

Bylaws

as amended, January 22, 2022

§01. NOMENCLATURE

§01.01 MISSION STATEMENT: The mission of the Libertarian Party of Virginia (*LPVA* or *Party*) is to move public policy in a libertarian direction by building a political party which elects Libertarians to public office (adopted by the Libertarian National Committee (LNC) in 1994).

§01.02 STATEMENT OF VISION: In order to create a Libertarian society in the Commonwealth of Virginia, LPVA was established to recruit, support and elect Libertarian candidates as well as LPVA members who run in nonpartisan races who will pass legislation in support of that end.

§01.03 LPVA ESTABLISHED AS A POLITICAL COMMITTEE: The LPVA is a Political Action Committee in the Commonwealth of Virginia and as a state political party committee with the Federal Election Commission.

§01.04 DEFINITIONS AND TERMINOLOGY.

§01.04.01 Throughout these Bylaws, the words *the Party* and the abbreviation *LPVA* shall be construed to mean the Libertarian Party of Virginia.

§01.04.02 Throughout these bylaws, the abbreviation *SCC* shall be construed to mean the State Central Committee of the Libertarian Party of Virginia. The term *state central committee* is designated by the election laws of the Commonwealth of Virginia.

§02. MEMBERSHIP AND SUBSCRIBERS

§02.01 Dues shall be \$25 per annum; except that Dues for current students shall be \$5 per annum. [Per SCC, 2006-07-08] Upon request, a student member shall provide a copy of his or her student identification, or other verification of current student status, to the Party Chair, Secretary or Treasurer. (See, Minutes, SCC, February 8, 2014.)

§02.02 "Current student" shall be defined as an individual who is currently enrolled at least half-time in a degree-seeking program. (See, Minutes, SCC, February 8, 2014.)

§02.03 The SCC shall be authorized to set, after consultation with the Newsletter Editor, a subscription charge and advertising rates for the Party Newsletter and other official Party mailings. In lieu of this action, the Newsletter Editor is authorized to set such charges and rates.

§03. OFFICERS

§03.01 No related bylaws at this time

§03.02 No related bylaws at this time

§03.03 CHAIRMAN

§03.03.01 JOB DESCRIPTION

The Chair's duties shall include, but not be limited to, acting as primary spokesman for the Party, chairing meetings of the State Central Committee and all Party conventions, and appointing, with the consent of the State Central Committee, and Executive Director, Legal Advisor, and all coordinators of standing and ad hoc committees. The Chair shall also perform such other duties as may be assigned by the State Central Committee.

§03.03.02 CANDIDATE LISTING: The Chair shall cause to have published annually, beginning with 1996, a

listing of all elected Virginia offices which will appear on a ballot in that year. Each updated listing shall be published on or before the 28th day of February of each year and distributed to all members of record via an acceptable method. The Chair may expend a sum not to exceed \$25.00 each year to compile and publish the list. The listing shall include, at a minimum, the following information: office title, local jurisdiction, term of office, obligation level, election method, ballot access requirements, typical winning budget.

§03.04 VICE CHAIR

§03.04.01 JOB DESCRIPTION

The Vice Chair shall chair meetings of the State Central Committee and all Party conventions in the absence of the Chair.

§03.05 SECRETARY

§03.05.01 JOB DESCRIPTION: The Secretary shall take and distribute minutes of all State Central Committee meetings and of all Party conventions. In addition, the Secretary shall be responsible for official Party correspondence as required and for ensuring the accuracy and completeness of all Party membership and mailing lists. The Secretary shall also carry out such other duties as may be assigned by the State Central Committee. The Secretary's nonvoting responsibilities shall continue beyond the Convention at which their replacement is elected for such duration as determined by the SCC solely in order to complete and present the Minutes of the Convention, the revised Constitution and Bylaws, and the revised Platform of the Libertarian Party of Virginia.

§03.05.02 The Secretary shall publish a list of recognized local committees with each "Minutes".

