

FOREWARD

This proposal is the sum of over 900 hours of review by, and input from, multiple members and committees of the party.

Primary goals:

- **Re-Empower membership; restore and enhance membership rights.**
 - **Undo and prevent alteration of membership rights outside convention.**
- **Significantly reduce governing document sizes:**
 - **Current: Constitution 15,090; Election Rules 3,256; Bylaws 16,299. Total: 34,645 words.**
 - **Proposed: Constitution 6,843; Bylaws 1,874; Operating Rules 6,679. Total: 15,396 words (60% reduction)**
 - **Removed micro-management; removed things every party is violating.**
- **Make rules understandable and able to be followed.**
- **Remove loopholes, enforce accountability, and avoid corruption and the appearance thereof.**
- **Otherwise, don't micromanage the party.**
 - **Allow for Directors to be codified.**

Incorporates compromises from what was reviewed by existing Rules Committee; some minority report, some majority report.

This Constitution proposal replaces the entire Constitution with what is listed below. It is very short when re-constructed. Anything not listed is repealed from the Constitution. Markup language is first, followed by the complete form version for easier reading.

Overall governing document reduction is significant; over 50% was cut by eliminating redundant (and sometimes conflicting) sections, and eliminating micromanagement areas almost every party was violating anyway.

KEY: Green is new proposed language. Blue is proposed after the initial deadline but before the 2nd deadline, from deliberations by Rules Committee. Purple is to be divided out for separate consideration. Red is proposed to be removed.

The Libertarian Party of Kentucky Constitution

PROPOSED

PREAMBLE

WE, the Libertarians of Kentucky, in convention, in order to affiliate ourselves with the National Party and to promote the libertarian philosophy in the state of Kentucky, associate together to form a political party, and for that purpose adopt this Constitution.

ARTICLE I. NAMES AND DEFINITIONS

- Section 1. The National Libertarian Party, also known as the Libertarian National Committee, Inc., shall be referred to as the "National Party".
- Section 2. The name of the Party recognized as the official state affiliate by the National Party shall be "The Libertarian Party of Kentucky," referred to as the "State Party".
- Section 3. A “Chartering Party” is a party which, under this Constitution, currently has chartered, or is in the act of chartering, an Affiliate Party.
- Section 4. An “Affiliate Party” is a division of the State Party, affiliated by a Chartering Party, in accordance with this Constitution.
- Section 5. A Party chartered by the State Party as the official Affiliate Party for a United States Congressional District shall be a "District Party".
- A. The official name for District Party shall be "The Libertarian Party of Kentucky – " followed by the ordinal number of the Congressional District, followed by " District".
 - B. Because of the nature of Jefferson County, that District Party may instead be known as “The Libertarian Party of Jefferson County, Kentucky”, or "The Libertarian Party of Louisville, Kentucky."
- Section 6. A Party chartered by a District Party as an official Affiliate Party shall be:
- A. A “County Party”, known as "The Libertarian Party of " followed by the name of the county, followed by " County, Kentucky"; or
 - B. In Jefferson County, a “Metro Party”, known as the official name of the District Party, followed by “ – Metro District ”, followed by the number of the district.
- Section 7. A "Party" is defined as any Constitutionally-sanctioned party within the State Party, including the State Party.
- Section 8. No political party, other than the National Party, State Party, and Affiliate Parties may identify itself as any form of the name “Libertarian Party” within the state of Kentucky, nor shall any person claim a leadership title who does not hold such a title under this Constitution.

ARTICLE II. PERIOD OF DURATION

- Section 1. The duration of the State Party shall be Perpetual, unless disaffiliated by the National Party.

ARTICLE III. MEMBERSHIP

- Section 1. Voting Members, in Annual Convention, are the supreme authority of the Party. This Constitution serves as a contract between the Voting Members to define both the rights of members, and the duties and limits of the leaders they elect throughout the Party to conduct affairs between conventions on their behalf.
- Section 2. Membership is uniform throughout the State Party and all Affiliate Parties. No Affiliate Party may create, alter, or delete membership requirements.
- Section 3. Levels of membership

A. A “Voting Member” is a person who actively meets all of the qualifications to be a Signatory Member, Registered Member, and Dues-Paying Member, and lives within the boundaries of that Party.

