

Constitution of the Libertarian Party of Colorado



[Adopted in Convention May 16th, 2009]

Article I - NAME

Section 1: The name of the political party shall be the Libertarian Party of Colorado, hereinafter referred to as "the Party."

Article II - PURPOSES

Section 1: The purpose of the Party is to implement and give voice to libertarian principles, such as those in the Statement of Principles of the national Libertarian Party, throughout the state of Colorado by: (a) providing leadership and direction for the Libertarian movement in Colorado, (b) communicating the message and positions of the Party, (c) entering into political information and educational activities, (d) promoting, chartering, coordinating, and supporting Party affiliates, (e) growing the Party through attracting and retaining members, (f) attracting, nominating, and promoting professional, serious Libertarian candidates for political office, and (g) promoting Libertarian legislation throughout Colorado.

Article III - PRINCIPLES

Section 1: The Party shall take no positions inconsistent with the Statement of Principles of the national Libertarian Party.

Article IV - MEMBERS

Section 1: Membership in the Party is exclusively limited to all registered electors ("Voters") in the State of Colorado whose Party Affiliation is "Libertarian". Membership in the Party begins on the date an eligible Voter signs an approved voter application form for the State of Colorado, where Libertarian, or a reasonable abbreviation thereof, has been indicated as the party affiliation, and the form is subsequently accepted by the Voter's County Clerk and Recorder. Membership in the Party ends on the date the Voter signs an approved voter application form where another party, Unaffiliated, or a reasonable abbreviation of either, has been indicated as the party affiliation, and the form is subsequently accepted by the Voter's County Clerk and Recorder, or the Voter registers in another state.

Section 2: In the absence of the dated receipt section from the voter application form, proof of membership by voter registration shall be determined by the Records Director or the Credentials Committee through confirmation with the Secretary of State or the Clerk & Recorder of the county in which the applicant has registered.

Section 3: A prospective member may challenge an error of the Secretary of State or a Clerk and Recorder by virtue of an affidavit signed by two other Party members who are in good standing.

Section 4: Any current member of the Party, in good standing, may challenge the validity of the application. The burden of proof of invalidation shall be upon the challenging member.

Section 5: No membership in any other organizations shall be required of any applicant for consideration for Party membership.

Section 6: All offices, delegations, candidacies, and other roles within the Party and its Affiliates shall be occupied and exercised only by Party Members.

Article V - OFFICERS

Section 1: There shall be twelve Party Officers, as follows: State Chair, Vice Chair, Campaigns Director, Front Range Outreach Director, Western Slope Outreach Director, Membership Director, Publications Director, Media Director, Records Director, Legislative Director, Treasurer, and Fundraising Director. Only Convention delegates eligible to vote may run for a Party Office, and only if they promise to fulfill the requirements of this article.

Section 2: Except in the case of an appointed Officer, the following Officers shall be elected in odd-numbered years: State Chair, Vice Chair, Campaigns Director, Western Slope Outreach Director, Membership Director, Publications Director, and Media Director; and the following Officers shall be elected in even-numbered years: Front Range Outreach Director, Records Director, Legislative Director, Treasurer, and Fundraising Director. The election of each Office shall be conducted independently of the others, in the order designated in Section 1 of this Article. Such elections shall be conducted as provided in the Bylaws by the delegates to the annual Party Convention, and shall not take effect until the Convention has adjourned and the Officer-Elect has signed the Statement of Principles of the national Libertarian Party and a statement disavowing the initiation of force to achieve political or social goals. The term of each Office shall be two years or until a successor is elected or appointed.

Section 3: An appointed officer's term ends at the adjournment of the next Convention, regardless of year, when an election shall fill either the remainder of the term or the next full term, based on the schedule in section 2.

Section 4: Officer elections shall exclude any office eliminated upon adjournment and shall include any office created upon adjournment, regardless of the year designated for it in section 2, with the term adjusted to end at the convention of the designated year.

Article VI - BOARD OF DIRECTORS

Section 1: The Board of Directors shall consist of the Party Officers. The Board of Directors shall be the Party's state central committee.

Section 2: Any member of the Board of Directors may be suspended by vote of two-thirds of the current Board of Directors. Any member of the Board of Directors absent from two consecutive meetings of the Board shall be automatically suspended at adjournment of the second meeting. The Board of Directors may, by a two-thirds vote of the current members, appoint or reinstate officers if vacancies or suspensions occur, such members to serve until the next Convention.

Section 3: The Board of Directors shall have the control and management of all the affairs, properties, and funds of the Party consistent with this Constitution and shall meet in the manner specified in the Party Bylaws. The Board shall serve as the Party's vacancy committee.

Article VII - CONVENTIONS

Section 1: The Party shall hold a Convention of Party Delegates each calendar year, scheduled so that it convenes at least six months after the previous convention and adjourns no later than sixty-five days before the day of the Colorado primary election.

Section 2: Arrangements may be made by the Board of Directors to provide for members to participate in the Convention from remote locations. At least forty-five days prior to Convention, the Board shall call the Convention by notifying members of the date and location of the Convention, as well as any remote locations. Additionally, the time and place of any Convention and remote locations shall be published fifteen days prior to such Convention in a newspaper of general circulation in each county wherein the members of the Party reside.

Section 3: No fee may be required of any Party member to participate in the business sessions of any

Party Convention; however, fees may be required for participation in other convention events.

