

RULES AND BYLAWS
of the
CONSTITUTION PARTY of TEXAS

ARTICLE I – NAME

The name of this organization will be the “Constitution Party of Texas,” hereinafter referred to as the “Party.” For purposes of acting as a state committee under Federal Election Laws and the rules and regulations of the Federal Election Commission, the committee will be known as the “Constitution Party of Texas - State Committee.”

ARTICLE II – PURPOSE

The purpose of the Party is to develop an informed, energetic, and effective statewide political organization in order to support the principles, goals, and platform of this Party as adopted by its Convention and of the National Convention of the Constitution Party and to promote the election of all duly nominated candidates thereof.

ARTICLE III – POLICY

All applicable provisions of the Texas Election Code will be part of these bylaws and are incorporated herein by this reference.

ARTICLE IV – MEMBERSHIP

Membership of the Party will consist of all persons who are legal residents under the laws of the State of Texas or resident aliens who are pursuing citizenship, who have declared their affiliation with the Party and who have paid their annual dues as set forth by the State Executive Committee and shall be known as active members. All non-dues paying members will be known as Associate Members.

ARTICLE V - STATE EXECUTIVE COMMITTEE

SECTION A: Membership

The membership of the State Executive Committee shall be composed of the State Chairman, State Vice Chairman, State Secretary, State Treasurer, State Development Director, Parliamentarian, the Chairman of each of the Regions of the state (if organized), and the appointed members of the Constitution Party National Committee from Texas.

All members of the State Executive Committee will be registered voters affiliated with the Constitution Party of Texas.

SECTION B: Election and Terms

1. The State Chairman, State Vice Chairman, State Secretary, and State Treasurer will each be elected by the State Convention held mid-term between presidential election years, and serve for a term of up to four years. In the event of a vacancy, a successor may be appointed in the interim by the Executive Committee.
2. The Chairman, Vice Chairman, and Secretary of each organized Region Executive Committee will be elected in accordance with the Operations Manual of the Constitution Party of Texas.
3. There shall be two classes of National Committee Members (NCM), standing and substitute. Standing members shall consist of the voting officers and any other members appointed by majority vote of the Executive Committee. Such NCM's shall become voting members of the Executive Committee.

Available seats on the National Committee not filled by the above at any given meeting may be filled by Substitute Member by majority vote of the Executive Committee. Substitute Members shall not be voting members of the Executive Committee.

National committeemen serve at their own expense; however, as previously approved by the Executive Committee, the party shall pay the annual dues for each National Committeeman (currently \$100 per year).

National Committee Members (NCMs), both standing and substitute, may be removed from the National Committee by two-thirds (2/3) majority of the EC for failure to attend National Committee meetings.

4. The Chairman, Vice Chairman, and Secretary of each organized County Executive Committee will be elected in accordance with the Operations Manual of the Constitution Party of Texas.
5. The Director of Development shall be appointed by the Executive Committee, and shall not be a voting member of the Executive Committee.
6. The Parliamentarian shall be appointed by the Executive Committee and shall serve an indefinite term at the pleasure of the Committee. The Parliamentarian shall not be a voting member of the Executive Committee.

SECTION C: Vacancies

1. A vacancy in the office of State Chairman will be filled by the Vice Chairman who will serve such part of the remaining unexpired term of the vacating State Chairman, as Acting Chairman until confirmed as Chairman, or replaced by the Executive Committee. The Executive Committee shall confirm any Acting Chairman as Chairman prior to or at the next Executive Committee meeting, whether regular or special, which is at least 30 days after the ascent of the Acting Chairman, or affirm the Committee's decision to appoint or seek another individual as Chairman.
2. A vacancy in the office of any member of the State Executive Committee will be filled by appointment of the State Chairman, subject to confirmation by the State Executive Committee at the next regular or special meeting of the Committee. The nominee will serve the remaining unexpired term of the vacating State Executive Committee member. Where a Region does not have three (3) or more organized counties, vacancies shall be filled by the EC. Where there are three (3) or more organized counties, all vacancies of Regional Chairmen shall be by election, one vote being cast by each county chairman, having polled and achieved a consensus among his own county membership. The Executive Committee may refuse to seat any Regional Chairman so elected for cause by majority vote and instruct the Region to elect another Chairman. Cause for refusal to seat includes, but is not limited to, inconsistency with Party principles and goals, questionable character, or moral turpitude.

SECTION D: Duties

1. State Executive Committee ("the Committee")
 - a. The Committee will formulate and provide for the execution of such policies, plans, and measures as it may deem conducive to the best interest of the Party, and in conformity with the state Party Bylaws.
 - b. The Committee will call all regular and special State Conventions and make arrangements therefor, including the basis of representation, the time and place.
 - c. The Committee will adopt all rules and Bylaws or amendments to rules and Bylaws for the Party except as provided for in Article XIV.

