



# Bylaws of the Libertarian Party of Montgomery County

## Article 1. General

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### 1.1 Name

The name of this organization shall be the Libertarian Party of Montgomery County, also known as “LPMontgomery”, and hereinafter referred to as “County Affiliate”. As a Texas county party, this organization is an affiliate of the Libertarian Party of Texas, hereinafter referred to as “LPTexas”.

### 1.2 Duration

This organization and bylaws shall persist as long as the County Executive Committee, hereinafter referred to as the “CEC”, has at least one member and remains valid in accordance with LPTexas bylaws and operational policies in addition to Texas state law.

### 1.3 Purpose

The purpose of the County Affiliate is to implement and give voice to the principles and message of the Libertarian Party by:

- a. Informing the public about Libertarian policies and principles;
- b. Nominating and supporting the best candidates for public office to represent the Libertarian Party;
- c. Attracting and developing leaders, volunteers, donors, and members to maintain and grow the County Affiliate and Libertarian Party;
- d. Working to influence local and state government towards Libertarian Party principles;
- e. Cooperating in activities with LPTexas and the national Libertarian Party;
- f. Performing the duties of a county affiliate specified in LPTexas bylaws and operations policy; and
- g. Performing the duties of a county affiliate specified in Texas Election Code and other applicable state laws.

### 1.4 Definitions

The following terms are used through these bylaws and other County Affiliate governing documents.

“Business Meeting” means an officially called meeting of the County Affiliate at which issues can be placed before the Voting Affiliate body and voted upon.

“County Convention” means the convention in a county described by Texas Election Code §181.061(c).

“Precinct Convention” means a convention of a voting precinct in the county as described by Texas Election Code §181.061(c).

“State Libertarian Executive Committee”, hereinafter referred to as “SLEC”, means the executive board of LPTexas.

“Voting Affiliate” means a person who is qualified and has rights as defined in these bylaws to officially participate in business of the County Affiliate.

### **1.5 Parliamentary Authority**

The rules contained in the current edition of Robert’s Rules of Order shall govern the County Affiliate in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the County Affiliate may adopt.

## **Article 2. Membership**

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### **2.1 Voting Affiliate**

Any person who meets the qualifications to become a Voting Affiliate shall be recorded as a Voting Affiliate and granted Voting Affiliate rights immediately.

#### **2.1.1 Voting Affiliate Qualifications**

A person is eligible to become a Voting Affiliate if they:

- a. Are a Voting Member as defined by LPTexas bylaws;
- b. Are currently registered to vote in Montgomery County;
- c. Agree to and sign the statement: “I generally support the LPTexas Statement of Principles.”;
- d. Agree to and sign the national Libertarian Party pledge: “I certify that I oppose the initiation of force to achieve political or social goals.”; and
- e. Are not currently affiliated with, nor an active participant of, any other political party.

#### **2.1.2 Rights of Voting Affiliate Membership**

Voting Affiliates shall have equal rights and privileges to participate and vote at Business Meetings of the County Affiliate.

#### **2.1.3 Duration of Voting Affiliate Membership**

Voting Affiliate membership begins once a qualified person meets all criteria of 2.1.1 Voting Affiliate Qualifications, and it continues until the date of the following Precinct Convention.

#### **2.1.4 Termination of Voting Affiliate Membership**

A person ceases to be a Voting Affiliate if:

- a. They cease to meet the criteria of 2.1.1 Voting Affiliate Qualifications;
- b. They do not affiliate at the next Precinct Convention;
- c. They resign or are removed for cause; or
- d. The County Affiliate organization ceases to exist as described in 1.2 Duration.

#### **2.1.5 Resignation of Voting Affiliates**

A Voting Affiliate may terminate their own membership by giving written notification to any CEC officer. Such resignations shall be filed and kept on record with the Secretary until the following Precinct Convention.

#### **2.1.6 Removal for Cause of Voting Affiliates**

Any Voting Affiliate may be removed for cause by a unanimous vote of the entire membership of the CEC, or by a 3/4 vote of the entire Voting Affiliate membership of the County Affiliate. A formal statement of cause shall be drafted, and a reasonable attempt shall be made to deliver this cause to the subject Voting Affiliate. The subject Voting Affiliate shall be given a reasonable opportunity for speaking privileges to those voting on the issue before a vote can take place. An exception for

speaking privileges and delivery of the statement may be made if there is reasonable cause for security concerns, and such reasons shall be included in the formal statement of cause.

