



## **Bylaws Amendment Recommendation with Advanced Notice**

**Submitted By:** Dr. K Brent Olsen, Kings County and Aaron Starr, Ventura County

### **Reason:**

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During the 2021 convention a Bylaws amendment was made that lowered the vote threshold for motions to amend the bylaws. Although the reasoning for this seemed valid it is not recommended by parliamentarians or the Party's Parliamentary authority, Robert's Rules of Order (RONR) Newly Revised (currently the 12<sup>th</sup> Edition). The reason that such a low vote threshold is discouraged is that Bylaws are the top ranking authority for most organizations and careful thought should be put into both the original creation and any subsequent changes.

In the recent past it has been seen in other Libertarian state affiliates that making the Bylaws easily amendable has created turmoil, instability, and in some cases possible disaffiliation from the national party.

### **Bylaw Amendment Proposal:**

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Amend Bylaw 26: Amendment of Bylaws as follows:

#### **Bylaw 26: Amendment of Bylaws**

Except as indicated in a particular Bylaw, these Bylaws may be amended by a ~~majority~~ two-thirds vote of all the registered delegates present and voting at a convention with previous notice. Bylaws changes proposed from the convention floor without prior notice, or substantive, non-technical amendments made to the Bylaws Committee Report by the Bylaws Committee subsequent to the report adoption deadline, shall require a ~~two-thirds~~ three-fourths vote of registered delegates present and voting to pass.

### **Bylaw as Amended:**

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#### **Bylaw 26: Amendment of Bylaws**

Except as indicated in a particular Bylaw, these Bylaws may be amended by a two-thirds vote of all the registered delegates present and voting at a convention with previous notice. Bylaws changes proposed from the convention floor without prior notice, or substantive, non-technical amendments made to the Bylaws Committee Report by the Bylaws Committee subsequent to the report adoption deadline, shall require a three-fourths vote of registered delegates present and voting to pass.

### **Legend**

Deletions are noted in ~~red bold italic strikethrough~~.

Additions are noted in blue bold underline.



## **Bylaws Amendment Recommendation with Advanced Notice**

**Submitted By:** Dr. K Brent Olsen, Kings County

**Reason:**

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It should require a higher threshold for the Executive Committee to declare a county organization to be inactive and the old bylaw does not include reinstatement of State Central Committee members when it should.

**Impact:**

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This Bylaws Amendment would add the reinstatement of State Central Committee members and declaring a county organization to be inactive to the list of things requiring a two-thirds vote of the Executive Committee.

**Bylaw Amendment Proposal:**

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Amend Bylaw 15: Committees, Section 4 A as follows:

### **Bylaw 12: Executive Committee**

#### ***Section 6***

A two-thirds majority of the eligible positions on the Executive Committee shall be required to pass the following:

- A. Removal from office, censure, or suspension of a Party officer, Operations Committee member, Executive Committee member, Libertarian National Committee representative, or County or State Central Committee member, ~~or~~ reinstatement of a County **or State** Central Committee member, **or declaring a county organization to be inactive.**
- B. Endorsing or rescinding its endorsement of any candidate for public office.
- C. Endorsing or opposing any proposed ballot measure, but rescinding such action shall be considered a normal main motion.
- D. The annual budget, or any financial liability or contractual obligation lasting more than three months.
- E. Providing the Party mailing list to non-Libertarian groups or individuals, or to candidates for public office not endorsed by the Party.

#### **Legend**

Deletions are noted in ***~~red bold italic strikethrough~~***.

Additions are noted in **blue bold underline**.

**Bylaw as Amended:**

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**Bylaw 12: Executive Committee**

***Section 6***

A two-thirds majority of the eligible positions on the Executive Committee shall be required to pass the following:

- A. Removal from office, censure, or suspension of a Party officer, Operations Committee member, Executive Committee member, Libertarian National Committee representative, or County or State Central Committee member, reinstatement of a County or State Central Committee member, or declaring a county organization to be inactive.
- B. Endorsing or rescinding its endorsement of any candidate for public office.
- C. Endorsing or opposing any proposed ballot measure, but rescinding such action shall be considered a normal main motion.
- D. The annual budget, or any financial liability or contractual obligation lasting more than three months.
- E. Providing the Party mailing list to non-Libertarian groups or individuals, or to candidates for public office not endorsed by the Party.

