

**OKLAHOMA LIBERTARIAN PARTY  
CONSTITUTION AND GOVERNING BYLAWS  
AND RULES OF APPELLATE PROCEDURE**

Adopted 27 March 2021

**Article I: Name**

These articles shall govern the association known as the “Oklahoma Libertarian Party”, “Libertarian Party of Oklahoma”, hereafter referred to as the OKLP.

**Article II: Purpose**

The OKLP is organized to promote individual liberty and eliminate intervention of government in moral, social, and economic affairs by: functioning as a state level libertarian political entity in association with the Libertarian Party, moving public policy in a libertarian direction by building a political party that elects Libertarians to public office and promotes legislative initiatives; chartering affiliates throughout Oklahoma and promoting their growth and activities; and entering into public information and education activities.

**Article III: Statement of Principles**

Section 1. The OKLP affirms the following principles:

- A) That all people possess certain unalienable natural rights, and that among these are the rights to life, liberty, justly acquired property, and self-governance.
- B) That the only moral basis for government is the preservation and protection of unalienable natural rights.
- C) That no person or institution, public or private, has the right to initiate the use of physical force or fraud against another person, and that all people are bound without contract to abstain from infringing upon the natural rights of other people.
- D) That all people are entitled to choose their own lifestyles as long as they do not forcibly impose those values on others.
- E) That the voluntary and unrestricted exchange of goods and services is fundamental to a peaceful and prosperous society.

Section 2. The OKLP does not believe in or advocate the initiation of force in order to achieve political or social goals.

Section 3. This Article may only be amended by a seven-eighths ( $\frac{7}{8}$ ) majority vote of the delegates at a State Convention.

## **Article IV: Rules, Terms, and Conditions**

Section 1. Interpretation and application of Bylaws

- A) All records and lists required by the Bylaws shall be in writing.
- B) The spirit and not the letter of each Bylaw shall be controlling subject to ratification of a two-thirds ( $\frac{2}{3}$ ) vote of the entire State Executive Committee.
- C) Should any conflict exist or develop between any of these Bylaws and Oklahoma statutory election law, the latter shall govern except as to those laws which have been judicially held to be constitutionally unenforceable or which are patently unconstitutional in the judgment of the State Executive Committee.
- D) Whenever by reason of changes in the governing law, either by way of legislative enactment or judicial decree by a court of competent jurisdiction, it becomes impossible to comply with any provision of these Bylaws, the State Executive Committee is authorized to promulgate such alternate or additional rules, procedures, and guidelines as may be necessary and appropriate.
- E) The proceedings of all business, organizational, re-organizational, committee meetings and all county, regional, and state conventions not covered by these Bylaws or by enforceable provisions of Oklahoma law shall be governed by the most recent edition of Robert's Rules of Order, Newly Revised.
- F) All elections to a party office at all levels of organization shall be decided by a majority vote unless otherwise directed by these Bylaws.
- G) The Bylaws and Platform may be amended only by the Delegates to the State Convention by a two-thirds ( $\frac{2}{3}$ ) vote of the total number of Delegates present, registered, and approved for that convention or reconvened convention.
- H) The State Executive Committee, each County or Regional Committee, and each County or Regional Convention may adopt for its own purposes such rules as it may deem necessary or advisable and which are not in conflict with these Bylaws or with applicable and enforceable state law.

- I) Any reference to gender in these Bylaws shall be inclusive of all genders and the singular shall include the plural unless the context clearly indicates otherwise.
- J) Citations herein to specific sections of the Oklahoma Statutes refer to the statute as it exists as of the date of adoption of these Bylaws and shall be deemed to refer to any relevant successor or substitute sections of the statutes in the event the same shall be amended or modified at any later date or dates.

## Section 2. Definitions

- A) “Party” shall mean the Oklahoma Libertarian Party (Libertarian Party of Oklahoma) at the state, regional, county, or precinct level as the context shall require.
- B) “National Party” shall mean the national Libertarian Party.
- C) “Affiliate” shall mean any chartered affiliate of the OKLP, whether regional, county, or precinct.
- D) “Quorum” shall mean a majority of all the members of a committee or body unless otherwise specified by these Bylaws.
- E) “State Convention” shall refer to the annual Convention of state Delegates in any given year.
- F) “County Chair” shall mean any member appointed by the State Chair for the purposes of chartering a new County Affiliate, or the member elected by the body of the county affiliate.
- G) “Officer” shall mean any person duly elected or appointed to the office of State Chair, Vice Chair, Secretary, or Treasurer.
- H) “Registered Libertarians” shall mean any persons registered to vote in the state of Oklahoma who have declared party affiliation to the Libertarian Party as defined by the Oklahoma State Election Board.

Section 3. The Bylaws may be reproduced and distributed as the State Executive Committee may direct and shall be published and maintained on the Party’s official website.

Section 4. For the purposes of these Bylaws, unless otherwise specified, “written notice” shall be defined as any of the following: mail by the United States Postal Service with first class

postage prepaid; electronic mail; facsimile transmission; personal delivery; or delivery by private courier service.

## **Article V: Membership**

Section 1. All Members of the Party (“Members”) shall be persons who:

- A) Have indicated that they oppose the initiation of force to achieve political or social goals;
- B) Are residents of the state of Oklahoma;
- C) Are Registered Libertarians; and
- D) Have either paid dues as established by the State Executive Committee -- such dues being current no later than thirty (30) days prior to the start of the State Convention -- or hold a Lifetime membership in the OKLP. Unless otherwise provided, the body of a duly called Convention may suspend this rule to allow other Members who may not qualify under this provision to be seated as Delegates at that Convention.