Section 4: Delegates to the business meetings of the Convention must have been Members for at least ninety days immediately prior to the day the first such meeting convenes. The Credentials Committee is authorized to impose general selection criteria, such as capping the number of delegates from any number of counties or districts, giving preference to more senior delegates, or other criteria that will ensure fair representation of the Party Membership, provided such criteria are established prior to and included with the call of the Convention.

Article VIII - NOMINATION OF CANDIDATES

Section 1: The United States Supreme Court has recognized that the nomination of candidates under political party rules falls under First Amendment Freedom of Association protections and therefore overrides state laws when such rules so state. Therefore, all rules for nominating candidates are limited to only the Party Constitution and Bylaws, and all state laws regarding nominating candidates are to be considered overridden and void. The Party reserves all First Amendment Rights in this regard.

Section 2: Nomination of candidates for offices requiring the vote of all the electors of the state shall be made by the Delegates to the Convention, or by a committee designated thereby. Nomination of candidates for all other offices may be made in the same way. In addition to prospective candidates, "None Of The Above" (NOTA) shall be a choice on every ballot cast. At no time shall NOTA be removed from the ballot, even under suspension of convention rules.

Section 3: Nomination of all other candidates may be made by the Party affiliates or district caucus of Party members and affiliates representing the area or district in which the candidate must run in accordance with such procedures as the affiliate or district caucus may provide, subject to the requirements of this article and ratification by a Party Convention or the Convention's designated committee.

Section 4: Each candidate must have been a Member for at least ninety (90) days on the last date on which the Party can file its certificate of designation with the appropriate election official, and shall sign a statement to the effect that he or she supports the Statement of Principles of the Libertarian Party.

Section 5: In addition to fulfilling the other requirements set forth in the Constitution, Bylaws, and Convention rules, in order to be nominated in Convention or appointed by the Vacancy Committee as a candidate for any statewide or Congressional office (collectively known as the "Top Of The Ticket"), prospective candidates must qualify by fulfilling at least one of the following:

- (a) submitting a letter of intent, which shall include the prospective candidate's qualifications and contact information to the Board no later than sixty (60) days before the Convention business session convenes, which letter the Board shall include with the Call of the Convention;
- (b) attending and participating fully in a candidate forum certified by the Campaigns Director and the Credentials Committee, attended by a number of Delegates greater than or equal to one-half of that in attendance at the commencement of nominations, and conducted no later than the day before the Convention business session convenes;
- (c) Receives 3/4 votes of the Convention's delegates.

Section 6: In order to qualify for campaign assistance from the Party, any candidate for public office shall be endorsed by a majority of Party members at the State Convention, by a committee designated thereby, or by the Board of Directors.

Section 7: Any candidate representing the Party in a partisan contest where party identification on the ballot is permitted shall use the designation "Libertarian". Only candidates approved by the process set forth in this article may use this designation.

Article IX - PARTY AFFILIATES

Section 1: The Board of Directors of the Party may charter as affiliates those organizations requesting such status to represent counties, or other geographical entities, if requested by affected members and approved by the Board of Directors.

Affiliates shall be chartered for, but shall not be limited to, the following purposes:

(a) nominating candidates for public office; (b) working to elect Libertarian candidates and promote Libertarian principles through political information and educational activities; (c) selecting representatives to appropriate Party activities.

Each affiliate so chartered shall declare, for the purposes of liaison between the Party and the chartered affiliate, an Affiliate Representative.

Section 2: Every organization so chartered shall ratify the Statement of Principles of the national Libertarian Party. They shall also submit contact information for their officers, who shall include at least a chair and a treasurer, with both being separate people; they shall maintain at least 5 members, publish their bylaws to those members and the State Board of Directors, and file their initial fair campaign practices act filings as necessary.

Section 3: The Board of Directors shall have the power to revoke the affiliate status of any organization by a three-fourths vote of the current Board if said affiliate supports candidates, policies, or positions inconsistent with the national Party Statement of Principles or the State Party Platform; fails to hold an annual meeting with at least five members where officers are elected with contact information and minutes submitted to the State Board of Directors; or fails to report to the proper governmental agencies their fair campaign practices act filings.

Thirty days notice by certified mail shall be given to the Affiliate Representative of the affected affiliate.

Article X - BYLAWS

Section 1: The Bylaws may be amended by a majority vote of the Delegates to the Convention.

Article XI - PLATFORM

Section 1: The Party may adopt or amend, by a two-thirds vote of the Delegates to the Convention, a Platform stating its position on all political issues affecting the state or any constituent entity thereof. Any platform plank, or the entire Platform, may be repealed by a simple majority of the Delegates to the Convention.

Section 2: Amendments to the Platform whose sole purpose is to correct typographical, spelling, grammatical, punctuation, and cross-reference errors and to make such other technical and conforming changes as may be necessary to reflect the intent of the Delegates may be made by the Board of Directors, by a two-thirds vote, without further approval from the Delegates to the Convention.

Article XII - AMENDMENTS

Section 1: The Constitution may be amended at any Party Convention by a two-thirds vote of the Delegates to the Convention. No amendment shall take effect until the adjournment of the Business Session.

Section 2: Any clause which requires a vote greater than the proportion in section 1 shall not be amended except by a vote of the greater proportion, and this section shall not be amended except by a vote of the greatest proportion specified anywhere within this Constitution.