B. A “Signatory Member” is a person who has signed the Statement of Principles, which reads: "I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving social, economic, or political goals".

C. A “Registered Member” is a resident of Kentucky who is registered with the state of Kentucky as a voter affiliated with the Libertarian Party.

i. A waiver shall be codified to grant Kentucky residents unable to legally register to vote, because they:

a. are at least 16, but not yet 18, years of age, to allow participation in party business other than a Nominating Convention.

b. have completed a sentence of conviction of a felony which does not violate the Statement of Principles, with requirements to receive the waiver defined in Bylaws.

D. A “Dues-Paying Member” is a person who meets the minimum donation of Annual Dues, as follows:

i. “Annual Dues” shall be the inflation-adjusted value of \$5 in July 1971, indexed to July of the year prior to the current year using the Consumer Price Index (CPI) Calculator provided by the United States Federal Government Bureau of Labor Statistics, rounded up to the nearest \$5. Members shall be given at least thirty (30) days’ notice when the amount is to be increased.

a. If the amount calculated under this provision exceeds the amount permitted under Kentucky law to be contributed by a minor within a single calendar year, the amount required of a minor shall be the legal contribution limit.

b. A change in the amount calculated for Annual Dues does not change the current status of existing Dues-Paying Members for the duration of their current membership.

ii. A “Dues Waiver” may be granted, in lieu of Annual Dues, by the State Party Executive Committee, either in advance by majority vote, or after-the-fact by a vote of two-thirds (2/3). Reporting requirements shall be codified in Operating Rules. Acceptable Dues Waivers are:

a. Pre-approved service-based support (or, “service exemption”), as a number of hours rounded up to the nearest quarter-hour to cover the dollar amount for Annual Dues calculated at federal minimum wage.

b. In-kind donation, valued at no less than Annual Dues.

iii. Lifetime Members shall be Voting Members who have cumulatively donated at least seventy-five (75) times the amount of Annual Dues to the State Party in the past twelve (12) months. Lifetime Members shall not be required to donate any further amounts to remain a Voting Member for the remainder of their lives.

iv. Additional levels of Dues-Paying Members, based on donation levels which exceed minimum Annual Dues, may be codified in Operating Rules.
- Section 4. Revocation of membership

A. Dues-Paying Membership is revoked after a member, in writing, declares publicly, or declares privately to the Chair of the State Party, their desire to disaffiliate.

B. Revocation of Signatory Membership upon violation of the oath to be a Signatory Member, only after:

i. The person or body in charge of maintaining membership rolls believes there is sufficient evidence and cause, and refers the matter to the State Party Executive Committee;

ii. *If such a committee exists, a membership review committee recommends a hearing by a vote of 3/5ths;*

iii. The State Party Executive Committee votes to hold a hearing, which shall be public or private at the discretion of the member under consideration; and

iv. The State Party Executive Committee votes to revoke Signatory Membership.

ARTICLE IV. PARTY ORGANIZATION

Section 1. State Party

- A. The purpose for which the State Party is organized is to implement and give voice to the principles embodied in the platform of the State Party by:
 - i. Nominating candidates for federal, statewide and local elections in Kentucky and supporting candidates for political office.
 - ii. Promoting membership in the State Party.
 - iii. Promoting and coordinating affiliate organizations throughout the state.
 - iv. Entering into political information activities.
- B. The State Party shall charter District Parties within the Congressional Districts legally defined by the Commonwealth of Kentucky.