Section 2. The State Executive Committee shall establish the contributions or dues required for membership.

Section 3. The State Executive Committee may offer Lifetime memberships and must honor all prior and future Lifetime memberships.

Section 4. The State Executive Committee is empowered to waive, by a three-fourths ( $\frac{3}{4}$ ) vote of its members, the voter registration requirement for any individual who is a resident of Oklahoma but not legally qualified to vote in the state of Oklahoma and who requests such a waiver in writing.

Section 5. A Member shall have the right to participate in the official affairs and governance of the Party in accordance with these Bylaws. Such right shall be sacred and inviolate and the willful disregard or abridgment of such right by an Officer or Member shall be deemed sufficient cause for the suspension of such Officer or Member as provided by these Bylaws.

Section 6. The State Executive Committee shall have the authority to suspend, terminate, or refuse any membership in the OKLP by a three-fourths ( $\frac{3}{4}$ ) vote of its members. The State Executive Committee shall immediately notify such individual by certified mail of the suspension, termination, or refusal, and the reasons for such, affording the individual the right to appeal to the Judicial Committee or to appeal to the delegation at large during the State Convention. Upon such appeal, the Judicial Committee or State Convention, as the case may be, may by a majority vote reverse the suspension, termination, or refusal of membership.

Otherwise, the membership shall remain voided for a period of one (1) year from the original three-fourths ( $\frac{3}{4}$ ) State Executive Committee vote, after which time the individual may reapply for membership in the OKLP.

Section 7. A Member may be expelled from the Party only by a three-fourths ( $\frac{3}{4}$ ) vote of the Delegates at the State Convention in accordance with these Bylaws. Expulsion of a Member may be recommended for cause by action of a chartered affiliate, by a written petition signed by three Members, by the State Chair, or by initiation of the Delegates assembled in State Convention *sua sponte*. Grounds for expulsion shall include taking any action which: is deleterious to the Party or which seriously damages its reputation and public esteem; imperils its continued legal existence, its status as a registered political party in the state of Oklahoma, its recognition by the National Party as a state affiliate, or its federal or state tax exempt status; or in the judgment of the State Executive Committee is otherwise sufficiently serious that the Party desires to permanently and publicly dissociate from the affected Member. If expulsion is decreed it shall be effective immediately and there shall be no appeal. Any expelled person shall not be considered for readmission to the OKLP. If expulsion is rejected, no subsequent petition for expulsion against that same Member based on those same charges or others related to the incident in question shall be entertained. In the event a Member is expelled, the State Executive Committee or State Chair may notify the National Libertarian Party and any other state party of such expulsion, and may issue public notice thereof.

## **Article VI: Permanent Organization**

Section 1. The permanent organization of the OKLP shall consist of an at-large governing body known as the State Executive Committee, a Judicial Committee, a Bylaws & Platform Committee, and County Affiliates represented by seven (7) Regional Committees.

## **Article VII: State Executive Committee**

Section 1. The purpose of the State Executive Committee is to control and manage all of the affairs and properties of the OKLP between State Conventions, consistent with these Bylaws and the policies established at the State Convention. The State Executive Committee shall have the authority, by a majority vote, except as otherwise provided herein to perform all functions which the State Convention might perform under these Bylaws except the State Executive Committee shall have no authority to amend, alter, or repeal any substantive part of the Bylaws. Subordinated only to the authority of a duly called and convened Convention of the State Party, the State Executive Committee is the supreme authority of the OKLP under these Bylaws. The State Executive Committee shall have the sole responsibility for:

- A) Granting and/or withdrawing County and Regional Affiliate charters;
- B) Approving applications for membership in the OKLP;

- C) Arranging, promoting, and producing an annual State Convention;
- D) Resolving matters of succession of Officers and At-Large Representatives in cases of vacancy;
- E) Taking appropriate punitive action against Members, OKLP Committees, and Affiliates as provided in these Bylaws; and
- F) Producing and approving an annual budget.

Section 2. The State Executive Committee shall be composed of four (4) State Officers; each Regional Representative or their Alternate as designated by their respective Regional Committee, and four (4) At-Large Representatives. Any person elected or appointed to the State Executive Committee must meet eligibility and qualification requirements as a Member and for that office as outlined in these Bylaws. No member of the State Executive Committee may hold more than one (1) elected State Party office or seat on the State Executive Committee. Should the need arise for a member to perform the duties of another for a period of time, that member shall have only one (1) vote on the State Executive Committee.

Section 3. During odd-numbered years, Officers and At-Large Representatives shall be elected at the State Convention. Officers and At-Large Representatives so elected shall take office upon final adjournment of the State Convention at which they are elected and serve thereafter until the final adjournment of the next State Convention held in an odd-numbered year.

- A) Officers shall be elected by secret ballot unless there is only one nomination for the office, in which case election may be made by acclamation.
- B) At-Large Representatives shall be elected simultaneously by secret ballot for each of the four (4) roles as specified in Article VII Section 5 unless there is only one nomination for a given role, in which case election may be made by acclamation for that role. Should a given candidate accept nominations for and win election to more than one role, the role which the candidate won with the highest number of votes shall be that person's assigned role, and the candidate(s) receiving the next highest number of votes in the discarded role(s) shall be declared the winner(s) thereof. Should such a candidate be elected to more than one role by the same number of votes, said candidate shall choose from among those a single role to accept and the candidate(s) with the next-highest number of votes in the discarded role(s) shall be declared the winner(s) thereof.

