

# The Libertarian Party of Texas Rules

August 2th, 2020

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## **Article I. Statement of Principles.**

We, the members of the Libertarian Party, seek the maximum protection for the rights of all people against any violation, be it by other people, other nations, or our own government.

Every human being is born master of himself or herself, sole owner of his or her body and mind, free to live and act as he or she sees fit. It is our principle that, so long as a person does not violate the rights of others, he or she should be left free and unrestrained. Government tends to operate on the opposite principle, that the State is master and the individual the servant, to act only as directed by those in power.

We deny the right of any government to coerce peaceful citizens. Governments exist for the sole purpose of defending the freedoms of their citizens. These freedoms include the right to life; the right to liberty of thought, speech and action; and the right to property. When government violates these freedoms--by initiating force against them, by prohibiting the act and means of self-defense, by censoring thought, word and deed, or by taking property without the consent of the owner--the government must be brought to heel.

Government is, essentially, raw concentrated force, and thus prone to abuse. It is established and tolerated only as the agent and servant of the people- not their master. The force of government must be used only in response to an attack, fraud, or other initiation of force against an individual, group or government by another individual, group or government.

Governments have no business interfering in voluntary and contractual relations among individuals. Only to prevent or to rectify acts of fraud should government step in – never for purposes of redistributing wealth or providing special privilege to a few. Under no circumstances should government be allowed to prefer one set of people or handicap another, for whatever reason. All people should be equal under the law, free to deal with one another in a free market, the only system compatible with the principle of individual rights. The power of government must be kept to the minimum necessary to protect the rights of its citizens, and no more. Granting more power than that minimum allows the corrupt, the ambitious, and the tyrannical to run roughshod over the rights of the citizen. It is our mission to contest this trend, to stop its expansion and to reverse it, working towards the ideal society envisioned by the Founders and enshrined in the Constitution of the United States.

## **Article II. Name, Duration, Purposes and Membership.**

### **II.a. Name.**

The name of this organization shall be the “Libertarian Party of Texas”, hereinafter referred to as the “Party”.

### **II.b. Bylaws.**

These Rules shall be considered the ByLaws of the Party.

### **II.c. Duration.**

The duration of this organization shall be perpetual.

### **II.d. Purposes.**

The purpose for which this Party is organized is to implement and give voice to the principles embodied in the Party’s Statement of Principles by:

- 1 Nominating and supporting candidates for the United States Congress and for state and local offices in Texas;
- 2 Entering into political information activities;
- 3 Establishing and supporting county Libertarian affiliates across the state; and
- 4 Affiliating with the national Libertarian Party.

## **II.e. Membership.**

### **II.e.1. Voting Membership Eligibility.**

A person is eligible to become a Voting Member of the Party if the person:

- i is a qualified Texas voter;
- ii generally supports the Party's Statement of Principles; and
- iii is not affiliated with any other political party.

### **II.e.2. Voting Membership.**

- i At any time an eligible person may become a Voting Member by affiliating with the Party.
- ii On request of a person desiring to affiliate with the Party, a member of a County Executive committee for the county in which the person resides may administer the oath of party affiliation. In unaffiliated counties a member of the SLEC, a person specially designated by the SLEC, the State Chair, or person otherwise allowed by Texas law shall affiliate by administering the oath of party affiliation.
- iii After administering the oath, the person shall stamp the Party's name on the person's registration certificate or issue the person an affiliation certificate containing:
  - A) the name of the person to whom the certificate is issued;
  - B) the name of the Party ("Libertarian Party of Texas");
  - C) the name and official position of the issuer;
  - D) the function at which the affiliation occurred, if applicable; and
  - E) the date of affiliation.

### **II.e.3. Termination of Voting Membership.**

A person's Voting Membership shall terminate if the person:

- i ceases to be eligible for Voting Membership under subsection (II.e.1); or
- ii fails to affiliate with the Party on the date of the next Precinct Conventions.

### **II.e.4. No dues for Voting Members.**

No dues shall be required for a person to become a Voting Member.

### **II.e.5. Other Classes of Members.**

The SLEC may create, eliminate or modify other classes of Membership. Such classes may or may not require Voting Membership, and may or may not require payment of such contributions or dues as the SLEC shall deem proper. Such classes shall not grant any preference or privilege regarding the strength of votes or the manner of voting, or in election or appointment to office.

#### **II.e.6. Membership in General.**

All Voting Members, and all Members of other classes created by the SLEC, shall be considered Members of the Party.

#### **II.e.7. Nondiscrimination.**

No eligible person shall be denied or restricted his or her rights of Membership and participation.

### **Article III. Party Organization.**

#### **III.a. State Executive Committee.**

The state Executive Committee hereinafter shall be referred to as "SLEC" which stands for "State Libertarian Executive Committee".

##### **III.a.1. Composition.**

The SLEC of the Party shall be composed of:

- i A Chair;
- ii A Vice Chair;
- iii A Secretary;
- iv A Treasurer;
- v Representatives from State Senatorial Districts;
- vi Member(s) of the National Committee representing Texas *ex officio* with voice but no vote.

##### **III.a.2. Terms of Office.**

The term of office of all members of the SLEC shall be from the final adjournment of the State Convention at which they are elected until the final adjournment of the next state Convention.

