Libertarian Party of Virginia

Constitution

Formed in Convention, December 15, 1974

As Amended in Convention, March 02, 2024

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State Central Committee Discussion List

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DOCUMENT CERTIFICATION

I hereby certify that this is the correct, complete and true copy of the LPVA Constitution as amended 02 March 2024.

Jason S. Bruce
Secretary, Libertarian Party of Virginia

ARTICLE I NAME OF THE PARTY AND AFFILIATION

SECTION 1 The name of this organization shall be the "Libertarian Party of Virginia" (hereinafter referred to as the "Party")

SECTION 2 The Party shall be affiliated with the National Libertarian Party and shall adhere to that organization's "Statement of Principles" adopted in Convention of the Party in June 1974 and amended henceforth; the text of said statement shall become a part of this Constitution as **ARTICLE IX**.

ARTICLE II MEMBERSHIP IN THE PARTY

Except as provided for in **ARTICLE VII**, any person who is currently and has been a member of the national Libertarian Party for at least thirty (30) days, who resides and is domiciled in Virginia (as defined by Virginia law) and who has donated at least $25 (Targeted or Project Donations excepted) (or at least $5 for current students) to the Party within the preceding twelve month period, is a member of the Party.

U.S. citizens who, due to military service, do not reside in Virginia but are registered Virginia voters, or U.S. citizens temporarily living overseas who can prove Virginia citizenship, shall also be eligible to become members of the Party under the same terms as above.

Any resident of Virginia who is a Life member of the national Libertarian Party shall be considered a member of the Party.

ARTICLE III OFFICERS; ELECTIONS; DUTIES; VACANCIES

SECTION 1 The officers of the Party shall be a Chair, Vice Chair, Secretary, and Treasurer

SECTION 2 The officers of the Party shall be elected by a majority vote of the delegates to the Regular State Convention; or, in the case of a vacancy in any office, as elsewhere provided in this Constitution. The officers shall serve from the closing of the Convention at which they are elected until the closing of the following Regular State Convention, except as elsewhere provided in this Constitution. Officers of the party shall be members in good standing; and no person who is currently serving as an officer of another political party may serve as an officer of the Party.

SECTION 3 The Chair's duties shall include, but not be limited to, acting as primary

spokesman for the Party, chairing meetings of the State Central Committee and all Party conventions, and appointing, with the consent of the State Central Committee, an Executive Director, Legal Advisor, and all coordinators of standing and ad hoc committees. The Chair shall also perform such other duties as may be assigned by the State Central Committee.

SECTION 4 The Vice Chair shall chair meetings of the State Central Committee and all Party conventions in the absence of the Chair. Should the office of Chair become vacant for any reason, the Vice Chair shall assume the Chair. The Vice Chair shall also carry out such other duties as may be assigned by the State Central Committee.

SECTION 5 The Secretary shall take and distribute the Minutes of all State Central Committee meetings and of all Party conventions. In addition, the Secretary shall be responsible for official Party correspondence as required and for ensuring the accuracy and completeness of all Party membership and mailing lists. The Secretary shall also carry out such other duties as may be assigned by the State Central Committee. The Secretary's nonvoting responsibilities shall continue beyond the Convention at which his replacement is elected for such duration as determined by the SCC solely in order to complete and present the Minutes of the Convention, the revised Constitution and Bylaws, and the revised Platform of the Party.

SECTION 6 The Treasurer of the Party shall establish and maintain all Party bank accounts and manage all Party investments, collect and disburse Party funds at the direction of the State Central Committee, keep records and receipts for all such transactions, and prepare and file any Party financial reports required under Virginia and federal law. The Treasurer shall also prepare and distribute a written financial report at each meeting of the State Central Committee and at all Party conventions, and shall perform such other duties of a fiduciary nature as the State Central Committee may assign.

