

[Libertarian Party of Utah 866-511-UTLP \(tel:+ Libertarian Party of Utah 866-511-UTLP\)](tel:+18665118666)

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Bylaws of the Libertarian Party of Utah (UTLP)

(Adopted April 14, 2018)

Chapter One:

Membership

- A. Membership in the Libertarian Party of Utah, hereafter as “UTLP” or “the Party” is qualified. A member is qualified in good standing if:
 - 1. They are current dues paying members;
 - 2. Have signed the Statement of Principles;
 - 3. Are not subject to revocation of membership proceedings as outlined in Article II of the Party Constitution.
- B. The party roster shall indicate a Member’s preferred contact method for notification of events, Conventions, Bylaw or Constitution Amendment. If none is selected the default preferred notification method shall be by party newsletter, either by email or USPS.

Dues

- A. Annual dues for dues-paying members are payable upon joining and must be renewed no later than the last day of the month of the anniversary of the member’s first dues payment to remain in good standing. Minimum annual dues are \$20.
- B. The Party may withhold the dues-paying classification of a member until payment is tendered to the Party by the member or by someone on the prospective member’s behalf.

Membership censure, rebuke, revocation

- A. Membership in the UTLP may be revoked by the EC for cause.

- B. Membership may be revoked for:
 - 1. Activities inconsistent with the Statement of Principles;
 - 2. Harassment of members of the Party;
 - 3. Activities which undermine the party's efforts or candidates
 - 4. Other actions which may be determined by the EC to be detrimental to the Party.
- C. Decisions of the EC may be referred to the Judicial Committee by the subject of the revocation for their consideration.

Chapter Two:

Libertarian Organizing Committee

In the event that the Party does not retain ballot status after any general election, its activities, resources, programs, policies, liabilities, and assets, and organizational structure will be automatically deemed to continue as the Libertarian Organizing Committee. The Constitution, the officers elected and membership attained under it, and the activities of the Party will continue as if ballot status had been retained.

Chapter Three:

Convention Procedures

Section 1. Nominating Conventions

- A. The Party certifies candidates for partisan offices only by nominating convention. (This does not exclude candidates from running in primaries, but certification of the nomination can only be confirmed by convention.)
- B. Everyone who:
 - 1. is a member of the Party in good standing 30 days prior the convention, and who attends the convention, and/or
 - 2. is a member of the national Libertarian Party, has been so for at least 30 days prior to the convention, provides proof of such, becomes a member of the Party, and who attends the convention, is eligible to vote.

- C. The CC or Convention delegates may suspend the 30 day limit requirement by a 2/3 majority vote with a minimum 24 hour notice.
- D. At the time and place set for the nominating conventions, the name of each person who has filed a declaration of candidacy with the appropriate state or county political entity may be placed in nomination for the office for which his/her declaration was filed.
- E. In order to be certified by the Party, all candidates must be members in good standing, sign the Candidate's Pledge, and stand for election at the appropriate nominating convention. A candidate who files for state or local office as a Libertarian with the appropriate political entity but whose candidacy is not affirmed in convention is not a candidate of the Party.
- F. Candidate's Pledge: "I promise that if elected I will vote in favor of all matters that lead to a reduction in taxes and government, and expansion of personal freedoms and against all matters causing higher taxes, bigger government, and restrictions on personal freedoms. If I ever act contrary to this pledge, I will publicly apologize and offer to resign."
- G. Eligible members will vote immediately following the nominating and seconding speeches made on behalf of all candidates for office.
- H. The Chair (or the Chair's designee) is responsible for credentialing members as convention delegates. Each member present may cast one vote in each ballot for each office to be filled.
- I. Proxy voting is allowed. Delegates must notify the secretary via email no later than 15 days prior to the Nominating Convention of their desire to designate a proxy, and name the proxy at that time. A form to perform this action is to be provided on the party website no less than 30 days prior to the conven. The proxy voter must be a member in good standing of the party.
- J. If three or more candidates are nominated for the same office, the convention will use multiple ballots. In the case of multiple ballots, the first ballot will be used to reduce the number of candidates to four if more than four candidates participate or by one if four or fewer than four participate. Each following ballot will drop the lowest vote-getter until two candidates remain. The two top candidates will continue the balloting until one achieves a two-thirds majority. If no candidate prevails after the third such ballot, the Party has no candidate for that office unless at least one candidate chooses to participate in the primary election.

- K. No later than 12:00 noon of the fifth calendar day following the convention, the Secretary and Chair will certify in writing to the county clerk or the appropriate state political entity, the name(s) of the Party's nominee(s) as required by law.

Section 2. Electors & Candidates

- A. On or before June 1, members will convene at a time and place designated by the CC in a nominating convention to nominate candidates for partisan offices and adopt a Party platform. In each presidential election year, the nominating convention will also choose presidential electors.
- B. The gubernatorial candidate nominated by the nominating convention will nominate a candidate for Lt. Governor who meets the requirements of Utah law. If the convention fails to affirmatively ratify the nominee for lieutenant governor, the gubernatorial nominee shall nominate other candidates until the convention affirmatively ratifies a nominee.
- C. The governor and lieutenant governor candidates so nominated by the nominating convention will run as a joint ticket in the general election.