§03.06 TREASURER

§03.06.01 JOB DESCRIPTION: The Treasurer of the Party shall establish and maintain all Party bank accounts and manage all Party investments, collect and disburse Party funds at the direction of the State Central Committee, keep records and receipts for all such transactions, and prepare and file any Party financial reports required under Virginia and federal law. The Treasurer shall also prepare and distribute a written financial report at each meeting of the State Central Committee and at all Party conventions, and shall perform such other duties of a fiduciary nature as the State Central Committee may assign.

§03.06.02 TREASURER'S AUTHORITY:

The Treasurer is authorized to draft checks as directed by the assigned manager of a cost center except that (1) any amount paid shall not exceed the amount in the Cost Center, (2) any officer of the LPVA may bar such expenditures unless overruled by the other three officers.

Any check or withdrawal over the amount of \$500.00 must be countersigned or approved in writing in advance by another officer of the LPVA. Any check or withdrawal over the amount of \$1500 must be countersigned or approved in writing in advance by 3/4 of the SCC.

Any planned use of a LPVA check card by an officer of the SCC for any expenditure over \$500 shall be approved in advance by at least one other officer of the SCC.

The Treasurer shall not permit the signing or countersigning of checks lacking payee name and draft amount.

The Treasurer shall implement such procedures as he or she deems to be in the best interest of the smooth functioning of the financial business of the LPVA.

§03.06.03 AUDIT: The SCC shall appoint an auditor, who may be a certified public accountant, at the first meeting of each year for the purpose of conducting an annual review. The Auditor's Report in that case shall be provided to the SCC no later than the second meeting of the year.

The SCC shall also appoint an auditor at each succession to the office of Treasurer and the audit report, in such case, shall be provided to the SCC no later than the first SCC meeting following the succession. The auditor may select up to two other individuals to assist with the audit.

The auditor shall review Party financial transactions and status since the previous audit. Copies of the audit report shall be provided to the Chair, the Treasurer and the Secretary, and the Secretary shall, upon reasonable request, make available such audit report for inspection by any Party. The Secretary shall append the audit report to the minutes of the SCC meeting at which the completed audit report is presented.

§03.06.04 DEBT: The Party shall not, without approval vote of three-quarters (3/4) of the SCC membership, incur any debts. The term, *debt*, shall be defined as a circumstance in which the Party's accounts payable exceeds funds in Party accounts.

§03.06.05 DEPOSITORY OF RECORD: The depository of record shall be as defined in Policy Document 03.06.05: Depository of Record.

§03.06.06 FISCAL YEAR: The fiscal year of the LPVA shall begin on January 1st and end on the following December 31st.

§03.07 No related bylaws at this time.

§03.08 No related bylaws at this time.

§04 ORGANIZATION

§04.01 STATE CENTRAL COMMITTEE:

§04.01.01 DUTIES OF THE STATE CENTRAL COMMITTEE: §04.01.01 DUTIES OF THE STATE CENTRAL COMMITTEE

1) The authorization of the appropriation and expenditure of Party funds with the approval of two thirds majority

2) The appointment, by two thirds majority, of an Interim Congressional District Chair where such chairmanship is vacant and no district organization exists, but wherein such district there are at least ten members of the Party; such Interim District Chair to serve as a voting member of the State Central Committee until a District Convention is held and a permanent District Chair is elected

3) Removal, by a two thirds (2/3) vote of the entire membership of the State Central Committee, of the Party's endorsement of any candidate for statewide office and, in announcement, delineation of the reasons therefor. The candidate in question and the State Central Committee must be notified of the proposal at least seven (7) days in advance of the meeting

4) Issuing an endorsement of a write-in candidate for any statewide offices(s) after the petition filing deadline, if no candidate(s) sought the office in question in time for the state convention (if any) held in the same year; however, the SCC shall not endorse any candidate who sought endorsement from a convention of the membership, but failed; 5) Discharge of all other responsibilities and duties as herein further provided, those duties inherent in any such organization, and those duties and responsibilities provided for in the Bylaws of the Party

6) adoption and amendment of Bylaws to this Constitution by a two thirds (2/3) majority.