SECTION 7 The election of any officer of the Party may be rescinded either by:

a) *A vote of two-thirds (2/3) of the entire membership of the State Central Committee, provided that all members of the Party be sent written notice at least seven (7) days in advance of a vote on the motion to rescind the election; or,*

b) *A two-thirds (2/3) vote at any convention of the Party, provided that at least twenty-one (21) days' notice is given in advance to all Party members that the motion to rescind the election will be considered.*

SECTION 8 Any vacancy in an elected Party office, except that of Chair, may be filled by:

a) *A majority vote of the entire membership of the State Central Committee, provided*

that written notice of such vacancy must be sent to all members of the State Central Committee at least seven (7) days in advance of the vote taken to fill the vacancy; or,

b) A majority vote at any convention of the Party, provided that at least twenty-one days' notice is given in advance to all Party members of the intent to fill the vacancy.

ARTICLE IV ORGANIZATION OF THE PARTY

SECTION 1 The policy making and administrative authority of the Party shall be vested in a State Central Committee (SCC).

a) Voting members of the State Central Committee shall be the officers of the Party elected by the preceding Regular Convention, or their successors, and the Chair of the Party in each Congressional District of the Commonwealth. Any member of the State Central Committee may proxy his or her vote to any member of the Party, provided that such proxy is in writing, dated, and signed, except in cases when such a proxy is prescribed or restricted in the bylaws of the Congressional District. The Party Secretary shall treat any prescribed proxy within Congressional District bylaws as a valid proxy for that district at any meeting, in the event the Congressional District Chair is not in attendance. No person may cast more than one vote. Persons holding more than one voting State Central Committee position shall be entitled to one vote only.

b) Meetings of the State Central Committee shall be held at least four (4) times in each calendar year. Additional meetings may be called by the Chair or upon written request of a majority of the members of the State Central Committee. Notice of all State Central Committee meetings shall be given in writing to all State Central Committee members at least seven (7) days in advance. Meetings of the State Central Committee shall be open to all members of the Party

c) The powers of the State Central Committee shall include, but not be limited to, the following:

(1) The authorization of the appropriation and expenditure of Party funds with the approval of two-thirds (2/3) majority;

(2) The appointment, by two-thirds (2/3) majority, of an Interim Congressional District Chair where such chairmanship is vacant and no district organization exists, but wherein such district there are at least ten members of the Party; such Interim District Chair to serve as a voting member of the State Central Committee until a District Convention is held and a permanent District Chair is elected;

(3) Removal, by a two-thirds (2/3) vote of the entire membership of the State Central Committee, of the Party's endorsement of any candidate for statewide office and, in announcement, delineation of the reasons therefor. The candidate in question and the State Central Committee must be notified of the proposal at least seven (7) days nadvance of the meeting;

(4) Issuing an endorsement of a write-in candidate for any statewide offices(s) after the petition filing deadline, if no candidate(s) sought the office in question in timefor the state convention (if any) held in the same year; however, the SCC shall not endorse any candidate who sought endorsement from a convention of the membership, but failed;

(5) Discharge of all other responsibilities and duties as herein further provided, those duties inherent in any such organization, and those duties and responsibilities provided for in the Bylaws of the Party;

(6) Adoption and amendment of Bylaws to this Constitution by a two-thirds (2/3) majority.

d) *A quorum to conduct business at any meeting of the State Central Committee shall be a majority of its voting members or their proxies.*

e) *Nothing in this Constitution shall be construed to suggest that Members of the Party are prohibited from recording the proceedings of any Party meetings, including those of the SCC or any subcommittees, in any format they wish, without restriction, except when the SCC has convened into an Executive Session (if allowed). In an Executive Session, the SCC is permitted to ban any recording of the proceedings of that Session alone.*

f) *Voting by email shall be permitted for the State Central Committee. The procedure for email voting shall be included in the Bylaws*