If a removal for cause occurs, the formal statement of cause shall be presented before any other business can take place at the following Business Meeting and also at the following County Convention.

### **2.1.7 Dues**

No dues shall be required to become a Voting Affiliate of LPMontgomery. The CEC may establish other categories of membership by a majority vote of the CEC and Voting Membership that requires dues.

## **Article 3. County Affiliate Organization**

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### **3.1 County Executive Committee**

The CEC shall consist of all the elected officers as established by these bylaws, and must include the position of Chair.

#### **3.1.1 CEC Authority**

The CEC shall have authority to represent and govern the County Affiliate in any way not covered by these bylaws.

### **3.2 Officers and Duties**

The officers of the County Affiliate shall be:

- a. **Chair**, who shall be the principal and presiding officer to:
  1. Ensure Precinct and County Conventions are conducted as prescribed by Texas Election Code and LPTexas bylaws;
  2. Perform duties necessary to maintain the legal status of the County Affiliate as a political party;
  3. Receive, process, and report Applications of Nomination from local candidates;
  4. Preside over County Affiliate Business Meetings;
  5. Perform the duties of any other officer positions if those positions are vacant; and
  6. Perform any other duties as assigned by LPTexas and these bylaws.
- b. **Vice Chair**, who shall assist the Chair and:
  1. Perform the duties of the Chair when the Chair is absent.
- c. **Secretary**, who shall maintain records and:
  1. Take minutes at all official County Affiliate Business Meetings;
  2. Store meeting minutes and distribute copies to other officers in a timely manner;
  3. Maintain a list of Voting Affiliate memberships; and
  4. Maintain a contact list, which may include but is not limited to persons who have been involved with, volunteered for, donated to, contacted, or engaged with the County Affiliate.
- d. **Treasurer**, who shall maintain the treasury and:
  1. Collect donations, and maintain a list of donors and donation records;
  2. Track spending authorizations and disbursements;
  3. Provide a report of the County Affiliate finances at each Business Meeting and when requested by the CEC; and

4. Disburse funds as authorized by instruction from the CEC or the Voting Affiliate body at a Business Meeting as prescribed by these bylaws.
- e. **Communications Officer**, who shall maintain the website, social media and email communications
1. Keep lpmontgomery.org up to date with events, governing documents, etc.
  2. Maintain email contacts and analytics in the CRM
  3. Maintain social media assets

### **3.2.1 Officer Eligibility**

Only Voting Affiliates shall be eligible to hold officer positions in the CEC. An officer position is vacated immediately if the holder of that position ceases to be a Voting Affiliate.

### **3.2.2 Officer Terms**

Officers are elected for a term beginning at the adjournment of the County Convention where they were elected, or immediately at a Business Meeting once they are elected, with the term ending at the adjournment of the next County Convention.

### **3.2.3 Officer Resignations**

Any officer may resign by giving written notification to the Chair. In the case of the Chair, written notification must be given to the LPTexas State Chair, and must include an effective date and meet any other requirements set forth in LPTexas bylaws or policies.

### **3.2.4 Officer Removal for Absences**

An officer position shall be declared vacant upon the establishment of quorum at the second consecutive Business Meeting for which that officer is absent.

### **3.2.5 Officer Removal for Cause**

Any officer may be removed from their position on the CEC by a 2/3 vote of the entire Voting Affiliate membership. A formal statement of cause shall be included in the motion to remove the subject officer. Until the removal passes, the subject officer shall retain all rights and privileges of their office and their rights as a Voting Affiliate. The subject officer shall be given a reasonable opportunity for speaking privileges to those voting on the issue before a vote can be taken.

If an officer is removed for cause, the formal statement of cause shall be presented before any other business can take place at the following Business Meeting and also at the following County Convention.

### **3.2.6 Officer Vacancies**

Officer vacancies, including the Chair, may be filled by a majority vote of the Voting Affiliates, or majority of CEC if quorum cannot be established, in attendance at a Business Meeting.

## **3.3 Spending Authority**

Funds shall be disbursed by the Treasurer according to motions of a majority of Voting Affiliates in attendance at a Business Meeting.

A majority of Voting Affiliates at a Business Meeting may designate an amount that the Chair is authorized to spend unilaterally for the current calendar year.