Section 2. Affiliate Parties

- A. Affiliate Parties exist as a subsidiary of the State Party, to assist the State Party in its stated purpose and goals, engage in outreach activities to recruit new Voting Members, and assist with procedures to nomination of candidates for political office, in accordance with this Constitution, Bylaws, and Operating Rules.
 - i. There shall not be more than one Affiliate Party for the same political subdivision.
 - ii. An Affiliate Party shall not exist without a Chartering Party.
- B. District Parties shall:
 - i. Charter County Parties within counties where a majority of the population of that county lives within the Congressional District.
 - a. Because of the nature of Jefferson County, that District Party may affiliate Metro Parties. A Metro Party shall be aligned to the boundaries of a Louisville Metro Council district and functionally equivalent to a County Party.
 - ii. Assist with coordinating cross-boundary activities with its Affiliate Parties.
- C. A County or Metro Party shall:
 - i. Fill out that Party with Precinct Captains
 - ii. Build and train a grassroots organization of Libertarian Party activists for duly-nominated candidates of the Libertarian Party of Kentucky to contact.
- D. An Affiliate Party is considered “in good standing” if it has been chartered and has not since been dissolved, and is in compliance with all requirements of the Constitution and other governing documents, and Kentucky law.
 - i. If an Affiliate Party fails to stay in good standing, it shall have a period of twenty-one (21) days from the time of notification to come into in good standing, or that Party is to be dissolved.
- E. Disbursement of Funds to Affiliate Parties by State Party
 - i. No disbursement shall be made to any Affiliate Party that is not in good standing at the time disbursements are made.
 - ii. Donations, after deducting any transaction fees, shall be disbursed quarterly using the following formula:
 - a. If the donor lives in an area without an Affiliate Party, or lives outside the state, the donation will remain with the State Party.
 - b. If the donor lives in an area with an affiliated District Party, the District Party shall be allocated one-third (1/3) of the donation, rounded to the nearest penny.
 - c. If a donor who lives in an area with an affiliated County Party or Metro Party, the County Party or Metro Party shall be allocated one-half (1/2) of the donation, rounded to the nearest penny.
 - iii. A donor may request a different formula, however, if that formula deprives any Party the amount they would otherwise receive from the minimum donation requirements of Annual Dues, then the donation shall not be considered Annual Dues for any Party.
 - ~~iv. The disbursement formula in this section shall be applied retroactively from January 2015 to present through incremental corrections on a timeline deemed appropriate by the State Party Executive Committee.~~

Section 3. Party Governance

- A. Between conventions, a Party shall be governed by an Executive Committee, functioning as the Board of Directors, empowered to collect and expend funds, operate day-to-day tasks, and act on behalf of Voting Members as specified in, and limited by, State Law and State Administrative Regulations, this Constitution, and the Bylaws and Operating Rules.
 - i. The voting members of an Executive Committee shall be the officers (Chair, Vice-Chair and/or Secretary, and Treasurer, who must be seated), At-Large Representatives not to exceed four (4) in number, and when applicable:
 - a. For the State Party, the Chairs of any affiliated District Parties.
 - b. For a District Party, the Chairs of any County Parties or Metro Parties affiliated by that District Party.
 - c. For a County or Metro Party, the Precinct Captain Chair, elected from among the Precinct Captains of the County or Metro Party.
 - ii. Specific duties of named positions of a committee shall be outlined in Operating Rules.
 - iii. An Executive Committee may create and populate sub-committees or other positions of that committee as outlined in Operating Rules.
 - iv. In no event shall a person serve as a voting member on more than one Executive Committee, except as defined in this Constitution.
- B. To be a voting member on any committee of a Party, a person must be a Voting Member of that Party.
 - i. Any committee member who is not a Voting Member shall be given ~~ten (10) business~~ thirty (30) days, upon notification, to become a Voting Member of that Party or they are automatically recalled from office.
 - ii. A committee may appoint non-voting members, who report to and serve at the leisure of the committee, as consultants to facilitate or operate any part of their duties.
- C. In no case shall a single term of office on any committee exceed twenty-five (25) months; violation shall result in automatic recall from office.
- D. Provisions to ensure active and accountable committees, to remove or recall a member of a committee, and to prevent conflicts of interest, along with penalties for failure to conform, shall be adopted in Operating Rules.
- E. Meeting by electronic means may be permitted, and outlined in Operating Rules.
- F. All actions taken by a Party shall be transparent. No action may be taken while in Executive Session. All Party records shall be made available in electronic format to any Voting Member at no cost.
- G. When any provision of this Constitution is triggered by action or inaction, its effects shall be immediate, regardless of acknowledgment by a committee. A Chartering Party shall be responsible for Affiliate Party compliance with this Constitution.

