

- Section 2. Any person who is, or within the past six (6) months has been, a Voting Member of a Party may bring forth a claim or controversy concerning any action, or inaction, during the period in which they are a Voting Member, by any committee or individual member acting under authority of this Constitution or other governing documents, on the rightful powers, duties, and/or obligations of that Party, in accordance with this Constitution and other governing documents of a Party.
- Section 3. If any Affiliate Party is unable to internally resolve a question of its rightful powers, duties, leadership, any and all questions under this Constitution or compliance with this Constitution, or legal obligations, the Chartering Party shall be responsible for resolution. Any dispute heard by a body other than the State Party Executive Committee may be appealed to the State Party Executive Committee.
- Section 4. Any disputes or questions arising under this Constitution or the Bylaws related to the nomination of candidates for office including, without limitation, eligibility or office or voter regulations and eligibility, regardless of whether such nominations are made by a County, District, or the State Party or any part thereof, shall be first heard by those responsible for operating the election under this Constitution and Bylaws. Any decision may be appealed to the State Party Executive Committee.
- Section 5. Any dispute heard by the State Party Executive Committee may be appealed through arbitration. Procedures for arbitration shall be set forth in Operating Rules; provided that such rules respect due process, do not impinge upon the right of a member to bring a claim in good faith, prevent conflicts of interest, require timely action, and are fair and equitable to all involved parties.
- A. A claim must be accompanied with a bond from the claimant, in the amount of \$500 unless the matter is regarding the membership status of the claimant.
- B. The cost to adjudicate any claim shall be shared equally between the parties, unless such claim is found to be brought in bad faith.
- i. “Bad faith” shall be defined as one or more parties involved in a dispute not engaging in good faith discussion to resolve an issue; or when one party is not fulfilling their obligations under this Article, is acting in a manner which is deliberately misleading with no intention of fulfilling the obligations, is arguing a position they know to be false, is violating the basic principles of honesty, or is acting solely for purposes of harassment.
- Section 6. Except as set forth herein, no matter governing rightful powers, duties, leadership, or legal obligations of any Party, or questions arising relating to the external candidate nomination process for public office, or any and all questions of compliance with this Constitution or other governing documents, between a Party and its Voting Members, shall be reviewable in any Court, or subject to collateral attack by any third party.

ARTICLE X. ALL OTHER CIRCUMSTANCES

- Section 1. All situations not covered shall be governed by the latest edition of “Robert’s Rules of Order, Newly Revised”

The Libertarian Party of Kentucky Bylaws (Proposed 2020 Election Cycle)

VOTERS

Bylaw 100 – Voters (Constitution Article VII Section 2.C.i; Constitution Article VII Section 2.C.ii; Constitution Article VII Section 2.C.b; Constitution Article VII Section 2.C.viii; Constitution Article III Section 3.C.i); codified _____, amended _____, effective November 6th 2019)

Bylaw 100.001 Eligible Voter. An Eligible Voter is any person who has been is a Registered Member as of December 31st of the year preceding the general election, or any person who was not registered to vote in Kentucky on December 31st who becomes a Registered Member no less than thirty-one (31) days prior to the Nominating Convention, who lives within the political boundaries of a particular partisan office.

Bylaw 100.002 Positive Identification. Prior to giving any voter a ballot, a photo identification shall be obtained and reviewed, and the voter verified as an Eligible Voter through use of the State Board of Elections website, or other verified means. Voters shall be required to sign a log book as a prerequisite to voting.

Bylaw 100.003 Absentee Voters. Any Eligible Voter may request, not later than twenty-three (23) days prior to the Nominating Convention, by electronic mail or by mail, an absentee ballot, by providing their name, residential address, and date of birth.

Bylaw 100.004 Waiver for felony conviction. A person may become a Registered Member if they are ineligible to vote, due to conviction of a felony which does not violate the Statement of Principles, if that person is a Signatory Member and has completed their sentence and probation.

