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**LIBERTARIAN PARTY OF TEXAS**



**STATE RULES**

**ADOPTED IN CONVENTION**

**Austin, Texas**

**June 12, 2010**

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## **I. Statement of Principle**

We, the members of the Libertarian Party, seek the maximum protection for the rights of all people against any violation, be it by other people, other nations, or our own government.

Every human being is born master of himself or herself, sole owner of his or her body and mind, free to live and act as he or she sees fit. It is our principle that, so long as a person does not violate the rights of others, he or she should be left free and unrestrained. Government tends to operate on the opposite principle, that the State is master and the individual the servant, to act only as directed by those in power.

We deny the right of any government to coerce peaceful citizens. Governments exist for the sole purpose of defending the freedoms of their citizens. These freedoms include the right to life; the right to liberty of thought, speech and action; and the right to property. When government violates these freedoms- by initiating force against them, by prohibiting the act and means of self-defense, by censoring thought, word and deed, or by taking property without the consent of the owner- the government must be brought to heel.

Government is, essentially, raw concentrated force, and thus prone to abuse. It is established and tolerated only as the agent and servant of the people- not their master. The force of government must be used only in response to an attack, fraud, or other initiation of force against an individual, group or government by another individual, group or government.

Governments have no business interfering in voluntary and contractual relations among individuals. Only to prevent or to rectify acts of fraud should government step in – never for purposes of redistributing wealth or providing special privilege to a few. Under no circumstances should government be allowed to prefer one set of people or handicap another, for whatever reason. All people should be equal under the law, free to deal with one another in a free market, the only system compatible with the principle of individual rights.

The power of government must be kept to the minimum necessary to protect the rights of its citizens, and no more. Granting more power than that minimum allows the corrupt, the ambitious, and

the tyrannical to run roughshod over the rights of the citizen. It is our mission to contest this trend, to stop its expansion and to reverse it, working towards the ideal society envisioned by the Founders and enshrined in the Constitution of the United States.

## **II. Name, Duration, Purposes and Membership**

### **1. Name**

The name of this organization shall be the “Libertarian Party of Texas”, hereinafter referred to as the “Party”.

### **2. Duration**

The duration of this organization shall be perpetual.

### **3. Purposes**

The purpose for which this Party is organized is to implement and give voice to the principles embodied in the Party’s Statement of Principles by:

- a) Nominating and supporting candidates for the United States Congress and for state and local offices in Texas;
- b) Promoting, establishing, and coordinating campaigns and campaign headquarters wherever necessary throughout the state;
- c) Entering into political information activities; and
- d) Affiliating with the national Libertarian Party.

### **4. Membership**

#### **a) Voting Membership eligibility**

A person is eligible to become a Voting Member of the Party if the person:

- 1) is a qualified Texas voter;
- 2) generally supports the Party’s Statement of Principles; and
- 3) is not affiliated with any other political party.

#### **b) Voting Membership**

- 1) During a voting year, on or after the date of the Precinct Conventions, an eligible person may become a Voting Member by affiliating with the Party.
- 2) During any other period of time, an eligible person may become a Voting Member by being accepted as a Voting Member by the State Executive Committee, or by the

County Executive Committee of the county in which the person resides.

c) Termination of Voting Membership

A person's Voting Membership shall terminate if the person:

- 1) ceases to be eligible for Voting Membership under subsection (a); or
- 2) fails to affiliate with the Party on the date of the next Precinct Conventions.

d) No dues for Voting Members

No dues shall be required for a person to become a Voting Member.

e) Other Classes of Members

The State Executive Committee may create, eliminate or modify other classes of Membership. Such classes may or may not require Voting Membership, and may or may not require payment of such contributions or dues as the State Executive Committee shall deem proper. Such classes shall not grant any preference or privilege regarding the strength of votes or the manner of voting, or in election or appointment to office.

f) Membership in general

All Voting Members, and all Members of other classes created by the State Executive Committee, shall be considered Members of the Party.

g) Nondiscrimination

No eligible persons' rights of Membership and participation shall be denied or restricted.

### III. Party Organization

#### 1. State Executive Committee

a) Composition:

The State Executive Committee of the Party shall be composed of:

- 1) A Chair
- 2) A Vice Chair
- 3) A Secretary
- 4) A Treasurer
- 5) Representatives from State Senatorial Districts.

6) Members of the National Committee representing Texas ex officio with voice but no vote.

b) Terms of Office

The term of office of all members of the Committee shall be from the final adjournment of the State Convention at which they are elected until the final adjournment of the next state Convention.

c) Method of Selection

- 1) The Chair, Vice Chair, Secretary, and Treasurer shall be elected by majority vote of all the delegates at each State Convention.
- 2) The delegates present at each State Convention from each State Senatorial District shall meet and elect in district caucuses up to two representatives from that State Senatorial District.
- 3) If a district caucus fails to elect a District Representative to the Committee, or should a State Senatorial District fail to be represented by delegates at the state convention, the office of District Representative for that district may be filled by the State Executive Committee.

d) Duties

- 1) The Chair shall be the principal and presiding officer of the Committee and the chief executive officer of the Party.
- 2) The Vice Chair shall be the Chief Operating Officer of the Party, shall perform the duties of Chair whenever the Chair is unable to do so, and shall assist the Chair.
- 3) The Secretary shall keep such minutes and records as are necessary; shall conduct mail balloting; shall give all notices required by these rules; shall maintain and certify the official copies of the Rules and Platform; shall maintain a roster of names, addresses and telephone numbers of members of the State Executive Committee, of County Chairs and of candidates for the Party's nomination for public office; shall cause the minutes or transcripts of meetings of the State Executive Committee to be furnished to the members of the committee as specified in these rules; and perform such other duties as the Chair directs.