Section 4. The Officers of the OKLP shall be a Chair, Vice Chair, Secretary, and Treasurer. No offices shall be combined except the office of Secretary may be combined as necessary.

- A) The State Chair is the chief executive officer of the OKLP and shall coordinate the activities of the OKLP and Members in achieving the Party's objectives and goals. Duties of the State Chair include but are not limited to that such person:
1. Shall be responsible for the enforcement of these Bylaws and carrying out the directions and resolutions of the State Executive Committee and the State Convention in accordance with these Bylaws;
  2. Shall preside over all meetings of the State Executive Committee;
  3. Shall be the primary spokesperson for the State Party but may delegate this function to any other Member(s);
  4. Shall ensure compliance with all federal, state, and local laws pertaining to political parties;
  5. Shall serve *ex officio* on all standing and *ad hoc* committees;
  6. Shall convene State Executive Committee meetings as necessary to carry out Party business at the state level;
  7. Shall oversee Party projects throughout the state in coordination with Regional and County Committees in order to promote the Party;
  8. Shall, with the help of the Vice Chair and Regional and County Chairs, be responsible for recruiting Libertarian candidates for public office;
  9. Shall maintain communication with the National Libertarian Party in order to Coordinate national and state party business;
  10. Shall assign and perform the duties of the Vice Chair in the absence of that Officer until a successor is chosen by the State Executive Committee or State Convention as (per Article VII, Section 7C) of these Bylaws;
  11. May require specific forms to be used for administrative purposes at all levels of the Party; and
  12. May make other regulations regarding administrative practices at all levels of the Party.

B) The State Vice Chair shall act as assistant to the State Chair and shall perform such duties as the Chair directs. Duties of the Vice Chair include but are not limited to that such person:

1. Shall assume and perform the duties of the State Chair in the absence of the Chair and/or until a successor is chosen by the State Executive Committee or State Convention as per (Article VII, Section 7C) of these Bylaws;
2. Shall oversee the planning and facilitation of the State Convention;
3. Shall arrange facilities and equipment for State Executive Committee meetings;
4. Shall be responsible for the development of Regional and County Affiliates; and
5. Shall develop and implement an overall strategy to maximize outreach and engagement with registered Libertarians, Members, volunteers, and the community at large.

C) The State Secretary shall be the recording officer at all State Executive Committee meetings and the State Convention. Duties of the Secretary include but are not limited to that such person:

1. Shall maintain all written records for future use and be responsible for all correspondence of, and Party documentation submitted to, the State Executive Committee;
2. Shall forward a copy of the current OKLP Bylaws to the National Party Secretary following amendment of same at a State Convention;
3. Codify and maintain any Standing Rules of the State Executive Committee (per Article XI, Section 1) of these Bylaws; and
4. Shall, at the end of the Secretary's term of office, deliver to that person's successor within ten (10) business days all property, books, and records of the State Executive Committee and State Party maintained by that person or in that person's possession.

D) The State Treasurer shall be the custodian of all State Party funds and shall oversee the disbursement of same by authorized persons in accordance with the decisions and direction of the State Executive Committee. The State Party authorizes the duly elected Treasurer to be a signatory on all accounts. Duties of the Treasurer include but are not limited to that such person:



1. Shall keep account of all receipts and disbursements, with appropriate information regarding from whom received and to whom disbursed, and the purpose thereof;
2. Shall make a record of State Party accounts accessible to any member of the State Executive Committee or to any Member with reasonable notice, usually at least two (2) days advance notice;
3. Shall report at such time or times as requested by the State Executive Committee in such form as will provide all necessary information relative to the amount of receipts, disbursements, and cash balance, together with expenditures charged to each item of the budget and unexpended balance of the budget items;
4. Shall, at the end of the Treasurer's term of office, deliver to that person's successor within ten (10) business days all monies, property, books, and records of the State Executive Committee and State Party maintained by that person or in that person's possession;
5. Shall, at the end of the Treasurer's term of office, within seven (7) days amend the statement of Organization with the Oklahoma Ethics Commission and the Federal Ethics Commission as required by applicable law;
6. Shall follow the rules and standards set by the institution where signatory authorization is required including but not limited, to the transfer of custody and withdrawal of assets; and
7. Shall keep account of all quarterly financial statements and other related documents submitted by Affiliates.

Section 5. At-Large Representatives, in addition to being available to all Members, shall under the direction of and in coordination with the Chair and Vice Chair assist in the achievement of the Party's Purpose as stated in Article II of these Bylaws. Each At-Large Representative shall submit to the Secretary seven (7) days prior to each regular meeting a written report of all activities related to the responsibilities with which the person has been charged in accordance with one of the following roles:

- A) Political At-Large, who works closely with the State Chair to develop and implement an overall political strategy for maximizing Libertarian campaign results. Responsibilities may include but are not limited to identifying ideal districts and races in which to run candidates, prospecting potential candidates, and assisting in the recruitment and

training of Libertarian candidates for office and their campaign staff in all areas related to organizing and running a campaign.