### **3.3.1 CEC Spending Authority**

The CEC may authorize the use of County Affiliate funds by a 2/3 vote of the CEC. Such spending authorizations shall only be valid after all members of the CEC have been notified and

have had the opportunity to vote. The vote by the CEC shall be considered failed if it has not gained the required votes 48 hours after the call for a vote.

### 3.4 Prohibitions

No motion or action by the CEC or County Affiliate shall:

- a. Obligate the County Affiliate to take on debt;
- b. Violate the LPTexas Statement of Principles or bylaws in any fundamental way; nor
- c. Support another political party or its candidates.

### 3.5 Operational Policy

The County Affiliate may create and maintain an operations document in which to establish perpetual traditions, policies, organizational structure, volunteer roles, or other mechanisms which need to remain from one County Convention through to the next.

The operations document shall require a majority vote of the Voting Affiliates in attendance at a Business Meeting to adopt or amend. That document, in its entirety, shall be made available to any Voting Affiliate upon request to an officer.

## Article 4. Meetings

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### 4.1 Business Meetings

Business Meetings are the only class of meeting at which business of the County Affiliate is conducted, except as authorized elsewhere in these bylaws. Business Meetings must meet the following requirements:

- a. **Quorum:** 30% of the entire Voting Affiliate membership, that includes at least 1 CEC officer, shall constitute a quorum.
- b. **Calling a meeting:** Business Meetings may be called by the Chair, majority of the CEC, or by petition of 1/3 of the entire Voting Affiliate membership.
- c. **Agenda:** A tentative agenda must be provided in advance of the meeting. At the meeting, if any motion is made outside the scope of the tentative agenda, a 1/3 vote of the Voting Affiliates in attendance is sufficient to pass an objection to consideration of that motion.
- d. **Notice:** At least fourteen (14) days notice shall be given to call a Business Meeting. Valid notice may be given by electronic newsletter, postal mail, direct email, telephone, and/or direct communication. Any notices must make reasonable efforts to ensure all Voting Affiliates have been notified. Additionally, public notice of meetings shall be posted on all active online presences of the County Affiliate, such as a home website and social media accounts, but these methods shall not constitute valid notice to Voting Affiliates.
- e. **Frequency:** Business Meetings shall be held at least once per year, but may be called more frequently as deemed necessary.
- f. **Open to the public:** All Business Meetings, except for those declared a closed session, shall be open to attendance by the public and press. A closed session, at which only Voting Affiliates may attend, may be declared by a 2/3 vote of the Voting Affiliates in attendance at that meeting.

#### 4.1.1 Minutes

Minutes shall be taken at all Business Meetings. Any Voting Affiliate may request and shall receive a copy of recorded minutes within 10 days of the request made to any CEC officer.

#### **4.1.2 Remote Participation**

The CEC, by majority vote, may allow a fully or partially online Business Meeting so that participants are able to attend remotely. Notices of how to attend such meetings shall be given along with the tentative agenda.

#### **4.2 Other Meeting Classes**

Other classes of meetings may be held by the County Affiliate, but such meetings shall not function as a Business Meeting.

### **Article 5. Voting**

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#### **5.1 Voting Rights**

Provided they maintain active Voting Affiliate membership, each Voting Affiliate shall have one vote for all purposes requiring a vote as long as they are recognized as in attendance at a session.

#### **5.2 Voting Method for Elections**

Approval Voting shall be used in all elections, except where restricted by LPTexas bylaws, or when a different voting system is decided upon by majority vote of the Voting Affiliates in attendance.

#### **5.3 Right to Vote Against**

The right to vote against each individual nominee or for "None Of The Above" nominees ("NOTA") shall be an available choice in all elections, except where restricted by LPTexas bylaws. Voting Affiliates shall have the right to not elect a nominee to public or party office, leaving the position vacant instead.

### **Article 6. Conventions**

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#### **6.1 Order of Business**

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

- a. Call to order by the County Chair, or by another CEC officer if the Chair is absent.
- b. Establish the roster of participants to establish quorum as described in LPTexas bylaws for a Party Convention Quorum.
- c. Temporary officers of the convention are introduced, and the Temporary Convention Chair continues the convention.
- d. Nomination and election of permanent officers of the convention, after which the permanent Convention Chair continues the convention.
- e. Nominations and elections of candidates for public office for races that are entirely within the county for those who have filed an Application for Nomination form as described by Texas Election Code, Title 10, Subtitle C, Chapter 181, Subchapter B.
- f. Nominations and elections of CEC officers.
- g. If any applicable District Conventions will take place, the Convention Chair announces the time and location of such District Conventions, followed by nominations and elections for delegates to those District Conventions in accordance with LPTexas bylaws for District Conventions.
- h. Nominations and elections for delegates and alternates to the State Convention in accordance with LPTexas bylaws for County Conventions.
- i. Modifications to the County Affiliate bylaws in accordance with 9.1 Permanent Amendments.
- j. Other business, if any.

k. Adjournment.