4) The Treasurer shall be the Chief Financial Officer of the

Party, shall maintain Party bank accounts and other financial assets, shall ensure that the State Executive Committee is aware of the financial condition of the Party, shall issue financial statements to the State Executive Committee at least quarterly, shall ensure that Party funds are disbursed only according to these rules and state or federal law, and shall perform all other duties required of his or here office by applicable federal or state law, or by action of the Executive Committee or by these rules.

- 5)The District Representatives shall actively further the growth of the Party within their district and shall make all reasonable efforts to establish and promote local Party organizations therein.
- 6)All members of the Committee shall further have all other authority and duties implied by their title and expressed or implied by these Rules, or assigned by the Chair or the Committee.

e) Vacancies and Removal from office for Absences

1)Vacancies

Should a vacancy occur in the office of Chair, Vice Chair, Secretary, Treasurer, or District Representative, the State Executive Committee shall elect a successor to fill the vacancy for the remainder of the term.

2)Removal from office for absences

(a)If an officer or district representative is absent from two successive meetings of the Committee, at the call to order of the second meeting that position shall be declared to be vacant.

(b)Whenever the State Executive Committee removes a member of the Committee, the Secretary shall officially notify that member of their removal.

f) Meetings

- 1)Notice of the time and place of all Committee meetings shall be given to all members not less than four (4) weeks prior to each meeting.
- 2)No meetings of the State Executive Committee shall be held outside the State of Texas.

g) Mail Voting

- 1)The State Executive Committee may, without meeting together, transact business by mail, by voting on questions submitted to them by or with the approval of the Chair or one-third or more of the Committee members.
- 2)Fifteen days shall be allowed for the return of the ballots by mail to the Secretary. If at the end of fifteen days, a majority of the Committee have not returned their ballots, the measure shall be considered defeated; when a majority of the ballots are returned within fifteen days, a majority of the ballots returned shall be sufficient for passage unless a higher vote is required by these Rules.
- 3)The Secretary must preserve all mail ballots received until their disposition is decided at the next meeting of the Committee.
- 4)All mail votes by the State Executive Committee shall be confirmed at the next State Executive Committee meeting.

h) Telephone or Internet Voting

- 1)The State Executive Committee may, without meeting together, transact business by telephone or internet-based conference call, by voting on questions submitted to them by or with the approval of the Chair or one-third or more of the Committee members.
- 2)Notice of the time of all conference calls shall be given to all members of the Committee not less than 72 hours prior to each call.

i) Removal for cause

- 1)A member of the State Executive Committee may be removed for causes other than repeated absences from meetings by a three-fourths vote of the other members of the Committee.
- 2)Procedures set forth in the Party's parliamentary authority for disciplinary action shall be adhered to in order to protect the rights of both the accused and of the organization, including:
  - (a)the appointment of an investigating committee;
  - (b)the adoption of a resolution preferring specific charges;

- (c) setting a special executive committee meeting for a trial; and
- (d) the holding of a trial of the accused.

## 2. County Executive Committees

### a) Designated by County Conventions

- 1) There shall be in each county a County Executive Committee composed of a County Chair and such other Party officials of that county as the Voting Members of that county may designate. Any Party officials to serve on a County Executive Committee (except for the County Chair) must be appointed or elected according to a set of bylaws, to be drafted and ratified by the Voting Members of that county, and subject to rejection by the State Executive Committee.
- 2) Such membership shall further designate the procedure to be followed in filling vacancies on the County Executive Committee.
- 3) Members of the County Executive Committee shall be elected at the regular County Conventions in even-numbered years, and their terms of office shall be from the adjournment of the regular Convention at which they are elected until the adjournment of the regular Convention in the second year thereafter.
- 4) County Chairs are required to provide a copy of the county by-laws to the State Secretary upon any adoption or alteration of said county by-laws. In the absence of county by-laws being on file, SLEC has the authority to recognize a qualified individual as county chair in the event of a dispute.

### b) Appointment of Temporary Chairs

The State Chair or his designates may appoint a Temporary County Chair for any county which is not yet organized. Such Temporary Chairs shall serve only until their County Party formally elects its own Chair. The State Executive Committee may remove such Temporary Chairs from office for any reasons they deem proper.

### c) Precinct Charis

In counties without local rules specifying a procedure for

selecting Precinct Chairs, the County Executive Committee shall select the Precinct Chairs.

### d) Automatic Removal

Any County Chair who, for whatever reason, fails to hold a County Convention in an even-numbered year in accordance with these Rules or who fails to report in a timely manner the results of such a Convention to the State Chair or such officer designated to process such reports, shall no longer be County Chair. Any vacancy thus created may be filled by appointment by the State Chair.