##### **III.a.3. Qualifications of State Executive Committee Members.**

- i All Party officers and all members of the SLEC must be Voting Members of the Party.
- ii All Party officers and all members of the SLEC must be residents of the region or political subdivision they represent, and the moving of his or her residence by a Party official out of such region or political subdivision shall mean an automatic vacancy of his or her office.
- iii No person shall hold more than one membership on the SLEC at the same time.
- iv No person shall be elected to the State Executive Committee without having submitted an application to the Party Secretary showing interest in filling the position.
- v No person shall be elected to the State Executive Committee without first signing the most recent Party Platform, noting any disagreements with planks, and then submitting it to the state Party Secretary.

##### **III.a.4. Method of Selection.**

- i The Chair, Vice Chair, Secretary, and Treasurer shall be elected by majority vote of all the delegates at each State Convention.

- ii The delegates present at each State Convention from each State Senatorial District shall meet and elect in district caucuses up to two representatives from that State Senatorial District.

### **III.a.5. Duties.**

- i The Chair shall be the principal and presiding officer of the SLEC and the Party.
- ii The Vice Chair shall perform the duties of Chair whenever the Chair is unable to do so, and shall assist the Chair.
- iii The Secretary shall keep such minutes and records as are necessary; shall conduct mail balloting; shall give all notices required by these rules; shall maintain and certify the official copies of the Rules and Platform; shall maintain a roster of names, addresses and telephone numbers of members of the SLEC, of County Chairs and of candidates for the Party's nomination for public office; shall cause the minutes or transcripts of meetings of the SLEC to be furnished to the members of the SLEC as specified in these rules; and perform such other duties as the Chair directs.
- iv The Treasurer shall maintain Party bank accounts and other financial assets, shall ensure that the SLEC is aware of the financial condition of the Party, shall issue financial statements to the SLEC at least quarterly, shall ensure that Party funds are disbursed only according to these rules and state or federal law.
- v The District Representatives shall actively work to further the growth of the Party. This includes, but is not limited to, communicating current organizational status within their districts to the Party, communicating Party information to their districts, assisting with candidate recruitment efforts, developing county affiliates, oversight of Party administration, and assisting to ensure proper function of official Party events.
- vi All members of the SLEC shall further have all other authority and duties implied by their title and expressed or implied by these Rules, or assigned by the Chair or the SLEC, and shall perform all other duties required of his or her office by applicable federal or state law, or by action of the SLEC or by these rules.

### **III.a.6. Vacancies and Removal from Office.**

#### **III.a.6.i. Vacancies.**

Should a vacancy exist in the office of Chair, Vice Chair, Secretary, or Treasurer, the SLEC may fill the vacancy for the remainder of the term.

Should a vacancy exist in a District Representative seat the seat may be filled. The following procedure shall be used when filling a vacancy.

- A. "Eligible" counties for the purposes of filling a SLEC vacancy are those affiliated counties that are wholly or partially within the senate district.
- B. Eligible counties may nominate one Voting Member from their own counties for each available position in that district and send nominations to the state chair.
- C. The State Chair shall notify all eligible counties and the SLEC of the nominations.
- D. Following the initial nomination notification from the State Chair, all eligible counties have 30 days to submit additional nominations.
- E. Each eligible county may cast a ballot indicating a for or against vote for each of the nominated candidates starting 30 days after the initial nomination notification

from the State Chair and continuing to 45 days after the initial nomination notification from the State Chair.

- F. The procedure for determining each county's vote results shall be in accordance with that county's bylaws that are on file with the Party.
- G. Each cast ballot shall be submitted to the State Secretary.
- H. Any position is considered filled when a nominee has received votes in favor from a majority of all eligible counties. The nominee receiving the highest number of votes shall fill the first position available, and any additional positions shall be filled according to the next highest number of votes received.

#### **III.a.6.ii. Removal from Office for Absences.**

- A. If an officer or district representative is absent from two successive meetings of the SLEC, at the call to order of the second meeting that position shall be declared to be vacant.
- B. An absence shall be counted against any meeting for the purpose of business of the SLEC that requires a quorum and for which two (2) weeks notice was given.
- C. Whenever the SLEC removes a member of the Committee, the Secretary shall officially notify that member of his or her removal.

#### **III.a.6.iii. Removal from Office for Cause.**

- A. A member of the SLEC may be removed for causes other than repeated absences from meetings by a three-fourths vote of the other members of the Committee.
- B. Procedures set forth in the Party's parliamentary authority for disciplinary action shall be adhered to in order to protect the rights of both the accused and of the organization, including:
  - 1 the appointment of an investigating committee;
  - 2 the adoption of a resolution preferring specific charges;
  - 3 setting a special executive committee meeting for a trial; and
  - 4 the holding of a trial of the accused.

### **III.b. County Affiliates.**

#### **III.b.1. County Governing Authority.**

- i. There shall be in each county a County Executive Committee composed of a County Chair and such other Party officials of that county as the bylaws of that county may designate. Any Party officials to serve on a County Executive Committee (except for the County Chair) must be appointed or elected according to a set of bylaws, to be drafted and ratified by the Voting Members of that county.
- ii. County bylaws shall designate a procedure for filling vacancies on the County Executive Committee.
- iii. County Chairs are required to provide a copy of the county bylaws to the state Party Secretary upon any adoption or alteration of said county bylaws. In the absence of county bylaws being on file, the SLEC has the authority to recognize a qualified individual as County Chair in the event of a dispute.

- iv All County Executive Committee members must be Voting Members of the Party.