SECTION 2 There shall be a Party District Committee in and for each Congressional District of the Commonwealth of Virginia. The District Committee shall be responsible for the selection and support of a Candidate for the US House of Representatives

a) *All members of the Party residing within a given Congressional District shall be eligible for participation in the affairs of the Party in that District.*

b) *All Congressional District officers must be current members of the Party.*

c) *Whenever ten (10) or more Party members in a district which lacks a District Committee shall so request in writing, the Party Chair shall call a District convention. The business of the District convention shall include election of District officers and may include the adoption of District Committee Bylaws. All Party members known to reside within a District shall be notified by the Party Secretary of such convention at least fourteen (14) days in advance in writing. Only District residents who are members of the Party shall be eligible to vote at such conventions.*

d) *Any portion of District Committee Bylaws in conflict with this Constitution shall be invalid.*

ARTICLE V CONVENTIONS OF THE PARTY

SECTION 1 The Party shall be empowered to hold Regular, Special, and General State Conventions.

SECTION 2 Only those persons who are currently members of the Party, and who have been members of the Party for at least thirty days within the previous twelve months, shall be granted the right to vote at conventions.

SECTION 3 The State Central Committee may approve Convention Minutes.

SECTION 4 National Convention Delegates elected at a state Convention must be and remain (1) "Sustaining" (or above) members of the national Libertarian Party, as well as (2) current members of the Party, from the time of the end gavel of the state convention, through at least the closing gavel of the immediately following national convention.

SECTION 5 Regular State Conventions shall be held at least forty-five (45) days, but not more than six (6) months, prior to the biennial Convention of the national Libertarian Party. They shall be called by the State Central Committee in accordance with the Laws of Virginia and the Bylaws of the national Libertarian Party. At least thirty days prior to the date of such

convention, the Party Secretary shall mail to all members, a notice of such convention.

SECTION 6 Special State Conventions may be called by the State Central Committee at any time in accordance with the Laws of Virginia and the Bylaws of the national Libertarian Party. At least twenty one days prior to the date of such Special State Convention, the Party (Secretary) shall mail to all members, a notice of such convention. Business for a Special State Convention may include the election of Party officers where vacancies have occurred, changes to the Party Constitution, or such special matter or matters as defined by the State Central Committee in its call and publication of an agenda for said Special State Convention.

SECTION 7 One-fifth (1/5) of the members of the Party, not exceeding 200, carried on the then current list of members maintained by the Party's Secretary named in a petition submitted to the State Central Committee, may call a General State Convention at a time specified in the petition by notifying the State Central Committee of such intention. Upon such notification, the State Central Committee shall notify all members of the Party in writing at least twenty-one (21) days prior to the date of the General State Convention. The business, location, and agenda of a General State Convention shall be specified by a spokesman for those submitting the petition and the State Central Committee shall so inform the membership of the Party of the business and location of the Convention. The Party Secretary shall provide for mailing services within thirty (30) days to solicit petition signatures. The spokesman shall bear all initial costs including mailings and accommodations, but shall be reimbursed by the State Central Committee if approved by two-thirds (2/3) of the General State Convention.

SECTION 8 District Conventions shall be held at least once every two years and at least thirty days prior to the Regular State Convention. During these two years, at least one District Convention where District officer elections take place must be held. The business of such District Conventions may include, but is not limited to, the election of District officers, election of other District Committee officials as may be necessary, nomination or endorsement of candidates for the United States House of Representatives, adoption of a District platform, and the conduct of any other business as may properly come before such conventions. Requirements for the conduct of District Conventions may be further defined in the Bylaws of the Party.

Within seven (7) days of any State Board of Elections filing deadline, if a CDC has not taken the actions required to allow compliance with state law, the Chair shall declare the CDC noncompliant and therefore automatically defunct. The Chair shall immediately appoint Interim CDC officers to satisfy the legal requirements but also to assist in the establishment of a new and compliant CDC. Any bylaws or other rules in existence when the CDC is declared

noncompliant shall be immediately considered null and void, and the former CDC committee shall be prohibited from claiming or otherwise using the trademarked name "Libertarian Party" or substantially similar names in any future communications.

SECTION 9 Local conventions may be held in order to further the growth of the Party. Requirements for the conduct of Local Conventions may be further defined in the Bylaws of the Party.