**Legend**

Deletions are noted in ~~**red bold italic strikethrough**~~.

Additions are noted in **blue bold underline**.



## Bylaws Amendment Recommendation with Advance Notice

**Submitted By:** Aaron Starr, Ventura County

**Reason:**

Adopts the national Party Platform as the platform for the LPC, freeing up time required at state conventions to maintain and update a separate California party platform and removing the need for an LPC Platform Committee. Issues specific to California can still be addressed in our Party Program.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p><b>Bylaw 20: Platform</b></p> <p><b>Section 1</b>            The Party Platform shall consist of a number of planks which state the Party position on specific state and national issues. The Platform may be amended by deletion, substitution, or addition of any plank at any Party convention. The delegates may, by majority vote, delete a plank. The delegates, by a two-thirds vote, but not less than a majority of all registered delegates, may add a new plank, or substitute a new plank for an old plank.</p>	<p><b>Bylaw 20: Platform</b></p> <p><i><b>Section 1</b></i>            The <u><b>national party platform shall be the</b></u> Party Platform <del><i><b>shall consist of a number of planks which state the Party position on specific state and national issues. The Platform may be amended by deletion, substitution, or addition of any plank at any Party convention. The delegates may, by majority vote, delete a plank. The delegates, by a two-thirds vote, but not less than a majority of all registered delegates, may add a new plank, or substitute a new plank for an old</b></i></del></p>	<p><b>Bylaw 20: Platform</b></p> <p>The national party platform shall be the Party Platform.</p>

**Legend**

Deletions are noted in ~~***red bold italic strikethrough.***~~  
 Additions are noted in **blue bold underline.**

<p><b>Section 2</b> If a delegate believes an adopted plank to be in conflict with the Statement of Principles to the national Libertarian Party, then the delegate may challenge that plank in writing, during the convention, to the Judicial Committee. The delegate shall specify in the challenge the manner in which the delegate believes the plank is in conflict. The Judicial Committee shall decide whether the plank in question conforms to the Statement of Principles and shall make a report to the floor of the convention stating the justification of its decision. If the plank is vetoed by the Judicial Committee, it will be declared null and void; but the plank may be reinstated in the Platform by a three-fourths vote of the convention.</p>	<p><i>plank.</i></p> <p><del><b><i>Section 2</i></b></del> <del><b><i>If a delegate believes an adopted plank to be in conflict with the Statement of Principles to the national Libertarian Party, then the delegate may challenge that plank in writing, during the convention, to the Judicial Committee. The delegate shall specify in the challenge the manner in which the delegate believes the plank is in conflict. The Judicial Committee shall decide whether the plank in question conforms to the Statement of Principles and shall make a report to the floor of the convention stating the justification of its decision. If the plank is vetoed by the Judicial Committee, it will be declared null and void; but the plank may be reinstated in the Platform by a three-fourths vote of the convention.</i></b></del></p>	
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<p><b>Bylaw 15: Committees</b></p> <p><b>Section 3: Platform Committee</b></p> <p>The Platform Committee shall consist of a coordinator and one delegate from each County Central Committee. A coordinator shall be appointed by the Executive Committee at least one hundred and twenty days before each convention. The county delegates shall be selected at least ninety days prior to the convention in such a manner as each County Central Committee shall provide. The Platform Committee shall adopt its initial report not less than thirty days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than 20 days prior to the convention. The Platform Committee shall adopt its final report, which may include corrections or improvements to proposals in the initial report, but shall not introduce new proposals, not less than ten days prior to the convention and the Secretary shall cause it to be published on the Party's website</p>	<p><del><i>Bylaw 15: Committees</i></del></p> <p><del><i>Section 3: Platform Committee</i></del></p> <p><del><i>The Platform Committee shall consist of a coordinator and one delegate from each County Central Committee. A coordinator shall be appointed by the Executive Committee at least one hundred and twenty days before each convention. The county delegates shall be selected at least ninety days prior to the convention in such a manner as each County Central Committee shall provide. The Platform Committee shall adopt its initial report not less than thirty days prior to the convention and the Secretary shall cause it to be published on the Party's website not less than 20 days prior to the convention. The Platform Committee shall adopt its final report, which may include corrections or improvements to proposals in the initial report, but shall not introduce new proposals, not less than ten days</i></del></p>	
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**Legend**