### e) Voting Membership required

All County Executive Committee members must be Voting Members of the Party.

## 3. District and Precinct Executive Committees

### a) District Executive Committees

Whenever these Rules or the actions of the State Executive Committee shall require action by a District Executive Committee, the membership of any such District Executive Committee shall be determined as follows:

- 1) For districts composed of less than one whole county, the Precinct Chairs within that district shall constitute the Committee, and such Precinct Chairs shall elect one of their number to serve as Chair of the Committee.
- 2) For districts composed entirely of one whole county, the County Executive Committee shall constitute the District Executive Committee and the County Chair shall be Chair of the District Executive Committee.
- 3) For districts composed of more than one whole county, or parts of more than one county, the District Executive Committee's membership shall consist of the County Chair of each county wholly within that district, and one District Committee member elected from among their number by each group of Precinct Chairs within that part of a county which is partially included in such district. If there is no county chair for any county wholly contained within the District and no precinct chair for any precinct within a District, then the county chair(s) of counties not wholly contained by the District shall comprise the District Executive Committee. The District Executive

Committee thus formed shall elect its own Chair.

4) Within three days after any meeting at which District Executive Committee members are chosen as provided herein, the appropriate County Chair shall forward to the State Chair the names and addresses of the members of the District Executive Committee and within three days after the selection of the Chair of the District Executive Committee, the District Executive Committee shall forward to the State Chair the name and address of such Chair.

b) Precinct Executive Committees

The same general procedures as outlined in this section of this Article for District Executive Committees shall apply to Executive Committees for Commissioner's Precincts and Justice Precincts within a county.

4. General Rules for the State Executive Committee

a) Governing Authority

- 1) These rules shall govern the conduct of all meetings and proceedings of the State Executive Committee of the Party.
- 2) The rules contained in the current edition of Robert's Rules of Order Newly Revised are hereby adopted by reference to govern all meetings and proceedings of the State Executive Committee of the Party in all cases to which they are applicable and in which they are not inconsistent with state law, these Rules, or any special rules of order the Committee may adopt.
- 3) The State Executive Committee may make additional rules for its conduct so long as said additional rules do not conflict with these rules.

b) Powers of the State Executive Committee

- 1) In compliance with these Rules and the directives of Conventions, the State Executive Committee of the Party shall carry on the activities of the Party at its level between Conventions, and shall have the control and management of all Party affairs, properties, and funds at its level.
- 2) The Chair of the State Executive Committee, subject to the approval of that Committee, or the State Executive Committee itself, may appoint, elect or employ any such

officers and assistants as may be deemed necessary to assist the Committee in its function and in making arrangements for Conventions at that level.

3) The State Executive Committee shall decide whether to hold a Primary Election, and make appropriate notification thereof.

c) Qualifications of State Executive Committee members

- 1) All Party officers and all members of the State Executive Committee must be Voting Members of the Party.
- 2) All Party officers and all members of the State Executive Committee must be residents of the region or political subdivision they represent, and the moving of his or her residence by a Party official out of such region or political subdivision shall mean an automatic vacancy of his or her office.
- 3) No person shall hold more than one membership on the State Executive Committee at the same time.

d) Meetings of the State Executive Committee

- 1) The State Executive Committee of the Party shall meet at such times and places and in the manner required by:
  - (a) these rules;
  - (b) the action of the Committee itself;
  - (c) the call of its Chair; or
  - (d) the action of the Convention which elected it.
- 2) The State Executive Committee shall be required to meet upon the written request of one-third or more of its members.
- 3) Minutes or a transcript shall be taken at all meetings of the State Executive Committee, and a written copy shall be furnished to each member of the Committee within thirty days after the meeting.
- 4) All meetings of the State Executive Committee of the Party, except for executive sessions solely for the holding of a trial and possible removal of a member or alternate to the State Executive Committee, shall be open to attendance by the public and the press.

e) Quorum

Except as specifically provided otherwise in these Rules, a

majority of the membership, excluding vacancies, shall be the quorum at all meetings of the State Executive Committee.

f) Approval of Expenditures

- 1) Expenditures from current revenues of the Party may be authorized and made to fund the ongoing activities of the Party and to meet its outstanding obligations by a favorable vote of the majority of the State Executive Committee, excluding vacancies.
- 2) Approval of the expenditure of funds by the State Executive Committee shall require a favorable vote of a majority of the membership of that Committee, excluding vacancies.
- 3) No other funds shall be expended without the advance approval of the State Executive Committee except as otherwise provided for in these rules.
- 4) The State Executive Committee may not incur debt, and it may not obligate the Party to pay any account payable or fulfill any contractual obligation that cannot be repaid from current revenue.

g) Voting in Meetings

- 1) Unless otherwise specified in these Rules, the method of voting in all meetings of the State Executive Committee may be:
  - (a) voice vote;
  - (b) show of hands;
  - (c) standing division of the house;
  - (d) written secret ballot; or
  - (e) roll call vote.

The voting mechanism shall be Plurality voting or Approval Voting.

In Plurality Voting, voting members get one vote per round. If there is no winner in a given round, a new round commences wherein the lowest vote getter other than NOTA is eliminated.