### **III.b.2. Appointment of Temporary Chairs.**

The State Chair or his designates may appoint a Temporary County Chair for any county which is not yet organized. The State Executive Committee may establish a reasonable vetting policy governing the appointment of Temporary County Chairs. Such Temporary Chairs shall serve only until their County Party elects its own Chair at the next County Convention. The SLEC may remove such Temporary Chairs from office for any reasons they deem proper.

### **III.b.3. Precinct Chairs.**

In counties without local rules specifying a procedure for selecting Precinct Chairs, the County Executive Committee shall select the Precinct Chairs. Within three (3) days of the election or appointment of a Precinct Chair, the name, address, phone number and email address of said Chair shall be sent to the State Chair.

### **III.b.4. Automatic Removal.**

Any County Chair who, for whatever reason, fails to hold a County Convention in an even-numbered year in accordance with these Rules or who fails to report in a timely manner the results of such a Convention to the State Chair or such officer designated to process such reports, shall no longer be County Chair. Any vacancy thus created may be filled by appointment by the State Chair.

## **III.c. District and Precinct Executive Committees.**

### **III.c.1. District Executive Committees.**

Whenever these Rules or the actions of the SLEC require action by a District Executive Committee, the membership of any such District Executive Committee shall consist of the County Chairs for counties wholly or partially contained within the district.

### **III.c.2. Commissioner's Precincts and Justice Precincts Executive Committees.**

The Precinct Chairs within a Commissioner's Precinct, Justice Precinct or other such local entity within a county shall constitute the District Executive Committee and such Precinct Chairs shall elect one of their number to serve as Chair of the Committee.

## **III.d. General Rules for the State Executive Committee.**

### **III.d.1. Governing Authority.**

- i These rules shall govern the conduct of all meetings and proceedings of the SLEC of the Party.
- ii The rules contained in the current edition of Robert's Rules of Order Newly Revised are hereby adopted by reference to govern all meetings and proceedings of the SLEC of the Party in all cases to which they are applicable and in which they are not inconsistent with state law, these Rules, or any special rules of order the SLEC may adopt.
- iii SLEC shall maintain bylaws that govern its own action. Bylaws of SLEC may be amended by a 2/3rds vote of SLEC or by a majority vote of the state convention. Where

Bylaws of SLEC conflict with these Rules, state law, or federal law the Bylaws of SLEC shall yield.

- iv The SLEC may make additional policies for its conduct so long as said additional policies do not conflict with these rules.

### **III.d.2. Powers of the State Executive Committee.**

- i In compliance with these Rules and the directives of Conventions, the SLEC of the Party shall carry on the activities of the Party at its level between Conventions, and shall have the control and management of all Party affairs, properties, and funds at its level.
- ii The Chair of the SLEC, subject to the approval of that Committee, or the SLEC itself, may appoint, elect or employ any such officers and assistants as may be deemed necessary to assist the Committee in its function and in making arrangements for Conventions at that level.
- iii The SLEC shall decide whether to hold a Primary Election, and make appropriate notification thereof.
- iv The SLEC may move the convention from a physical location to an online location, for good cause in an emergency situation which threatens the possibility of an in-person state convention, by a two-thirds vote of the entire body.
- v The State Executive Committee may reject a county's bylaws in their entirety for cause. The county must be notified of the time and place of a vote to reject county bylaws at least 20 days before a vote can be taken. A designated representative from the county will be given speaking privileges during any debate on the issue.

## **Article IV. Party Conventions.**

### **IV.a. Precinct Conventions.**

- 1 A Precinct Convention will be held in even-numbered years in accordance with these Rules.
- 2 To be eligible to participate in a precinct convention, a person must be a registered voter of the precinct. The person must also be a Voting Member of the Party.
- 3 Each Precinct Convention shall automatically elect all participants thereof to be delegates to the County convention and shall elect no alternates. A person otherwise qualified need not be present at the Precinct Convention to be elected a delegate to the County Convention.
- 4 Attendees for the convention may be preregistered for the convention by electronic or paper registration.
- 5 The Precinct Convention Chair may electronically scan and electronically submit convention documents to the County Chair and state Party Chair.

### **IV.b. County Conventions.**

- 1 A County Convention will be held in even numbered years in accordance with the Texas Election Code.
- 2 Within 20 days following the deadline for making applications for the nomination of the Party in a general election, the Secretary shall notify each county chair of any candidates who have filed with the State Chair that are required to be nominated at a County Convention.

- 3 All candidates for the Party's nomination for public office and for Party leadership shall be given an opportunity and encouraged to declare, prior to the voting on the office he or she is seeking, what if any disagreements he or she may have with the state and national platforms.
- 4 The County Convention shall be composed of all delegates thereto who were duly elected by their Precinct Conventions that year.
- 5 The County Convention shall elect delegates to the State Convention and to any appropriate District Conventions.
  - i County Conventions may elect a number of alternates to the State Convention not to exceed the total number of delegates allocated to that county.
  - ii All delegates and alternates elected by a county convention must be qualified voters of that county.
  - iii A person otherwise qualified need not be present at the County Convention to be elected a delegate or alternate to the State or District Conventions.
  - iv Alternate delegates to the State Convention shall be assigned a number corresponding to the precedence of seating in the case that a delegate is not currently seated. The number assigned shall be a whole number between 1 and the total number of alternate delegates. If the county has not done so by whichever method it chooses, then the assignment of precedence number shall be chosen by random lottery by the chair of the state Party.
- 6 Unless specifically addressed by the County bylaws, all delegates may vote for nomination of candidates for districts that are entirely contained within the county and for which an application for nomination was filed with the State Chair or with the County Chair as required by the Election Code.