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<p>five days prior to the convention.</p> <p><b>Section 4: Style Committee</b> The Chair shall appoint a Style Committee of not more than five State Central Committee members which shall propose stylistic changes to the Platform, the Program, and these Bylaws and Convention Rules. The proposed changes shall be submitted to the Executive Committee for ratification.</p>	<p><del><i>prior to the convention and the Secretary shall cause it to be published on the Party's website five days prior to the convention.</i></del></p> <p><b>Section 4: Style Committee</b> The Chair shall appoint a Style Committee of not more than five State Central Committee members which shall propose stylistic changes to <del><i>the Platform</i></del>, the Program; and these Bylaws and Convention Rules. The proposed changes shall be submitted to the Executive Committee for ratification.</p>	<p><b>Section 4: Style Committee</b> The Chair shall appoint a Style Committee of not more than five State Central Committee members which shall propose stylistic changes to the Program and these Bylaws and Convention Rules. The proposed changes shall be submitted to the Executive Committee for ratification.</p>
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## Convention Rules Amendment Recommendation with Advance Notice

**Submitted By:** Aaron Starr, Ventura County

**Reason:**

Makes conforming changes to Convention Rules related to Bylaw change adopting the national Party Platform as the LPC Platform. Also removes two obsolete references to Party Program in Convention Rules, as the Party Program is no longer adopted at Convention and is instead a product of the Executive Committee.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED WILL READ
<p><b>Rule 3: Debate Procedure</b></p> <p><b>Section 1: Floor Motions and Amendments</b></p> <p>For each main motion, the maker shall have two minutes immediately following to speak to the motion. For amendments to proposed changes to the Bylaws, these Convention Rules, the Platform, the Program, or to resolutions, the maker shall have thirty seconds to speak to the amendment. The Chair shall then request a standing second to the motion or amendment. If fewer than ten percent of the delegates stand, the motion or amendment shall die for lack of a second.</p>	<p><b>Rule 3: Debate Procedure</b></p> <p><b>Section 1: Floor Motions and Amendments</b></p> <p>For each main motion, the maker shall have two minutes immediately following to speak to the motion. For amendments to proposed changes to the Bylaws, these Convention Rules, <del><b><i>the Platform, the Program,</i></b></del> or to resolutions, the maker shall have thirty seconds to speak to the amendment. The Chair shall then request a standing second to the motion or amendment. If fewer than ten percent of the delegates stand, the motion or amendment shall die for lack of a second.</p>	<p><b>Rule 3: Debate Procedure</b></p> <p><b>Section 1: Floor Motions and Amendments</b></p> <p>For each main motion, the maker shall have two minutes immediately following to speak to the motion. For amendments to proposed changes to the Bylaws, these Convention Rules or to resolutions, the maker shall have thirty seconds to speak to the amendment. The Chair shall then request a standing second to the motion or amendment. If fewer than ten percent of the delegates stand, the motion or amendment shall die for lack of a second.</p>

