



## ARTICLE XII: ALL OTHER CIRCUMSTANCES

Section 1. All situations not covered in this document shall be governed by the latest available edition of "Robert's Rules of Order, Newly Revised, 11<sup>th</sup> Edition."

Adopted at convention on February 27th, 2010.

Last revised at annual convention on June 24, 2017.

1For instance, the Libertarian Party of Kentucky, Second District would not be authorized to utilize this provision to affiliate the Warren County Party, appoint officers, and then disaffiliate the Warren County Party at the end of nine months and then re-appoint and re-charter the Warren County Party, avoiding the requirement to hold a convention and have that convention elect officers. It would, however, be permitted to use this section to charter and appoint officers to the Warren County Libertarian Party, and then use it again to charter and appoint officers to the Butler County Libertarian Party.

2By way of explanation, the last General Election is counted. For instance, if, in 2019, no Libertarian Candidate runs for Governor, then, in 2020, the 2016 Presidential race shall be counted; however, if the party fields a Gubernatorial candidate in 2019, then, in 2020, the 2019 Governor's race shall count. The "District" for purposes of this section and equation for counties that fall in more than one District, shall be counted and calculated solely in the District in which the county participates in its elections and is organized.

[Constitution](#)   [Bylaws](#)   [2019 Proposed Changes](#)

# BYLAWS OF THE LIBERTARIAN PARTY OF KENTUCKY

**Adopted By The State Executive Committee: September 14th, 2017**

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## 2050 – Applicability Of These Bylaws

These bylaws shall be applicable to the Libertarian Party of Kentucky, all of its District affiliates, and all of its County affiliates, unless a particular bylaw specifically indicates otherwise. These bylaws shall be effective upon their adoption by the State Executive Committee. Any and all disputes, rights, or privileges regarding these bylaws shall be determined by the State Party Executive Committee, whose decisions are final. These bylaws are subject to change and revision, by the State Party Executive Committee. Any and all bylaws, policies, or procedures of the Libertarian Party of Kentucky adopted prior to the date of these bylaws, are hereby rescinded.

## 3100 – Membership Levels And Benefits

Membership, or voting membership, in the Libertarian Party of Kentucky shall only be conferred as provided in these bylaws. No membership shall be conferred, waived, or granted, by any affiliate or officer, except as specifically set forth in these bylaws. Any memberships that were purported to be granted in the past, except as set for explicitly herein, are invalid and of no force and effect.

In an effort to standardize memberships and to make tracking and accounting for membership easier (and to assist the Membership Committee in providing notices), membership shall run and be



These bylaws address the levels of membership and dues required therefore, but for membership to be conferred, the requirements to make the pledge and other requirements of Article V of the Constitution of the Libertarian Party of Kentucky must also be satisfied.

### **3.1 100.1 – Lifetime Membership**

Lifetime Members shall consist of those persons who make annual (or one time) donations to the Libertarian Party of Kentucky that equal or exceed \$2,500. Lifetime Members shall also be granted 1798 Resolutions Club status for the first ten years following their Lifetime Membership donation.

Any such members shall be recognized in any credentials package for any state convention. Lifetime membership shall only be granted following a cash (not in-kind) donation in the amounts stated herein. Once granted, Lifetime Members shall not be required to donate any further amounts to remain voting members of the party for the remainder of their lives. Life Membership is non-transferrable. Any increases in the lifetime membership amount in question by the Executive Committee, shall not affect the membership status once granted.

### **3.2100.2 – Haym Salomon Membership**

Haym Salomon Membership shall consist of those persons who have donated at least \$500 to the Libertarian Party of Kentucky in the past 12 months. Haym Salomon Members shall also be granted 1798 Resolutions Club status for two years following their attainment of Haym Salomon membership. Any such members shall be recognized in any credentials package for any state convention, and receive free admission to the state convention.

### **3.3100.3 – 1798 Resolution Club**

The 1798 Resolution Club shall consist of those members who pledge and commit to donate at least \$17.98 per month (\$215.76 per year) to the Libertarian Party of Kentucky. The yearly amount may be donated yearly, quarterly, or monthly. Membership in the 1798 Resolutions Club shall be effective only after the sixth month of donation, or the donation of \$107.98. Any such members shall be recognized in any credentials package for any state convention and shall be invited to the 1798 Dinner, held prior to the state convention, each year. Further, provided they have had a full year of dues in the club, they shall receive free admission to the state convention. Status as a member c ^ e



### **3.4100.4 – Thomas Jefferson Membership**

Thomas Jefferson Membership shall consist of those persons who donate at least \$150 to the Libertarian Party of Kentucky. Thomas Jefferson Membership shall be conferred after the donation of \$150. Any such members shall be recognized in any credentials package for any state convention and receive free admission to the state convention.

### **3.5100.5 – Patrick Henry Membership**

Patrick Henry membership shall consist of those members who have donated at least \$100 per year to the Libertarian Party of Kentucky. Patrick Henry Membership shall be conferred after the donation of \$100. Any such members shall be recognized in any credentials package for any state convention and receive a 25% discount on their state convention fee, rounded to the next highest dollar.

### **3.6100.6 – Dues Paying Member**

A dues paying, or Voting Member, is a person who, within the past 12 months, has contributed \$30 per year, or more, to the Libertarian Party of Kentucky.

### **3.7100.7 – Qualified Or Specific Purpose Donations**

If a donation is made to participate in any convention, or earmarked by the donor for a particular project, the donor shall not be recognized as having fulfilled any form of annual dues for such donation. This shall not be construed as limiting the ability of the Executive Committee of the State Party to grant membership for an in-kind or other kind of donation.

1. 1. 100.8 Requirement to be Member 14 days prior to a Convention (Art. VII Const)

In accordance with Article VII, Section 4 of the Constitution, the requirement is adopted that a voting member must be in good standing (including that dues be paid and other requirements of Article V of the Constitution be met) at least 14 days in advance of any state convention to participate as a voting member in that convention. District and county parties are hereby authorized to adopt a similar l ^ v



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1. 1. 100.9 In-Kind Donations and Valuations, approvals in advance

In-kind donations, to count for purposes of Membership, must be approved by the State Executive Committee in advance of the expense, or service rendered. In-Kind donations, in lieu of dues, may only be approved by the State Executive Committee, and shall only be recognized for basic, or normal dues paying member status. In no event shall after-the-fact in-kind donations, or services, be permitted to count for purposes of membership that has not been approved in advance. In no event shall such memberships be approved for anyone who is a member of the State Executive Committee, or to a member of a District Executive Committee.

1. 1. 100.10– Withdrawal of Membership

Any Voting Member may withdraw their membership in the Libertarian Party of Kentucky by transmitting to any officer of the Executive Committee of the state party, in any medium, a written statement of resignation or withdrawal. Notice of the resignation shall be forwarded to the entire Executive Committee and be included in the next Membership Committee report.

1. 1. 100.11– Allocation of Membership dues and financial contributions as between the State Party, District Parties, and County Parties

100.11.1 – Default Allocations

Donations, for dues, up to the first \$75, shall be allocated as follows, unless otherwise directed by the donor:

1. i. For a donation given by a donor who lives in an area without an affiliated District Party, or for a donor who lives outside the state, the entirety of the donation shall remain with the State Party.
1. ii. For a donation given by a donor who lives in an area with an affiliated District Party, but with no affiliated County Party:







net growth of at least one additional county party in the prior calendar year; or

2. b. Otherwise, 66.67% to the State Party, and 33.33% to the District Party.
1. iii. For a donation given by a donor who lives in an area with an affiliated District Party and an affiliated County Party, 33.3% to the State Party, 40% to the District Party, and 26.67% to the County Party.
1. iv. Any amounts in excess of \$75 shall be retained by the State Party.

#### 100.11.2 – Donor Requested Allocations

A donor may request a different disbursement formula, however, if in the use of that formula a donor deprives the State Party, a District Party, or a County Party the amount to which they would otherwise be entitled from the donation of annual dues at the level of a Dues Paying Member, then the donation shall not be considered toward annual dues for any party.

Nevertheless, for enhanced membership levels, the following minimum donation amounts to the State Party must be met in the applicable period of time, in order to be recognized and receive the benefits accorded with those membership levels: (1) Life Membership: \$1,500; (2) 1798 Resolutions: \$125 annually; Haym Solomon: \$250; (3) Thomas Jefferson: \$85; (4) Patrick Henry: \$50.

#### 100.11.3 – Distribution to Affiliate Parties

Distribution shall be made to affiliates in good standing with the Kentucky Registry of Election Finance on a quarterly basis, within 30 days after the close of each quarter. In the event a party is not in good standing with the Kentucky Registry of Election Finance, the State Party Treasurer shall notify the party in question of this fact as being the reason they are not receiving their distribution. Any such funds shall be held aside by the State Party Treasurer, and if the affiliate comes into compliance within 30 days of the notification, they shall be distributed to the affiliate. Otherwise, the funds shall be retained by the State Party.

1. 1. 100.12– Membership disputes





## 1. 1. 100.13– Lapsed Memberships

100.13.1 The State Party Membership Committee shall provide notification of expiration to all Voting Members at least 28 days, and not more than 93 days, prior to their memberships lapsing or expiring; they shall also notify via electronic mail, the District Vice Chair (if one exists) for any such member, if one exists, so that the local affiliates can also attempt to rectify the issue. Records shall be kept of that notification for a period of one year. This notification shall be made via electronic mail (if one is available) and may also be made via letter or postcard.