§04.01.01.02 INTERIM APPOINTMENT: In accordance with Article IV Section 1-C-2 of the *LPVA Constitution*, the SCC may appoint, by a two-thirds (2/3) majority, an interim CD Chair when no district organization exists. Should an interim CD Chair (or designated proxy) fail to attend an SCC meeting or should the interim CD Chair fail to hold a district convention within sixty (60) days of being appointed, such dereliction shall be considered a *de facto* resignation, and the SCC shall consider nominations for a new Interim CD Chair at the first opportunity.

§04.01.02 STANDING COMMITTEE: The functioning of the SCC shall be supported by implementation of Policy Document 04.01.02: Outline of State Party Standing Committee Structure. The implementation shall be modified from time to time by the SCC. Where a chair cannot be found for a committee specified in the Committee Structure, the SCC shall function as the committee. Any standings committees which require SCC approved funding to complete their assigned duties shall report documentation of expenditures to the Treasurer on a quarterly basis.

On a quarterly basis, the SCC will provide to the Treasurer a complete list of the assigned managers of the various cost centers. Upon one week notification of the officers, the Chair may assign a temporary cost center manager. Any two officers may negate the temporary assignment of a cost center manager until the next SCC meeting.

§04.01.02.01 The editor of the newsletter Virginia Liberty shall publish the newsletter in the interest of the Party, and generally in accordance with the guidelines of Policy Document 04.01.02.01: Guidelines for Publication of Virginia Liberty.

§04.01.03 E-VOTING Electronic voting (e-voting) is permitted to address motions requiring a majority vote and motions to authorize the appropriation and expenditure of Party funds. Other motions requiring two-thirds (2/3) or higher majority vote, such as changes to bylaws, may only be submitted at in-person meetings. E-voting shall be conducted in accordance with the following procedure.

- 1) Electronic motions (e-motions) may be submitted for a vote by sending an email to the official LPVA SCC email list with the following informational subject line:

MOTION – [date submitted] – [name of submitter] – [brief title]

- 2) Once an E-motion is made, voting members of the SCC have seven (7) days to submit votes. Votes are to be submitted to the SCC list by adding one of the following positions to the subject line:

SCC Position – YES –

SCC Position – NO –

SCC Position – ABSTAIN –

- 3) The e-motion shall carry if it receives a yes vote from the majority of the entire SCC.
- 4) Seven (7) days following the date submitted, the Secretary shall certify results of the vote via email to the LPVA SCC list and indicate result as “CERTIFIED VOTING RESULTS” appended to the subject line. If the Secretary is unavailable, any officer may certify the results.
- 5) All e-votes taken between in-person meetings will be summarized by the Secretary and appended to minutes of the previous SCC meeting for approval at the next SCC meeting,
- 6) E-motions may not be amended. Therefore, it is suggested that discussion as to wording occur up front by sending with the following format for the Subject line:

PROPOSED MOTION – Name of Submitter – Brief Title

§04.01.04 *Robert’s Rules of Order, Newly Revised, Tenth Edition*, shall serve as the official guide to

parliamentary procedure for the SCC.

§04.02 DISTRICT COMMITTEES

§04.02.01 CONGRESSIONAL DISTRICT CHAIR:

§04.02.01.01 METHOD OF SELECTION AND TERM OF OFFICE: A congressional district committee (CDC) should specify in its governing documents the term of office and the method of choosing CDC officers.

§04.02.01.02 ORGANIZED AND UNORGANIZED COMMITTEES: The SCC shall consider a CDC to be “organized” if such committee has held a district convention at least once in the preceding two (2) years (as described in Article V Section 5 of the *LPVA Constitution*) and has a chair not appointed by the SCC.