Section 4. Dissolution of Parties

- A. An Affiliate Party may vote to be dissolved.
- B. The State Party or the Chartering Party may dissolve an Affiliate Party, and any Officer of that Affiliate Party shall recuse themselves from such vote.
- C. If an Affiliate Party is to be dissolved, the State Party Executive Committee may, within seven (7) days, alternatively choose to call a convention for that Affiliate Party, in accordance with this convention, to remedy the issue(s) which triggered dissolution. If a convention is not called within seven (7) days, that Affiliate Party is immediately dissolved.
- D. A District Party, County Party, or Metro Party that has been dissolved shall transfer all Party Resources, and a list of outstanding duties and obligations, to the State Party.
- E. If the State Party is dissolved, its final act shall be to transfer all Party Resources, and a list of outstanding obligations, to the National Party.
- F. When a Party has been dissolved, all titles and rights granted to members, as a function of that Party, are revoked.

ARTICLE V. CONVENTIONS

Section 1. Annual Convention

- A. A Party must annually call a convention of all Voting Members of that Party, known as the Annual Convention.
 - i. Eligibility to participate as a voting delegate in an Annual Convention shall be limited to Voting Members, who:

- a. Are a Registered Member on December 31st of the year preceding the convention; or
- b. Become a resident of Kentucky and a Registered Member after December 31st of the year preceding the Annual Convention, but at least thirty (30) days prior to the Annual Convention.
- ii. A County Party or Metro Party shall conduct the business of their Annual Convention on the second or third weekend in January, and shall be ready to provide notice of the convention to the Executive Committee of the Chartering Party and State Party no later than the second weekend in November of the year prior.
- iii. A District Party shall conduct the business of their Annual Convention on the first or second weekend in February, and shall be ready to provide notice of the convention to the State Party Executive Committee no later than the first weekend in December of the year prior.
- iv. The business of the Annual Convention for the State Party shall occur on the last weekend in February or first weekend in March, and the State Party shall be ready to notice the convention no later than the last weekend in December of the year prior.
- v. Any Affiliate Party failing to properly call its Annual Convention is to be dissolved.
- vi. If the State Party fails to properly call its Annual Convention, the State Party Annual Convention shall be the Default Convention.
- B. The Executive Committee of a Party shall be nominated, from the floor by, and elected by vote of, the voting delegates of that Party at Annual Convention.
 - i. Officers of the State Party and affiliated County and Metro Parties, and At-Large Representatives of affiliated District Parties, shall be elected in odd-numbered years.
 - ii. Officers of affiliated District Parties, and At-Large Representatives of the State Party and affiliated County and Metro Parties, shall be elected in even-numbered years.
 - iii. Precinct Captains are elected by vote of the Voting Members in attendance from that voting precinct, at Annual Convention of a County or Metro Party each year.
 - iv. Members of the Executive Committee shall take office immediately upon the close of the Convention at which they were elected, and shall serve until their successors are elected and qualify for office, unless otherwise specified by this Constitution..
 - v. The right of Voting Members of a Party to nominate and elect any person, qualified to serve under this Constitution, from the convention floor shall not be not be infringed. Further, a Party may not act to explicitly or implicitly promote any particular candidate, except for external political candidates who have been nominated under this Constitution and Bylaws.
- C. Amendment of the platform and governing documents of a Party, in accordance with this Constitution, shall be part of the agenda at any Annual Convention.
- D. A business meeting of the Executive Committee shall occur in-person within 24 hours following the close of the Annual Convention for that Party.

Section 2. Default Convention

- A. A Default Convention shall only apply for the State Party and shall only occur if called for by another section of this Constitution.
- B. A Default Convention will be held at the Paul Sawyier Public Library in Frankfort, Kentucky.
- C. Unless otherwise outlined by the section causing a Default Convention, a Default Convention will take place on the second Saturday of March, and will begin at 10 A.M. Eastern Time.
- D. All who qualify as Registered Members who are in attendance shall be considered delegates. The burden of proving eligibility to be a delegate is on the individual seeking to be a delegate.
- E. The National Party may send a representative to act as the Acting Convention Chair, who may also be responsible for validating eligibility for delegate status, until such time that the convention body elects a Convention Chair from among the delegates in attendance.
- F. Any requirements outside of this Constitution may be waived by majority vote of the delegates.
- G. All Officer and At-Large positions in the State Party shall be declared vacant, and the convention body shall elect a new Executive Committee.