In Approval Voting, voting members other than the Chair may vote for as many or few candidates as they wish. There is only round of voting. The candidate that

gets the most votes wins. The Chair does not vote in Approval Voting except in the case of a tie vote, in which case the Chair is obliged to break the tie by voting for one and only one of the candidates in the tie.

In either case, if NOTA wins, then none of the candidates are eligible for the honor or position offered by the given election. If the position must be filled, new nominations are opened and a new vote is conducted.

- 2) The method used shall be left to the discretion of the Chair unless the Committee shall vote otherwise.
- 3) A division vote must be taken on the request of any member of the Committee, said member not needing to have the floor to make such request.
- 4) One fifth of the membership of the Committee shall be sufficient to order a roll call vote.
- 5) All votes taken shall be counted by the Chair and Secretary of each Committee.
- 6) The use of proxies and proxy voting is prohibited at all meetings of all Executive Committees at any level.
- 7) For all votes electing someone for any party position, None of the Above or an equivalent must be one of the choices. Any election by the SLEC without the ability to elect none of the candidates is void.

h) Committees of the Executive Committee

- 1) The State Executive Committee may establish such committees as it deems appropriate to assist it in carrying out its non-statutory duties, and may appoint to such committees persons who are not members of the State Executive Committee.
- 2) No action of a subcommittee of or of any standing committee created by the State Executive Committee shall replace or supersede the actions or authority of the State Executive Committee at its subsequent meetings.

#### IV. Party Conventions

##### 1. Precinct Conventions

- a) A Precinct Convention will be held in even numbered years in accordance with these Rules.
- b) Each Precinct Convention shall automatically elect all

participants thereof to be delegates to the County convention and shall elect no alternates.

- 1)The qualifications for delegates shall be the same as those for participation in the Precinct Convention
- 2)A person otherwise qualified need not be present at the Precinct Convention to be elected a delegate to the County Convention.

## 2. County Conventions

- a) A County Convention will be held in even numbered years in accordance with the Texas Election Code.
- b) All candidates for the Party's nomination for public office and for Party leadership shall be given an opportunity and encouraged to declare, prior to the voting on the office he or she is seeking, what if any disagreements he or she may have with the state and national platforms.
- c) The County Convention shall be composed of all delegates thereto who were duly elected by their Precinct Conventions that year.
- d) The County Convention shall elect delegates to the State Convention and to any appropriate District Conventions.
  - 1)Counties may elect alternates not to exceed the total number of delegates allocated.
  - 2)All delegates and alternates elected by a county convention must be qualified voters of that county.
  - 3)A person otherwise qualified need not be present at the County Convention to be elected a delegate or alternate to the State or District Conventions.
- e) Unless specifically addressed by the County Bylaws, all delegates may vote for nomination of candidates for districts that are entirely contained within the county.

## 3. District Conventions

- a) A District Convention will be held in even numbered years for each district which is made up of more than one county or parts of more than one county and for which district at least one person has filed with the State Chair an application as a candidate for nomination for public office.
- b) All candidates for the Party's nomination for public office and for Party leadership shall be given an opportunity and

encouraged to declare, prior to the voting on the office he or she is seeking, what if any disagreements he or she may have with the state and national platforms.

c) The District Convention shall be composed of all delegates thereto who were duly elected by their County Conventions of that year.

d) Between 10 days and 20 days following the deadline for making applications for the nomination of the Party in a general election, the Secretary shall send each elected and temporary county chair a letter informing the chair that they are to constitute a District Executive Committee (as specified in these rules) for each district for which one or more candidates have filed application for nomination. The letter shall contain the following:

- 1)A list of the districts which are contained in whole or in part in her or his county for which one or more applications for nomination have been received;
- 2)The names, addresses, and phone numbers of the Chairs of the other counties in each such district;
- 3)A list of candidates who have filed for the Party's nomination for each district.

e) The District Executive Committee shall determine the time and location of the District Convention for that district. Care shall be given to minimize scheduling conflicts between overlapping districts.

## 4. State Conventions

- a) Composition and when held
  - 1)A State Convention will be held in even numbered years in accordance with these Rules.
  - 2)The State Convention shall be composed of all delegates thereto who were duly elected by their County Conventions of that year.
- b) Apportionment of Delegates
  - 1)At the same meeting of the State Executive Committee at which the time and place of the next State Convention are decided, the Committee may limit the number of delegates that each county may elect to the State Convention to a fraction of the total number of votes cast in that county for all Libertarian nominees for statewide

offices in the most recent general election for state and county officers. Such a fraction, if established, shall be uniform for all counties.

- 2)The number of delegates for each county calculated under subsection (1) shall be rounded up to the nearest whole number and not to be below a minimum allocation set by the state executive committee.

c) Committees of the Convention

1)Committees described

(a)A Platform Committee, which shall consider and report to the Convention on recommendations for amendments to the permanent Statement of Principles and Platform of the Party;

(b)A Rules Committee, which shall consider and report to the Convention on recommendations for amendments to the permanent Rules of the Party;

(c)A Credentials Committee, which shall consider and report to the Convention on recommendations for resolution of any challenges to the credentials of delegates to the convention;

(d)Any other committees which the State Executive Committee may deem it proper to establish.

2)Membership of Committees

(a)The members of all committees at State Conventions shall be appointed by the State Executive Committee no later than four months prior to the Convention.