#### **IV.c. District Conventions.**

- 1 A District Convention will be held in even-numbered years for each district which is made up of more than one county or parts of more than one county and for which district at least one person has filed with the State Chair an application as a candidate for nomination for public office.
- 2 All candidates for the Party's nomination for public office and for Party leadership shall be given an opportunity and are encouraged to declare, prior to the voting on the office he or she is seeking, what if any disagreements he or she may have with the state and national platforms.
- 3 The District Convention shall be composed of all delegates thereto who were duly elected by their County Conventions of that year.
- 4 Between 10 days and 20 days following the deadline for making applications for the nomination of the Party in a general election, the Secretary shall send each County Chair a correspondence informing the chair that they are to constitute a District Executive Committee (as specified in these rules) for each district for which one or more candidates have filed application for nomination. The correspondence shall contain the following:
  - i A list of the districts which are contained in whole or in part in the county for which one or more applications for nomination have been received;
  - ii The names, addresses, and phone numbers of the Chairs of the other counties in each such district;
  - iii A list of candidates who have filed for the Party's nomination for each district.

- 5 The District Executive Committee shall determine the time and location of the District Convention for that district. Care shall be given to minimize scheduling conflicts between overlapping districts.
- 6 Each District Executive Committee member shall report their vote on the district convention location to the state chair at least 15 days before the district convention. Any votes not submitted 15 days prior shall be considered an abstention. If no District Executive Committee member submits a vote 15 days prior, the state chair may select a location and time within the district. If there is a deadlock on the District Executive Committee and no proposal can gain a plurality 15 days in advance, the state chair shall pick from among the proposals that were tied for the most votes.

#### **IV.d. State Conventions.**

##### **IV.d.1. Composition and When Held.**

- i A State Convention will be held in even numbered years in accordance with these Rules.
- ii The State Convention shall be composed of all delegates thereto who were duly elected by their County Conventions of that year.

##### **IV.d.2. Apportionment of Delegates.**

- i The SLEC may limit the number of delegates that each county may elect to the State Convention to a fraction of the total number of votes cast in that county for all Libertarian nominees for statewide offices in the most recent general election for state and county officers. Such a fraction, if established, shall be uniform for all counties.
- ii The number of delegates for each county calculated under subsection (1) shall be rounded up to the nearest whole number and shall not be fewer than three.
- iii An additional delegate shall be allocated for each ten percentage points received, up to fifty percent points, in the highest performing county race as measured by percentage in the most recent general election. A county race for purposes of this section shall be defined as a race for public office nominated at county convention.

##### **IV.d.3. Seating of Delegates and Alternates.**

- i Delegates shall be seated together by County at the State Convention.
- ii Alternates shall be seated in order of precedence to fill any vacancies up to the maximum allotment for the County they represent.
- iii Nonvoting alternates shall remain in a designated alternate seating area until such time as they are called to fill a vacancy.

##### **IV.d.4. Committees of the Convention.**

###### **IV.d.4.i. Committees Described.**

- A A Platform Committee, which shall consider and report to the Convention on recommendations for amendments to the permanent Statement of Principles and Platform of the Party;
- B A Rules Committee, which shall consider and report to the Convention on recommendations for amendments to the permanent Rules of the Party;

- C A Credentials Committee, which shall consider and report to the Convention on recommendations for resolution of any challenges to the credentials of delegates to the convention;
- D Any other committees which the SLEC may deem it proper to establish.

#### **IV.d.4.ii. Membership of Committees.**

- A The members of all committees at State Conventions shall be appointed by the SLEC no later than four months prior to the Convention.
- B Those persons chosen to be members of committees must be notified of their selection within thirty days after the SLEC meeting at which they are selected.

#### **IV.d.5. Order of Business.**

At all State Conventions the order of business shall be as follows:

- i Call to order by the State Chair;
- ii SLEC report on the temporary roll;
- iii State Chair introduces temporary officers of the Convention and turns over gavel to Temporary Chair if he or she has appointed someone other than himself or herself to act as Temporary Chair;
- iv Opening ceremonies, if any;
- v Report of the Credentials Committee and action on its report to establish the permanent roll;
- vi Nomination and election of permanent officers of the Convention;
- vii Permanent Chair takes the chair;
- viii Report of the Rules Committee and action on its report;
- ix Nomination of candidates for public office;
- x Nomination and election of state Party officers;
- xi Permanent Chair announces clearly to the delegates the place of each regional caucus, then declares a brief recess for such caucuses;
- xii Regional caucuses meet and elect District Representatives;
- xiii Permanent Chair calls Convention back to order;
- xiv Regional caucuses report on election of District Representatives;
- xv Nomination and election (if any) of delegates and alternates to the national convention;
- xvi Report of the Platform Committee and action on its report;
- xvii Nomination and election (if any) of Presidential Elector candidates;
- xviii Other business;
- xix Acceptance speeches (if any) by certain nominees for public office;
- xx Adjournment.

#### **IV.d.6. Functionaries of the State Convention.**

- i The State Chair may designate such temporary officers and assistants as he or she deems necessary to plan, arrange, and conduct the necessary work of the Convention until it elects its own permanent officers. Such temporary officers and assistants shall have those duties which are assigned to them.
- ii The permanent officers of the Convention shall be a Chair, Secretary, and any additional officers who may be elected.
- iii The Parliamentarian shall be chosen before the Convention by the SLEC.

