

The Constitution of the Libertarian Party of Ohio

Preamble

We the members of the Libertarian Party in Ohio, in order to nominate, endorse, support, and elect candidates, and to support issues best representative of the ideals of libertarianism, do ordain and establish this Constitution and hereby establish the Libertarian Party of Ohio (“the Party”) in perpetuity.

Article I – Constitution and Laws

Section 1. Nothing herein shall conflict with the Constitution of the United States of America, the laws of the United States of America, the Constitution of the State of Ohio, and the laws of the State of Ohio.

Section 2. Any matter which is determined to conflict with Section 1 shall be of no force and effect. All constitutional provisions and laws of the United States of America and of the State of Ohio are hereby incorporated by reference and made a part hereof.

Section 3. Each clause of this Constitution and associated Bylaws shall be considered separately and the illegality or enforceability of any one clause shall not affect any other clause.

Section 4. Changes to numbering or organization of the Ohio Revised Code (ORC) shall not affect the validity of any Article, Section, or Clause of this Constitution or its associated bylaws wherein such references may appear.

Article II – Membership

Section 1. No person may be denied membership in the Party unless that individual cannot affirm the following pledge “I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals.”

Article III – Internal Officer and Delegate Qualifications

Section 1. No person may receive endorsement or vote on any motion, resolution, nomination, or internal election at any caucus, convention, meeting, or conference of the Party who does not affirm the Constitution of the United States of America and the Constitution, Bylaws, and Guiding Principles of the Libertarian Party of Ohio.

Section 2. No person may be eligible for elected office within the party who is an active officer, candidate, or elected official of another political party within the 30 days prior to such an election, other than Central Committee members who are elected through a publicly run Libertarian primary election.

Section 3. No person may be eligible to be a member of the Central or Executive Committee of the party if that person voted as a member of a different political party at the most recent statewide Ohio primary election.

Section 4. All delegates to any state or national party convention, regular or otherwise, must be members of the Party as ruled by the Chair of the Central Committee if primary voting results are not available, on the date of such Convention.

Article IV – Central Committee

Section 1. The controlling Committee of the Party shall be called the State Central Committee of the Party (hereafter referred to as the Central Committee). The Central Committee shall be elected in accordance with the Party Bylaws.

Section 2. The Central Committee shall meet at the time and place determined by the Chair of the Central Committee or as otherwise provided in the Bylaws.

Section 3. The Central Committee shall retain the following powers:

- A. Creation of an Audit Committee, with oversight by the Committee treasurer.
- B. Establish all compensation to staff and officers of the Party.
- C. Fulfill the duties of local or county organizations required by law for those areas of the state without a recognized affiliate, including, but not limited to, the replacement of candidates.
- D. Censure or punitive action of Internal Management. The Executive Committee may also issue Censure and/or Punitive Action of its own members and appointees.
- E. During such times when the party has no access to government-conducted State Primary elections conduct its own elections, the methods and processes for which shall be defined in the Party Bylaws.
- F. Fill vacancies in its own membership, and in the membership of the Executive Committee.
- G. Appoint a 5-member Judicial Council upon the written petition of two-thirds of the seated members of Executive Committee, or one-third of the seated members of the Central Committee, the membership and method of election of this Council to be provided for in the Bylaws. The topic under dispute shall be included in the petition, and the scope of any such Council shall be limited to the Constitutional or Bylaw dispute referred to it.
- H. Set the time, place, and apportionment of delegates to the Party's State Convention.
- I. Such other powers as required by the Ohio Revised Code or this Constitution.
- J. Such other powers as are expressly reserved by written resolution approved by a majority of all elected members of the Central Committee adopted no later than its election of a new Executive Committee or three months after the Central Committee's election, whichever is later.

Article V – Executive Committee

Section 1. A State Executive Committee (herein referred to as Executive Committee) shall be elected from Party members by the Central Committee as specified by Party Bylaws and the Ohio Revised Code. This election shall be held by secret ballot.

- A. The Executive Committee shall consist of a Chair, Vice Chair, Secretary, Treasurer, and at large members (three if fewer than two-thirds Central Committee seats are filled, and five if greater than or equal to two-thirds Central Committee seats are filled), of the Central Committee, as determined at the initial elections of each Executive Committee, each of whom shall have one vote on all matters. The Chair of Central Committee may attend as a non-voting, ex-officio member of the Executive Committee if not elected in some other position on Executive Committee.
- B. The Executive Committee may appoint one or more Deputy Vice Chair, Deputy Secretary or Deputy Treasurer to assist those officers, who shall not be voting members.
- C. The Central Committee shall confer upon the Executive Committee all duties and responsibilities of the Central Committee, save those enumerated in Article IV Section 3.

Section 2. The officers of the Executive Committee shall:

- A. be, and remain throughout their term of office, members of the Party.
- B. be prepared, with reasonable notice, to turn over all equipment and records of the Party to their successor.
- C. be able, with reasonable notice, to account for all equipment and records of the Party.
- D. be removed from office in the manner as specified in the Bylaws
- E. select such individuals as required for positions with the Libertarian National Committee.

Section 3. No member may hold the same office on the Executive Committee for more than 8 ½ consecutive years. Terms shall be considered consecutive unless separated by the lesser of one complete term or a period of two or more years.

Section 4. The Chair of the Executive Committee shall have the power to appoint such committees and positions as deemed necessary, at a minimum those required by Party Bylaws. All appointment terms shall end with the election of a new Executive Committee Chair.