- B) Legislative At-Large, who works with the Chair on legislative matters of interest to the Party. Responsibilities may include but are not limited to reviewing legislation in the state to determine which bills the Party will support or oppose, engaging with the legislature and its subcommittees to introduce or amend pending legislation to protect libertarian interests, compiling information for membership calls to action, assisting with Party resolutions, press releases, and statements concerning legislative matters, and assisting in organizing any Party lobbying events and rallies.
- C) Field Development At-Large, who works with the Vice Chair to develop and implement an overall strategy to maximize outreach and engagement with Members, registered Libertarians, volunteers, and the community at large. Responsibilities may include but are not limited to prospecting communities and community events for Party engagement and communicating with Regional and/or County Committees concerning same, recruiting and training event volunteers, identifying and targeting -- for coalition-building -- organizations which are niched to specific issues aligned with the Party platform, and working with the Legislative At-Large to organize any Party lobbying events and rallies.
- D) Development At-Large, who works with Officers to develop and implement a strategy to maximize Libertarian voter registrations, Party membership, and Party revenue. Responsibilities may include but are not limited to following up with prospective Members, contacting current and past Members concerning membership status, soliciting donations, implementing fundraising strategies and coordinating related events, and increasing the number of Registered Libertarians through voter registration activities.

Section 6. Each Regional Representative shall submit to the Secretary a written report of all activities within that person's region seven (7) days prior to each regular meeting.

#### Section 7. Vacancies

- A) A member of the State Executive Committee may resign with or without cause. Resignation shall be made in writing to the State Chair and State Secretary. In the event of the Chair's resignation, the Vice Chair and Secretary shall be notified in writing.
- B) In the event of the temporary inability of the Chair to perform the duties of that office, said duties shall fall upon the Vice Chair. Should an At-Large Representative or Officer other than the Chair be unable or fail to fulfill their duties or to attend two or more

consecutive meetings, that office or position may be vacated for a period of no more than ninety (90) days or until the next State Convention, whichever is sooner.

- C) If an Officer or At-Large Representative resigns or cannot act or serve (except for a temporary period), abandons their office or seat by refusing to serve, or shall have been suspended for cause per these Bylaws, the State Executive Committee may by a two-thirds ( $\frac{2}{3}$ ) vote appoint a Member to serve in that position and fulfill the duties required of that position in accordance with these Bylaws. Such appointments shall be to complete the term of the office or seat vacated unless a Convention meets sooner, in which case a new election shall be held for any position so filled. Appointments to fill State Executive Committee vacancies shall take effect upon the close of the State Executive Committee or meeting wherein the appointment is confirmed. The State Executive Committee may defer to the will of those Delegates duly credentialed at the previous State Convention by issuing a poll for the election of another Member to serve in the vacated role.

Section 8. A two-thirds ( $\frac{2}{3}$ ) majority of the eligible positions on the State Executive Committee shall be required to pass the following:

- A) Suspension, censure, or removal from office any Party Officer, State Executive Committee member, Libertarian National Committee representative, *ad hoc* or other committee member, or any County Committee member;
- B) Reinstatement of a County Committee member;
- C) Endorsing or rescinding its endorsement of any candidate for public office;
- D) Endorsing or opposing any proposed ballot measure, but rescinding such action shall be considered a normal main motion;
- E) The annual budget or any financial liability or contractual obligation lasting more than three months; and
- F) Providing the Party mailing list to non-Libertarian groups or individuals or to candidates for public office not endorsed by the Party.

## **Article VIII: Judicial Committee**

Section 1. The OKLP shall vest its appellate authority in a Judicial Committee. The Judicial Committee shall be composed of five (5) Members elected at each State Convention in even-numbered years, and any four (4) members shall constitute a quorum. Any member of the committee who fails to attend two consecutive meetings may be considered to have

vacated their position, pending a majority vote of the remaining members. All Judicial Committee members shall have been Party members at least two (2) years and have attended at least two (2) OKLP State Conventions. No member of the State Executive Committee may be a member of the Judicial Committee. The members of the Judicial Committee shall select the Chair of the Judicial Committee and a Recording Secretary. Elected Judicial Committee members shall take office immediately upon the close of the State Convention at which elected and shall serve until the final adjournment of the next State Convention in an even-numbered year. A vacancy on the Judicial Committee shall be filled by three alternates elected at convention. Such alternates will serve until the final adjournment of the next State Convention at which a special election shall be held to fill such vacancies. The election of Judicial Committee alternates will be done by ranked choice where the alternate with the most votes will fill the first vacancy, the alternate with the second most votes will fill the second vacancy, and the alternate with the third most votes will fill the third vacancy. In the event that a vacancy occurs on the Judicial Committee and all alternates have been exhausted, such vacancy or vacancies will be filled by a survey of the delegates to the previous convention.

Section 2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:

- A) Suspension of affiliate parties;
- B) Suspension of Officers or At-Large Representatives by a vote of the State Executive Committee;
- C) Suspension of Regional or County Officers or Representatives;
- D) Voiding of State Executive Committee decisions and actions;
- E) Disputes involving access to Party records;
- F) Challenges to Platform planks;
- G) Challenges to Resolutions;
- H) Interpretation of the OKLP Bylaws and Convention Rules;
- I) Offering an advisory opinion to the State Executive Committee upon request; and
- J) Suspension or expulsion of Members.

Section 3. No member of the Judicial Committee may sit in judgment of an appeal of a ruling or action of the State Executive Committee, a Regional Committee, or a County Committee which occurred while that member served on said committee.

Section 4. The Judicial Committee shall, when required by its duties, have access to all written records of the Party and Party committees concerned.

Section 5. Decisions of the Judicial Committee on Platform planks and resolutions may be overridden by a three-fourths ( $\frac{3}{4}$ ) vote of the delegates at a future State Convention.

Section 6. The Judicial Committee shall use the 2021 OKLP Judicial Committee Rules of Appellate Procedure unless and until it submits to the State Convention new proposed rules which are adopted by a fifty-percent-plus-one (50% + 1) majority approval of that State Convention.