CDCs are required to submit, at least once per year:

- 1) a list of current officers;
- 2) a copy of the current CDC bylaws as passed by the most recent district convention or a letter stating that the CD chose to adopt no bylaws or repealed existing bylaws at such convention; and
- 3) a copy of the minutes of any meeting at which officers were appointed.

Such documentation must be duly certified and signed by an authorized CDC officer.

The SCC may downgrade CDCs to “unorganized” status if the foregoing conditions are not met. CDCs failing to meet these requirements shall be notified by the LPVA Secretary of pending loss of status via certified mail no later than the last day of the aforementioned two-year period.

The CDC shall then have thirty (30) days to reply to the LPVA Secretary if the CDC wishes to remain recognized, and an authorized officer must submit the above noted documentation.

CDCs may also be downgraded to “unorganized” status if the position of CDC Chair is vacant and there are no plans by the CDC to fill the vacancy.

When a CDC is non-compliant under these rules, the SCC may officially downgrade that CDC with the consent of two-thirds (2/3) of the SCC members present and voting.

§04.03 LOCAL COMMITTEES: “Local Committees” are the county and city affiliates of the LPVA. A county or city committee shall be eligible for official recognition by the Party when, upon petition to the SCC for recognition, it demonstrates:

- 1) that it is comprised of at least five contributing members of the national Libertarian Party who are residents of that county or city;
- 2) (2) that it has adopted written rules for its governance;
- 3) (3) that it has elected such officers as are required by the adopted rules; and
- 4) 4) the minimum number of members required shall sign a petition to make clear their intent to organize (adopted April 21, 2007).

The designation of local affiliate committee status will be in effect for a period of two years from the date of approval by the SCC. A local organization may be re-certified as a local committee by the SCC provided the organization satisfies the requirements for recognition and provides the SCC a current membership list and a current copy of the written rules for its governance.

If at any time during the recognition period an affiliate committee no longer satisfies all of the criteria necessary for recognition, the SCC may vote to remove the affiliate designation from the organization. Affiliation is always at-will on the part of both the LPVA and the affiliate. Affiliation may be revoked at any time for cause with a simple majority vote of the entire SCC.

At the end of the recognition period, if an affiliate committee no longer satisfies the criteria necessary for recognition, the group's affiliate designation automatically expires.

Party members in contiguous cities and counties may band together for the purpose of forming a local committee. At such time as the Party members in a subset of the cities and counties in a local committee wish to separate and form a new local committee, two conditions must be met:

- 1) each resultant subgroup must be able to form a new committee per the requirements above; and the Party members of each subgroup must approve the separation by majority vote at a convention called in accordance with the bylaws of the original committee, except that the LPVA SCC may approve a unilateral separation.

The assets and liabilities of the original committee shall be apportioned to the new committees according to the number of Party members in each.

The chairs, or their proxies, of all officially recognized local committees shall caucus at regular state conventions to elect a member of the LPVA as the chair of an SCC standing committee on Local Affiliate Parties. In the absence of such a caucus, the SCC shall select the chair of the committee.

§05. CONVENTION RULES

§05.01 RULES FOR ALL STATE CONVENTIONS

§05.02 SPECIAL RULES FOR REGULAR STATE CONVENTIONS

Convention-Only Delegate Selection

The seated convention shall select the entire slate of national delegates.

1. LPVA will receive its delegate count from National.
2. At Convention, nominations for the LPVA's delegate positions will be taken.
 - a. Delegates nominated at convention must be seated at convention OR have an official proxy for them at convention.
 - i. Proxies may not represent more than 2 people not present at convention.
 - ii. Proxies must be available to speak for their candidates as needed.
 - b. In the event that there are nominations equal to or less than the total number of delegate positions, the convention may approve the entire slate via up or down vote.
 - c. If there are more nominations than spots available, the convention will then hold a vote, with each convention delegate casting votes on one ballot for no more than 25% of the available positions (round up).
 - d. A convention delegate may vote for individuals up to their allowed limit and vote None of the Above (NOTA)
 - i. A ballot can only vote for one individual one time.
 - e. The remaining positions will be filled in order of the most votes received, from highest to lowest.
 - i. Delegates need to beat the tally of NOTA to be confirmed.
 - f. In the event of ties or fewer delegates confirmed than available slots due to NOTA, the remainder shall be selected by earliest join date to the LPVA.
3. Alternates for the delegate slots shall be handled as in Section 5.
 - a. EXCEPTIONS:
 - i. Individuals not at convention ARE ALLOWED to be nominated for alternate positions WITHOUT the requirement for seated proxy.