ARTICLE VI ENDORSEMENTS BY THE PARTY

SECTION 1 The Party, its District and Local Committees, shall be empowered to nominate, support, endorse, contribute to, or otherwise assist Libertarian candidates for public office. Such powers may also be applied to independent candidates provided:

a) *They certify in writing that they do not believe in or advocate the initiation of force as a means of achieving political or social goals and*

b) *That the National, State, District, or Local Libertarian Party organization does not have a candidate for such public office.*

ARTICLE VII EXPULSION FROM THE PARTY

SECTION 1 Any member of the Party may be expelled from the Party for cause. Any SCC member may introduce a motion to expel a Party member for cause.

SECTION 2 Notice shall be given to the member against whom expulsion is to be considered. The maker of the motion shall provide the motion to the Secretary at least thirty (30) days before the meeting at which the motion is to be considered. The motion must specify the cause of action. If the maker of the motion is the Secretary, s/he shall provide the motion to at least one other officer. The Secretary shall send, via certified mail, return receipt required, a copy of the motion to the member against whom the motion is addressed at least 20 days before the meeting at which the motion is to be considered.

SECTION 3 The motion to expel shall be considered at the next subsequent SCC meeting, pending compliance with the notice requirements defined in **SECTION 2** of this Article.

SECTION 4 The maker of the motion, and the subject thereof, shall both have the opportunity to speak for or against the motion.

SECTION 5 Current SCC members, or their proxies, shall be eligible to vote on the matter. The motion shall require a two-thirds (2/3) majority of the entire SCC to pass.

SECTION 6 In cases there the motion to expel passes, where the former member was not present at the vote, the Secretary shall send a written notice advising of the outcome of the motion. If the former member had served as Secretary, and was not present at the vote, another officer shall notify the former member of the outcome.

SECTION 7 Subsequent to one year after a member has been expelled, s/he may apply for readmission to the Party. A motion for re-admission may be considered at an SCC meeting and shall require a two-thirds (2/3) majority to pass, provided that the number of votes in the affirmative is a majority of the entire membership of the SCC. A vote to re-admit a former member shall not guarantee membership, pending any dues requirement, or other membership requirement set forth in **ARTICLE II**.

ARTICLE VIII LEGAL AND PARLIAMENTARY GUIDELINES FOR THE PARTY

SECTION 1 The Party shall be guided by the provisions of the "Virginia Election Laws as Amended to April 5th, 1974" and such subsequent amendments to said laws as may, from time to time, be enacted.

SECTION 2 The Party may only be dissolved with a four-fifths (4/5) vote at a Regular State Convention, provided that at least ninety (90) days' written notice has been sent to all Party members.

SECTION 3 The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Party in all cases to which they are applicable and in which they are not inconsistent with the law referenced in Section 1, the bylaws of the national Libertarian Party, this Constitution, the Bylaws of the Party, and any special rules of order the Party may adopt.

SECTION 4 The State Central Committee shall adopt and amend Bylaws to this Constitution by a two-thirds (2/3) majority vote.

ARTICLE IX AMENDMENTS TO THE CONSTITUTION

SECTION 1 Except as provided in **SECTION 3** or **SECTION 4** of this Article, this Constitution may be amended at any State Convention of the Party by two-thirds (2/3) of all votes cast.

SECTION 2 A Platform of the Party may be adopted, amended, or rescinded at any State Convention of the Party by two-thirds (2/3) of all votes cast.

SECTION 3 **ARTICLE I, SECTION 2**; **ARTICLE VIII, SECTION 2**; **ARTICLE IX** and **ARTICLE X** may be amended only at a Regular Convention of this Party by four-fifths (4/5) of all votes cast, provided that at least ninety (90) days written notice of the text of the amendment has been sent to all Party members.

SECTION 4 In addition to the requirements in Section 1 of this Article, no amendments to this Constitution or to the Party Platform may be made at any Special or General State Convention unless at least 1/15 of the state Party membership have registered at the Convention.