- iv The permanent officers shall be elected separately and not as a slate.

#### **IV.d.7. Voting in District Caucuses.**

District caucuses at State Conventions may elect their District Representatives in whatever manner they choose as long as all delegates present from that region are given an equal voice in the election.

#### **IV.d.8. Election of Presidential Electors.**

- i The State Convention in a Presidential election year shall elect a number of Presidential Elector candidates equal to the total number of United States Senators and Representatives to which the state is at that time entitled under law.
- ii Any Voting Member of the Party who does not hold any office of profit or trust under the United States shall be eligible to be a Presidential Elector candidate.
- iii If for any reason the State Convention cannot or does not select Presidential Elector candidates, Presidential Elector candidates shall be chosen by the SLEC.
- iv Each Presidential Elector candidate shall file with the State Chair a written affidavit attesting to his or her intention to support the Party's Presidential and Vice Presidential nominees. Should any Presidential Elector candidate fail to file such affidavit within a reasonable time, he or she shall be subject to removal and replacement by the SLEC.

#### **IV.d.9. Election of Delegates to National Conventions.**

##### **IV.d.9.i. Number of Delegates.**

The total number of delegates to the national convention shall be that number assigned by the National Executive Committee in their call to the Convention.

##### **IV.d.9.ii. National Alternates for Delegates.**

At the national convention alternates shall serve in the same order of precedence as their vote ranking in the absence of delegates, except as may be provided otherwise by the rules of the national Party.

##### **IV.d.9.iii. Selection by State Executive Committee.**

- A If national party rules should require election of delegates to a national convention at a time when it would not be possible for a state convention to do so, such delegates shall be chosen by an open meeting of the SLEC.
- B If reasonably possible, at least 60 days prior public notice of this meeting shall be given including publication in a state Party newsletter or other form of written notice.
- C Any Voting Member may appear before the SLEC at this meeting for a reasonable time to present arguments for the election of himself or herself or any other Voting Member to be a delegate.

##### **IV.d.9.iv. Finality of Delegate Selection.**

Neither the delegation nor the delegation chair shall have the power to add or remove delegates or alternates.

#### **IV.d.10. Opportunities for Expressing Disagreements with Platform.**

All candidates for the Party's nomination for public office and for Party leadership shall be given an opportunity and encouraged to declare, prior to the voting on the office he or she is seeking, what if any disagreements he or she may have with the state and national platforms.

#### **IV.e. General Rules Governing Party Conventions.**

##### **IV.e.1. Governing Authority.**

- i These Rules shall govern all proceedings and the conduct of all meetings of all Conventions and caucuses and committees at Conventions at all levels.
- ii The rules contained in the current edition of Robert's Rules of Order Newly Revised are hereby adopted by reference to govern all proceedings and the conduct of all meetings of all Conventions and Caucuses and committees at Convention of the Party at all levels in all cases to which they are applicable and in which they are not in conflict with state law, these Rules, or any special rules of order which may be adopted.
- iii Any Convention may make any additional rules for its conduct and proceedings which do not conflict with state law or these Rules.
- iv It shall be the duty of the presiding officer at the opening of each Convention to provide a summary explanation of the special rules which will govern that convention and the ways in which the action of that Convention may influence important Party actions and decisions at subsequent levels of the Convention process.

##### **IV.e.2. Location of Conventions.**

- i All Party Conventions shall be held at places which shall be of easy public access to all participants who have expressed their intention to participate to the appropriate County, District or SLEC at least 75 days before the scheduled date of the convention.
- ii All Party Conventions shall be held in a place that is large enough to accommodate the greater of:
  - A The number of participants who participated in the same convention two years prior; or
  - B The number who have expressed their intention to participate to the appropriate County, District or SLEC at least 75 days before the scheduled date of the convention.

##### **IV.e.3. Eligibility to Vote at Conventions.**

- i All delegates at any convention shall be eligible to vote on all matters before the floor of that Convention, except for district caucuses at County Conventions and regional caucuses at State Conventions.
- ii In order to vote on any given matter, a delegate must be present on the floor at the time the vote is taken.
- iii Each delegate present shall have one vote.
- iv A person must be a Voting Member of the Party in order to participate in procedures at a Convention or serve as a delegate.

#### **IV.e.4. Quorum.**

The quorum at any Convention shall be a majority of the delegates or qualified participants registered as attending.

Delegates and alternates may permanently leave the State Convention by submitting signed notification to the Credentials Committee at which point they will be removed from the permanent roll.

#### **IV.e.5. Voting Procedures.**

- i Unless otherwise provided elsewhere in these Rules, the method of voting at all Conventions, and caucuses and committees at Conventions of the Party may be:
  - A Voice vote;
  - B Show of hands;
  - C Standing division of the house;
  - D Written secret ballot; or
  - E Roll call vote.
- ii Unless otherwise specified in these Rules, the method used shall be left to the discretion of the presiding officer, provided, however, that:
  - A A division vote must be taken on the request of any qualified participant. Said participant need not have the floor to call for a division vote.
  - B A roll call vote must be taken when requested by one-fifth of the participants.
- iii All votes taken shall be counted by the presiding officer and secretary or their designees.
- iv Elections must be held by secret ballot when there is a contested race for any Party office or offices (including delegate and alternate) or for the Party nomination for any public office (including Presidential Elector candidates).
- v If a roll call vote is taken, polling shall be by alphabetical call of all delegates registered as attending.
- vi Proxy voting or voting by proxies is prohibited in all conventions and caucuses and committees at Conventions of the Party.
- vii The use of the unit rule or the practice of instructing delegates shall not be permitted at any level of the Convention process.