100.13.2 Following the expiration of membership of any officer (including at-large members) of the state party, or the officer any affiliate, the State Party Membership committee will notify that person that their membership has lapsed, and that they must renew, within 30 days of the notice, or be automatically recalled from office. This notification shall be made via electronic mail (if one is available) and may also be made via letter or postcard.

100.13.3 Fourteen days after the notice is sent as provided in 100.13.2, if the issue is not corrected, the State Party Membership committee will notify: (i) the Executive Committee Chair on which the officer in question serves, by electronic mail; and (ii) the State Party Secretary, of the officer's lapsed membership, the failure to correct the issue despite notice, and the impending automatic recall. Following the expiration of the 30-day period from the notice set forth in 100.13.2, the State Party Vice Chair shall transmit notification of the automatic recall to the member in question, to the State Party Secretary, and to the Executive Committee on which the officer in question serves, by electronic mail, at which point the person shall be recalled from office.

100.13.4 Any member shall be entitled to contest the determination of the State Party Membership Committee regarding membership at the next meeting of the State Party Executive Committee by providing notification to the State Party Secretary of their intent to contest the determination in writing (including by e-mail), who shall promptly transmit the request (and any details provided) to the remainder of the Executive Committee. A special meeting may be called if necessary for this purpose.





# Conflicts Of Interest

All officers will conduct themselves in an ethical manner. These Ethics provisions are adopted to ensure appropriate behavior as well as the appearance of appropriate behavior. Violation of this Code of Ethics, particularly intentional violations, shall be cause for recall of any officer, or other appropriate discipline. The following definitions apply to this section:

“Anything of value” includes the following: 1. A pecuniary item, including money, or a bank bill or note; 2. A promissory note, bill of exchange, order, draft, warrant, check, or bond given for the payment of money; 3. A contract, agreement, promise, or other obligation for an advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money; 4. A stock, bond, note, or other investment interest in an entity; 5. A receipt given for the payment of money or other property; 6. A right in action; 7. A gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel; 8. A loan or forgiveness of indebtedness; 9. A work of art, antique, or collectible; 10. An automobile or other means of personal transportation; 11. Real property or an interest in real property, including title to realty; a fee simple or partial interest, present or future, contingent or vested, within realty; a leasehold interest; or other beneficial interest in realty; 12. A rebate or discount in the price of anything of value unless the rebate or discount is made in the ordinary course of business to a member of the public without regard to that person’s status; or 13. A promise or offer of employment.

“Family Member” shall include the person, his or her spouse, child, father, mother, sister, brother, sister-in-law, brother-in-law, father-in-law, mother-in-law, uncle, aunt, niece, nephew, child, step-child, grandparent, grandchild, first cousin, and persons in any form of cohabitation arrangement or sexual relationship.

“Officer” shall include any member of an Executive Committee of the Libertarian Party of Kentucky (including at-large members), any member of any Executive Committee of any affiliate (including District and County affiliates), and any member or appointee of any committee of the Libertarian Party of Kentucky or any member or appointee of any committee of any affiliate of the Libertarian Party of Kentucky (including District and County affiliates).

## 4.1200.1 – General Ethics





substantial conflict between his or her personal interest and his or her duties in the discharge of his office.

200.1.2 Use his or her official position or office to obtain financial gain for himself or herself, any Family Member, or a business associate of the Officer; nothing in this section shall prevent arm's length providing of services to the party if the Officer in question recuses himself or herself from any deliberation or vote on the matter on behalf of the party or approval of expenses or compensation approved by an Executive Committee.

200.1.3 Use or attempt to use his or her official position as an Officer to secure or create privileges, exemptions, advantages, or treatment for himself or herself or others in direct contravention of the interest of the party.

200.1.4 Use party funds, time, or personnel for his or her private gain or that of a Family Member; this provision shall not prohibit arm's length providing of services to the party if the Officer in question recuses himself or herself from any deliberation or vote on the matter on behalf of the party;

200.1.5 A party Officer shall not knowingly accept compensation, other than that explicitly authorized by an executive committee (and in which the officer recuses himself or herself from any discussion or vote), for performance of his or her duties.

200.1.6 A party Officer shall not solicit, accept, or agree to accept anything of value in exchange for the performance of any party duties by that officer, except from the party itself, as authorized by the appropriate executive committee.

## **4.2200.2 – Voting As An Officer Of The Party**

200.2.1 No Officer shall cast any vote regarding, or advocate for in any discussion, the employment, or appointment of a Family Member of the Officer, or the Officer himself or herself to any office that provides any financial benefit or compensation. This section shall not prohibit providing factual background information prior to any motion being made or formal voting on the matter.

200.2.2 No Officer shall cast any vote or participate in any discussion regarding the Membership status of himself or herself, or any Family Member of the Officer. This section shall not prohibit ^



200.2.3 No Officer shall cast any vote regarding authorization of funds (including for reimbursement) that will be paid to the Officer, or any Family Member of the Officer. This section shall not prohibit providing factual background information prior to any motion being made or formal voting on the matter.

200.2.4 An Officer shall not participate in any action relating to the disciplining of a Family Member, and shall not vote in the Officer's discipline by the Party.

200.2.5 An Officer shall not intentionally participate in the discussion of a question in committee or on the floor, vote, or make a decision in his official capacity on any matter in which he or she, or any Family Member, or the officer's business associate will derive a direct monetary gain or suffer a direct monetary loss as a result of his or her vote or decision.

The provisions of this subsection notwithstanding, an Officer may vote on general items or policies that affecting his or her expenses or allowances, which are not specific to the Officer in question or any Family Member of the Officer (i.e. a general expense reimbursement policy or bylaw).

## **4.3200.3 – Conduct As A Delegate**

200.3.1 No Delegate to any County, District, or State Convention shall accept Anything of Value in exchange for his or her vote or participation on any manner or specific business coming before the body. Any such promise or exchange need not be explicit, but can be implicit from all of the facts and circumstances surrounding the matter.

200.3.2 No person shall offer Anything of Value to any Delegate at any County, District, or State Convention in exchange for his or her vote or participation on any manner or specific business coming before the body. Any such promise or exchange need not be explicit, but can be implicit from all of the facts and circumstances surrounding the matter.

200.3.3 Nothing in this section shall prohibit or prevent: (a) the paying of convention fees by any third party so that the Delegate can attend, provided it is not conditioned or given in a manner that solicits or conditions the Delegate to cast votes in any particular way; (b) cost sharing of expenses or ride sharing to any convention, provided it is not conditioned or given in a manner that solicits or conditions the Delegate to cast votes in any particular way; (c) advancing or assisting with the provision of costs for transportation or lodging at any convention, provided it is not conditioned or



cast votes in any particular way. Nevertheless, Convention Rules may require the disclosure, by the Delegate, of any convention fees, costs, or dues advanced by any third party and any statements or conditions made in connection with those matters. Any such fees, dues, or expenses paid or advanced by any third party to any Delegate, in connection with the State Convention, shall be disclosed by the Delegate to the Credentials Committee by the end of registration, and available for review by any other Delegate.

200.3.4 Any Delegate, or other Member, that violates this section shall immediately be ejected from the convention by the Credentials Committee or Chair of the convention, be subject to having any delegate status revoked from any other conventions, be subject to having their Membership revoked, and be banned from the party for a period to be determined by the Executive Committee of the State Party. The State Party Executive Committee is empowered to impose such of these sanctions it deems appropriate upon finding a violation of this section. Hearings and matters arising under this section shall be conducted using the procedures for "Recall" in Section 600, regarding recall by the Executive Committee.

## 4.4200.4 – Additional Nepotism Provisions

In addition to those Nepotism provisions set forth in 200.2:

(1) No two Family Members shall be permitted to occupy any of the following offices within any one Executive Committee:

(a)(i) Chair, and (ii) Vice Chair; or

(b)(i) Chair, and (ii) Treasurer.

(2) No person shall be permitted to write a check, even if otherwise authorized, to any Family Member or themselves. If any funds transfer is authorized, or any check is written to any party officer (i.e. the Chair, Vice Chair, Secretary or Treasurer), the Treasurer, or other person writing the check or authorizing the fund transfer shall transmit that fact via email, including who the check was written out to, and for what purpose, to the Executive Committee in question, within 48 hours of the transaction.





particular Officer has a personal financial interest, or in which a Family Member has a financial interest, in addition to recusal, the Officer shall fully disclose the conflict of interest in addition to recusing himself or herself from the discussion and/or vote.

# 5300 – Party Records And Meetings To Be Open To Members

It is the general policy of the Libertarian Party of Kentucky that its records and meetings are not the property of its officers, or executive committees, but rather that such meetings and records are accountable to its Voting Members. Furthermore, it is the general policy of the Libertarian Party of Kentucky that any exceptions to the notion that meetings and records be open should be constrained and confined only where it is essential to do so acting in the best interest of the party and its members.