**Legend**

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<p><b>Section 2: Committee Reports</b> Committee Reports that contain proposed changes to the Bylaws, these Convention Rules, the Platform, or the Program shall not require a standing second.</p> <p><b>Rule 4: Agenda</b> The business of the convention shall consist of the following items, and shall be conducted in the following order:</p> <p>A. Credentials report;</p> <p>B. Reports of the Party officers and working committees;</p> <p>C. Consent calendar;</p> <p>D. In even-numbered years, the Platform Committee report, and in odd-numbered years, the Bylaws Committee report;</p> <p>E. Elections, in the following order:</p> <p>1. In odd-numbered years, Party officers and Area Coordinators and in even-numbered years to fill the unexpired terms of vacated Party officers or Area Coordinators;</p> <p>2. At-large Executive Committee members;</p>	<p><b>Section 2: Committee Reports</b> Committee Reports that contain proposed changes to the Bylaws, <u>or</u> these Convention Rules, <del>the Platform, or the Program</del> shall not require a standing second.</p> <p><b>Rule 4: Agenda</b> The business of the convention shall consist of the following items, and shall be conducted in the following order:</p> <p>A. Credentials report;</p> <p>B. Reports of the Party officers and working committees;</p> <p>C. Consent calendar;</p> <p>D. <del>In even-numbered years, the Platform Committee report, and in odd-numbered years,</del> the Bylaws Committee report;</p> <p>E. Elections, in the following order:</p> <p>1. In odd-numbered years, Party officers and Area Coordinators and in even-numbered years to fill the unexpired terms of vacated Party officers or Area Coordinators;</p> <p>2. At-large Executive</p>	<p><b>Section 2: Committee Reports</b> Committee Reports that contain proposed changes to the Bylaws or these Convention Rules shall not require a standing second.</p> <p><b>Rule 4: Agenda</b> The business of the convention shall consist of the following items, and shall be conducted in the following order:</p> <p>A. Credentials report;</p> <p>B. Reports of the Party officers and working committees;</p> <p>C. Consent calendar;</p> <p>D. Bylaws Committee report;</p> <p>E. Elections, in the following order:</p> <p>1. In odd-numbered years, Party officers and Area Coordinators and in even-numbered years to fill the unexpired terms of vacated Party officers or Area Coordinators;</p> <p>2. At-large Executive</p>
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### Legend

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<p>3. At-large Executive Committee alternates;</p> <p>4. Judicial Committee members;</p> <p>5. At Party conventions immediately preceding national conventions, national convention delegates, Libertarian National Committee representatives and alternates;</p> <p>F. In odd-numbered years, the Platform Committee report, and in even-numbered years, the Bylaws Committee report;</p> <p>G. In a Presidential election year, the Presidential Straw Poll, roll call vote, one vote only;</p> <p>H. Endorsements of candidates;</p> <p>I. Resolutions and other matters.</p> <p><b>Rule 6: “No Debate” Items</b> Both the Platform Committee and the Bylaws Committee shall designate each of its proposals as either a regular item or a “No Debate” item. The “No Debate” classification shall be reserved for</p>	<p>Committee members;</p> <p>3. At-large Executive Committee alternates;</p> <p>4. Judicial Committee members;</p> <p>5. At Party conventions immediately preceding national conventions, national convention delegates, Libertarian National Committee representatives and alternates;</p> <p><del>F. In odd-numbered years, the Platform Committee report, and in even-numbered years, the Bylaws Committee report;</del></p> <p>G. In a Presidential election year, the Presidential Straw Poll, roll call vote, one vote only;</p> <p>H. Endorsements of candidates;</p> <p>I. Resolutions and other matters.</p> <p><b>Rule 6: “No Debate” Items</b> <del>Both the Platform Committee and the</del> <u>The</u> Bylaws Committee shall designate each of its proposals as either a regular item or a “No Debate” item. The “No Debate” classification</p>	<p>Committee members;</p> <p>3. At-large Executive Committee alternates;</p> <p>4. Judicial Committee members;</p> <p>5. At Party conventions immediately preceding national conventions, national convention delegates, Libertarian National Committee representatives and alternates;</p> <p>G. In a Presidential election year, the Presidential Straw Poll, roll call vote, one vote only;</p> <p>H. Endorsements of candidates;</p> <p>I. Resolutions and other matters.</p> <p><b>Rule 6: “No Debate” Items</b> The Bylaws Committee shall designate each of its proposals as either a regular item or a “No Debate” item. The “No Debate” classification shall be reserved for proposals which are technical in nature rather than substantive. Upon motion</p>
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### Legend

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Additions are noted in blue bold underline.