(b)Those persons chosen to be members of committees must be notified of their selection within thirty days after the Executive Committee meeting at which they are selected.

d) Order of Business

At all State Conventions the order of business shall be as follows:

- 1)Call to order by the State Chair;
- 2)State Executive Committee report on the temporary roll;
- 3)State Chair introduces temporary officers of the Convention and turns over gavel to Temporary Chair if he or she has appointed someone other than himself or

herself to act as Temporary Chair;

- 4)Opening ceremonies, if any;
- 5)Report of the Credentials Committee and action on its report to establish the permanent roll;
- 6)Nomination and election of permanent officers of the Convention;
- 7)Permanent Chair takes the chair;
- 8)Report of the Rules Committee and action on its report;
- 9)Nomination of candidates for public office;
- 10) Nomination and election of State Party officers;
- 11) Permanent Chair announces clearly to the delegates the place of each regional caucus, then declares a brief recess for such caucuses;
- 12) Regional caucuses meet and elect District Representatives;
- 13) Permanent Chair calls Convention back to order;
- 14) Regional caucuses report on election of District Representatives;
- 15) Nomination and election (if any) of delegates and alternates to the national convention;
- 16) Report of the Platform Committee and action on its report;
- 17) Nomination and election (if any) of Presidential Elector candidates;
- 18) Other business;
- 19) Acceptance speeches (if any) by certain nominees for public office;
- 20) Adjournment.

e) Functionaries of the State Convention

- 1)The State Chair may designate such temporary officers and assistants as he or she deems necessary to plan, arrange, and conduct the necessary work of the Convention until it elects its own permanent officers. Such temporary officers and assistants shall have those duties which are assigned to them.
- 2)The permanent officers of the Convention shall be a Chair, Secretary, and any additional officers who may be

elected.

- 3)The Parliamentarian shall be chosen before the Convention by the State Executive Committee.
- 4)The permanent officers shall be elected separately and not as a slate.

f) Voting in District Caucuses

District caucuses at State Conventions may elect their District Representatives in whatever manner they choose as long as all delegates present from that region are given an equal voice in the election.

g) Voting on contested positions

- 1)In voting on delegates to a national convention, or Presidential Elector candidates in all cases in which there are more candidates than there are positions to be filled a ballot shall be taken on which each delegate to the State Convention shall vote for as many candidates as the number of positions to be filled, but no person may cast more than one vote for any single candidate.
- 2)That number of candidates equal to the number of positions to be filled who receive the highest vote totals shall be elected, providing each received votes from a majority of those present and voting.
- 3)If all the positions are not filled on the first ballot, then as many subsequent ballots shall be taken under the same procedure as are necessary to fill all the remaining positions.

h) Election of Presidential Electors

- 1)The State Conventions in Presidential election years shall elect a number of Presidential Elector candidates equal to the total number of United States Senators and Representatives to which the state is at that time entitled under law.
- 2)Any Voting Member of the Party who does not hold any office of profit or trust under the United States shall be eligible to be a Presidential Elector candidate.
- 3)Following the State Convention at which they are elected, each Presidential Elector candidate shall file with the State Chair a written affidavit attesting to his or her intention to support the Party's Presidential and Vice

Presidential nominees. Should any Presidential Elector candidate fail to file such affidavit within a reasonable time, he or she shall be subject to removal and replacement by the State Executive Committee.

i) Election of delegates to National Conventions

1)Number of delegates

The total number of delegates to the national convention shall be that number assigned by the National Executive Committee in their call to the Convention.

2)Voting for alternates for delegates

(a)In voting on alternates for delegates to the national convention, a single ballot shall be taken on which each voting delegate to the State Convention may vote for as many persons as there are alternate positions to be filled, but not casting more than one vote for any single candidate.

(b)Those persons receiving the highest number of votes in the order of precedence of the higher number of votes shall be declared elected.

(c)At the national convention such alternates shall serve in the same order of precedence in the absence of delegates, except as may be provided otherwise by the rules of the national Party.

3)Selection by State Executive Committee

(a)If national Party rules should require election of delegates to a national convention at a time when it would not be possible for a State Convention to do so, such delegates shall be chosen by an open meeting of the State Executive Committee.

(b)At least 60 days prior public notice of this meeting shall be given including publication in a state Party newsletter or other form of written notice.

(c)Any Voting Member may appear before the State Executive Committee at this meeting for a reasonable time to present arguments for the election of himself or herself or any other Voting Member to be a delegate.

4)Finality of delegate selection

Neither the delegation nor the delegation chair shall have

the power to add or remove delegates or alternates.

- j) Opportunities for expressing disagreements with platform  
All candidates for the Party's nomination for public office and for Party leadership shall be given an opportunity and encouraged to declare, prior to the voting on the office he or she is seeking, what if any disagreements he or she may have with the state and national platforms.