Section 3. Special Convention

- A. A Special Convention must be called with a specific purpose or agenda, and that purpose made public as part of the notice of the Special Convention. Other than items under this Constitution which may occur at any convention, no other activities may occur at a Special Convention other than those properly noticed to the Voting Members and no suspension of the rules may be made to the contrary.
- B. A Special Convention of a Party may be called by an Executive Committee, or by the Executive Committee of the Chartering Party, and with at least thirty (30) days' notice to the Voting Members of that Party. Except as otherwise expressly set forth in this Constitution, a Special Convention called by an Executive Committee may not be called more than twice per year.

- C. A Special Convention may be called by petition of one-third (1/3) of the Voting Members of a Party. Such a call shall be in writing at least forty (40) days prior to the convention date, signed by those members, with notice given to the Chair and Secretary of that Party. The Chair of that Party shall provide notice to the Voting Members of that Party within five (5) days of receipt of the petition.
- D. A Special Convention may be canceled by petition of one-half (1/2) of the Voting Members of that Party. Such a cancellation shall be in writing at least fourteen (14) days prior to the convention date, signed by those members, with notice given to the Chair and Secretary of that Party. The Chair of that Party shall provide notice of the cancellation to the Voting Members of that Party within five (5) days of receipt of the petition.

Section 4. Organizational Convention

- A. An Organizational Convention may be called when no Affiliate Party exists where one could exist under this Constitution, and members seek to form an Affiliate Party.
- B. Voting Members who live within that jurisdiction shall be permitted to organize for the purposes of electing Officers, and petitioning the Chartering Party or State Party to become a recognized Affiliate Party.
- C. The Executive Committee of a Chartering Party or of the State Party may call an Organizational Convention to create an Affiliate Party.

Section 5. Nominating Convention

- A. A Nominating Convention may only be called by the State Party Executive Committee, and shall be conducted in accordance with Bylaws, for the sole purpose of nominating candidates for partisan external political office.
 - i. If a Nominating Convention is held on the same day as an Annual Convention, the agenda of the Nominating Convention shall take precedence over the agenda of that Annual Convention; this may not be overridden by a suspension of the rules or any other motion.
 - ii. Multiple Nominating Conventions may be called at the same date, time, and/or location.
 - iii. At least forty-five (45) days' notice shall be provided to Eligible Voters for whom contact information can be reasonably obtained.
 - iv. Participation shall be open to Eligible Voters.
- B. In the case of a special election called by the state, or vacancy caused by the death or withdrawal of a duly-nominated candidate, the State Party Executive Committee may waive all conflicting provisions and empower the Executive Committee of a Party which fully encompasses the political boundary of the particular office to hold a Special Nominating Convention. In this scenario, all other requirements are waived, and the empowered Executive Committee may nominate a candidate for that election.

Section 6. National Convention

- A. Only those who are a Voting Member, and are counted as part of the delegate allocation formula of the National Party on the date the National Party calculates the number of Primary Delegates to the convention of the National Party, shall be permitted to be elected to be delegates to the National Convention. Procedures for nomination and election of delegates to convention of the National Party, and filling vacancies, shall be outlined in Operating Rules.

Section 7. General Rules except for Nominating Conventions and National Convention

- A. Convention notice shall outline the date(s), time(s), location, and agenda, and when applicable convention floor fees, related to the convention, as outlined in Operating Rules.
- B. Quorum shall be 50% of the active checked-in delegates and 33% of all delegates who have checked-in at any time during the convention.
- C. Unless otherwise specified in this Constitution, any person shall be permitted to be a voting delegate, provided they:
 - i. Are a Voting Member of the Party holding the convention for at least thirty (30) days immediately preceding a convention being called to order, except as otherwise outlined in this Constitution.
 - ii. Have paid any "Floor Fee".
 - a. "Floor Fees" may be required, but only to offset the cost of convention business and shall not be used for general fundraising. A pricing structure for "Early Bird" discounts and "At Door" penalties shall be permitted, provided the variance in price is no more than ten percent (10%) or ten dollars (\$10), whichever is greater. Such fees shall be permitted to be paid at the door.