CANDIDATES

Bylaw 200 – Candidate Qualifications (Constitution Article VII Section 2.C.iv; Constitution Article VII Section 2.C.iii; Constitution Article VII Section 2.C.iv; Constitution Article VII Section 2.C.iii.b; codified _____, amended _____, effective November 6th 2019)

Bylaw 200.001 Legally Qualified Candidates. All candidates legally qualified under state law to seek a particular office, who have filed a Statement of Candidacy with the state and are and remain both an Eligible Voter and a Voting Member the Party, shall be permitted to seek the nomination of the party for that office.

Bylaw 200.002 Filing Deadline. Candidates shall file to run for office on forms provided by the Director of Elections, and accompanied by the bond required of this section, and the filing fee required of this section. Such filings shall be made not later than fourteen days prior to the Nominating Convention, and not earlier than the first Thursday after the first Monday in November in the year preceding the year in which the election shall be held.

Bylaw 200.003 Filing Fee. All candidates shall file, with their nominations paperwork, an amount of the filing fee imposed by the state for the office in question plus 10%. These funds shall be segregated and earmarked, to be used solely for purposes of administering the primary election, paying state filing fees of certified candidates, funding absentee balloting, and other election related activities.

Bylaw 200.004 – Only one office may be sought. Candidates shall not be permitted to seek more than one office at a time.

CANDIDATE NOMINATION

Bylaw 300 – General Procedures (Constitution Article VIII; Constitution Article VII Section 2.C.i; Constitution Article VII Section 2.C.ix; codified _____, amended _____, effective November 6th 2019)

- Bylaw 300.001 NOTA. All candidates shall run against None of the Above (“NOTA”).
- Bylaw 300.002 Instant Runoff. All voting shall be by instant runoff voting (i.e. preference voting). Any candidate failing to achieve more votes than NOTA in any round of voting shall be eliminated.
- Bylaw 300.003 Names listed on ballots. Voters shall only cast votes for offices for which they will be eligible to vote for at the general election.
- Bylaw 300.004 Supervisors. The Director of Elections may appoint supervisors, who are empowered to supervise the voting process.
- Bylaw 300.005 Questions on procedure. Questions regarding voting shall be resolved by contacting the Director of Elections for a ruling; rulings may be appealed.

Bylaw 301 – Absentee and Early Voting (Constitution Article VII Section 2.C.viii; codified _____, amended _____, effective November 6th 2019)

- Bylaw 301.001 Absentee Ballots. Any absentee ballot shall be returned to the State Party Secretary, postmarked at least one week prior to the State Party Nominating Convention. The absentee ballot shall be on a form designed to prevent voter fraud and shall be mailed by the Director of Elections, only to the address of record in the statewide voter list.
- Bylaw 301.002 Early Voting. The State Party may permit early voting at other types of conventions held by any Party. The Director of Elections may appoint a supervisor for any such scenario, who shall report to the Director of Elections and supervise the voting process.
- Bylaw 301.003 Counting ballots cast ahead of a nomination convention. All ballots cast prior to the Nominating Convention shall remain sealed until they are to be tallied at the State Party Nominating Convention. The Director of Elections shall be responsible for tallying ballots at the State Party Nominating Convention.
- Bylaw 301.004 Sealed ballots. All ballots cast outside of the State Party Nominating Convention shall remain sealed, and sent, along with the log book, to the State Party Secretary via insured Priority U.S. mail immediately following the close of the Nominating Convention.