Section 5. The Executive Committee shall maintain a balanced budget for the Party.

- A. The Party may not incur a debt with a term of longer than 4 years, except with the direction from the Central Committee for capital expenditures and to acquire ownership of real property.

Article VI – Local Organizations

Section 1. The Party shall only recognize and be affiliated with those county Central Committees which are Ohio Revised Code compliant for major political parties.

Section 2. The Party Bylaws shall specify the minimum legal and internal requirements for county affiliation.

Article VII – Conventions

Section 1. The party shall hold regular Conventions in accordance with section 3513.11 of the Ohio Revised Code and the Party Bylaws, and at least during every Presidential Election year.

Section 2. A special Convention shall be held upon petitions of 10% of the members of the party or 50% of the seated members of the Central Committee. Such a petition shall state the business of the special Convention and no other business, shall be considered at such a Convention unless the petition states that it is being held in lieu of a missed Regular Convention. The Central Committee shall provide advance notice of all Conventions according to Party Bylaws.

Section 3. The number of delegates and alternates to a state or national convention and the procedure for their selection shall be determined by the Central Committee in accordance with section 3513.11 of the Ohio Revised Code and the Bylaws of the Party.

Section 4. The Convention Credentials Committee (or in its absence, the Central Committee Chair) shall have the power to select delegates to any state convention for those counties which are not affiliated with the Party.

Section 5. The Convention shall have the power to allow excess delegates from any County to fill vacancies in any other County by two-thirds affirmative vote.

Section 6. Each delegate shall be permitted one and only one vote on any issue at Convention. No voting may be done by proxy, unit rule, or slate selection.

Article VIII – Miscellaneous

Section 1. There shall be a set of Bylaws, in conformity with this Constitution, which may be adopted, changed, and repealed by:

- A. A majority vote of the Central Committee. Bylaw changes to be considered for adoption by the Central Committee shall be communicated to those eligible to vote upon them by reasonable and common methods no less than two weeks prior to a vote.

- B. A majority of the delegates at Convention. Bylaw changes to be considered in Convention must be communicated to those delegates eligible to vote upon them by reasonable and common methods no less than 30 days prior to the date of the Convention.
- C. Failure to follow this change procedure will be grounds for invalidation of any resulting changes.

Section 2. The Party is now, and shall seek to retain its status as, the only officially affiliated party of the Libertarian Party of the United States of America operating in Ohio in accordance with the Libertarian Party bylaws.

Section 3. All Party meetings shall be open to the public and the press. Any Committee of the Party may go into executive session to consider and vote upon matters of budget, personnel, legal affairs, and any other matter that is not required by law to be discussed and voted upon in an open meeting, upon a majority vote of those members voting.

Section 4. On all Party ballots, all proposals shall provide the alternative: "None of the above."

Section 5. Neither the Party nor its affiliates shall endorse for any public election a candidate of another Party, an independent candidate in a partisan election, or a candidate affiliated with another political party in a nonpartisan election. The Party and its affiliates reserve the right to endorse no candidate for any race and to endorse multiple candidates in a primary contest.

Section 6. The Party and its affiliates shall not create any Bylaws or rules which attempt to limit participation by any individual based upon race, gender, national origin, language(s) spoken, sexual preference, gender identification, religious preference(s), military background, physical capabilities or characteristics, mental capabilities or characteristics, age, prior political affiliation or any other individual trait.

Section 7. The Libertarian Party of Ohio shall provide easy access and frequent opportunity for qualified residents of the State of Ohio to become members of the Libertarian Party of Ohio and to participate in the elective process and shall support any legislation which so provides.

Section 8. The most recent edition of Robert's Rules of Order shall govern all proceedings not specifically covered by this Constitution or the associated Bylaws.

Article IX – Amendments

Section 1. The Central Committee may, by two-thirds vote of the seated members, make non-substantive changes in order to correct errors in standard American usage, numbering, or in reference to the Ohio Revised Code.

Section 2. This Constitution may be amended by 60% of all delegates to a Convention.

Section 3. Amendments to this Constitution may be made only at Conventions.

Section 4. All amendments to this Constitution must be made available to all members by reasonable and common methods no less than 30 days before a Convention. Proposed amendments may be amended without separate notice to all members if such amendments are deemed germane to the proposed published amendment and separately approved by 60% of all delegates to a Convention.

Section 5. Any amendment to this Constitution must be sponsored by at least three delegates at the Convention to be eligible for a vote.

Section 6. An amendment adopted will take effect upon the close of the Convention at which it was approved.

- A. An amendment may be effective at a date after the close of the Convention at which it was approved, provided that such a date is specified during the introduction of the amendment or that such a delayed implementation is approved by the majority of delegates during the debate. The date does not need to be part of the amendment, but must be clearly specified in the verbal and written presentation of the amendment and noted in the Convention minutes.
- B. Any amendment that is to take effect prior to the close of the Convention at which it was approved will require a 75% vote for passage.

Article X – Adoption

Section 1. This Constitution shall take effect 48 hours after the close of the Convention at which it is adopted. The governing body of the previous Constitution shall have the authority to implement this Constitution and shall automatically be dissolved upon the election of the first Central Committee as described by this Constitution and associated Bylaws.

Section 2. This Constitution supersedes any and all other Constitutions of the Libertarian Party of Ohio.

Jeremiah Arn, Acting Secretary of the LPO, April 5, 2008

As adopted on April 5, 2008 at the annual state convention. Amended on May 19, 2018