## **6.2 Governing Authority**

All County Conventions shall adhere to LPTexas bylaws for General Rules Governing Party Conventions.

## **6.3 Functionaries of the County Convention**

The County Chair may designate temporary officers and their duties as deemed necessary to plan, arrange, and conduct the necessary work of the County Convention until it elects its own permanent officers.

The permanent officers of the convention shall be elected and include a Chair, Secretary, and any additional officers of the convention who may be elected. The Convention Chair fulfills the duties of any of these officer positions if they are vacant.

A Parliamentarian may be chosen to give advice to the Convention Chair, but shall have no authority over the convention.

## **6.4 Special Convention Rules**

Discussion shall be limited in accordance with the LPTexas bylaw for Limits on Discussion.

## **6.5 State Convention Delegate Eligibility**

To be eligible to represent LPMontgomery as a delegate at the state convention, a potential delegate must:

- a. Have participated in an official LPMontgomery event within the previous 13 months prior to precinct convention, or
- b. Be a monthly donor for at least 2 cycles to LPMontgomery, or
- c. If a potential delegate is a new resident of Montgomery County, they must provide proof of membership in the state or national party.

## **Article 7. LPTexas**

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### **7.1 SLEC Vacancies**

Should a vacancy exist in a SLEC Senate District Representative seat that is wholly or partially contained within the County Affiliate's county, then the CEC or Voting Affiliates may act to fill the vacancy according to the following process. LPTexas bylaws and policies for recording and submitting any nominations and votes shall be followed.

#### **7.1.1 Nomination**

A Voting Affiliate may be nominated for a vacant District Representative seat by a majority vote of Voting Affiliates in attendance at a Business Meeting or a 2/3 vote of the CEC.

#### **7.1.2 Vote**

Upon LPTexas providing the list of nominated candidates, a majority vote of Voting Affiliates in attendance at a Business Meeting or a 2/3 vote of the CEC shall determine the vote cast for or against each nominee on behalf of the County Affiliate. A vote, for or against, may be cast for each nominated candidate.

## Article 8. Authority

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### 8.1 Superiority

These bylaws supersede and nullify all previous rules, constitutions, or bylaws of the County Affiliate.

### 8.2 Conflict

In the event these bylaws come into conflict with Texas Election Code or LPTexas bylaws, the relevant sections of Texas Election Code or LPTexas bylaws shall be recognized as superior.

### 8.3 Duration of Motions

All motions and votes passed between County Conventions are nullified at the adjournment of each County Convention unless preserved in an operations document as specified in 3.5 Operational Policy.

## Article 9. Amendments

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### 9.1 Permanent Amendments

These bylaws may be permanently amended, altered, or repealed only by a 2/3 vote of the delegates at a County Convention.

### 9.2 Temporary Amendments

Any Voting Affiliate may submit temporary amendment proposals to any officer. The CEC shall provide the full text of proposed temporary amendments along with the next Business Meeting's temporary agenda.

Temporary amendments will take effect upon ratification by 2/3 vote of Voting Affiliates in attendance at a Business Meeting. Temporary amendments will only remain in effect until the adjournment of the next County Convention. They shall be presented as bylaws proposals at that County Convention and approved according to 9.1 Permanent Amendments.

The County Convention body has the right to reject a temporary amendment by majority vote at any time and without needing a motion to suspend the rules.

### 9.3 Minor Corrections

The CEC may, by unanimous vote, update numbering, modify spacing, fix grammatical or spelling errors, and modify formatting of these bylaws, but shall not change wording, substance, or intent in any way. Notification of these changes must be announced as part of and made available at the Business Meeting following such modification.

## Article 10. Bylaws History

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### 10.1 Certification

These bylaws were accepted at the LPMontgomery County Convention on the 12th day of March of the year 2022.



Presiding Chair Name: Jessi Cowart  
(print)

## 10.2 History

A historical record of temporary and permanent amendment events and dates follows:

03/12/2022 - Jessi Cowart Adoption of new template including changes voted on during 2022 County Convention
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