Bylaw 302 – Nominating Convention (Constitution Article V Section 5; Constitution Article VII Section 2.C.iv; codified _____, amended _____, effective November 6th 2019)

- Bylaw 302.001 Notice of Nominating Convention. Notice of a Nominating Convention shall be provided forty-five (45) days in advance of the Nominating Convention.
- A. When a Nominating Convention is to occur in conjunction with an Annual Convention, the notice of a Nominating Convention shall be included in the notice for the Annual Convention.
 - B. Notice shall be delivered to all Eligible Voters no less than forty-five (45) days prior to a Nominating Convention. Acceptable delivery of notice shall be by email, text message, robo-call, telephone live call, and/or letter or postcard sent by US Postal Service. Notice shall include the time, date, and location of the Nominating Convention.
 - C. A press release with the same information as included in the notice shall be issued to relevant media outlets when that information can be obtained.
- Bylaw 302.002 Voting at County Conventions. When called, County Party Nominating Conventions shall nominate candidates for any partisan office contained completely within the county. A Metro Party may not hold a Nominating Convention.

Bylaw 302.003 Voting at District Conventions. When called, District Party Nominating Conventions shall nominate candidates for any partisan office contained completely within the district, except those considered at an affiliated County Party Nominating Convention.

Bylaw 302.004 Voting at State Convention. Any and all partisan offices that have not been nominated at a County or District Nominating Convention may be nominated at the State Nominating Convention.

Bylaw 302.005 In-person Voting. Eligible Voters who are present when polls are open, but who have not yet been afforded an opportunity to vote, shall be afforded the opportunity to vote. All in-person voting shall be by secret ballot of individual eligible voters, and all individual votes shall be sealed.

Bylaw 302.006 Tally. As the last item of business of the State Party Nominating Convention, all ballots shall be inspected for tampering, examined for multiple votes being cast by the same voter, unsealed, and counted by the Director of Elections. This process may be observed by Voting Members; though any person interfering may be ejected by the Director of Elections. At the conclusion of counting, each nomination shall be certified by the State Party Chair and the State Party Secretary.

Bylaw 302.007 Official Nomination. Official nomination shall not occur until a certificate of nomination is completed by the Chair and Secretary of the State Party, and is properly notarized; which shall occur between the second and fourth Tuesday in April each year, allowing the period for any challenge and arbitration to pass. No nominations shall be issued as long as a challenge is pending. The completed certifications of nominations shall be mailed to each candidate receiving the nomination upon completion. Certificates of nomination shall conform to state law in placing candidates on the ballot.

Bylaw 302.008 Additional Nominating Conventions. Additional Nominating Conventions may be called by the State Party Executive Committee, in accordance with the State Party Constitution, for the purpose of nominating candidates for offices for which a previous Nominating Convention did not choose a nominee, for offices where the candidate nominated at convention has submitted a formal resignation from the political race, or for offices where the selected candidate has been deemed ineligible, following the rules outlined by State law, the Constitution and these Bylaws.

ELECTION CHALLENGES

Bylaw 400 – Challenges, Adjudication, and Arbitration (Constitution Article VII Section 2.C.ii, Constitution Article IX Section 4; codified _____, amended _____, effective November 6th 2019)

Bylaw 400.001 Challenges prior to Nominating Convention. Any Eligible Voter may challenge the bona fides of a candidate by filing a formal protest not later than fourteen (14) days prior to the Nominating Convention at which in-person voting for the nomination of candidates for the office sought by the challenged candidate will occur.

Bylaw 400.002 Challenges after Nominating Convention. Any Registered Member who was an Eligible Voter in a particular election may, or any two members of the State Party Executive Committee, within five (5) days of announcement of the results of a Nominating Convention, challenge the results of any election.

Bylaw 400.003 Valid Challenges. For any challenge to be valid, it shall include:

- A. A copy of photo identification for the person making the challenge which included name, address, and date of birth; and
- B. The grounds for the challenge.

Bylaw 400.004 Ruling of the Director. The Director of Elections shall rule on the matter within three (3) days, and provide a copy of the charge or grounds for challenge, and their ruling, to the candidate and the State Party Executive Committee. Any appeal of the ruling of the State Party Executive Committee shall be subject to the Arbitration procedure outlined in State Party Constitution.