The following definitions shall govern this section:

“Open record” means all meeting minutes for any committee or convention, quarterly or monthly financial summaries, officer reports presented at any meeting, photographs of any meeting or event, meeting or event audio recordings or meeting or event video. Open record shall also include any and all reports that are physically filed with any public agency, including the Kentucky Registry of Election Finance. Open record shall also include the list of Voting Members of the party, or any affiliate, with the name, mailing address, district, and county provided, but shall not include any electronic mail, facsimile, or telephone number, or other personal information other than name and address for such members.

## 5.1 300.1 – Open Records Provisions Regarding Members; Exceptions

300.1.1 Any Voting Member of the State Party, or any affiliate, who has been a Voting Member for preceding ninety (90) days (“Requestor”), may request to inspect any Open record of the party by



Requestor.

300.1.2 If the person to whom the application is directed does not have custody or control of the Open record requested, that person shall notify the Requestor that they do not have custody, and, if they know who does, shall so inform the Requestor.

300.1.3 Upon inspection, the Requestor shall have the right to make abstracts of the Open records and memoranda thereof, and to obtain copies of all Open records not exempted. Wherever possible and whenever electronic records exist, such records shall be provided electronically over electronic mail at no cost to the Requestor. For physical copies, the secretary may charge \$0.15 per page copied, plus reasonable postage fees, and may require advance payment of the prescribed fee, including postage where appropriate. In person inspection may occur at the time and location convenient to the secretary. Inspection shall occur within thirty (30) days of the request. In lieu of the foregoing, such materials may be made available on a public website.

300.1.3 If the application places an unreasonable burden in producing Open records or if the custodian has reason to believe that repeated requests are intended to disrupt other essential functions of the party, the official custodian may refuse to permit inspection of the Open records or mail copies thereof.

300.1.4 The following shall be exempt from disclosure and the Open records provisions:

- (A) Software licensed or used by the Party;
- (B) Specific addresses of files, passwords, access codes, user identifications, or any other mechanism for controlling the security or restricting access to records in the party's computer system;
- (C) Membership list information other than name, address, congressional district and county;
- (D) Donor lists and data, other than such information as is filed publicly;
- (E) Specific personal identifying information of any member, including social security number, banking information, or similar personal identifying information.







- (G) Any legal advice, memorandum, or matters protected by the attorney-client or other applicable legal privilege recognized by state or federal courts;
- (H) The contents of real estate appraisals, engineering or feasibility estimates and evaluations relative to acquisition of property, until such time as all of the property has been acquired;
- (I) Records of the Party involved in adjudication that were compiled in the process of regulating elections, determining compliance with party requirements, or investigatory matters if the disclosure of the information would harm the party by premature release of information to be used in a prospective adjudication;
- (J) Preliminary drafts, notes, correspondence with private individuals, other than correspondence which is intended to give notice of final action of the Party;
- (K) Preliminary recommendations, and preliminary memoranda in which opinions are expressed or policies formulated or recommended;
- (L) All Open records or information the disclosure of which is prohibited by federal or state law or regulation;
- (M) Any other record of a proprietary or confidential nature, the release of which to the general public has a substantial likelihood of seriously damaging the party or its interests in the judgment of the Chair and Secretary, who shall both agree that the exception applies; this exception shall not be used to prevent the release of the minutes of any meeting or general financial reports; and
- (N) Materials that relate solely to internal party operations with sensitive data of a political or operational interest.

300.1.5 The State Party Executive Committee may require a non-disclosure agreement for any officer, committee member, or other person, who handles or will handle the information described in 300.1.4(A), (B), (C), (D), (E), (F), (G), (H), (I), (L), (M), and/or (N). It may also impose a blanket requirement for non-disclosure agreements. Any such agreement may be perpetual for so long as the information is not public. Any such agreement shall be limited to only that information listed in <sup>^</sup>



## 5.2300.2 – Party To Conduct Its Meetings Transparently; Exceptions

300.2.1 Except for executive sessions, as provided in 300.2.2 and 300.2.3, all party meetings, including committee meetings, shall be conducted transparently, and all Voting Members of the party shall be permitted to attend and observe the meeting, or the meeting shall be recorded for their review after it occurs within seven days after the meeting concludes. All actions of any committee or executive committee shall occur in open session.

300.2.2 Minutes shall be kept for each and every committee meeting, which, at a minimum, shall reflect the time the meeting began and the time it ended, the location it was held in (or identifying teleconference), the attendees on the committee present and absent, and a record of all motions made and votes taken.

300.2.3 Executive sessions are permitted only for the following purposes:

- (a) Deliberations on the future acquisition or sale of real property by the party, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by the party;
- (b) Discussions of proposed or pending litigation against or on behalf of the party, or to otherwise receive confidential legal advice;
- (c) Discussions or hearings which might lead to the appointment, discipline, or dismissal of a particular individual employee, officer, or member without restricting that employee's, member's, or officer's right to a public hearing if requested. This exception shall not be interpreted to permit discussion of general personnel matters in secret;
- (d) Deliberations of judicial or quasi-judicial bodies regarding individual adjudications or appointments, at which neither the person involved, his representatives, nor any other individual not a member of the respective governing body or staff is present;
- (e) Meetings which federal or state law specifically require to be conducted in privacy; and/or





(1) The following requirements shall be met as a condition for conducting executive sessions:

(a) Notice shall be given in regular open meeting of the general nature of the business to be discussed in executive session and the reason for the closed session;

(b) Executive sessions may be held only after a motion is made and carried by a majority vote in open, public session;

(c) No final action may be taken at an executive session; and

(d) No matters may be discussed at an executive session other than those publicly announced prior to convening the closed session.

# 6400 – Financial Controls, Approvals, And Party Assets

## 6.1400.1 – Budget Process And Procedure; Expenditures In Accordance With Budget

400.1.1 The fiscal year of the Libertarian Party of Kentucky shall begin January 1 of any calendar year, and run through the last day of the following December.

400.1.2 Not later than the last day of November, the Treasurer, in conjunction with any finance committee, shall present a draft budget to the Executive Committee for the following year. That budget shall outline expected receipts for the following year. It shall also outline expected expenses in detail. Any budget, draft or final, shall not permit greater expenses than receipts and balance carry-forward combined. A sample budget follows:

FY 2017-2018 Budget, LPKY – District 1 (July 1, 2017 through June 30, 2018)

Fund balance from FY 16-17: \$200





Direct Contributions:	\$500
Convention attendance fees (\$15 x 15):	\$225
Total:	\$1025
Total available for appropriation:	\$1225

Expenses:

Convention costs:

Venue:	\$100
Food (\$5 x 15):	\$75
Credentials costs (\$4 x 15):	\$60
Total:	\$235

Outreach costs:

Marshall county fair:	\$100
Graves county fair:	\$100
Brochure costs:	\$50
LP Gear costs:	\$100
Total:	\$350

Administrative Costs:





P.O. Box fees:	\$60
Total:	\$89.70
Total Expenses:	\$674.70
Balance Carry Forward to FY 18-19:	\$550.30

400.1.3 Following presentation of the draft budget to the Executive Committee, it may adopt the draft budget, or amend the draft budget. Any expenses set forth in the budget are explicitly approved, and no further authorization need be made. Further, the Executive Committee may require additional approval for any expense line item that it wishes to exercise more oversight over by so noting that desire in any approval motion. Any budget or amended budget that has been passed shall be transmitted to the State Treasurer for archiving in the records of the party within 30 days of passage.

400.1.4 The Executive Committee may amend the budget at any time within or before the fiscal year, or within 30 days following the fiscal year.

## 6.2400.2 – Expenses To Be Approved In Advance; Exceptions

400.2.1 All expenses, except Emergency Expenses, shall be approved in advance, by the Executive Committee, either as an explicit approval for the particular expense, or as part of a budget approval.

400.2.2 Emergency Expenses

400.2.2.1 Emergency Expenses are defined as those expenses that are: (i) unanticipated; (ii) not within the control of the Party or its officers; (iii) require immediate payment prior to the next meeting of the Executive Committee, to prevent serious consequences, including, but not limited to, the imposition of fines or penalties upon the party, the loss of the party's ballot access, criminal penalties, civil penalties, or other serious legal consequences; and (iv) it is not reasonably practical to obtain approval for the emergency expenses by the Executive Committee in advance.



the Chair and Treasurer may proceed).

400.2.2.3 Following the payment of an Emergency Expense, the Chair shall immediately (within three hours) transmit to the Executive Committee via electronic mail the fact that an Emergency Expense was paid, indicate the amount, indicate why the expense met the definition of Emergency Expense, and open an electronic vote for the approval of the Emergency Expense, to be opened for 48 hours. In the event the Emergency Expense is not approved by the Executive Committee, those who made the decision to make the emergency expenditure shall each equally reimburse the party of the cost of the Emergency Expense.

400.2.3 All expenses shall be documented with appropriate receipts, which shall be retained by the respective treasurers for a period of two years. Reimbursements that do not have receipts (i.e. mileage, etc), shall require a expense reimbursement request and certification by the person seeking reimbursement that the expense was actually incurred, was for party business, and was pre-approved; that request and certification shall also be retained for a period of two years.

400.2.3.1 Any approved mileage expense, if previously authorized, shall be reimbursed at the rate of 45% of the current IRS business mileage reimbursement rate, rounded up to the nearest penny. Nothing in this section should be construed as generally authorizing, or encouraging, the reimbursement of mileage. Such approvals should be made, if at all, carefully and rarely.