<p>proposals which are technical in nature rather than substantive. Upon motion of five delegates, any proposal designated a “No Debate” item by either Committee shall be reclassified as a regular item. Except for items proposed for immediate implementation, no debate shall occur on a Committee’s proposals until the delegates vote on all of that Committee’s “No Debate” items.</p> <p><b>Rule 8: Platform Committee</b></p> <p>The Chair of the Platform Committee shall report the Committee’s recommendations to the floor, plank by plank. The delegates shall vote on each recommendation separately. After the delegates have debated and voted on all of the Committee’s recommendations, if time permits, any delegate may propose new planks or additional amendments from the floor, which the delegates shall vote on separately.</p>	<p>shall be reserved for proposals which are technical in nature rather than substantive. Upon motion of five delegates, any proposal designated a “No Debate” item by either Committee shall be reclassified as a regular item. Except for items proposed for immediate implementation, no debate shall occur on a Committee’s proposals until the delegates vote on all of that Committee’s “No Debate” items.</p> <p><b><i>Rule 8: Platform Committee</i></b></p> <p><b><i>The Chair of the Platform Committee shall report the Committee’s recommendations to the floor, plank by plank. The delegates shall vote on each recommendation separately. After the delegates have debated and voted on all of the Committee’s recommendations, if time permits, any delegate may propose new planks or additional amendments from the floor, which the delegates shall vote on separately.</i></b></p>	<p>of five delegates, any proposal designated a “No Debate” item by either Committee shall be reclassified as a regular item. Except for items proposed for immediate implementation, no debate shall occur on a Committee’s proposals until the delegates vote on all of that Committee’s “No Debate” items.</p>
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Additions are noted in **blue bold underline**.

Submitted by: Joe Dehn, Santa Clara County

## **Libertarian Party of California – 2022 Convention**

### ***Bylaw Proposal to Allow More Recent Members to Serve as Delegates***

Currently, to serve as a delegate to the state convention an individual must have joined as a central committee member at least 90 days before the convention. Similar provisions exist in the rules of many organizations, as one of a number of precautions against "takeover" attempts, either by an internal faction or by outsiders, or simply to ensure that the people making important decisions about the organization have some minimal background knowledge. In general this has been considered a reasonable requirement, and the vast majority of delegates at our conventions in the past have had no problem meeting it – most having been members for years.

However, there are some cases where it could make sense to allow members who joined more recently to serve as delegates – cases where the potential benefit to the party would likely be greater than any potential danger. Examples include:

- someone already active in the LP in another state who just moved to California
- someone who had long demonstrated support for the LPC as a contributor or volunteer but only recently changed registration
- a government official, popular candidate, or other celebrity who was convinced by some recent event to join the LP and had made a public announcement of joining
- a member just recruited in the context of a campaign or other party activity, where the recruiter is in a position to vouch for the member's enthusiasm for and commitment to our principles

The bylaws currently permit a very limited number of exceptions, by allowing each Executive Committee member to seat one person who does not meet this 90-day requirement. There are several problems with this. First, there could easily be more people in one or more of the above categories than there are EC members. Second, EC members are not required to explain why an individual should be granted an exception nor is there any mechanism for anybody else to question the appropriateness of such an exception. Third, somebody who almost everyone would agree should be granted an exception might never be named by an EC member simply because no EC member even knows about him/her – because no EC member lives in his/her county. Other proposals to address these issues, e.g., by reducing the time requirement, would weaken the existing protection *without* necessarily addressing some of the *most appropriate* cases – for example, a long-time LP member who moved to California three weeks before the convention, or a major celebrity who held a press conference about joining the LP two days before the convention.

This proposal would make two changes: (1) It would increase the number of potential exceptions by allowing any *delegate* (who already met the requirement) to propose that an exception be made. (2) It would require a vote of the convention to actually seat the person (providing an opportunity for the appropriateness of the exception to be questioned and judged).

#### **Bylaw 19: Convention**

##### **Section 3**

Delegates to the convention shall be current State Central Committee members, and shall either hold public office or shall have been State Central Committee members for any ninety days prior to the convention.

Notwithstanding the above, each ~~Executive Committee member~~ [delegate present at the convention who is so qualified](#) may [seat](#) [nominate](#) one current State Central Committee member [who is not so qualified to serve](#) as a delegate. [Such additional delegates shall be seated upon approval by a 3/4 vote of the convention.](#)



## **Bylaws Amendment Recommendation with Advanced Notice**

**Submitted By:** David Naranjo, Orange County

### **Reason:**

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A version of this amendment is already part of the 2022 Bylaws Committee Report (Recommendation 6). However, after the recommendation was incorporated into the report, I decided to add more specific language about residency and party registration for County Central Committee membership.