- iii. Are in line to check-in at least five (5) minutes prior to the closing time of the current check-in period.
- iv. Have registered for the convention, if registration is required.
 - a. If required, the registration period shall begin when notice is communicated, and shall end upon noticed time of the opening of business of the convention.
- D. Unless three-fifths (3/5) of that Executive Committee votes otherwise, a convention of a Party shall be held within the boundaries of that Party. When a convention is to be held outside the geographical boundaries of a Party, notice requirements shall be added: one additional day for every ten miles, or fraction thereof, between the site of the convention and the point closest to the boundary of that Party.
- E. All business shall be conducted on a Saturday, and optionally the Sunday immediately following.
- F. Calling a convention
 - i. A Party Executive Committee Chair is primarily responsible for noticing conventions for that Party.
 - ii. An Affiliate Party shall provide details of a convention to the State Party Executive Committee prior to a convention being called for that Party.
 - iii. Notice must be provided to all Voting Members of a Party, and must include the date, time, location, and purpose of the convention being called. Notice may additionally include the expected expenditures and revenue of the convention. Acceptable delivery of notice shall be by at least two methods of email, telephone, or mail, provided that this information is available and current for the Voting Member. Except where otherwise defined in this Constitution, notice must be provided at least forty-five (45) days prior to the convention.
 - iv. An Executive Committee may employ additional mechanisms to inform the public.
- G. When any competent governmental authority has declared a weather emergency or state of emergency, any convention may be rescheduled, with approval of the State Party Executive Committee, to the following weekend. All notice requirements shall be waived in such instance, but best-effort shall be made to contact all Voting Members in the affected area, given the timeframe and available resources, to encourage wide participation by Voting Members of that Party.
- H. If a reservation for a planned convention location is canceled by the manager of the facility, the Party shall inform the State Party Executive Committee and re-notice the new location to all those entitled to notice of convention. If this cancellation occurs within ninety-six (96) hours prior to the opening of business, a sign shall be clearly posted at the original location informing members of the location change.
- I. No burden or requirement in regard to notice, membership, or participation in convention, which is not explicitly outlined in this Constitution, may be placed upon Voting Members.

ARTICLE VI. PLATFORM

Section 1. A Party may adopt a Platform, provided that Platform does not conflict with the platform of the State Party or the Statement of Principles.

Section 2. At any convention at which platform amendment is part of the noticed agenda, planks may be deleted by majority vote, and created or amended by a vote of two-thirds (2/3), of the delegates present and voting.

ARTICLE VII. GOVERNING DOCUMENTS

Section 1. This Constitution applies to all Parties, and supersedes all previous versions of the State Party Constitution and all governing documents of Affiliate Parties. A Constitution may only exist for the State Party.

Section 2. Bylaws

- A. Bylaws shall exist, as “bylaws” as defined under Roberts Rules of Order in a split-document governance model, limited to the purpose of conforming to and codifying the conduct of candidate nomination for external political office under this Constitution and state law, and shall be binding to all Parties.
 - i. No Affiliate Party may adopt Bylaws. Any Bylaws adopted by a Party, and any adopted by the State Party which are not directly related to the nomination of candidates, are repealed.