- ii. NOTA is not a valid vote for Alternate.
- b. Selected Alternates will have preference ranking
 - i. First – According to the number of votes they received in the Alternate voting round.
 - ii. Second - In the case of ties, ranked in the order in which they are drawn by random lottery.

§05.02.01 (Section deleted 25 Jan 03)

§05.03 SPECIAL RULES FOR SPECIAL STATE CONVENTIONS:

§05.03.01 BUSINESS BEFORE A SPECIAL STATE CONVENTION: Business to be considered by the members attending a special state convention (that is, one called by the SCC) shall be specified in such motion as is made to call the convention. The Party Secretary shall specify the authorized business of the convention on the official agenda mailed to the current membership.

§05.04 SPECIAL RULES FOR GENERAL STATE CONVENTIONS

§05.05 SPECIAL RULES FOR CONGRESSIONAL DISTRICT CONVENTIONS

§05.06 SPECIAL RULES FOR LOCAL PARTY CONVENTIONS

§06. ENDORSEMENTS AND SUPPORT OF CANDIDATES

§06.01 SELECTION OF CANDIDATES: No candidate seeking the endorsement or nomination of the Party for statewide office shall be endorsed or nominated unless said candidate shall have received the vote of more than fifty (50) percent of the delegates registered at the convention at which the vote is taken.

§06.02 FUNDING OF CANDIDATES: Any candidate seeking funds from the SCC shall agree to criminal and financial background checks, which shall be performed before approval of any such request is granted (adopted June 26 2010)

§07. EXPULSION FROM THE PARTY

§07.01 MOTION TO EXPEL: Any SCC member may introduce a motion to expel a LPVA member for cause.

§07.02 NOTICE: Notice shall be given to the member about whom expulsion is to be considered.

The maker of the motion shall provide the motion to the Secretary at least thirty (30) days prior to the meeting at which the motion is to be considered. The motion must specify the cause of action. If the maker of the motion is the Secretary, the motion must be submitted to at least one other officer.

The Secretary shall send, via certified mail, return receipt requested, a copy of the motion to the member about whom the motion is addressed at least twenty (20) days before the meeting at which the motion is to be considered.

§07.03 MEETING: The motion to expel shall be considered at the next regularly scheduled SCC meeting, pending compliance with the notification requirements of §07.02.

§07.04 DEBATE: Both the maker of the motion and the subject thereof shall have an opportunity to speak for or against the motion.

§07.05 VOTE: Current SCC members, or their proxies, shall be eligible to vote on the matter.

The motion shall require a two-thirds (2/3) majority of the entire SCC to pass.

§07.06 NOTIFICATION: In cases where the motion to expel passes and the expelled member is not

present at the vote, the Secretary shall send a written notice advising of the outcome of the motion. If the expelled member served as Secretary up until expulsion and was not present at the vote, another officer shall notify the expelled member of the outcome.

§07.07 READMISSION: Subsequent to one year following member expulsion, the expelled member may apply for re-admission to the Party. A motion for re-admission may be considered at an SCC meeting and shall require a two-thirds (2/3) majority vote to pass, with a minimum of eight (8) votes for the re-admission.

A vote to re-admit a former member shall not guarantee membership, pending any dues requirement, or other membership requirement set forth in the *Constitution* or these bylaws (adopted August_??, 2014).