## **6.3400.3 – Dual Control Requirements**

No Treasurer shall disburse or cause any check or funds transfer to occur without the express approval of the Executive Committee. All Treasurers shall transmit to the Executive Committee a list of receipts and expenses, in line item detail, at least quarterly.

There shall be a backup signer on each account established by the party, which shall not be the Chair or Vice Chair and not a Family Member of any other member of the Executive Committee in question. A backup signer can include the Treasurer from the State Party or any District party, the Secretary of the party, or an at-large member of the executive committee.

In the event any backup signer signs any checks or authorizes any fund transfer, he or she shall transmit that fact via email, including who the check was written out to, and for what purpose, to ^



## 6.4400.4 – In-Kind Donations

400.4.1 All in-kind donations shall be approved in advance by the Executive Committee for whom the in-kind service is rendered, or in-kind goods is accepted.

400.4.2 In-kind donations, in lieu of dues, shall only be approved by the State Executive Committee.

400.4.3 In-kind donations exceeding \$250 to the State Party, and affiliates combined, shall only be approved by the State Executive Committee.

400.4.4 In-kind donations shall be valued at the reasonable market value for the goods or service in question.

## 6.5400.5 – Party Assets

400.5.1 Assets donated to, or purchased by, a party remain the property of that party.

400.5.2 “Materiality” or “material” within the meaning of this section shall be determined in light of the typical balance carried by the party in its bank account, comprise approximately 3% or more of the average balance of the party’s bank account over the past year. Assets that have over a \$50 value are always material; assets that have a value of under \$1 are never material. The materiality threshold for each party should be determined not less than annually by a party’s treasurer, and shall never be greater than \$50, nor less than \$1. In the event that the materiality threshold cannot be determined, the sum of \$25 shall be used as the materiality threshold. Assets should be valued at their cost to the party, and items over \$50 should be depreciated according to the IRS depreciation schedule for the asset involved.

400.5.3 It shall be the duty of the treasurer, with the assistance of the secretary, of a party to maintain the list of material party assets for their party. The Executive Committee of a party has the right to determine the proper location (or “home”) of assets for that party.

400.5.4 Assets used by members of the party at events (such as election night parties, outreach booths, etc) are to be signed out by the organizer of the event, and signed in when the property is returned.



400.5.6 If a party asset is given away as a gift or novelty:

400.5.6.1 If the item is of a value less than or equal to 10% of the materiality threshold, then no reporting is necessary.

400.5.6.2 If the item is of a value greater than 10% of the materiality threshold but less than 50% of the materiality threshold, then the number of items given shall be reported to the treasurer.

400.5.6.3 If the item is of a value greater than 50% of the materiality threshold, then each item shall be reported to the treasurer, along with the date, location, event title, and the name of the recipient.

400.5.7 At each Annual Convention for a party, all assets of that party not in a storage facility shall be brought to the convention for transfer to new leadership to the extent reasonably practicable. If assets are stored in a storage facility, then the key, combination, or other security mechanism shall be transferred to the new leadership. If paperwork is necessary to transfer control of a storage facility, that paperwork shall be brought to the convention and completed by the appropriate parties if it is possible to do so. In any event, any such transfer shall occur within seven days of the convention and arrangements shall be made at the convention for such transfer.

# **7500 – Endorsement Of Candidates, Political Contributions To Candidates, And Issues Campaigns, Press Releases**







500.1.1 No Executive Committee shall make any endorsements in any Libertarian Primary election, but may make statements or take actions opposing candidates running in other parties' primary election cycle.

500.1.2 No District or County Party Convention shall make endorsements for any office to be nominated at the Libertarian state or national convention until after such nominations have occurred; this section shall not prevent voting or preference voting to occur, in conjunction with the rules of the State Party Elections Committee.

## 7.2500.2 Political Contributions To Candidates

Any Executive Committee may make contributions to candidates nominated by the Libertarian Party, in accordance and compliance with federal and state law. No contributions may be made to any candidate until or unless they have been nominated by the appropriate Libertarian Party.

## 7.3 500.3 Issues Campaigns

Executive Committees may only make campaign donations exceeding \$100 to Issues campaigns with the approval of the State Executive Committee.

## 7.4500.4 Press Releases

All State Party Press Releases and external communications including mass mailings, except Facebook and twitter, shall be approved, in advance of their release to media sources, by the State Chair and State Secretary. In the absence of the Chair, the Vice Chair may act on his behalf; in the absence of the Secretary, the Treasurer may act on his behalf.

# 8600 – Recall Procedure

## 8.1600.1 Petitions For Recall, Initiated By Members

600.1.1 Any member initiated recall shall be initiated by delivery of a petition, signed in writing or delivered by electronic mail sufficient to ensure authentication that the email is from a voting



sign and date the petition. Sending an electronic mail shall, if authenticity is established, count as a signature. The petition may be delivered in parts. The petition may, but is not required to, list any grounds for recall. If delivered in parts, a sufficient number of petitions (15% of the voting members of the party) shall all be delivered within a 30-day window.

600.1.2 The petition(s) shall be delivered to the Secretary of the executive committee on which the officer serves, unless the petition calls for the recall of the Secretary, in which case it shall be delivered to the Vice Chair of the executive committee on which the officer serves.

600.1.3 Once a sufficient number of petitions are received, provided the petition is not a subsequent petition that is barred by Article VI, Section IV, (B)(i) of the Party Constitution, the Secretary (or Vice Chair in the event the recall petition involves the Secretary) shall then obtain a current list of Voting Members for that party, and immediately notify the State Party Secretary of the delivery of a valid number of petitions.

600.1.4 The officer who is the subject of a petition for recall shall be immediately notified of the petition after it is delivered in part or in full, and be permitted to provide a statement in his or her defense, within three days after a petition is deemed valid, which shall likewise be transmitted to the Voting Members for their consideration.

600.1.5 After the three-day period in 600.1.4 passes, the Secretary (or Vice Chair in the event the recall petition involves the Secretary) shall then inform the Voting Members of the Party of the opening of a vote to recall the officer in question, by electronic mail and/or by ordinary U.S. mail.

600.1.6 The voting shall be opened for a period of 21 days following the opening of the voting period, which shall commence on the notification being provided to Voting Members as provided in 600.1.3. The question shall be: "Shall \_\_\_\_\_ be recalled from the office of \_\_\_\_\_?" or, if a reason is provided with the petition(s), it shall be: "Shall \_\_\_\_\_ be recalled from the office of \_\_\_\_\_, for the following reason: \_\_\_\_\_" The question put to members shall also include the response from the subject of the recall, if they have filed a timely statement in his or her defense, as outlined in 600.1.4. A vote of 3/5 of all of the Voting Members of the party in question must vote in the affirmative for the recall to be successful (abstains, or failures to vote are counted towards the denominator). Votes shall be returned to the Secretary and the Vice Chair (unless the Secretary or Vice Chair are the subject of the recall, in which case votes shall be returned to the Chair and either the Secretary or <sup>^</sup>e



copied to all the other Tellers in that event. All votes shall be retained for a period of 30 days to permit any challenge to be lodged. The votes of individual members shall be kept secret, to the extent possible. No person subject to a recall shall retaliate or threaten to retaliate in any way due to the recall effort.

## **8.2600.2 Recall By Executive Committee**

600.2.1 Any recall by Executive Committee shall be initiated by a motion to approve charges supporting recall by the Executive Committee. Such charges shall be in writing, and provide sufficient factual detail to adequately put the officer on notice of the actions or omissions that constitute cause or neglect, and support the request to recall the officer. Any motion to approve charges must be sustained by a vote of no less than two-thirds (2/3) of the entire non-vacant Executive Committee of that Party must vote affirmatively in favor of the charges, excluding the member in question. A time and date for the hearing of the charges shall also be set with the approval of the charges, which shall be at least eight days after the approval of the charges. The time and date of the hearing shall be set, to the extent possible, at a time that is reasonably calculated so that the charged member can attend. The officer in question shall be immediately provided a copy of the charges, in writing, and informed of the time and date of the hearing.

600.2.2 Any hearing of charges shall be recorded. At a hearing on the charges, any evidence supporting the charges shall be presented first. The charged officer shall have the ability to question any person offering such evidence. The charged officer shall then be permitted to offer any evidence or explanation to the Executive Committee and shall be subject to questioning by the Committee.

600.2.3 At the conclusion of the hearing, two-thirds (2/3) of the entire non-vacant Executive Committee of that Party must vote affirmatively in favor of recall, excluding the member in question (i.e. abstains and non-voting members shall count towards the denominator).

# **9700 – National Committee Regional Representation**

## **9.1700.1 Regional Agreements**





affiliates for the purpose of forming a region. To the extent possible, a regional agreement should be worked out, negotiated, and approved by the State Executive Committee, prior to the start of the National Convention.

In the event that such an Agreement is not formalized prior to two days before the start of the National Convention, the State Party Executive Committee Officers, consisting of the Chair, Vice-Chair, Secretary, and Treasurer, who are in attendance at the National Convention, shall be empowered to negotiate and approve, by majority vote, a regional agreement. The highest-ranking Officer in attendance shall be empowered to sign any negotiated agreement. In the event no State Party Executive Committee Officer is in attendance, the Delegation Chair shall be empowered to negotiate and sign an appropriate regional agreement after the start of the National Convention.