- ii. Bylaws shall conform to Kentucky Revised Statutes and Kentucky Administrative Regulations regarding the nomination of candidates.
- iii. Any candidate nomination rules codified in any State Party governing document in existence prior to March 2nd, 2019 shall be re-codified as Bylaws, effective through November 5th, 2019, after which time they are repealed.
- B. Bylaws shall reference the section(s) under the Constitution and/or Robert's Rules of Order, and when applicable the section of Kentucky Revised Statutes and/or Kentucky Administrative Regulations, from which it derives its authority, and shall note effective dates and the date of passage and last amendment. Bylaws may not conflict with this Constitution; any such Bylaw is immediately repealed.
- C. Bylaws shall codify:
 - i. Those seeking to participate in the nomination of a candidate must be an Eligible Voter; defined as any person who is a Registered Member as of December 31st of the year preceding the general election, or any Kentucky resident 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.
 - ii. The right of any Eligible Voter, in good faith, to challenge the status of any person as an Eligible Voter, or the bona fides of a candidate seeking nomination, prior to the casting of ballots. The person or body in charge of conducting candidate nominations shall verify that a person being challenged is qualified to participate. A person being challenged may be required to provide government-issued photo ID with the full legal name, address, and date of birth of the person and/or proof of person being eligible under this Constitution and the Bylaws.
 - a. The process to challenge the nomination of any candidate for political office shall be extended for a period of no less than five (5) business days after the nomination of a candidate, and provide a mechanism for appeal to the State Party Executive Committee.
 - iii. Mechanisms for anti-fraud measures, and other mechanisms deemed pertinent, germane, or prudent, to the running of fair primary elections for candidates seeking political office.
 - iv. A person seeking to become a candidate for external political office must be and remain: legally qualified to seek the office, an Eligible Voter, a Voting Member, and in compliance with the Bylaws.
 - a. Any candidate whose name was listed on the ballot and received fewer votes than NOTA may not be nominated for that office during the same election cycle.
 - b. Nomination shall not occur more than three-hundred sixty (360) days before the general election for the office sought.
 - v. All in-person balloting shall be by secret ballot, and, to the extent reasonably practical, absentee balloting as well.
 - a. All cast ballots shall be counted, and preserved for a period of 30 days after the close of the State Party Nominating Convention by the State Party Secretary in accordance with Bylaws. Procedures for tabulating ballots shall provide ample protections for privacy of the voter and avoid conflicts of interest.
 - b. The results of all elections shall be transmitted to the State Party Executive Committee within twenty-four (24) hours of the close of the State Party Nominating Convention, for certification.
 - vi. Creation of standard nomination forms, filing deadlines, and filing fees not to exceed ten percent (10%) above the filing fee required by the Commonwealth of Kentucky;
 - vii. any requirement of a candidate to pre-pay annual dues, if those dues are to expire prior to the date of the general election;
 - viii. any mechanisms absentee and/or electronic voting; and
 - ix. a Director of Elections, who serves at the leisure of the State Party Executive Committee, to oversee the candidate nomination process.
- D. It remains the province of the State Party Executive Committee or the Director of Elections to waive any formalities or technicalities codified in Bylaws that do not have a material effect on the outcome of any given election.

Section 3. Operating Rules

- A. Operating Rules shall exist, as “bylaws” as defined under Roberts Rules of Order in a split-document governance model, to provide specific procedures as to the implementation of all Constitutional provisions other than those related to the nomination of candidates, and shall apply to all Parties unless explicitly applicable only to the State Party.
- B. Operating Rules may relax standards for Voting Members, but shall not alter or abridge rights granted to Voting Members under this Constitution. Operating rules may increase burdens on party officials, but never grant additional powers to party officials which are not explicitly outlined as granted in this Constitution.
- C. Operating Rules shall reference the sections under the Constitution and/or Robert's Rules of Order, and when applicable the section of Kentucky Revised Statutes and/or Kentucky Administrative Regulations, from which it derives its authority, and shall note effective dates and the date of passage and last amendment.

Section 4. Standing Rules

- A. A Party may adopt Standing Rules, provided such rules comply with federal and state law, this Constitution, Roberts Rules of Order, Bylaws, and Operating Rules of the State Party. Any Standing Rule which does not comply is repealed.
- B. All rules, procedures, or other substantive standing motions, other than Standing Rules, adopted by an Affiliate Party prior to March 4th, 2019, are repealed.
- C. Each Standing Rule shall reference the section under the Constitution, Robert's Rules of Order, Bylaws, and/or Operating Rules from which it derives its authority, and shall note the date of passage and last amendment. Standing Rules may not alter the rights of Voting Members in any manner.
- D. Any Standing Rules adopted by a Party shall be reviewed by the Executive Committee at the first meeting after a convention of the Party it serves.

Section 5. Standing Convention Rules

- A. A convention body may codify Standing Convention Rules, provided those rules comply with this Constitution and the Operating Rules. When such rules exist, they shall be documented and promulgated in the same manner as all other governing documents.
- B. Any Convention Rules adopted in any manner other than by a convention body are repealed.