County organizations should have more freedom to improve the party's representation at the local level and engage with registered Libertarian voters. County Central Committees should decide whether or not they want to allow all registered Libertarians to directly participate in the selection of party representatives at the county level, and how those party representatives are selected.

This amendment would give county parties more flexibility in deciding who is eligible to be a County Central Committee member and how those members are selected. It adds the option—but not the requirement—to elect County Central Committee members during a statewide primary election, or at a caucus or convention. County Central Committees can keep their current membership eligibility requirements or selection process.

In addition, the Libertarian Party of California agreed to adhere to the “Peace and Freedom Party” section of the California Election Code (Sections 7700–7884) when it became a qualified party; this amendment brings our County Central Committee selection process more in line with those rules. The first three paragraphs in the proposed change uses some of the language found in the California Election Code, which was adopted by other qualified political parties, regarding the selection and eligibility of County Central Committee members:

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201120120SB1272](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201120120SB1272)

### **Impact:**

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This amendment would replace the existing language in Section 2 of Bylaw 9. It would have no impact on the way State Central Committee members are selected or defined. It would enfranchise Libertarian voters in counties that opt to include all registered Libertarians in their County Central Committee selection process. It may impact who can qualify as a County Central Committee member, or how those

### **Legend**

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Additions are noted in **blue bold underline**.

members are selected, in counties where the county organization chooses to change their current requirements or selection process.

**Bylaw Amendment Proposal:**

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Amend Bylaw 9: County Organizations, Section 2 as follows:

**Bylaw 9: County Organizations**

*Section 2*

~~*State-Central Committee membership shall be the only requirement for County Central Committee membership.*~~

~~*A Party member may be a member of only one County Central Committee, which does not have to be the Committee of the county of the member's residence.*~~

~~*A County Central Committee membership confers voting privileges for that member in that county.*~~

A County Central Committee, in accordance with the rules and regulations adopted by that committee, may select its County Central Committee members in a statewide direct primary election, by holding a caucus or convention, or by using any other method of selection approved by the County Central Committee.

A County Central Committee may establish residency within the county in which the central committee is located as part of its eligibility requirements for County Central Committee membership. Central Committee members may be elected "at-large" countywide, or based on residency in a supervisorial or Assembly district within the county.

A County Central Committee may establish the length of time that a member must be a registrant of the Libertarian Party and the length of time that a member must not have been a registrant of any other political party, as part of its eligibility requirements for County Central Committee membership.

State Central Committee membership shall be one of the requirements for membership on a County Central Committee. A State Central Committee member may be a member of only one County Central Committee. A County Central Committee member shall not be a registrant of, or hold office in, any political party other than the Libertarian Party.

A County Central Committee may establish additional eligibility requirements for County Central Committee membership.

**Legend**

Deletions are noted in ~~*red bold-italic strikethrough*~~.

Additions are noted in blue bold underline.



**Bylaw as Amended:**

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**Bylaw 9: County Organizations*****Section 2***

A County Central Committee, in accordance with the rules and regulations adopted by that committee, may select its County Central Committee members in a statewide direct primary election, by holding a caucus or convention, or by using any other method of selection approved by the County Central Committee.

A County Central Committee may establish residency within the county in which the central committee is located as part of its eligibility requirements for County Central Committee membership. Central Committee members may be elected “at-large” countywide, or based on residency in a supervisorial or Assembly district within the county.

A County Central Committee may establish the length of time that a member must be a registrant of the Libertarian Party and the length of time that a member must not have been a registrant of any other political party, as part of its eligibility requirements for County Central Committee membership.

State Central Committee membership shall be one of the requirements for membership on a County Central Committee. A State Central Committee member may be a member of only one County Central Committee. A County Central Committee member shall not be a registrant of, or hold office in, any political party other than the Libertarian Party.

A County Central Committee may establish additional eligibility requirements for County Central Committee membership.

**Legend**

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