Section 3. Nomination of Legislative and County Candidates

- A. A candidate, whose race:
1. encompasses multiple counties, or
 2. is contained within a county that did not have a county convention, will be chosen at the State party nominating convention by the members in good standing who reside within those respective districts.
- B. The Secretary shall provide a member list respective of the State Political boundaries for the candidacy.
- C. In the event that less than 5 members from a legislative district are in attendance of the state convention, candidates who have not already been nominated at a county convention will be chosen by the general membership in good standing.

Section 4. County Organizing Conventions

- A. On or before May 15 in each odd-numbered year, a county organizing convention will be held in each county where there is a County Party recognized by the CC.

- B. A County Party less than 2 years old is exempt from this requirement.
- C. Each County Party will provide a notice regarding the county organizing convention to every member in good standing in that county according to member preferred contact method as noted in the party roster. Notification via the party newsletter or email will be considered acceptable notice.
- D. At the time and place designated by the County Executive Committee (CEC), the county organizing convention will elect county officers.
- E. The convention may also pass on whatever business comes before it.

Section 5. Organizing Conventions

- A. On or before June 1 of each odd-numbered year an organizing convention will be held at a time and place designated by the EC.
- B. The Party will provide notice of the organizing convention to every member in good standing according to member preferred contact method as noted in the party roster. Notification via the party newsletter or email will be considered acceptable notice. Social media and Party Website Calendar posting is appreciated and encouraged but isn't sufficient on its own to stand as acceptable notice.
- C. The organizing convention will elect officers.
- D. The convention may also pass on whatever business comes before it.

Section 6. Candidate Vacancies

If a Party candidate dies or becomes incapacitated before the election, the candidate may only be replaced by one of the following methods:

- A. Candidates for county offices or legislative districts totally contained within a county will be replaced by the respective CEC. In the event that the county does not have an active county party, the candidate shall be replaced by a special caucus of the members in good standing currently residing in the county.
- B. Candidates for legislative districts that encompass two or more counties shall be replaced by a special caucus of the members in good standing currently residing in the legislative district.
- C. Candidates for statewide, state-level offices, U.S. Senator and U.S. Representative will be

replaced by the CC.

Section 7. Resolutions

All resolutions brought before the convention must be submitted in writing complete with mover and seconder signatures and provided in sufficient quantities to distribute to all convention delegates in attendance.

Chapter Four:

Delegates to Libertarian Party National Conventions

Section 1. Selection

- A. The number of delegates is determined by the national Libertarian Party.
- B. Delegates and alternates to LP National Conventions (NatCon) will be elected by majority vote at the Convention preceding the NatCon.
- C. If all allotted delegate and alternate positions are not filled at the Convention, or if any elected delegate(s) or alternate(s) is/are unable to attend the NatCon, his/her/their delegate positions will be filled by lot from among the elected alternates, or the Chair may appoint new alternates.
- D. At no time may an appointed alternate be a delegate until all elected alternates are delegates. If elected delegates or alternates arrive at a later date, they replace the appointed alternates.
 1. If the date of the state convention is such that it will fall after the cutoff for submitting a delegation list to the Libertarian National Committee,
 2. The Party will mail a notice to all members in good standing at least 5 days prior to the cutoff date, asking for volunteers to become delegates and alternatives. Notification via the party newsletter will be considered acceptable notice.
 3. The delegation list will be filled with qualified members on a first come basis, starting with delegates and then alternates. In the event that the number of volunteers is less than the total number of slots available, the EC may add additional qualified members to the list using any method it chooses.
 4. The Chair will submit the NatCon delegation list to the Secretary and the Credentials

Committee Chair of the national Libertarian Party along with a copy of the Party's Constitution and Bylaws prior to the cutoff.

- E. State convention attendees must ratify, and may amend, the NatCon delegation list. The Chair must submit an amended NatCon delegation list to the Secretary and the Credentials Committee Chair of the national Libertarian Party no later than five days after the state convention. In the event that the delegation list is not ratified, the Party will not send a delegation to the NatCon.

Section 2. Delegation

- A. Delegation Chair: The Chair is automatically the delegation chair. If the Chair does not attend the NatCon, the delegation may elect a chair by majority vote.
- B. Delegate Roster: The delegation chair will maintain a written roster of the delegates and alternates. If a delegate decides to leave the floor and yield his/her position to an alternate, the departing delegate will sign-out on the roster, stating the date, time, and the alternate delegate to take his/her place. The alternate replacing the delegate will sign in. If the departed delegate returns to the floor, the alternate signs out and the returned delegate signs in. The Party delegation may not recognize the vote of any delegate or alternate who is not properly signed in.
- C. Use of Alternates: With unanimous consent of the Party delegates present, any delegate absent from the convention business meeting for longer than two hours may be replaced by an alternate, even if he/she has not signed out or specified a replacement. The delegation chair will state on the delegate roster the time the delegate left, the time the decision was made, and certify the same by his/her signature. If the absent delegate returns to the floor, that delegate will automatically replace the alternate.

Chapter Five:

Interpretive Principles

In case of ambiguity, these bylaws will be interpreted to be consistent with the provisions of the Utah Code annotated (1953 as amended)

Chapter Six:

Bylaws revision

- A. In case any part of these bylaws is, or becomes inconsistent with Utah law, the EC is empowered to make revisions to bring them into compliance for use at the next scheduled convention, with use beyond that convention to be subject to a vote of the members in good standing in attendance.
- B. Refer to Article 10, paragraph C. Bylaws: if membership does not ratify legally required bylaw changes.

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Calendar

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January 2021

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