#### **IV.e.6. Limits on Discussion.**

- i No delegate shall speak for more than five minutes on any one motion at any Convention; provided, however, that the delegates making the majority and minority reports of any committees may speak on such reports for not exceeding ten minutes each and then may answer legitimate questions relating to such reports from any delegate.
- ii The discussion on any motion shall not exceed a total of twenty minutes time.

#### **IV.e.7. Petition to Place Item on Agenda.**

A petition signed by ten percent of the delegates attending any Convention shall be sufficient to automatically place any legitimate item of business on the agenda of that Convention for its consideration.

## **IV.e.8. Committees and Committee Reports.**

### **IV.e.8.i. Committee Procedures in General.**

- A The Chair of each committee at a Convention shall be the presiding officer of that committee.
- B The vote of a majority of those committee members present shall be necessary to recommend to the floor the passage of any proposal.
- C A committee member must be present in order to vote.
- D A majority of the voting membership of each committee excluding vacancies shall constitute a quorum for that committee.

### **IV.e.8.ii. Right of Delegates to Appear before Committees.**

- A Any delegate to a Convention shall have the right to appear before any committee of that Convention and make recommendations for the committee's consideration.
- B A committee may make reasonable rules governing the time and manner of such presentations, which may include a requirement for submission of the proposal in writing to the Chair of the committee.
  - 1 Such submission in writing may not be required to be more than three days prior to the first official convening of the committee.
  - 2 No requirement may be adopted after it is too late to meet the requirement.

### **IV.e.8.iii. Convening of committees.**

All committees, except the Platform Committee, shall first convene officially no later than the first day immediately preceding the Convention to which they shall report, but such committees may meet informally at any time at their discretion.

### **IV.e.8.iv. Committee Reports.**

- A The chair of each committee, and the chair's designees, shall report the committee's recommendations to the floor of the Convention. Recommendations on the report may be made individually or as a whole. The convention chair or committee chair shall preside over any discussion and any votes on recommendations.
- B Any committee may also issue a minority report or reports which shall have priority of consideration as proposed amendments to the majority recommendations of the committee.
- C After minority reports have been dealt with, any delegate may move to amend the recommendation, providing that the substance of such proposal shall have been considered by the committee or shall have been presented to the committee for its consideration.
- D Each proposed amendment to a recommendation shall be debated and voted upon separately.

#### **IV.e.8.v. Procedures for Platform Committee Reports.**

- A The Platform Committee must vote on each specific proposed plank or amendment separately.
- B In the case of the Platform Committee, the committee Chair shall report the committee's recommendations to the floor on a plank by plank basis, and each shall be debated and voted upon separately in the following order:
  - 1 Those recommendations receiving a unanimous favorable vote in committee.
  - 2 Those recommendations receiving a unanimous favorable vote, less abstentions, in committee.
  - 3 Those recommendations receiving a favorable vote in committee, regarding which there is not a minority report.
  - 4 Those recommendations receiving a favorable vote in committee, regarding which there is a minority report.
- C Each Platform Committee recommendation shall be considered in the following manner:
  - 1 The Platform Committee Chair, or some other person, shall have up to two minutes to give the committee's thinking in making the recommendation;
  - 2 The Chair of the Convention shall then open the floor to discussion of the recommendations for up to fifteen minutes;
  - 3 During this time amendments may be proposed from the floor, one at a time, and the proposed amendments shall be voted on before voting on the recommendation, as amended.
  - 4 In the case of a Platform Committee recommendation for which there is a minority report, after the majority position has been presented the minority report shall have priority of consideration as a proposed amendment to the majority report and a spokesperson for the minority shall have up to two minutes to present his or her position before the fifteen minute discussion period begins.

#### **IV.e.9. Statement of Principles and Platform Amendments.**

- i The Statement of Principles adopted by the Party at the first State Convention in July, 1972, as amended in accordance with the Rules, shall remain the permanent Statement of Principles of the Party. Aside from the Statement of Principles, the Party shall have no permanent Platform; all planks in the Platform adopted at a previous convention shall expire or sunset upon the end of the third convention from adoption (6 years) unless the plank is deleted, renewed, or altered by a subsequent convention body. The Platform Committee shall have the authority to recommend changes to or deletions of any plank before its scheduled sunset date.
- ii Proposed amendments to the Statement of Principles and Platform must be voted upon separately on a plank by plank basis.
- iii Each proposed plank or amendment must receive the votes of two-thirds of the voting delegates for inclusion in the Platform.

- iv An existing plank may be deleted before its scheduled sunset date by a majority of the delegates.
- v Proposed resolutions must receive the votes of two-thirds of the voting delegates for adoption by the Convention.

#### **IV.e.10. Nominations for Public and Party Office.**

##### **IV.e.10.i. Filing Procedures.**

- A No person may be the nominee of the Party for any public office who has not filed an application with the Party to be nominated for that office, in accordance with these Rules.
- B If a candidate who has made an application to be nominated withdraws, dies, or is declared ineligible, the filing deadline for applications for nomination for that office is reopened and extended until 11:59 PM of the day before the date of the Convention at which the nominee for that office is chosen.