Section 7. A copy of the current Judicial Committee Rules of Appellate Procedure shall be maintained by the State Secretary and shall accompany these Bylaws.

Section 8. Petition for reconsideration of judgment submitted on appeal for discretionary review shall be made in writing no later than ten (10) days after the Chair of the Committee has notified all parties of the judgment as required in the most recent edition of the OKLP Judicial Committee Rules of Appellate Procedure. Parties opposing the application shall answer in writing within ten (10) days of service of the application. The party making the application may file a reply brief within seven (7) days of service of the answer brief in opposition. Copies of the application, answer brief in opposition, and reply brief shall be served in the manner prescribed for the service and filing of briefs in the initial action. Such petition shall be taken up during the new business portion of the State Convention immediately following the service period outlined in this section. If the service period should extend beyond the close of the State Convention the reconsideration shall take place at the next State Convention. A duly called and convened Special Convention of the State Party may be called upon by a three-fourths ( $\frac{3}{4}$ ) vote of the State Executive Committee to hear the merits of the petition. The motion to be heard in either case shall be whether to overrule the judgment of the Judicial Committee. Debate shall be conducted in accordance with the Special Rules of Convention or the applicable parliamentary authority. A three-fourths ( $\frac{3}{4}$ ) vote in the affirmative is required to overrule the judgment.

## **Article IX: Regional Committees**

Section 1. The purpose of a Regional Committee is to promote Libertarian policy, activities, voter registration, campaigns, to help form and encourage maintenance of County Committees, and to control and manage the affairs and properties of the Regional Committee between Regional Conventions. Regional Committees shall have the liberty to organize their own

Regional Committee structures that are not inconsistent with these Bylaws subject to the approval of the State Executive Committee through the chartering process.

Section 2. Each chartered Regional Committee shall designate a Regional Representative to the State Executive Committee. The State Executive Committee may by majority vote appoint one Member residing in an unorganized Region as that Region's Temporary Representative to the State Executive Committee. The Temporary Regional Representative shall arrange and conduct an organizing convention within ninety (90) days of appointment and secure a Regional Affiliate charter within one hundred eighty (180) days of appointment; failure to meet either or both of these requirements shall result in the termination of their appointment.

Section 3. Regions of the OKLP shall be as follows:

- A) Northwest Region: Beaver, Blaine, Cimarron, Custer, Dewey, Ellis, Harper, Roger Mills, Texas, Woods, and Woodward counties.
- B) North Central Region: Alfalfa, Garfield, Grant, Kay, Kingfisher, Logan, Major, Noble, Payne, and Pawnee counties.
- C) Northeast Region: Craig, Creek, Delaware, Mayes, Nowata, Osage, Ottawa, Rogers, Tulsa, Wagoner, and Washington counties.
- D) East Central Region: Adair, Cherokee, Haskell, Hughes, Latimer, McIntosh, Muskogee, Okfuskee, Okmulgee, Pittsburg, and Sequoyah counties.
- E) Southeast Region: Atoka, Bryan, Carter, Choctaw, Coal, Garvin, Johnston, LeFlore, Love, Marshall, McCurtain, Murray, Pontotoc, and Pushmataha counties.
- F) Southwest Region: Beckham, Caddo, Comanche, Cotton, Greer, Harmon, Jackson, Jefferson, Kiowa, Stephens, Tillman, and Washita counties.
- G) Central Region: Canadian, Cleveland, Grady, Lincoln, McClain, Oklahoma, Pottawatomie, and Seminole counties.

## **Article X: Meetings**

Section 1. The OKLP shall hold an annual State Convention where the Party may make amendments to these Bylaws, propose changes to the Platform, and perform other functions as outlined in these Bylaws.

Section 2. Meetings of the State Executive Committee shall be held in sessions. A Session shall consist of all meetings of the State Executive Committee held between State Conventions. The first meeting of the State Executive Committee immediately following the close of a State Convention held in an odd-numbered year shall be known as the 1st Meeting of the 1st Session of the *Xth* State Executive Committee. The first meeting of the State Executive Committee immediately following the close of the State Convention held in an even-numbered year shall be known as the 1st Meeting of the 2nd Session of the *Xth* State Executive Committee.

Section 3. All meetings of the State Executive Committee shall be open to observation by Members of the OKLP and Members are encouraged to attend State Executive Committee meetings and participate in discussion, but not to make motions or vote. Guests of Party Members are welcome to attend and may be provided an opportunity to speak. Guests should be identified to the Vice Chair prior to the Call to Order.

Section 4. Excepting portions conducted in Executive Session, all meetings of the State Executive Committee shall be recorded in an undoctored format with the time read at Call to Order and Adjournment. Said recordings, as well as approved minutes of the meeting, shall be made available to the general membership upon written request to the State Secretary.

Section 5. No meeting of the State Executive Committee shall be held outside the state of Oklahoma.

Section 6. All State Executive Committee meetings may be conducted as electronic meetings as outlined in Section 9 of this Article. In-person should be the preferred method of conducting meetings, if feasible.

Section 7. **Regular Meetings.** The State Executive Committee shall meet immediately following the State Convention and at least once each quarter. Each Regular Meeting shall be scheduled prior to the close of the preceding Regular Meeting. Notice of Regular Meeting dates, times, and locations shall be posted on the official OKLP webpage and emailed to all Regional Representatives, State Executive Committee Officers, and At-Large Representatives no less than thirty (30) days prior to each quarterly meeting date. A majority of the filled positions of the State Executive Committee, with at least two (2) of those present being Officers, shall constitute quorum.