Any signed regional agreement shall be provided to the national Secretary immediately after signing, and to the State Party Secretary within seven days following the national convention.

# 10800 – Party Meetings, Electronic Voting, Minutes, And Affiliation Matters

## 10.1800.1 Meetings And Electronic Voting

800.1.1 Meetings shall be held not less than quarterly. (Party Const. Art. VI, Section 1, E, iii). Parties are encouraged to meet monthly.

800.1.2 The time and place of meetings shall be established by the Chair of the Committee by adoption of a meeting schedule for the year, to be presented in a meeting in January of each year. The Executive Committee may amend the schedule. (Party Const. Art. VI, Section 1, E, iii).

800.1.3 Special meetings shall be called at the call of the chair, or the majority of the Executive Committee, with at least seven days' advance notice, and shall be limited to the subjects contain



800.1.4 Meetings may be conducted telephonically or by video conference so long as such meetings are either recorded and made available to the membership or Voting Members have the ability to dial in and observe live, provided that at least one in-person meeting shall be held per calendar year and may be held following the annual convention. (Party Const. Art. VI, Section 1, E, iii).

1. 1.

800.1.5 Electronic or email voting may be called between meetings providing that there is a vote in favor of the action by not less than fifty-one percent (51%) of all non-vacant positions on the Executive Committee (abstains or failures to vote are counted in the denominator for such a determination). Votes shall be cast in a form that permits verification of authenticity (e-mail is permitted), and shall be presented to the Secretary, who shall keep them on file with the minutes, and who shall read an account of them at the next Executive Committee meeting. (Party Const. Art. VI, Section 1, E, xiii).

## 10.2800.2 Failure To Have Meetings

800.2.1 It is necessary that each Executive Committee hold a business meeting at least quarterly. (Party Const. Art. VI, Section 1, E, iii). It is not necessary, however, that quorum be obtained for a particular meeting to count for this section, provided the meeting is called and noticed in good faith. Individual officers that fail to attend meetings within a 60-day period, are subject to removal under Article VI, Section 4, (B)(ii).

800.2.2 Any Voting Member of the State Party can file, with a District Executive Committee Secretary or Chairman for County parties, or with the State Chair or Secretary for District Parties, a complaint that a meeting has not been conducted within the preceding 90 days. The District (for County parties) or State (for District parties) Secretary, or Chair, shall then confirm whether or not a County or District affiliate has held the required meeting by reviewing relevant records, if any, and by sending an e-mail to the County or District Chair and Secretary. Failure by the affiliate Chair or Secretary to respond satisfactorily demonstrating that a meeting was held, within 72 hours of a request, and the absence of any records indicating a meeting was held, shall serve as confirmation that a meeting has not been held.





on an authorized leave of absence, in which case the Vice Chair shall so respond). Upon a failure to so respond as requested or to respond satisfactorily within the 72 hour period, the complaining member and/or State Secretary shall refer the matter to arbitration or to the national party, for action, including removal of the Chair, under Article VI, Section 10(C).

800.2.3 Upon confirmation that no such meeting was held, the affiliate will be in violation of the State Party Constitution, and its Chair shall be automatically recalled from office (unless the Chair is on an authorized leave of absence, in which case the Vice Chair shall be recalled from office). The Chartering Party Chair, or Secretary, shall transmit this fact to the Chair in question who has been recalled, the rest of the executive committee in question, and to the Chartering Party Executive Committee, and the recall shall be effective upon transmission.

800.2.4 In the event that the affected Chair believes that the decision to recall is in error, the Chair may appeal the decision to the State Party Executive Committee, by giving notice to the State Secretary within seven (7) days of the notification of recall. The State Party Executive Committee shall determine the matter at their next scheduled meeting.

## 10.3800.3 Minutes

800.3.1 Minutes shall be taken at all Executive Committee meetings, and conventions, with a summary of actions (i.e. motions) made transparent and available to Voting Members. It is acceptable, but not favored, to include discussion items in the minutes.

800.3.2 County and District Secretaries shall send copies of their meeting and convention minutes to the State Secretary within 30 days following the minutes approval, to ensure the party has records, including historical records, of all such meetings, and to allow for publication to the Voting Members of the Party.

800.3.3 Upon the filling of any vacancy on any executive committee, the Secretary concerned shall transmit such fact to the State Party Secretary. The State Party Secretary shall also be entitled to request from any District or County Chair the current membership of their executive committees, for purposes of compiling a roster of officers. The roster shall be available to any member of the State Party Executive Committee for review.





or County to form the affiliate. The State Party charters District parties. District parties charter county parties. Typically, three to five Voting Members are able to pursue affiliation.

There are several potential paths to affiliation: (i) if there are five members who desire to affiliate, and have determined who will fill what role in the affiliate, they may approach the Chartering party may appoint the executive committee under Article VI, Section I,C,i(e) of the LPKY Constitution, and then immediately work to schedule the initial convention in accordance with the LPKY Constitution; (ii) alternatively, they may approach the Executive Committee of the chartering party, who may call a special convention for that purpose under Article VII, Section 2(A), and, in that event, the Executive Committee of the chartering party would pre-approve the chartering of the affiliate following the convention, send a chair and secretary to that convention to assist with its chartering, and provide required notice; (iii) alternatively, forty percent (40%) or 10 members of a Party, whichever is greater, can call a special convention for chartering the affiliate under Article VII, Section 2(B), and, if they do so, are responsible for providing required notice and other requirements; or (iv) alternatively, the procedure in 8.3.2 may be utilized.

#### 800.4.2 Chartering convention by Voting Members under 8.3.1.(iv)

First, the time, date (the date should generally be 60 days out to accomplish the required tasks), and location of the convention must be determined.

Second, the names and addresses of all voting members in the affected area must be ascertained for the purpose of providing notice by the State Membership Committee. If there are less than three such members, affiliation cannot occur. The date for the convention must be at least 45 days in advance to provide the 45-day notice to the State Party Executive Committee under Article VII, Section 3(A).

Third, notice must be provided to the State Executive Committee at least 45 days in advance.

Fourth, Voting Members in the area, must be given notice at least 30 days in advance. Further, the Chartering Party must be given notice at least 30 days in advance. The notice of convention must explain for which Party the convention is being called, and must include the date, time, location, and purpose of the convention being called.

Fifth, the Chartering Party will generally send a temporary convention chair and secretary to act i ^ the convention elects a Chair and Secretary.



Treasurer, and either Vice Chair or Secretary must be elected. The Convention must approve a resolution seeking affiliation from the Chartering party.

Eighth, following the Convention, the newly elected Executive Committee must petition the Chartering Party for affiliation, and, if it is a county party, a copy shall be sent to the State Party Executive Committee Secretary for record keeping purposes. The petition shall include evidence of compliance with this section and it shall be in writing. The Chartering Party's Executive Committee shall act on any petition for affiliation within 30 days of the petition, and, if it shall fail to do so, the petition shall be considered approved.

# 11900 – Default Standing Convention Rules

## 11.1 900.1 – General Provision

These shall be the default standing convention rules for any annual, or special convention. The applicable executive committee, however, directly or on the recommendation of a rules committee established for that purpose, shall be permitted to alter these rules in any way that they see fit, provided any such amendments or deviations are adopted and approved by the applicable executive committee at least thirty (30) days in advance of the respective convention.

### 1. 1. 900.2 Delegates and Credentialing

900.2.1 Delegates to all County, all District, and State Conventions (for the State Conventions, this definition applies if Voting Members are less than 250 as of January 1 of the Calendar year):

1. 1. a. All "Voting Members" as defined in the current Constitution of the Libertarian Party of Kentucky, who are Voting Members as of 14 days prior to the Convention (if such a bylaw has been adopted by the executive committee in question), who have registered for the Convention as set forth in these rules, and checked into the Convention, as set forth in these rules;







900.2.2 Delegates to State Conventions (if Voting Members are 250 Delegates or more as of January 1 of the Calendar year):

a. All Delegates who have been elected Delegates to the State Convention by their respective District Conventions, who are Voting Members as of 14 days prior to the Convention, who have registered for the Convention as set forth in these rules, and checked into the Convention, as set forth in these rules;

b. A "Putative Delegate" are those persons who are otherwise a Delegate, set forth above, who are Voting Members by the deadlines set forth above, but have either: (i) not checked in to the Convention; or (ii) have not registered for the Convention.

## **11.2900.3 Registration For The Convention**

Registration shall be opened, onsite, starting one hour prior to the start of convention business, at the convention location. Any person who is a convention delegate shall then be permitted to register, provided he or she is in line to register by the time set for the start of convention business; registration shall be handled by the Credentials Committee.

## **11.3900.4 Verification Of Delegates**

900.4.1 There is hereby created a Credentials Committee, which shall consist of three persons to be appointed by the Executive Committee, one of whom shall be the Secretary of the committee calling the convention; the committee shall be appointed not later than twenty-one days prior to the start of the convention. The duties of the committee shall be as set forth in these Rules, and shall include verification of the credentials of delegates. In the absence of an Executive Committee appointment by twenty-one days prior to the start of the convention, the Secretary of the committee calling the convention shall appoint the other members of the Credentials Committee and provide notice of those appointments to the Executive Committee.