## 5. General Rules Governing Party Conventions

### a) Governing Authority

- 1) These Rules shall govern all proceedings and the conduct of all meetings of all Conventions and caucuses and committees at Conventions at all levels.
- 2) The rules contained in the current edition of Robert's Rules of Order Newly Revised are hereby adopted by reference to govern all proceedings and the conduct of all meetings of all Conventions and Caucuses and committees at Convention of the Party at all levels in all cases to which they are applicable and in which they are not in conflict with state law, these Rules, or any special rules of order which may be adopted.
- 3) Any Convention may make any additional rules for its conduct and proceedings which do not conflict with state law or these Rules.
- 4) It shall be the duty of the presiding officer at the opening of each Convention to provide a summary explanation of the special rules which will govern that convention and the ways in which the action of that Convention may influence important Party actions and decisions at subsequent levels of the Convention process.

### b) Location of Conventions

- 1) All Party Conventions shall be held at places which shall be of easy public access to all participants who have expressed their intention to participate to the appropriate County, District or State Executive Committee at least 75 days before the scheduled date of the convention.
- 2) All Party Conventions shall be held in a place that is large enough to accommodate the greater of:
  - (a) The number of participants who participated in the

same convention two years prior; or

(b) The number who have expressed their intention to participate to the appropriate County, District or State Executive Committee at least 75 days before the scheduled date of the convention.

- 3) The State Executive Committee is directed by these rules to issue an order that the places for precinct and other Party conventions are not required to meet the same requirements as a polling place under Section 43.034(a) of the Texas Election Code. The order must be entered in the minutes of the State Executive Committee no later than the 30<sup>th</sup> day before the date precinct conventions are to be held and shall be valid at least until the end of the next State Convention.

### c) Eligibility to vote at Conventions

- 1) All delegates at any convention shall be eligible to vote on all matters before the floor of that Convention, except for district caucuses at County Conventions and regional caucuses at State Conventions.
- 2) In order to vote on any given matter, a delegate must be present on the floor at the time the vote is taken.
- 3) Each delegate present shall have one vote.
- 4) A person must be a Voting Member of the Party in order to participate in procedures at a Convention or serve as a delegate.

### d) Quorum

The quorum at any Convention shall be a majority of the delegates or qualified participants registered as attending.

### e) Voting procedures

- 1) Unless otherwise provided elsewhere in these Rules, the method of voting at all Conventions, and caucuses and committees at Conventions of the Party may be:
  - (a) Voice vote;
  - (b) Show of hands;
  - (c) Standing division of the house;
  - (d) Written secret ballot; or
  - (e) Roll call vote.
- 2) Unless otherwise specified in these Rules, the method

used shall be left to the discretion of the presiding officer, provided, however, that:

(a) A division vote must be taken on the request of any qualified participant. Said participant need not have the floor to call for a division vote.

(b) A roll call vote must be taken when requested by one-fifth of the participants.

3) All votes taken shall be counted by the presiding officer and secretary.

4) Elections must be held by secret ballot when there is a contested race for any Party office or offices (including delegate and alternate) or for the Party nomination for any public office (including Presidential Elector candidates).

5) If a roll call vote is taken, polling shall be by alphabetical call of all delegates registered as attending.

6) Proxy voting or voting by proxies is prohibited in all conventions and caucuses and committees at Conventions of the Party.

7) The use of the unit rule or the practice of instructing delegates shall not be permitted at any level of the Convention process.

f) Limits on discussion

1) No delegate shall speak for more than five minutes on any one motion at any Convention; provided, however, that the delegates making the majority and minority reports of any committees may speak on such reports for not exceeding ten minutes each and then may answer legitimate questions relating to such reports from any delegate.

2) The discussion on any motion shall not exceed a total of twenty minutes time.

g) Petition to place item on agenda

A petition signed by ten percent of the delegates attending any Convention shall be sufficient to automatically place any legitimate item of business on the agenda of that Convention for its consideration.

h) Committees and Committee Reports

1) Committee procedures in general

(a) The Chair of each committee at a Convention shall be the presiding officer of that committee.

(b) The vote of a majority of those committee members present shall be necessary to recommend to the floor the passage of any proposal.

(c) A committee member must be present in order to vote.

(d) A majority of the voting membership of each committee excluding vacancies shall constitute a quorum for that committee.

2) Right of delegates to appear before committees

(a) Any delegate to a Convention shall have the right to appear before any committee of that Convention and make recommendations for the committee's consideration.

(b) A committee may make reasonable rules governing the time and manner of such presentations, which may include a requirement for submission of the proposal in writing to the Chair of the committee.

(i) Such submission in writing may not be required to be more than three days prior to the first official convening of the committee.

(ii) No requirement may be adopted after it is too late to meet the requirement.

3) Convening of committees

All committees, except the Platform Committee, shall first convene officially no later than the first day immediately preceding the Convention to which they shall report, but such committees may meet informally at any time at their discretion.

4) Committee Reports

(a) The chair of each committee shall report the committee's recommendations to the floor of the Convention, and the presiding officer thereof shall then open the floor for discussion of the report and shall preside over any discussion of and any votes upon the report.

(b) Any committee may also issue a minority report or reports which shall have priority of consideration as proposed amendments to the majority report of the committee.

(c)After minority reports have been dealt with, any delegate receiving a second may propose an amendment to the report, providing that the substance of such proposal shall have been considered by the committee or shall have been presented to the committee for its consideration.

(d)Each proposed amendment to the report shall be debated and voted upon separately.

(e)When all proposed amendments to the report have been considered, the delegates shall then vote on the committee's report as amended as a whole.