Section 6. Amendments

- A. This Constitution may be amended at State Party Annual Convention by a vote of three-fourths (3/4), or at State Party Special Convention by vote of four-fifths (4/5).
- B. Bylaws may be created, amended, or deleted at State Party Annual Convention, or at State Party Special Convention by vote of three-fourths (3/4). Such amendments shall take effect on the first Wednesday after the first Monday in November of the year in which they were altered.
- C. Operating Rules may be adopted, amended, or deleted at State Party convention, or at State Party Special Convention by vote of three-fourths (3/4).
- D. Standing Rules may be adopted, amended, or deleted by a Party Executive Committee.
- E. Emergency Amendments of the Constitution, Bylaws, and Operating Rules shall be permitted, limited in scope to compliance with Kentucky Law and/or Kentucky Administrative Regulations, and amendments to Bylaws or Operating Rules may also be made to resolve a conflict between the Constitution and that document; by a vote of all voting members of the State Party Executive Committee, where not more than one (1) seated committee member may object or abstain. Amendments made outside convention shall be immediately effective, posted to the State Party website within forty-eight (48) hours of passage, and shall be considered for approval by the Voting Members of the State Party at the next convention of the State Party or be automatically repealed.
- F. Any criteria, or reference to criteria, to amend governing documents shall not be amended outside of State Party Annual Convention.
- G. A notice period of fourteen (14) days shall exist for proposing amendments to governing documents, by committee or by a Voting Member, to make such proposals available to Voting Members on the state party website no less than seven (7) days prior to consideration, where amending any of those documents is noticed as part of the agenda. A maximum notice period shall not exist.
 - i. These requirements must be announced to Voting Members with the notice of convention. The notice requirement shall be waived if such restriction is not properly noticed.
 - ii. All proposed amendments, by Voting Members or committee, submitted on-time must be made public on the State Party website, along with the name of the person proposing the amendment, and the date on which it was submitted.
 - iii. If any committee has not had an opportunity to review the amendment, then such status may be noted but shall not invalidate the submitted amendment proposal, nor absolve any responsibility of the Party under the Constitution, Bylaws, and Standing Rules, nor abridge or alter the rights of Voting Membership to propose amendments as outlined under the Constitution.
 - iv. Comments on proposals may be made by the Rules Committee, but they shall not remove any germane comments submitted with the proposed amendment or submitted by Voting Members.
 - v. Proposals may be brought by Voting Members without other restriction.
- H. All provisions of this section related to amendment vote thresholds, as written, shall not take effect until after March 4th, 2019. Prior to that time, amendments may be proposed from the convention floor at any convention.

- I. If the Executive Committee has enacted any provision that prevents the convention body from bringing forth amendments, and/or prevents a convention body from making any amendment to the Constitution, Bylaws, or Operating Rules take effect immediately:
 - i. That provision is immediately repealed.
 - ii. A special convention shall be held immediately upon the close of the State Party Annual Convention to consider amendments to the Constitution, Bylaws, and Operating Rules, without requiring previous notice and without restrictions created by Executive Committee.

Section 7. All governing documents in effect for any and all Parties shall be published on the State Party website to promote widespread understanding and participation by Voting Members.

Section 8. Whenever there is question over the interpretation of a provision of any governing document, the intent of the body which originally passed the provision, when that intent can be determined, shall be the standing interpretation until such time as the provision is substantively modified.

ARTICLE VIII. PREFERENTIAL VOTING AND NONE OF THE ABOVE

Section 1. In any case where a question has been called to a vote and/or during the election or nomination of candidates, and there are more than two (2) options, preferential voting, also known as instant runoff voting, shall be used to determine the winning choice.

Section 2. In any case where a question involves election or nomination, None Of The Above (NOTA) shall be an option.

Section 3. Whenever preferential voting is used, the Secretary of the Party shall be responsible for tallying, announcing, and archiving the results of each round of voting. Except where otherwise explicitly outlined in this Constitution, those entitled to vote may, in good faith, challenge the results.

Section 4. Except where explicitly permitted in this Constitution or Bylaws, proxy or absentee voting is forbidden.

ARTICLE IX. BINDING ARBITRATION OF DISPUTES

Section 1. Whenever there is question over the interpretation of a provision of the Constitution or other governing document, the intent of the convention body which originally passed the provision, when that intent can be determined, shall be the standing interpretation until such time as the provision is substantively modified.

Section 2. Any person who is, or within the past six (6) months has been, a Voting Member of a Party *for at least one year* 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”