900.4.2 Not earlier than thirty days prior to the convention, and not later than twenty-one days prior to the convention, the Membership Committee shall transmit a draft list of Putative Delegates to the Executive Committee with a copy to the Secretary of the Executive Committee. The Executive



any additions or modifications by the Executive Committee within the time allotted, shall be deemed Putative Delegates. The draft list, as approved or amended by the Executive Committee, shall then be transmitted to the Credentials Committee, which is not empowered to remove anyone from this list of Putative Delegates.

900.4.3 The Membership Committee shall likewise transmit, to the Credentials Committee, a list of persons that have become a “Voting Member” as defined in the current Constitution of the Libertarian Party of Kentucky, between the period of thirty days to fourteen days prior to the convention. The Credentials Committee may determine and decide any claims of error or discrepancy, from this list, prior to the presentation of its report. Absent some evidence of error or mistake, these persons shall also be deemed Putative Delegates, along with any additions found appropriate by the Credentials Committee due to error or mistake. Any such additions shall be transmitted to the Executive Committee Chair and Secretary by the Credentials Committee not later than three days prior to the convention.

900.4.4 The Credentials Committee shall handle the check-in procedure for the Convention, and shall conduct check-ins during the one hour preceding the start of the convention, at the convention site. Any person who is on the list of Putative Delegates, shall be permitted to check in, provided he or she is in line to register by the time set for the start of business for the convention. In the event that a Putative Delegate checks-in who has not registered for the convention (and registration is not still open), they shall be informed of that fact, and be permitted to register onsite.

900.4.5 The Credentials Committee shall cross-reference registrations for the convention, with the Putative Delegate Voting Member lists describe above, and those persons who have checked in, to determine who is permitted to vote as a Delegate to the convention.

900.4.6 Authorized Delegates, who are the only parties authorized to vote, shall be maintained in list format by the Credentials Committee, which shall also issue some form of identification for credentialed Delegates making it apparent who is permitted to vote in the convention.

## **11.4900.5 Opening Of The Convention, Presentation Of The Report Of The Credentials Committee And Amendments Thereto, And Adoption Of Rules**





party shall serve as Chair. The Secretary of the Convention at the start of the convention shall be the Executive Committee Secretary. In the event the Executive Committee Secretary shall not be present, or shall resign, the Chair shall appoint the Secretary of the Convention.

900.5.2 Immediately after the Chair calls the convention to order, the first order of business shall be the Presentation of the Report of the Credentials Committee, which shall report those delegates authorized to vote. The Report may be, by the body of those delegates authorized to vote in the Report, debated, adopted or amended, by a simple majority vote. Putative Delegates shall be entitled, however, to be recognized on the floor, for a period of two minutes each, for the purposes of debating the Report of the Credentials Committee, but shall not be entitled to vote on the adoption or amendment of the Report.

900.5.3 No one can vote whose name is not on the list of delegates reported by the Credentials Committee, until it has been amended to add that person to the Report. Upon the motion to substitute one delegation for another, neither one can vote. Upon a motion to strike out the names of a delegation whose seats are contested any such person in that delegation cannot vote. But upon the main motion to accept the report, all persons whose names are on the list of members as reported by the committee and amended by the convention are entitled to vote, and they alone.

900.5.4 If there is a case of contest between two sets of delegates and there is serious doubt as to which is entitled to recognition, the Credentials Committee should omit both from the list and report the fact of the contest.

900.5.5 The Credentials Committee shall also permit check-in to occur at a period of two hours following the opening of the convention for 10 minutes, and at a period of two hours following that check-in for 10 minutes. Further, if the convention lasts multiple days, check-in shall be opened for 10 minutes preceding the opening of business on each subsequent day. Anyone in line during those time periods shall be permitted to register. Following check-ins, the credentials committee reports shall be revised, by a majority vote. The Reports of the Credentials Committee shall act automatically to suspend any pending business until the completion of that report, upon recognition by the Chair, without the need to suspend the rules. Once a member has been admitted to the convention and has checked in, that member shall be determined to be part of the body and may not be removed by virtue of an amendment to the Credentials Committee Report, for purposes of quorum. However, an

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900.5.6 The second order of business shall be the election of a Convention Chair and Secretary; the Secretary shall keep minutes reflecting actions taken at the convention. The Chair shall be the Executive Committee Chair unless not present, or removed by a three-fifths (3/5) vote of the convention body. The Secretary of the Executive Committee shall be the Secretary of the Convention, unless not present, or removed by a three-fifths (3/5) vote of the convention body, The Chair shall be entitled to employ or utilize a parliamentarian to assist on matters of procedure.

900.5.7 The third order of business by the Chair shall be the presentation of these Rules by the Rules Committee, as approved by the State Party Executive Committee, to the convention body, which may debate, adopt or amend these rules, by a simple majority vote. Once approved, these rules may not be further amended, but may be suspended by a two-thirds (2/3) vote.

900.5.8 The fourth order of business by the Chair shall be presentation of the agenda for additional business. The agenda shall be the agenda that was provided in the notice for the Convention that was given by the Chair of the Executive Committee of the State Party. The convention body may debate, adopt or amend such agenda, by a simple majority vote. Once adopted, the agenda may not be modified, or its order of business deviated from, except by a motion to suspend the orders of the day, which must pass by a 2/3 vote.

## **11.5900.6 – General Convention Rules**

900.6.1 Rules governing the election and nomination of candidates for the Libertarian Party primary shall be as established by the State Elections Committee; these rules govern matters other than the voting of candidates for public office in the Libertarian Party primary.

900.6.2 Voting by proxy will not be permitted at this Convention.

900.6.3 Each individual nominated to any party position shall be nominated and voted on as an individual, not as part of a slate. Names of all nominees shall be listed in alphabetical order on the ballot.

900.6.4 Any delegate to this convention may place in nomination for any officer or other position to be elected at this convention, the name of any other delegate, or the name of any other eligible member. Nominations shall be accepted by the presiding officer of the convention until the Chair <sup>^</sup>s for any further nominations three times, and a period of 15 seconds elapses with no further



drawing of lots.

900.6.5 Any vote for officer or office must be taken by secret ballot, implementing instant runoff or preferential voting, and “None of the Above” (or NOTA) also listed as an option. Tellers shall be appointed, as set forth in Paragraph 5 below, for any vote for any officer or office. The Secretary of the Convention shall serve as the chief teller and coordinate their activities. If NOTA prevails, there shall be no one elected to the position in question and it shall be counted as a vacancy at the close of the convention. The persons elected shall not take office until the adjournment of the convention.

1. 1. a. Upon the conclusion of the voting and reports from the tellers, if any, for any office or officer to be elected at this Convention, the results of the voting shall be reported by the tellers to the Chair, who shall then report it to the Convention body. The Chair shall also report whether or not the results from the tellers is unanimous to the Convention body.
2. b. If the tellers results are unanimous, the vote shall not be subject to any challenge from the floor except upon a vote of two-thirds (2/3) of the convention body to reconsider. If tellers are not unanimous, the convention body shall resolve the discrepancy by majority vote, or by declaring the election void and holding it again.
3. c. It shall be out of order for any member to seek reconsideration of any vote for any office or officer to be elected at this Convention: (i) except on the date the vote is held for the office or officer to be elected; and (ii) within two hours of the initial announcement of the results. Any such motion to reconsider shall be considered a privileged motion the first time that it is made. Not more than one motion to reconsider shall be considered.

900.6.6 The Chair of the convention shall appoint three or five tellers to count the members who are entitled to vote and also to count the actual balloting, one of whom shall be the Secretary of the Convention. In the event that any teller is running for any office, a substitute teller shall be appointed for the vote for that office.

900.6.7 It shall be the duty of the Chair of the convention to assure that the right to challenge committee recommendation is more than perfunctory, and places no undue burden on the



900.6.8 Any amendments proposed or passed at convention, to the Constitution of the Libertarian Party of Kentucky, shall not take effect until the moment the Convention adjourns.

900.6.9 Quorum to do business shall constitute 45% of the members authorized to vote, as established in the Credentials Committee report, or any amendments thereto. The Credentials Committee shall be responsible for tracking and calculating the quorum number.

900.6.10 Simple resolutions, to be considered or adopted by the convention, shall be in writing, and presented to the Secretary of the Convention not later than three hours after the start of the convention.

900.6.11 On questions of the adoption of changes to the Constitution of the Libertarian Party of Kentucky (state party convention only), or changes to the platform:

1. a. Changes to the Constitution of the Libertarian Party of Kentucky:
  1. 1. 1. i. The Rules Committee shall present a report recommending changes to the Constitution of the Libertarian Party of Kentucky, as outlined in the convention agenda. In the event the committee is not unanimous; any minority reports shall also be presented to the convention body. Any Articles or sections that are the subject of a minority report shall be automatically divided for consideration by the body.
  2. ii. To permit the adequate discussion and debate of any contentious changes, the Chair shall then permit, and call for, any motions to divide consideration of any particular Article or Section, either proposed in the report, or generally; no motion to divide shall be permitted except to divide particular articles or sections (i.e. it shall not be in order to divide particular paragraphs of sections, rather, the entire section shall be divided). Any such motion shall be made and seconded and require a majority vote.
  3. iii. Upon a motion to divide the question, any such Article or Section shall be debated and voted on separately, with the remainder of the undivided Constitution with the proposed amendments submitted by the Rules Commi...