ARTICLE X STATEMENT OF PRINCIPLES OF THE NATIONAL LIBERTARIAN PARTY

We, the members of the Libertarian Party, challenge the cult of the omnipotent state and defend the rights of the individual. We hold that all individuals have the right to exercise sole dominion over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live in whatever manner they choose. Governments throughout history have regularly operated on the opposite principle, that the State has the right to dispose of the lives of individuals and the fruits of their labor. Even within the United States, all political parties other than our own grant to government the right to regulate the lives of individuals and seize the fruits of their labor without their consent. We, on the contrary, deny the right of any government to do these things, and hold that where governments exist, they must not violate the rights of any individual, namely:

a) *The right to life -- accordingly we support the prohibition of the initiation of physical force against others;*

b) *The right to liberty of speech and action -- accordingly we oppose all attempts by government to abridge the freedom of speech and press, as well as government censorship in any form;*

c) *The right to property -- accordingly we oppose all government interference with private property, such as confiscation, nationalization, and eminent domain, and support the prohibition of robbery, trespass, fraud, and misrepresentation.*

Since governments, when instituted, must not violate individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals. People should not be forced to sacrifice their lives and property for the benefit of

others. They should be left free by government to deal with one another as free traders; and the resultant economic system, the only one compatible with the protection of individual rights, is the free market.

ARTICLE XI ADOPTION OF THE CONSTITUTION

This Constitution shall take effect upon adoption by a two-thirds (2/3) vote at the Convention of the Party on December 15th, 1974.

APPENDIX A CONVENTION SPECIAL RULES OF ORDER OF THE PARTY

A.1. RULE 1: ORDER OF BUSINESS – REGULAR CONVENTIONS

The standing order of business for a regular convention shall be as follows:

(1) Call to Order
(2) Credentials Committee report
(3) Adoption of the agenda
(4) Consideration of proposed amendments to the Party Constitution
(5) Consideration of any changes to the Party Platform, should one exist
(6) Nomination and endorsement of candidates for statewide offices
(7) The election of Party officers
(8) The election of delegates to the national Libertarian Party convention
(9) Resolutions
(10) Other Business

A.2. RULE 2: ELECTION OF NATIONAL CONVENTION DELEGATES

The Party shall elect delegates to the national Libertarian Party convention using the following procedure:

(1) Delegates shall be selected using approval voting with the following constraints:
   i. Members may cast no more votes than is equal to one-fourth (1/4) of the delegate positions allocated to the Party, rounding up any decimals; and
   ii. Members may not allocate more than one (1) of their votes to a single individual.

(2) The Party members seeking to be a delegate shall be rank ordered by most votes to least votes. The Party member with the most votes shall be named a delegate, followed by the members in rank order until all delegate positions allocated to the Party have been filled.

(3) Party members seeking to be a delegate who are not named a delegate shall be named an alternate, until the number of alternates allocated to the Party has been filled or there are no members remaining who wish to be alternates.
   i. Alternates shall be assigned in rank order according to their position in the rank order set previously, beginning with the highest ranked member not named a delegate.
   ii. In the event any delegate is unable to take part in any vote of the delegates of the Party, the alternate of the highest rank who is present for the vote and not already participating in the vote may cast a vote in place of the absent delegate.

(4) If there exists a tie in the number of votes received and either the number of tied members seeking to be delegates exceeds the remaining delegate allocation or the tied members are being assigned alternate positions, the convention chair or her designee shall draw the names of the tied members at random. The first member drawn shall be assigned the highest unoccupied seat, either delegate or next ranked alternate, in the delegation until either all tied members have been assigned seats in the delegation or the entire delegation has been filled.

(5) After the close of the regular state convention at which delegates are elected, and if any alternate positions remain unfilled, then further alternates, along with their respective alternate rank, may be assigned with a two-thirds (2/3) vote of the elected delegates. No person may be selected as an alternate who does not meet the criteria to become a Party delegate. Votes held to add alternates may use electronic voting. Any alternate selected in this manner must be assigned a rank below all alternates selected at a regular state convention.

(6) The voting results, as well as the results of any breaking of ties, shall be recorded in the convention minutes.