Section 8. **Special Meetings.** The State Executive Committee may meet from time to time as directed by the Chair or by request of one-third ( $\frac{1}{3}$ ) of its members. Any meeting called in between Regular Meetings shall be known as a Special Meeting. Notice of Special Meeting shall be given no less than ten (10) days prior to the date of the meeting, utilizing the same methods of written notification as outlined above. A majority of the filled positions of the

State Executive Committee, with at least two (2) of those present being Officers, shall constitute quorum.

Section 9. **Emergency Meetings.** Any member of the State Executive Committee may call for an Emergency Meeting. Notice should be given at least four (4) hours in advance of the Emergency Meeting. The number of members present at the meeting shall constitute quorum. No business or procedures outside the stated purpose for the meeting may be conducted during the Emergency Meeting and such purpose must be limited to one or more of the following:

- A) Response to a major media event;
- B) Resolving a time-sensitive financial concern; or
- C) Mitigating any situation with the implications of an ethical violation.

Section 10. **Electronic Meetings.** For the purposes of this article, an electronic meeting shall be defined as any means by which members of the State Executive Committee, Regional or County Affiliates, or any committees thereof simultaneously communicate via an audio-visual device for the purposes of a duly called meeting. Asynchronous voting procedures, such as via email ballot, are strictly prohibited for official business of any recognized body of the Party including the State Executive Committee. This does not prohibit other synchronous form of communication and voting, such as a conference call or a video-conferencing interface, to be used for official business. This rule may be suspended by a unanimous vote of all State Executive Committee members having taken place during any Regular Meeting wherein proper quorum has been established. This rule does not apply in cases where the State Executive Committee calls upon the Delegates of the Party from the most recent State Convention.

Section 11. No Officer, At-Large Representative, or appointed committee member of the State Executive Committee shall vote by proxy. A designated proxy for a Regional Representative may attend, participate in, and vote on such Regional Representative's behalf at a State Executive Committee meeting provided that the Chair is given notice prior to the meeting's Call to Order and provided that such proxy is an OKLP Member and not a member of the State Executive Committee.

Section 12. The State Executive Committee shall have authority to make any decision by a majority vote of the members present and voting except those items requiring a higher threshold. The State Chair shall not vote except in cases of a tie or in the case that the Chair's vote could cause a tie. Members may abstain from voting, either affirmatively or by inaction. Affirmative abstentions count toward the required quorum as defined in Sections 7, 8, and 9 above; abstentions via inaction do not.



Section 13. The Executive Committee shall have the power to enter Executive Session with a two-thirds ( $\frac{2}{3}$ ) vote of the members present. No prior notice is required to enter Executive Session. The Executive Session will exclude all persons who are not members of the State Executive Committee except by approval of three-fourths ( $\frac{3}{4}$ ) of the members present. Recording of the Executive Session in any form by any person is prohibited. Discussion in Executive Session is limited to the cause for entering Executive Session, potential action as a result of that cause, and readiness to end the Executive Session. No vote may be made during the Executive Session other than to end it by majority vote. The reason(s) for the Executive Session must be stated as part of the motion to enter such session and must be limited to one or more of the following:

- A) Matters involving potential legal or financial liability of the Party;
- B) Any matter involving the Party which has been or is likely to be referred to government authorities;
- C) Matters involving disciplining a Member or employee of the Party;
- D) Any reason that is advised by legal counsel for the Party.

## **Article XI: Standing Rules**

Section 1. The Standing Rules of the OKLP shall be in harmony with these Bylaws, shall be documented and maintained by the State Secretary (per Article VII Section 4C.3) of these Bylaws, and shall be made available for general use. Standing Rules shall be limited to matters of policy and operating procedures of the State Executive Committee. Standing Rules may be adopted by a two-thirds ( $\frac{2}{3}$ ) vote of the State Executive Committee or by majority vote of the Delegates at State Convention. Standing Rules may be repealed by a three-fourths ( $\frac{3}{4}$ ) vote of the State Executive Committee or by a two-thirds ( $\frac{2}{3}$ ) vote of the Delegates at State Convention. This article shall not prevent the State Executive Committee from performing normal business.

## **Article XII: Bylaws and Platform Committee**

Section 1. The Bylaws and Platform Committee will be composed of the State Chair and four (4) Members elected by the Delegates at the State Convention to serve until adjournment of the subsequent State Convention and who have not been elected to the State Executive Committee for the same term. The State Chair shall have the option to appoint a Member who has served on at least two (2) previous OKLP Bylaws Committees (formerly "Rules") to serve as the Chair's designee. Neither the State Chair nor that person's designee may vote

except in the case of a tie. The committee shall choose its own chair from the four (4) elected members. Vacancies on this committee occurring after the State Convention shall be appointed by the State Chair with the approval of the State Executive Committee. The Bylaws and Platform Committee shall prepare and present to the State Executive Committee, no later than forty-five (45) days prior to the subsequent State Convention, a document for publication containing any proposed amendments to the existing Bylaws and Platform. Such document shall contain any proposed changes, related existing wording in the Bylaws, the effect of the proposed changes, and any committee opinions in support or opposition.

### **Article XIII: Other Committees**

Section 1. The Convention Committee shall be appointed by the Vice Chair no later than two (2) months following the close of the most recent State Convention. The Vice Chair may serve as chair of the convention committee or ask the committee to select its own chair.

Section 2. A Credentials Committee shall be appointed by the Vice Chair prior to each State Convention for the purpose of verifying the qualifications of all Members attending as Delegates to the State Convention.

