled by the Commission for the unexpired portion of the term, by a majority vote of the membership. The Executive Committee will act as the Nominating Committee in filling vacancies.

Section 05: Duties of the Chair.

- A. Preside at all meetings of the Commission and the Executive Committee.
- B. Appoint Chairs and members of standing committees other than the Executive Committee.
- C. Appoint Special Committees with the concurrence of the Executive Committee or by a majority vote of the Commission.
- D. Serve as an ex-officio member of all committees except the Nominating Committee.
- E. Call special meetings of the Commission and of the Executive Committee when necessary.
- F. Represent the Commission personally, appoint a Commissioner or Commission staff to represent the Commission at any outside association or group as appropriate.
- G. Provide general supervision and guidance to the Executive Director.

Section 06: Duties of the Vice Chair.

- A. In any instance when the Chair is unable to act, the Vice Chair shall temporarily assume the duties and authority of the Chair, until the Chair is able to resume. A Chair's inability to act would include, but not be limited to absence from a meeting or a conflict of interest with an item on the meeting agenda.

- B. In any instance when a Chair permanently leaves the office of Chair, the Vice Chair shall become the chair and assume corresponding duties for the duration of the former Chair's term.
- C. When a Vice Chair becomes Chair, the new Chair shall convene the Executive Committee to act as a Nominating Committee to nominate a new Vice Chair and, if necessary, a new member of the Executive Committee according to Article IV, Section 04.

ARTICLE V: MEETING OF COMMISSIONERS

Section 01: Quorum. A majority of the statutory membership of the Commission shall constitute a quorum. The only action that may be taken in the absence of a quorum is to fix the time in which to adjourn, recess, or take measures to obtain a quorum.

Section 02: Restrictions on Voting. Each Commissioner shall have one vote. Voting by proxy or secret ballot shall not be allowed.

A contested election will be held by paper ballot, with each voting Commissioner signing their ballot per the requirements of the Bagley-Keene Open Meeting Act (Government Code Sec. 11120 – 11132). Ballots will be made available for review upon request from a member of the public.

Section 03: Meetings. The Commission shall hold regularly scheduled meetings at a time and place designated by the Commission. Said meetings must comply with Section 9202 (e) of the Welfare and Institutions Code. Meetings shall be open to the public and all people shall be permitted to attend, except for closed sessions, as required and permitted by applicable law. Meetings shall provide teleconferencing capabilities for members and the public per Section 11123.5 of the Government Code.

Section 04: Notices. Notices of meetings with agendas shall be emailed to Commissioners and the Director of the Department of Aging, and posted on the Commission's website, at least ten (10) days before regular meetings.

Section 05: Special Meetings. A special meeting may be called by the Commission Chair, or by a majority of the members of the Commission, for a specific purpose (California Government Code, Section 11125.4) where compliance with the 10-day notice would impose a substantial hardship on the Commission or where immediate action is required to protect the public interest. When a special meeting is called, the Commission shall provide notice to all Commissioners, to all parties that have requested notice to its meetings, and the media. This notice shall be delivered at least 48 hours before the time of the special meeting specified and shall be posted on the Commission's website. At the commencement of any special meeting, the Commission must make a finding in open session that a special meeting is appropriate as specified above, shall outline in the finding specific facts of the hardship to the Commission or impending harm to the public interest, and adopt the finding by a 2/3



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vote of the Commission, or, if less than 2/3 of the members are present, a unanimous vote of those Commissioners present. No other business other than matters specified in the agenda shall be considered at a special meeting.

ARTICLE VI: COMMITTEES

Section 01: Standing Committees. The standing committees shall be the Executive, Legislative Advocacy, Research and Policy Development, and Operational Procedures/Bylaws committees.

Section 02: Executive Committee. The Executive Committee shall consist of the Chair, Vice Chair, immediate past Chair, and four (4) members-at-large elected by a majority vote of the Commission. In the absence of an immediate past Chair, the Executive Committee shall instead include five (5) members-at-large elected by a majority vote of the Commission. Members of the Executive Committee shall be elected annually. The Commission's Chair will be the Chair of the Executive Committee.

Section 03: Committee Members. Following the election, the Commission Chair shall appoint the Chairs and members of each Committee.

Section 04: Special Committees. Special committees shall be established by the Chair of the Commission with the concurrence of the Executive Committee or by a majority vote of the Commission. Special committees shall be reviewed by the Executive Committee annually at the last meeting of the calendar year to ensure the purpose and need for the Special Committee continues to exist. A special Committee may be dissolved at any time by the Chair, with the concurrence of the Executive Committee, upon completion of the Special Committee's purpose.

Section 05: Subcommittees. Subcommittees shall be established by the Chair of any committee to collect information and provide recommendations to the full committee on a specified topic. The Chair shall provide clear guidance for the goals of the subcommittee and a timeframe for accomplishing those goals with a date for final reporting to the full committee, upon which the subcommittee will be dissolved.

Section 06: Ex-officio Members. The Chair of the Commission shall be an ex-officio member of all committees, except the Nominating Committee. Ex-officio members have voting privileges but are not counted in determining the number required for a quorum or in determining whether a quorum is present.

ARTICLE VII: ADMINISTRATIVE MANUAL

Section 01: The Commission shall have an administrative manual to govern its functioning in an orderly manner.



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Section 02: The manual shall contain applicable procedures as contained in the State Administrative Manual, Board of Control Rules, pertinent sections of various codes adopted by the Legislature, and those administrative policies and practices that have been adopted by the Commission to facilitate its operations.

ARTICLE VIII: AMENDMENTS

Section 01: Amendments. These bylaws may be amended by a majority vote of a quorum of this Commission at any regular meeting provided that the amendments have been submitted to the Commissioners, in writing, at least 10 days before the meeting.

Section 02: Nothing in these bylaws or amendments shall conflict with Division 8.5, Welfare and Institutions Code, Chapter 3, Sections 9200 through 9205, or with provisions of the California Administrative Code.

ARTICLE IX: PARLIAMENTARY AUTHORITY

Section 01: The rules contained in Robert's Rules of Order, as revised from time to time, shall govern meetings of the Commission in all cases in which they are applicable and in which they are not inconsistent with these bylaws and the Bagley-Keene Open Meeting Act.

Section 02: Standing Rules. The Commission may adopt additional standing rules if they do not conflict with the bylaws.