5)Procedures for Platform Committee reports

(a)The Platform Committee must vote on each specific proposed plank or amendment separately.

(b)In the case of the Platform Committee, the committee Chair shall report the committee's recommendations to the floor on a plank by plank basis, and each shall be debated and voted upon separately in the following order:

(i) Those recommendations receiving a unanimous favorable vote in committee.

(ii) Those recommendations receiving a unanimous favorable vote, less abstentions, in committee.

(iii) Those recommendations receiving a favorable vote in committee, regarding which there is not a minority report.

(iv)Those recommendations receiving a favorable vote in committee, regarding which there is a minority report.

(c)Each Platform Committee recommendation shall be considered in the following manner:

(i) The Platform Committee Chair, or some other person, shall have up to two minutes to give the committee's thinking in making the recommendation;

(ii) The Chair of the Convention shall then open the floor to discussion of the recommendations for up to fifteen minutes;

(iii) During this time amendments may be proposed

from the floor, one at a time, and the proposed amendments shall be voted on before voting on the recommendation, as amended.

(iv)In the case of a Platform Committee recommendation for which there is a minority report, after the majority position has been presented the minority report shall have priority of consideration as a proposed amendment to the majority report and a spokesperson for the minority shall have up to two minutes to present his or her position before the fifteen minute discussion period begins.

i) Statement of Principles and Platform Amendments

1)The Statement of Principles adopted by the Party at the first State Convention in July, 1972, as amended in accordance with the Rules, shall remain the permanent Statement of Principles of the Party. Aside from the Statement of Principles, the party shall have no permanent Platform; all planks in the Platform adopted at a previous convention shall expire or sunset upon the end of the third convention from adoption (6 years) unless the plank is deleted, renewed, or altered by a subsequent convention body. The Platform Committee shall have the authority to recommend changes to or deletions of any plank before its scheduled sunset date.

2)Proposed amendments to the Statement of Principles and Platform must be voted upon separately on a plank by plank basis.

3)Each proposed plank or amendment must receive the votes of two-thirds of the voting delegates for inclusion in the Platform.

4)An existing plank may be deleted before its scheduled sunset date by a majority of the delegates.

5)Proposed resolutions must receive the votes of two-thirds of the voting delegates for adoption by the Convention.

j) Nominations for Public and Party office

1)Filing procedures

(a)No person may be the nominee of the Party for any public office who has not filed an application with the Party to be nominated for that office, in accordance with these

Rules.

(b) If a candidate who has made an application to be nominated withdraws, dies, or is declared ineligible, the filing deadline for applications for nomination for that office is reopened and extended until 11:59 PM of the day before the date of the Convention at which the nominee for that office is chosen.

2) Nominating procedures

(a) All nominations for Party office or for the Party nomination for public office shall be made from the floor and no nominations by committee shall be permitted.

(b) All nominations for Party office or for the Party nomination for public office shall be made separately and not as a slate.

(c) The motion to close nominations shall require a two-thirds vote, and such motion shall not be in order until a reasonable time has passed.

3) Exclusions from eligibility for nomination to public and Party office

(a) No Convention or Executive Committee of the Party may nominate or endorse any candidate for public office who shall appear on a partisan election ballot either as an independent or as the nominee of another party.

(b) No person may be the nominee of the Party for any public or Party office who:

- (i) is ineligible to serve in that office; or
- (ii) has not expressed a willingness to accept the nomination of the Party.

4) Balloting for candidates for public office

(a) Time of nominations

Nominations of candidates for public office at the State level may be made only at the State Convention held in the year of the election for which the nominations are made.

(b) Balloting procedures

(i) Majority vote required

The Party's nominees for public office shall be chosen

by vote of a majority of the delegates present and voting at the time of balloting at the appropriate Convention.

(ii) Normal balloting procedure

If after two ballots no candidate has attained a majority vote, the candidate receiving the lowest number of votes on the second ballot shall be dropped from all succeeding ballots, and this process shall be repeated for as many ballots as necessary for some candidates to be nominated, or until the Convention votes not to nominate any candidate. After each ballot from which no candidate receives a majority vote the presiding officer shall announce the total vote received by each candidate, including those candidates to be stricken from subsequent ballots.

(iii) Approval voting procedure

If there are more than two candidates for a public office, then the convention may, by majority vote, choose to use approval voting to make a nomination for that office. If approval voting is used, only one ballot shall be taken. Each delegate shall be permitted to vote for as many of the candidates as he or she wishes. All the votes for all candidates shall be tallied, and the candidate receiving the most votes shall be elected as the nominee; however, if no candidate receives votes from a majority of the voting delegates, then the candidate receiving the most votes shall stand against "none of the above" in a second ballot using the normal balloting procedure.

(iv) Order of nominations

In voting on the nomination of candidates for public office, the offices shall be considered in the reverse of the order in which they appear on the general election ballot.

5) Acceptance speeches

(a) Such candidates for public office nominated by a Convention as the relevant Executive Committee shall deem appropriate may give acceptance speeches to the Convention.

(b) Such speeches shall be heard in the same order as the

office for which the candidates were nominated were considered for the purpose of nominating the candidates.

6) Declining to nominate candidate for public office

A Convention may decline to nominate any candidate for public office, even if there are persons seeking the Party's nomination for that office.