Section 3. A Special Rules Committee may be appointed by the Vice Chair to help facilitate the State Convention. Such committee shall propose special rules of order governing business at the State Convention. Rules of order may include but are not limited to:

- A) Rules governing how amendments are presented;
- B) Length of speeches; and
- C) Duration of debate.

### **Article XIV: Budgets and Expenses**

Section 1. The Party shall have an annual budget, fixed to the fiscal year beginning July 1, which shall be approved by the State Executive Committee and available to any Member upon request.

Section 2. All expenses must be approved by the State Executive Committee. Expenses outlined in an annual budget approved by the State Executive Committee shall be considered approved expenses provided that actual costs are equal to or lower than the budgeted amount. Expenses not outlined in the budget, or expenses in excess of the budgeted amount, shall require a majority vote of the State Executive Committee for approval.

## **Article XV: Election of Delegates to the National Convention**

Section 1. The Delegates from Oklahoma to the Libertarian National Convention shall be chosen at the State Convention held in even-numbered years. The total number of Delegates to the National Convention shall be that number assigned by the National Executive Committee in their Call to the Convention. Qualified National Delegates must be:

1. Residents of Oklahoma for at least ninety (90) days prior to the State Convention;
2. Members of the OKLP for at least ninety (90) days prior to the State Convention;
3. A sustaining member of the national Libertarian Party on the day the delegation allocation counts are calculated.

Section 2. Candidates for Elected Delegate to the National Convention shall make a written request to the State Secretary at least seven (7) but no more than ninety (90) days prior to the State Convention. Delegate requests submitted after the deadline shall be clearly published at the State Convention. This process shall not prohibit the nomination of Delegates from a call of the floor during the Annual Business Meeting.

Section 3. Each qualified Delegate to the State Convention shall cast votes for no more than the number of available seats allotted to the OKLP to the national convention. The candidate(s) receiving the highest number of votes will fill the first available seats, those receiving the next highest number of votes will fill the next available seat(s), and so on until all available seats are filled, in descending order of the number of votes cast for each. Should all seats be filled and unseated candidates remain, those not assigned a seat will be placed on the Alternate list in the order of the number of votes cast for each, with the person(s) receiving the most votes at the top of the list. In the absence of duly elected Delegates at the national Convention, Alternates shall serve in the same order of precedence as their vote ranking except as may be provided otherwise by the rules of the national Libertarian Party.

Section 4. Requests to serve as a National Delegate received after voting has concluded must be made in writing to the State Secretary. Qualified candidates, upon being approved by the seated Delegates, will be placed on the Delegate or Alternate list subsequent to the Delegates and Alternates who were chosen during the State Convention, in the order they are received.

Section 5. Out-of-state delegates may be seated as Delegates representing Oklahoma during the National Convention for unfilled seats with a majority vote of duly elected National Delegates, and may be removed at any time by a two-thirds ( $\frac{2}{3}$ ) vote of the duly elected Delegates.

**Article XVI: Election of Presidential Electors**

Section 1. The State Convention in a Presidential election year shall elect a number of Presidential Elector candidates equal to the total number of United States Senators and Representatives to which the state is at that time entitled under law. Any Member of the Party who does not hold any office of profit or trust under the United States shall be eligible to be a Presidential Elector candidate. If for any reason the State Convention cannot or does not select Presidential Elector candidates, Presidential Electors shall be chosen by the State Executive Committee.

**Article XVII: State Convention**

Section 1. The State Executive Committee shall publish the dates of the State Convention no later than the Regular Meeting that is held in the third quarter of the preceding year, and the times, location, and proposed schedule for same at least forty-five (45) days before the start of that State Convention.

**Article XVIII: Authority of Contract**

Section 1. No one shall have the authority to contract for goods or services on behalf of the OKLP without prior written approval of the State Executive Committee. No person, group, or organization may use the name "Oklahoma Libertarian Party," "Libertarian Party of Oklahoma," or any confusingly similar designation except the Party or an organization to which the Party grants affiliate party status or as otherwise provided in these Bylaws.

## OKLP Judicial Committee Rules of Appellate Procedure

1st Edition as Approved in Convention on 27 March 2021

1. **Title:** The title of these rules is “OKLP Judicial Committee Rules of Appellate Procedure.” They may be so cited either in general references or in reference to particular rules. In reference to particular rules the abbreviated form of citation, “OKLP. J.C. R. App. P. \_\_\_,” is also appropriate.
2. **Scope:** These rules govern the practice and procedure for all appeals, requests, and petitions to the OKLP Judicial Committee. These rules shall remain in effect until and unless the Judicial Committee submits new proposed rules for the fifty percent plus one (50% + 1) majority approval of the Convention body.
3. **Rules Do Not Affect Jurisdiction:** These rules shall not be construed to extend or limit the jurisdiction of the Judicial Committee as that is established in the Bylaws. These rules shall accompany the Bylaws as an addendum and shall be approved in convention according to the Special Rules of Order.
4. **Definitions:** For the purposes of this document appeals made during a State Convention on questions of Platform planks or resolutions shall be known as an Appeal as a Matter of Right, and all other appellate proceedings shall be known as Discretionary Review.
5. **Filing the Notice of Appeal:** The Judicial Committee shall take action only when its Chair receives a written request for a ruling on a matter identified in the Bylaws as being within the Committee's jurisdiction.
6. **Content of Notice of Appeal:** Each Notice of Appeal, known as a petition, shall identify the basis for the subject matter jurisdiction of the Committee; the ruling requested; the verifiable identity of the person or persons, affiliate, or Party committee petitioning for the requested ruling ("petitioner(s)"); and the identity by individual name of any person, affiliate, or Party committee that would be directly affected by the requested ruling. Such a person, affiliate, or committee directly affected by the requested ruling, together with any other person, affiliate, or committee identified by the Judicial Committee members as likely to be so affected, will be considered a prospective "respondent." The Notice of Appeal should be supported by such written and other evidence as the petitioner(s) believes supports the grant of the ruling requested.
7. **Service of Notice of Appeal:** Within seven (7) days following receipt of Notice of Appeal (or promptly, if the request is received during a State Convention), the Committee Chair shall provide a copy of the petition(s) to each prospective respondent, along with any supporting material the Chair has been sent. If the prospective respondent(s) desires to respond to the petition(s) the prospective respondent(s) must do so in writing ("response") within seven (7) days following receipt of Notice (or promptly, if the request is received during a State Convention).
8. **Service of All Papers Required:** Copies of all papers filed by any party and not required by these

