

## **Bylaws of the South Carolina Libertarian Party**

These bylaws were ordained and established by the South Carolina Libertarian Party State Convention in Columbia on April 29, 2006.

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### **I. Definition of Words.**

- A. **"County Committee"** means the County Executive Committee.
- B. **"County Chairperson"** means the Chairperson of the County Executive Committee.
- C. **"State Committee"** means the State Executive Committee.
- D. **"State Chairperson"** means the Chairperson of the State Executive Committee.
- E. **"General Election"** means the general election held in November in even numbered years.
- F. **"The Party"** or **"SCLP"** means the South Carolina Libertarian Party.

### **II. Purpose of the South Carolina Libertarian Party.**

The goal of the SCLP is to restore the supremacy of the Natural Rights of each individual. In striving for Liberty, the SCLP has as its main function the presentation of an argument for freedom and a defense of Natural Rights, using the political process as an educational forum and as a method for constraining the power of government. Specifically, the SCLP seeks to restore freedom by running candidates for public office who fully embrace libertarian principles; who eloquently and consistently put forth a principled argument for Freedom during their campaign; and who energetically attempt, when elected, to trim constrain government. The purpose of all these activities is to convince South Carolinians that respect for each individual's Natural Rights is a prerequisite for Liberty, and that Liberty is essential to human happiness, survival, progress, peace and creativity. The SCLP does not believe in or advocate the initiation of force or fraud as a means of achieving political or social goals.

### **III. Qualifications For Party Membership**

The qualifications for membership in the SCLP shall be those specified in the Code of Laws of South Carolina (1976), as amended, Section 7-9-20. Further, each applicant for membership in the SCLP shall sign the following statement: "I support the Libertarian Party's principle of limiting government to the protection of each person's right to life, liberty, and property."

Only a member is entitled to: hold office in the SCLP or State Convention; be a delegate to the State Convention; run for public office on the Libertarian Party ticket if legitimately nominated; be a member of the State Executive Committee; and, be a delegate to the Libertarian Party National Convention.

#### **IV. Termination of Party Membership.**

A member may resign from the Party by submitting a letter of resignation to their County Club Secretary or to the SCLP Secretary.

#### **V. Replacement of Party Nominees for Public Office.**

If a party nominee dies, withdraws or otherwise becomes disqualified after nomination but prior to the general or special election, the appropriate County or State Convention shall reconvene to appoint a new nominee. If sufficient time does not remain to hold a convention, the respective County or State Executive Committee may nominate a new candidate, who shall be duly certified by the respective County or State Chairperson, and the County or State Secretary shall report the nominees to the appropriate county or state officials.

#### **VI. South Carolina Libertarian Party Clubs**

County Clubs are independent of the SCLP and must have their own Bylaws.

#### **VII. State Executive Committee:**

The state executive committee shall be composed of an executive committee person from each county elected by the county convention, and the state chairperson and vice-chairperson elected by the state convention. Those persons named as members of the National Executive Committee shall be ex-officio members of the state committee. Each committee person shall have one vote, except for the state chairperson, who shall vote on the committee only in case of a tie. It is the role of the state committee to promote and build the SCLP throughout the state.

The state committee shall meet at the call of the state chairperson or any five committee members as needed to conduct party business. Meetings shall be conducted according to the most recent authorized edition of the Robert's Rules of Order. Quorum will consist of nine (9) voting members of the State Executive Committee or a number of voting members equal to fifty percent (50%) of the certified County Clubs, whichever is less. If the office of state chairperson or state vice chairperson becomes vacant, the state committee may fill the vacancy by electing a chairperson or vice-chairperson to serve until the next state convention. Other vacancies on the state executive committee shall be filled by the respective county committees. The members of the state committee shall continue in office for two years from the time of their election, and until their successors have been elected. All members of the state Committee must be SCLP members. The State Chairperson and State Vice-Chairperson must have been members of the SCLP for a period of at least six months prior to their election.

The state committee shall nominate presidential electors who must be SCLP members. The state committee shall appoint members of the platform committee, convention committee, and any other committee deemed necessary to carry out the functions of the SCLP. The state committee shall choose its own officers, with the exception of the state chairperson and state vice chairperson which are elected by the state convention. These officers need not necessarily be members of the state committee, but they must be party members.

The Executive Committee may add or delete other offices, including, but not limited to, Recording Secretary, Membership Chair, Media Coordinator, etc., on an as-needed basis. The officers and their accompanying duties shall at least include the following:

##### **A. State Chairperson:**

1. The state Chairperson shall call together state committee meetings as necessary to carry out party business at the state level. All called meetings of the State Executive Committee which meet quorum requirements will be official meetings including meetings that occur after County Conventions prior to the State Convention.
2. The state chairperson shall preside at state Committee meetings.
3. The state Chairperson shall oversee party projects throughout the state, in coordination with county committees and party clubs, in order to promote the SCLP

4. The state chairperson shall be responsible for recruiting Libertarian candidates for public office with the help of the county chairperson and club presidents, as well as the state vice-chairperson.
5. The state chairperson shall maintain communication with the national Libertarian Party in order to coordinate national and state party business.
6. The State Chairperson may be removed from office by a resolution of a 2/3 majority of the full membership of the State Executive Committee for the following reasons: Misappropriation of party property; material misrepresentation of party platform; repeated failure to schedule, hold or attend meetings of the State Executive Committee. The State Chairperson shall be informed in writing at least ten (10) days before a vote for removal. The State Chairperson shall have an opportunity to present reasons in defense either in written or spoken form offered on the record not to include e-mails or telephone conversations. Immediately upon removal of the State Chairperson from office, the State Vice-Chairperson shall become State Chairperson and the first order of business shall be to select a new State Vice-Chairperson.