##### **IV.e.10.ii. Nominating Procedures.**

- A All nominations for Party office or for the Party nomination for public office shall be made from the floor and no nominations by committee shall be permitted.
- B All nominations for Party office or for the Party nomination for public office shall be made separately and not as a slate.
- C The motion to close nominations shall require a two-thirds vote, and such motion shall not be in order until a reasonable time has passed.
- D Nominations of candidates for public office at the State level may be made only at the State Convention held in the year of the election for which the nominations are made.

##### **IV.e.10.iii. Exclusions from Eligibility for Nomination to Public and Party Office.**

- A No Convention or Executive Committee of the Party may nominate or endorse any candidate for public office who shall appear on a partisan election ballot either as an independent or as the nominee of another party.
- B No person may be the nominee of the Party for any public or Party office who:
  - 1 is ineligible to serve in that office; or
  - 2 has not expressed a willingness to accept the nomination of the Party.

##### **IV.e.10.iv. Balloting for Candidates for Public and Party Office.**

###### **IV.e.10.iv.A. Single Seat Balloting Procedures.**

- 1 The method for voting by ballot shall be Approval Voting.
- 2 Each ballot shall contain the full list of all nominees. Each delegate shall have the option to vote “for” or “against” each nominee.
- 3 Total votes “for” and “against” a nominee shall be recorded along with the number of ballots cast.
- 4 No nominee is eligible without receiving the majority of “for” votes of ballots cast for that election.

- 5 The eligible nominee receiving the plurality of “for” votes is the winner. If multiple eligible nominees have an equal number of “for” votes, the nominee with the fewest “against” votes is the winner. If multiple eligible nominees have an equal number of “for” votes and “against” votes then the body may choose how to decide the election between the tied nominees.
- 6 Order of nominations. In voting on the nomination of candidates for Public Office, the offices shall be considered in the reverse of the order in which they appear on the general election ballot.
- 7 The delegates of the convention may decide by 2/3 vote to use whatever balloting method they prefer to elect candidates for Public or Party Offices as long as the ability to vote “against” each nominee is included.

#### **IV.e.10.iv.B. Multiple Seat Balloting Procedures.**

1. Each ballot shall contain the full list of all nominees. Each delegate shall have the option to vote for or against each nominee.
2. All votes for and against a nominee shall be recorded along with the number of ballots cast.
3. No nominee receiving more against votes than for votes is eligible to win an election or entitled for nomination in subsequent elections for that office during that business session.
4. All nominees that obtain more for votes than against votes are eligible nominees. Eligible nominees will be ranked in order of highest for count to lowest for count. In the case of a tie for votes, the higher preference shall be the eligible nominee with less against votes. If a tie occurs when eligible nominees have the same for and against votes, then the body may choose how to decide the election between the tied nominees.
5. Nominees will be seated in ranked order until all seats are filled or until there are no longer eligible nominees.
6. If all positions are not filled, the body may, by majority vote, open nominations to fill more positions.
7. The delegates of the convention may decide by 2/3 vote to use whatever balloting method they prefer to elect candidates as long as the ability to vote against each nominee is included.

#### **IV.e.10.v. Declining to Nominate Candidate for Public Office.**

A Convention may decline to nominate any candidate for public office, even if there are persons seeking the Party’s nomination for that office.

#### **IV.e.10.vi. Procedures for Election to Party Office.**

##### **IV.e.10.vi.A. Majority Required.**

The vote of a majority of the qualified participants voting at the relevant Convention or caucus shall be necessary and sufficient for election to Party office, except for the position of alternate to a national convention, which shall be as provided elsewhere in these rules.

#### **IV.e.10.vi.B. Multiple Ballot Procedure.**

- 1 Except as provided elsewhere in these Rules, in cases where no candidate receives a majority on the first ballot, the candidate receiving the lowest number of votes on that ballot shall be stricken from all subsequent ballots and this process shall be repeated for as many ballots as necessary for some candidate to secure election.
- 2 After each ballot from which no candidate receives a majority, the Chair shall announce the total vote received by each candidate, including those to be stricken from subsequent ballots.

#### **IV.e.10.vi.C. None of the Above.**

- 1 Votes cast for None of the Above in voting for a Party office shall be considered valid and properly recorded.
- 2 Should a majority of the votes be cast for “None of the Above” in an election for a Party office, then that office shall be declared vacant and shall be filled as provided elsewhere in these Rules, but none of the persons who sought that office in that election shall be eligible to hold that office for that term.

#### **IV.e.11. News Media Right to Attend.**

Representatives of the news media shall have the right to attend all Conventions for the purpose of reporting the proceedings.

### **Article V. Adoption, Status, Amendment and Publication of Rules.**

#### **V.a. Effective Date of Original Rules.**

These Rules shall be finally effective upon the final adjournment of the State Convention at which they are adopted.

#### **V.b. Permanent Amendments.**

These Rules may be permanently amended, altered or repealed only by a two-thirds vote of a State Convention.

The SLEC, by  $\frac{2}{3}$  vote, may renumber, modify spacing, and formatting of these rules as long as it does not change wording, grammar, or intent in any way. Notification of these changes must be sent to all county affiliates within a week of a successful vote.