rules to be served by the Chair shall, at or before the time of filing, be served on all other parties to the appeal. The Notice of Appeal and subsequent Service of Notice shall be delivered by mail or electronic mail.

9. **Appeals as a Matter of Right:** If the Committee is given Notice during a State Convention, the Chair shall convene the Committee as soon as is reasonably possible, and the Committee shall consider written petition(s), response(s), and evidence provided by petitioner(s) and respondent(s) in a meeting open to Convention delegates, who may observe, but not participate in, the proceedings and deliberations of challenges to platform planks or resolutions.
  - a. **Oral Argument; Decision Without Argument:** Upon request of either petitioner(s) or respondent(s), and/or at the Committee's direction, the Committee may hear arguments from petitioner(s) and respondent(s) in person.
  - b. **Disposition on Appeal:** The Judicial Committee having at least a three-fifths (⅔) majority may affirm, or nullify and remand to the seated and credentialed delegates of that convention.
  
10. **Discretionary Review:** When a Notice is received at any time other than during a State Convention, the Chair shall promptly forward the petition(s) to the other Committee members by electronic mail, for which the member(s) shall acknowledge receipt.
  - a. **Transmission; Docketing; Copies:** The Chair shall promptly forward a copy of any response(s) received to each of the other Committee members at their last known electronic mail address (or postal mail address, if explicitly requested), along with any supporting material and counter-arguments he or she has been sent. A copy of the petition(s) and any response(s) shall be made available electronically to any Member upon request. The Committee may by a majority vote redact portions of the petition(s) and/or response(s) so made available.
  - b. **Time and Manner of Hearings:** When such petition(s) and response(s) are received at any time other than during a State Convention, the Committee members shall review all material they are sent within seven days of receiving it, and each member shall advise the Chair as soon as he or she has done so. After the time period for responses has passed, and the Chair has been advised by at least two other Committee members that they have reviewed the petition(s) and response(s) provided, he or she shall set a time for a meeting of the Committee to decide the matter at hand and notify the Committee in writing of such time. Unless all of the Committee members request a physical gathering, the hearing shall take place by telephone conference or videoconference. Any meeting or any portion thereof conducted in open session shall be open to Members, who may observe (but not participate in) the proceedings. The Committee may by a three-fifths (⅔) vote deliberate in executive session; otherwise, deliberations shall be in open session. However, any oral arguments not related to issues qualifying for executive session shall be in open session and any decision shall be rendered in writing, which written decision shall be public. The Committee may in its discretion offer to the petitioner(s) and respondent(s) an equal opportunity to make their

- arguments orally via a telephone conference, videoconference, or physical meeting, under such rules as the Committee shall specify. Committee members who are unable to participate in the meeting shall retain the right to vote by electronic mail or by phone, provided their vote is received by the Chair no later than ten (10) days after the hearing.
- c. **Decisions:** The Judicial Committee shall have fifteen (15) days after the conclusion of the hearing to make a final judgment. Failure of the Committee to enter a judgment within fifteen (15) days of the close of the hearing shall constitute a ruling in favor of the respondent.
  - d. **Disposition on Review:** The Judicial Committee having reached a three-fifths ( $\frac{3}{5}$ ) majority may reverse, affirm, or modify the decision being reviewed and take any other action as the merits of the case and the interest of justice may require. Upon final judgment, the action taken or decision made by the Judicial Committee is effective and binding on the parties to the review and governs all subsequent proceedings in the action, unless otherwise directed upon recall of the judgment as provided in rule 13. After the judgment has been issued, the State Executive Committee may, however, take action otherwise authorized by the Bylaws or Standing Rules so long as those actions do not challenge issues already decided by the Judicial Committee.
11. **Entry of Judgment:** When the Committee reaches a decision, the Chair shall notify the petitioner(s) who requested the ruling, any respondent(s) to the petition(s), the State Chair, and the State Secretary. Preliminary notification may be made orally, either in person or by telephone; official notification shall be made in writing.
  12. **Disqualification of Committee Members:** No member of the Judicial Committee may sit in judgment of an appeal of a ruling or action of the State Executive Committee, a Regional Committee, or a County Committee which occurred while that member served on either committee. A Judicial Committee member must recuse in a proceeding if it presents a material issue which the Judicial Committee member participated in or has a vested interest in the decision.
  13. **Voluntary Dismissal:** If the parties to an appeal or other proceeding shall sign and file with the Chair of the Committee an agreement that the proceedings be dismissed, the Committee shall order the case dismissed. An appeal may be dismissed on motion of the appellant upon such terms as may be fixed by the Committee.