**B. State Vice-chairperson:**

1. The state Vice-Chairperson shall temporarily serve as state chairperson if the permanent state chairperson is unable to perform his duties.
2. The state Vice-Chairperson shall assist the state chairperson in his duties whenever possible.
3. The State Vice-Chairperson may be removed from office by a resolution of a 2/3 majority of the full membership of the State Executive Committee for the following reasons: Misappropriation of party property; Material misrepresentation of party platform; repeated failure to schedule, hold or attend meetings of the State Executive Committee. The State Vice-Chairperson shall be informed in writing at least 10 days before a vote for removal. The State Vice-Chairperson shall have an opportunity to present reasons in defense either in written or spoken form offered on the record not to include e-mails or phone conversations. Immediately upon removal of the State Vice-Chairperson from office, the first order of business shall be to select a new State Vice-Chairperson.

**C. State Secretary:**

The office of the Secretary can be divided into two positions, Recording Secretary and Executive Secretary, at the discretion of the Executive Committee.

1. The State Secretary shall record and keep the minutes of the state executive committee meetings and distribute them to the Executive Committee members within a reasonable amount of time after each Executive Committee meeting.
2. The State Secretary shall report to the South Carolina Secretary of State the officers of county executive committees prior to the date of the state convention. He shall report to the South Carolina Secretary of State and the South Carolina Election commission the state officers within fifteen days after the state Convention. He shall report to the National Libertarian Party the state officers and the delegates to the national convention, whenever appropriate. He shall keep a copy of these reports for party use. These reports shall be public record.
3. The State Secretary shall serve as the credential officer of the state convention.
4. The State Secretary shall make available a list of the convention delegates to all candidates for state party leadership or for statewide office, excluding those delegates who have stated in writing that they do not wish to have their names revealed, and provided the person so requesting signs a pledge not to use the list for commercial purposes.

D. **State Treasurer:**

1. The state treasurer shall keep accurate account of and shall safeguard party funds.
2. The state treasurer shall not spend any of the party's funds without the approval of the state executive committee. Routine expenses can be approved by type on a periodic basis.
3. All non-budgeted, extraordinary expenditures of SCLP funds must be approved by the executive committee.
4. The state treasurer will submit a proposed budget to the executive committee in June of each year.
5. The state treasurer shall be responsible for all state and federal financial filings.

E. **Assistant State Treasurer:**

1. The Assistant State Treasurer shall temporarily serve as State Treasurer if the permanent State Treasurer is unable to perform his duties.
2. The Assistant State Treasurer shall assist the State Treasurer in his duties whenever possible.

VIII. **State Convention:**

A. **Notice, Time, and Delegates:** The SCLP State Convention shall meet every general election year at a location decided by the executive committee on a day and time at the discretion of the Executive Committee, in conformance with State Election Laws, and announced publicly at least ten (10) days before the Convention date. The state convention shall be composed of delegates elected by the county conventions in accordance with the Code of Law of South Carolina (1976), as amended, Section 7-9-80. County Conventions shall occur during the month of March of a General Election year according to the Code of Laws of South Carolina (1976), as amended, Sections 7-9-60, 7-9-70 and 7-9-80.

B. **Organization and Conduct of Business:** When the state convention assembles, it shall be called to order by the state chairperson. The State Secretary shall first give a credential report, which must be approved by the convention. A quorum shall consist of fifty percent (50%) of the credentialed delegates plus one. The convention shall then elect a convention president to preside over the convention and a convention secretary to assist the Party Secretary to record the minutes of the convention. The convention president shall then proceed to conduct convention business, which shall include the items listed below. The convention shall be conducted according to the most recent authorized edition of Robert's Rules of Order, unless otherwise specified. When business is concluded, the convention shall adjourn sine die, or may recess, in which case the state chairperson may recall the state convention into special session at any time he deems wise.

1. Election of a new state chairperson and vice-chairperson.
2. Approval of the state platform. The majority reports of the platform committee shall be presented first, followed by any minority reports. These proposals shall then be voted on, starting with the minority reports. Following this, proposals from the floor will be entertained.
3. Approval of the party by-laws. The majority report of the by-laws committee shall be presented first, followed by any minority reports. These proposals shall then be voted on, starting with the minority reports. Following this, proposals from the floor shall be entertained.
4. Election of delegates and alternates to the national convention, if appropriate. All nominees must be SCLP members. The national party shall determine the number of

delegates and alternates allowed. The State Chair shall be the head of the delegation. In his absence, the delegates shall choose their own chair. The choice of which National L.P. Region to join shall be subject to review by the delegation.

5. Nominate by convention SCLP candidates for state and national offices to run in the general election. A nominee must be a party member. A candidate receives the SCLP nomination by a majority vote of the state convention delegates. In case of a tie, the convention chairman shall cast an additional vote. "None of the above" shall always be considered as a candidate in all votes.
6. The first meeting of the new state executive committee shall be held immediately after the convention. Business shall include election of new state committee officers. The state officers will be reported to the South Carolina Secretary of State and to the South Carolina Election Commission within fifteen days after the convention by the new State Secretary. These reports shall be public record.