4. iv. In accordance with the Constitution of the Libertarian Party of Kentucky, amendments to the Constitution may be made by no less than a vote of three-fifths (3/5) of the Voting Members present.
  5. v. Any proposed amendments to the Constitution or the Report of the Rules Committee shall be made in writing, and shall conform to Section 1100 in terms of submission to the Rules Committee in advance of the Convention.
  6. vi. The Rules Committee shall publish its Report on the Constitution revisions, and any minority reports, not later than thirty days prior to the convention to the State Party Executive Committee, and shall further provide access to it to members of the party for advance consideration not later than thirty days prior to the convention (i.e. Google Docs with a link to it on the party's website), as provided in the bylaws of the State Party.
1. b. Changes to the Platform of the Libertarian Party of Kentucky
    1. 1. 1. vii. A plank may be deleted by a simple majority vote of the Convention delegates.
    2. viii. The substitution of a new plank for an old plank, or the addition of a new plank, shall require approval by a vote of two-thirds (2/3) of the delegates present and voting. Any such substitution or addition, shall be made in writing and delivered to the Secretary of the Convention prior to consideration of the proposed amendment, substitution, or addition.
  1. c. Each proposal for deletion, substitution, or amendment shall be made in separate votes.

# 121000 – Information Technology Policies





# Mail Usage

1000.1.1 Scope: This policy covers appropriate use of any email sent from an LPKY email address (@lpky.org) and applies to all employees, members, volunteers, vendors, and agents operating on behalf of LPKY. All email sent to or from an LPKY email address is the property of the State Party.

1000.1.2 All use of email must be consistent with the LPKY constitution and bylaws, as well as compliance with applicable laws. LPKY email accounts should be used primarily for party business-related purposes; personal communication is permitted on a limited basis, but non-party related commercial uses are prohibited. The LPKY email system shall not to be used for the creation or distribution of pornography, or offensive comments about race, gender, disabilities, age, sexual orientation, or national origin. Sending chain letters or inappropriate joke emails from a LPKY email account is prohibited. Nothing in this section shall prevent good faith political discussions about the foregoing issues that are pertinent to party business. LPKY members who receive any emails with this content from any LPKY member should report the matter to any member of the State Party Executive Committee immediately.

1000.1.3 All members of any affiliated executive committee (State, District, County) and members of any sub-committee therein, upon official notification of election or appointment being sent to the IT Committee, will be assigned a lpky.org email address within five business days, and provided with account credentials and directions on how to access the account.

1000.1.4 Provided (a) the email system is functional and (b) an lpky.org email account is assigned and provided to an executive committee member or other committee member (including a username and password), then email that is sent and delivered to a member's lpky.org email system shall be deemed valid for all party notice purposes. A member may opt-out of lpky.org email usage and this section, by providing notice to the State Secretary with an alternate e-mail address, who will promptly transmit that request to the officer's executive committee, and any information technology related committee. Party members are strongly encouraged, but not required, to use official e-mail addresses (@lpky.org) for all party business. Nevertheless, understanding that email systems may be temporarily unavailable, or a party official may not have an email account assigned, there has been historical compatibility issues with iphones, and for other technical or personal reasons, if a party official uses non-party e-mail for business, any such email should be professional and should identify the official by name to assist in authentication for official purposes.





membership, unless they are excepted from release under Bylaw 300.2.3 or 300.1.4. Such exempt materials shall not be sent to official mailing lists, but rather be submitted electronically, outside of the mailing list, to all members of the committee in question and only those persons for discussion.

1000.1.6 Users shall not use the LPKY email server as a mechanism to send unsolicited mailings, newsletters, or any form of bulk mailings to multiple external email addresses. External email services, such as MailChimp, should be used for sending newsletters.

1000.1.7 Email should be retained if it qualifies as a LPKY business record. Email is a LPKY business record if there exists a legitimate and ongoing business reason to preserve the information contained in the email. Email that is identified as a LPKY business record shall be retained as follows: As a general matter, record retention should be two years for records that do not include financial statements, checks, drafts, and authorization to spend funds, and four years for records that contain financial statements, checks, drafts, and authorization to spend funds.

1000.1.8 Unless permitted by the State Party Executive Committee Chairman, Vice-Chairman, Secretary, or Treasurer, individual messages which are forwarded by the user from the LPKY email system must not contain LPKY confidential information.

1000.1.9 LPKY may monitor messages without prior notice. LPKY is not obliged to monitor email messages. Monitoring of LPKY e-mails shall only occur in the event that there is probable cause to believe that there has been a misuse of party e-mail; probable cause can be established through a report that inappropriate emails that violate the State Party Constitution, these bylaws, or law, have been sent by the member's account, complaints from third parties, an abnormal amount of space being utilized by a particular email account, or other credible evidence of misuse.

1000.1.9.1 Any message monitoring shall have the express approval of at least three of the four officers in writing or by e-mail (i.e. the Chairman, Vice-Chairman, Secretary, or Treasurer) of the State Party Executive Committee; if more than one of the foregoing officers is accused or suspected of misuse, the approval must be obtained by all officers not accused or suspected of misuse, and at least two District Chairs or at-large members.

1000.1.9.2 The results of any monitoring shall be shared with the officers who have approved the monitoring.



persons requesting or complaining about the person, and the justification and probable cause basis of the monitoring.

1000.1.10. No person shall access the email account of another user without the permission of the user whose account is being accessed, except as authorized under 1000.1.9.

## 141000.2

## Social Media

1000.2.1 All Social Media pages or groups created for the State Party, or any affiliate party, shall remain the property of the State Party, though administered as provided herein. The Officers of the State Party (i.e. Chair, Vice Chair, Secretary, and Treasurer) executive committee shall have administrative privileges on all social media assets for the State Party, or for any non-chartered affiliate. For chartered affiliate parties or their committees, the State Party Chairman and Secretary shall have administrative privileges solely for the purposes stated in 1000.2.5, or to affect a disaffiliation, and for the purpose of posting official notices of convention, unless their privileges have been revoked as provided in this section. The State Party Executive Committee shall have the ability to revoke privileges of any person from any party asset. In no case shall a social media asset have fewer than two members with administrative privileges.

1000.2.2 All official posts on behalf of any party shall be consistent with the Platform of the Party and shall not violate these bylaws or the State Party Constitution, or state or federal law.

1000.2.3 By default, administration of a page is to be executed by the officers of the executive committee for which the page is the topic and those persons shall be given sufficient privileges on those pages, unless such privileges are revoked. District chairs shall be given administrative privileges on their own pages including the right to assign privileges not inconsistent with any other bylaw provision, and those of any county affiliate within their district, unless such privileges have been revoked. Further, District officers shall be authorized to post on behalf of those parties, unless posting privileges are revoked as provided herein. An executive committee shall take official action to add any additional posters to the account, or may establish a committee to handle such accounts.

1000.2.4 As a general matter, the party account should be used only to make the original post. Exceptions to this general matter are limited to providing specific factual information for a plan <sup>^</sup>



account in the comments. Persons making posts that are not a sharing of another post are strongly encouraged to place their initials in parenthesis at the end of the post.

1000.2.5 Posts may be deleted that: (i) are clearly inconsistent with the platform; (ii) are in clear violation of these bylaws or the party's constitution; (iii) are clearly unnecessarily vulgar, profane, or obscene, without a corresponding and sufficiently offsetting benefit to the party in terms of advancing its mission; (iv) violate state or federal law; or (v) contain a link that is broken or missing. In the event any post is deleted, the officer deleting the post shall inform the relevant party chair of the action, and shall inform the original poster of the action if that poster is a member of the relevant party's executive committee, along the reason for the post's deletion within 8 hours of the deletion. In the event that the poster, or relevant party chair, believes that the post conformed to policy, they may appeal the deletion decision to the State Executive Committee, and, in the event of three successful appeals, the administrative privileges of the person deleting the posts shall be revoked by the State Party Executive Committee for a period not less than 90 days. Further, failing to comply with the requirements of this provision, regarding deletion, shall result in the loss of administrative privileges for a period of not less than 90 days and may be the basis for further disciplinary action. Persons who make such posts on more than one occasion are subject to having their posting privileges revoked, temporarily or permanently.

## 151000.3 Website

1000.3.1 The LPKY website and any other associated websites using the LPKY.org domain name are the property of State Party. Websites are to be maintained by the State Party Executive Committee, or any committee to whom it delegates that responsibility.

1000.3.2 The State Party Secretary will be given access to the primary LPKY website in order to post events, press releases, meeting minutes, and other articles.

1000.3.3 Duties to maintain the website, wiki, or other web-based technologies may be delegated to others, but the same requirements, rules, and restrictions shall apply to those to whom duties are delegated.





# Services

1000.4.1 Individuals may have individual office numbers, but no party shall advertise, as an official phone number of the party any telephone number that is not owned and controlled by the party (i.e. Contact Libertarian Party of Graves County at 1-502-555-5555 must be an asset owned by the party). It shall be acceptable, however, to advertise a point of contact number on website and other media that are changeable in nature, as a point of contact for a particular party officer, by so denoting it (i.e. Contact the Libertarian Party of Graves County, through its Chair, Joe Libertarian, at 1-502-555-5555). Reimbursement for personal, as opposed to party, telephone accounts shall not be made by any party.