#### **V.c. Temporary Amendments.**

- 1 Between State Conventions these rules may be temporarily amended for good cause by a vote of four-fifths of the entire membership of the SLEC, provided:
  - i each member of the SLEC shall receive written notice including the full text of any proposed amendment at least two weeks prior to any meeting held to consider temporary amendments to the Rules; or

- ii if the vote on the proposal is by mail ballot then the ballot shall contain the full text of any proposed amendment.
- 2 All such temporary amendments shall remain in effect only until the final adjournment of the next State Convention after their adoption, and they must be presented to that Convention for approval in the form of proposed amendments to the Rules.
- 3 If any temporary amendment is rejected by a State Convention following its temporary adoption neither that amendment nor any other having substantially the same effect may be considered again until the next State Convention thereafter.

#### **V.d. Amendments to Statement of Principles of the Party.**

Whenever the Party by two-thirds vote at the State Convention amends the permanent Statement of Principles of the Party, such vote shall also constitute automatic amendment to the Preamble to these Rules to comply with the amended Statement of Principles.

#### **V.e. Effective Date of Permanent Amendments.**

Permanent amendments to these Rules shall become effective upon the final adjournment of the State Convention at which they are adopted except that rules pertaining to the handling or selection of candidates and nominees for public office do not take effect until the end of the current election cycle.

A State Convention, by majority vote, may make any permanent amendments effective immediately upon adoption.

#### **V.f. Permanence and Superiority of Rules.**

##### **V.f.1. Superiority.**

- i These Rules, as permanently amended by State Conventions, shall constitute the permanent and continuing Rules of the Libertarian Party of Texas, wholly superseding, amending, nullifying and rescinding all previous rules, Constitutions, and resolutions.
- ii The Bylaws of SLEC shall be permanent and continuing.
- iii The SLEC may establish a permanent and continuing set of policies that govern Party organization and procedures. These policies shall be created, maintained, or dissolved by the SLEC. No policies may supersede these Rules. Any policies found to contradict or conflict with these Rules are void.
- iv On subjects not covered by these Rules, the State Chair may specify a temporary rule to take effect at the adjournment of the next meeting of the SLEC if the rule is approved by that body by a four-fifths (4/5) vote. This temporary rule, once approved, is treated as a temporary amendment as described herein.

##### **V.f.2. Permanence.**

These Rules shall continue in force until rescinded or permanently changed by action of a State Convention or as temporarily amended by the SLEC as provided herein.

### **V.g. Publication of Rules and Amendments.**

- 1 County Chairs shall be notified of amendments to these rules (whether permanent or temporary) within thirty days following the adoption of such amendments.
- 2 The SLEC shall have copies of these Rules made and shall furnish such copies to any person on request, provided, however, that persons to whom copies of the Rules are furnished may be required to pay the expenses incurred in making and mailing their copies.
- 3 The State Chair shall ensure that updated rules are sent to the Texas Secretary of State for review within thirty (30) days following the adoption of any temporary or permanent amendments.

### **Certification.**

It is hereby certified that this is a true and correct copy of the rules of the Libertarian Party of Texas currently in effect as adopted in State Convention in Houston, Texas November 16, 1974 and as amended below:

in State Convention in Dallas, Texas, June 12 1976;

in Fort Worth, Texas, June 10, 1978;

in San Antonio, Texas, June 14, 1980;

in Houston, Texas, June 12, 1982;

in Arlington, Texas, June 9, 1984;

in San Antonio, Texas, June 14, 1986;

in Austin, Texas, June 12, 1988;

in San Antonio, Texas, June 9, 1990;

in Arlington Texas, June 13, 1992;

in San Antonio, Texas, June 11, 1994;

in Lubbock, Texas, June 8, 1996;

in Nacogdoches, June 13, 1998;

in Corpus Christi, June 10, 2000;

in Dallas, June 8, 2002;

in College Station, June 12, 2004

(Royce Mitchell (chair));

in Houston, June 11, 2006

(Rock Howard);

in Fort Worth, June 14, 2008

(Rock Howard, Arthur DiBianca);

in Austin, June 12, 2010

(Rock Howard (chair));

in Fort Worth, June 9, 2012

(Geoffrey Neale (chair), Jon Roland, Kathie Glass, Kevin Tunstall, Michael Lee);

amended by the SLEC, July 11, 2012;

in Temple, April 12, 2014

(Arthur Thomas (chair), Ed Kless, James Gholston, Jim Ryan, Michael Lee);

in San Antonio, April 9, 2016

(Alan Smith, Arthur Thomas (chair), James Holland, Melina Baker);

in Houston, April 14-15, 2018

(Arthur Thomas, John Wilford (chair), Melina Baker);

Amended by the SLEC, April 4, 2020;

in Big Spring, August 2nd, 2020

(Arthur Thomas (chair), John Wilford, Anastasia Wilford, Eugene Flynn, Alan Smith, George Reynolds, Andrew Amelang).

Revision History:

Modified on	Event	Updated by
5/29/2019	2018 Convention Changes Incorporated	Arthur M Thomas IV
3/12/2019	Incorrect numbering updated (duplicate numbers)	Arthur M Thomas IV
8/5/2019	Missing changes incorporated (IV.4.i.2 - minor)	Arthur M Thomas IV
4/4/2020	Added Temp Rule - Emergency Online State Convention	Arthur M Thomas IV
4/14/2020	Added amended info (no rules change)	Arthur M Thomas IV
8/9/2020	2020 convention changes incorporated	Arthur M Thomas IV