7) Procedures for election to Party office

(a) Majority required

The vote of a majority of the qualified participants voting at the relevant Convention or caucus shall be necessary and sufficient for election to Party office, except for the position of alternate to a national convention, which shall be as provided elsewhere in these rules.

(b) Multiple ballot procedure

(i) Except as provided elsewhere in these Rules, in cases where no candidate receives a majority on the first ballot, the candidate receiving the lowest number of votes on that ballot shall be stricken from all subsequent ballots and this process shall be repeated for as many ballots as necessary for some candidate to secure election.

(ii) After each ballot from which no candidate receives a majority, the Chair shall announce the total vote received by each candidate, including those to be stricken from subsequent ballots.

(c) None of the Above

(i) Votes cast for None of the Above in voting for a Party office shall be considered valid and properly recorded.

(ii) Should a majority of the votes be cast for "None of the Above" in an election for a Party office, then that office shall be declared vacant and shall be filled as provided elsewhere in these Rules, but none of the persons who sought that office in that election shall be eligible to hold that office for that term.

k) News media right to attend

Representatives of the news media shall have the right to attend all Conventions for the purpose of reporting the

proceedings.

6. Combined Conventions

Each County Executive Committee may choose, with the consent of the State Executive Committee, to combine the Precinct and County Conventions into a single event. This combined convention shall be held at the time normally prescribed for the Precinct Convention. Precinct Chairs would then be elected by Precinct Caucuses.

**V. Adoption, Status, Amendment and Publication of Rules**

1. Effective date of original rules

These Rules shall be finally effective upon the final adjournment of the State Convention at which they are adopted.

2. Permanent amendments

These Rules may be permanently amended, altered or repealed only by a two-thirds vote of a State Convention.

3. Temporary amendments

a) Between State Conventions these rules may be temporarily amended for good cause by a vote of four-fifths of the entire membership of the State Executive Committee, provided:

1) each member of the Committee shall receive written notice including the full text of any proposed amendment at least two weeks prior to any meeting held to consider temporary amendments to the Rules; or

2) if the vote on the proposal is by mail ballot then the ballot shall contain the full text of any proposed amendment.

b) All such temporary amendments shall remain in effect only until the final adjournment of the next State Convention after their adoption, and they must be presented to that Convention for approval in the form of proposed amendments to the Rules.

c) If any temporary amendment is rejected by a State Convention following its temporary adoption neither that amendment nor any other having substantially the same effect may be considered again until the next State Convention thereafter.

4. Amendments to Statement of Principles of the Party

Whenever the party by two-thirds vote at the State Convention amends the permanent Statement of Principles of the Party, such vote shall also constitute automatic amendment to the Preamble to

these Rules to comply with the amended Statement of Principles.

5. Effective date of permanent amendments

Permanent amendments to these Rules shall become effective upon the final adjournment of the State Convention at which they are adopted except that rules pertaining to the handling or selection of candidates and nominees for public office do not take effect until the end of the current election cycle.

6. Permanence and Superiority of Rules

a) Superiority

1) These Rules, as permanently amended by State Conventions, shall constitute the permanent and continuing Rules of the Libertarian Party of Texas, wholly superseding, amending, nullifying and rescinding all previous rules, Constitutions, By-Laws, resolutions, regulations and customs of whatever type or kind.

2) On subjects not covered by these Rules, the State Chair may specify a temporary rule to take effect at the adjournment of the next meeting of the State Executive Committee if the rule is approved by that body by a four-fifths (4/5) vote. This temporary rule, once approved, is treated as a temporary amendment as described herein.

b) Permanence

These Rules shall continue in force until rescinded or permanently changed by action of a State Convention or as temporarily amended by the State Executive Committee as provided herein.

7. Publication of Rules and Amendments

a) County Chairs shall be notified of amendments to these rules (whether permanent or temporary) within thirty days following the adoption of such amendments.

b) The State Executive Committee shall have copies of these Rules made and shall furnish such copies to any person on request, provided, however, that persons to whom copies of the Rules are furnished may be required to pay the expenses incurred in making and mailing their copies.

c) The State Chair shall ensure that updated rules are sent to the Texas Secretary of State for review within thirty (30) days following the adoption of any temporary or permanent amendments.

CERTIFICATION

I hereby certify that this is a true and correct copy of the rules of the Libertarian Party of Texas currently in effect as adopted in State Convention in Houston, Texas November 16, 1974 and amended in State Convention in Dallas, Texas, June 12 1976; in Fort Worth, Texas, June 10, 1978; in San Antonio, Texas, June 14, 1980; in Houston, Texas, June 12, 1982; in Arlington, Texas, June 9, 1984; in San Antonio, Texas, June 14, 1986; in Austin, Texas, June 12, 1988; in San Antonio, Texas, June 9, 1990; in Arlington Texas, June 13, 1992; in San Antonio, Texas, June 11, 1994; in Lubbock, Texas, June 8, 1996; in Nacogdoches, June 13, 1998; in Corpus Christi, June 10, 2000; in Dallas, June 8, 2002; in College Station, June 12, 2004; in Houston, June 11, 2006; in Fort Worth, June 14, 2008; and in Austin, June 12, 2010.