1000.4.2 The login credentials for any account owned by any party shall be shared with the State Party Secretary. In no instance shall the credentials for any account be known to fewer than two party leaders.

## 171000.5 Customer Relationship Management (CRM)

1000.5.1 This section is reserved for CRM policies.

## 181000.6 Policy Compliance

1000.6.1 All LPKY IT assets are, and remain, the property of the LPKY State Party, unless the State Party provides specific exception.

1000.6.2 All users of LPKY IT assets may be required to sign Acceptable Use and/or Non-Disclosure Agreements as a requirement for using an LPKY IT asset. ^



1000.6.4 Any person who is found to have violated the policies outlined in section 1000 may be subject to disciplinary action by the State Executive Committee, up to and including: (i) revocation of access to party assets; (ii) recall from office; or (iii) removal from any committee appointment.

# 191100 – Committee Referrals And Recommendations, Bylaws And Constitutional Amendments

## 19.11100.1 – General Provision

Any executive committee may refer any matter to a standing or ad-hoc committee for a recommendation. Certain matters are relegated automatically to a committee for a recommendation, including, without limitation, bylaws amendments and constitutional amendments. Other matters are relegated to a particular committee based on the action of the executive committee.

## 19.21100.2 Recommended Changes To Bylaws

1100.2.1 The State Party Executive Committee Rules Committee is tasked with drafting proposed changes to the Constitution, and bylaws of the party. Not less than once a year, nor more than three times a year, the State Party Rules Committee (“SPRC”) shall announce to the State Party Executive Committee that it is opening the bylaws comment process by sending an electronic mail to the State Party Executive Committee that the comment period is open. Once opened, the comment process shall remain open for a period of fourteen (14) days, to receive any comments or suggested revisions to the bylaws (“First Comment Period”). In the event that the SPRC shall fail to open the comment period within a year of the last review or set of revisions, it shall be automatically be opened, and the Chair of the State Party shall declare it to be opened, on the one-year anniversary of the last time the comment period was opened for revision.





proposed revision may be adopted, modified, or rejected, and incorporated into proposed bylaw changes. The SPRC may hold more than one meeting for these purposes during the period in question. The SPRC shall respond and indicate why any proposed rule or comment was rejected or modified. The SPRC shall, within the same period, send draft changes, and all comments received, out for an additional comment period of fourteen (14) days (“Second Comment Period”), by transmitting these changes to the State Party Executive Committee.

1100.2.3 Following the close of the Second Comment Period, the SPRC shall hold a final meeting or series of meetings, within fourteen (14) days of the close of the Second Comment Period, to consider any and all comments or suggested revisions received during the Second Comment Period, and may make such modifications to the proposed bylaw revisions as it deems prudent in response to the comments or suggested revisions received during the Second Comment Period. The SPRC shall, within the same period, send the final proposed changes, and all comments or revisions received in the Second Comment Period, to the State Party Executive Committee for action.

1100.2.4 The State Party Executive Committee shall meet to consider the final proposed changes, along with all comments or revisions received by the SPRC in the Second Comment Period, within thirty (30) days of transmittal to the State Party Executive Committee. The State Party Executive Committee may: (i) adopt some or all of the proposed changes transmitted by the SPRC; (ii) reject some or all of the proposed changes transmitted by the SPRC; (iii) it may adopt any alternative proposal contained within any comment received by the SPRC during the Second Comment Period; (iv) it may amend, provided the scope of the amendment is either extraordinarily minor, or it lessens the scope of the proposal of the SPRC in terms of the burden upon party members or to increase their rights (i.e., if the proposal is to increase dues by \$5, it would be in order to change this to a \$2 increase); or (v) it may recommit certain of the proposed changes or bylaws for consideration and revision by the SPRC, with such changes or proposals the Executive Committee deems appropriate. Other than recommitment with proposed changes, or amendments that comport with (iv) of this section, any other revisions, or amendments, from the floor, shall be out of order.

1100.2.5 On a recommitment by the Executive Committee, the SPRC shall meet within eight (8) days of a recommitment, to consider any recommitted item. In that event, the SPRC shall consider the item and make a recommendation, and may propose alternates to the proposals at hand for consideration by the executive committee. Within that same eight (8) day period, the SPRC shall send its recommendation back to the Executive Committee for action. The procedures in 1100.2.4 shall t



1100.2.6 In the event that the SPRC shall fail to materially fulfill its obligations set forth in 1100.2.2 through 1100.2.5, without reasonable cause, the Chair shall so find at the next business meeting of the Executive Committee, those members of the SPRC other than those Constitutionally required shall be deemed to be removed from that committee, and amendments to the bylaws shall then be considered provided they were (i) submitted to the SPRC; and (ii) sent to the Executive Committee in writing at least seven (7) days prior to the meeting at which they are going to be considered.

## **19.3 1100.3 Recommended Constitutional Changes**

1100.3.1 The SPRC shall have one or more meetings to consider, and propose, changes to the State Party Constitution, in advance of convention as provided herein.

1100.3.2 Any Voting Member shall be entitled to submit to the SPRC proposed changes to the State Party Constitution, starting one hundred twenty (120) days prior to the state convention, and ending ninety (90) days prior to the state convention ("First Comment Period"). The SPRC shall send notification of the opening of the comment period to the State Party Executive Committee, in advance of the First Comment Period.

1100.3.3 Upon the close of the First Comment Period, the SPRC shall hold one more meetings to review and respond to all comments. The SPRC shall consider any revisions to the Party's Constitution it deems appropriate. Not less than sixty (60) days prior to the state convention, the SPRC shall publish to the State Party Executive Committee, and to the Party's website, proposed changes, as well as all comments received during the First Comment Period, and the SPRC's response to those proposals. Furthermore, the SPRC shall re-open the comment period, for a period of 14 days, for any Voting Member to respond to proposed changes or offer alternative proposals to any section of the Constitution, in which comments were received, or proposed modifications were made ("Second Comment Period").

1100.3.4 The SPRC shall hold one or meetings between the close of the Second Comment Period and the period thirty (30) days prior to the state convention, to consider comments made or received in the Second Comment Period. The SPRC shall respond to all such comments, and may make proposed revisions in response to those comments. At the conclusion of the process, the SPRC shall publish, not later than thirty (30) days prior to the state convention, (i) all comments received during the

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1100.3.5 In the event that the SPRC shall fail to materially fulfill its obligations set forth in 1100.3.1 through 1100.3.4, the State Chair shall so find prior to the start of convention, or during the 30-day period preceding the convention and shall transmit that fact to the State Party Executive Committee. Those members of the SPRC other than those Constitutionally required shall be deemed to be removed from that committee, and amendments to the Constitution shall then be considered at convention, provided they were (i) submitted to the SPRC; and (ii) sent to the Executive Committee in writing at least fourteen (14) days prior to the start of the state convention.

1100.3.5 The Convention body may consider any and all proposals (i) contained in any comment received by the SPRC during the Second Comment Period (regardless of whether they were recommended or not), (ii) are the subject of any SPRC Report or minority report; (iii) the provisions of 1000.3.4 were triggered and are complied with; or (iv) the change or proposal either extraordinarily minor, or it lessens the scope of the proposal of the SPRC in terms of the burden upon party members or to increase their rights (i.e., if the proposal is to increase dues by \$5, it would be in order to change this to a \$2 increase).

## **19.41100.4 Other Committee Referrals**

For any proposal that involves significant action or changes to the party, including, without limitation, any policy or practice enactment, the committee shall first publish changes to the Executive Committee, and inform them of the ability to provide comments. Any comment period shall be open at least seven days. The committee shall then meet and make recommendations and fully consider, and respond to, the comments.

The State Party Executive Committee may: (i) adopt some or all of the proposed policy; (ii) reject some or all of the proposed policy; (iii) it may adopt any alternative proposal contained within any comment received by the committee during the comment period; (iv) it may amend, provided the scope of the amendment is to lessen the scope of the proposal in terms of the burden upon party members or to increase their rights; or (v) it may recommit certain of the proposed policy changes for consideration and revision by the committee, with such changes or proposals the Executive Committee deems appropriate. Other than recommitment with proposed changes, or amendments that comport with (iv) of this section, any other revisions, or amendments, from the floor, shall be out of order.







## 20.11200.1

# Waiver Of Bylaw Requirements.

Case by case waivers of any of the requirements of these bylaws may be granted by the State Party Executive Committee, by a 3/5 vote of the entire membership of the State Party Executive Committee.

[Constitution](#) [Bylaws](#) [2019 Proposed Changes](#)



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### Join Libertarians In Kentucky

#### CHIP IN

The Libertarian Party is committed to America’s heritage of freedom: individual liberty and personal responsibility, a free-market economy of abundance and prosperity, a foreign policy of non-intervention, peace and free trade.

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Message \*



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## Events

### Elections

- > 2018 Candidates
- > Elected Officials
- > Run For Office
- > Election Results

### Get Involved

- > Signup
- > County Affiliates
- > Membership
- > Shop

### Party Organization

- > Platform
- > Party Organization
- > Leadership
- > Meeting Minutes

- > Meetups
- > Volunteering
- > Conventions
- > Business Meetings

### Articles

- > News
- > Press Releases

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