2. State Chairman (“the Chairman”)
 - a. The Chairman will be the chief executive officer of the Party and Chairman of the State Executive Committee.
 - b. The State Chairman will issue the call, and preside at all state level meetings of the Party called at the direction of the Executive Committee.
 - c. The Chairman will observe and enforce the rules and Bylaws of the Party.
 - d. The Chairman will appoint necessary staff members and all standing and special committees.
 - e. The Chairman will be *ex officio* a member of all committees.
 - f. The Chairman will act as necessary to promote the functions of the Party.
 - g. The Chairman shall issue, or cause to be issued, all checks in payment of Party obligations in a timely manner. To this end, the chairman may approve additional signers for the bank account on behalf of the Executive Committee.
3. State Vice Chairman (“the Vice Chairman”)
 - a. The Vice Chairman will become the State Chairman in the event of a vacancy in that office.
 - b. The Vice Chairman will perform other duties the State Chairman may prescribe.
 - c. The Chairman will gather a monthly report from each Regional Chairman, and summarize those reports to the Executive Committee, either quarterly, or at each meeting, as is appropriate.
4. State Secretary (“the Secretary”)
 - a. The Secretary will be the chief clerical officer of the Party.
 - b. The Secretary will record all proceedings of the State Executive Committee and the State Convention, which will be the property of the Committee.
 - c. The Secretary will perform other duties the State Chairman may prescribe.
5. State Treasurer (“the Treasurer”)
 - a. The State Treasurer will keep the financial records of the Party.
 - b. The State Treasurer will be responsible for fulfilling federal, state, and local financial disclosure requirements, if applicable.

6. State Development Director (SDD)
 - a. The SDD shall work state-wide, shouldering much of the promotional work that would otherwise fall to the State Chairman.
 - b. The SDD shall initiate programs to find candidates, find volunteer workers, find county officers, etc. etc. wherever possible.
 - c. The SDD shall initiate fund-raising programs which are approved by the Executive Committee.
7. State Parliamentarian (the "Parliamentarian")
 - a. The Parliamentarian shall report to the Chairman
 - b. The Parliamentarian shall attend all meetings of the Executive Committee and serve as Parliamentarian during said meetings
 - c. The Parliamentarian shall function in the role of Parliamentarian in a non-interventionist manner by working through the Chairman to maintain order and adhering to the guidelines set forth by the Chairman and/or the Executive Committee as a whole.
 - d. The Parliamentarian shall be available to confer with the Chairman or other Executive Committee members as needed.

SECTION E: State Executive Committee Meetings

1. The Committee will hold three regularly scheduled meetings each year, normally on the first Saturday in the months of February and October, and at an agreed upon time during the month of June in conjunction with the annual State Conference or Convention. The Chairman will call the meetings by written notice which must be mailed to all Committee members and postmarked no less than fourteen days prior to the meeting. The call for the meeting must include an agenda and any amendments to the Bylaws that will be considered during the meeting. The fourteen day prenotification requirement for calling an Executive Committee meeting may be waived if all members of the Committee agree to waive the requirement.
2. Special meetings can be called by the Chairman or by action of a majority of the members of the Committee with the same pre-notification requirements as previously stated in part one above.
3. A quorum is needed to conduct any business. A majority of the Committee will constitute a quorum. A majority vote of those present is needed to enact any business discussed at the meeting.

4. The Committee may, without meeting together, transact business by telephone conference call, by voting on questions or issues submitted to them by the Chair or with the approval of the Chair or by a majority of the members of the Committee. Notice of the time of all conference calls shall be given to all members of the Committee not less than 24 hours prior to each conference call.
5. Voting for the appointment of an individual to office shall be done with the individual out of the meeting. Voting for the removal of an individual from office shall be done with the individual present, if they desire. This is done in order that the individual may cast a vote to remain on the board. Any person whose removal has been placed on the agenda may defend their own position in writing and/or verbally. They may participate in discussion. If, however, there are members of the Committee who desire to discuss the case without the individual in the room, then it will be appropriate for the individual to retire from the room for further discussion.
6. Visitors may be allowed at meetings of the Committee upon approval by the Chairman and subject to available space at the meeting location. Visitors may not speak during the conduct of Committee business unless recognized by the Chairman. Visitors may be asked to leave the room by the Committee during any discussion. Visitors shall be notified of these terms with the approval of their request to attend.

ARTICLE VI – VOTING

1. Voting, except for the election of officers, will be by voice. A person holding multiple offices will not be entitled to more than one vote, excluding proxies. Any voting member who wants to vote by proxy will designate his proxy on a written form which will be dated and signed. A quorum for any precinct, county, or region committee or the State Executive Committee will consist of a majority of the members of said committee.
2. In the instance of a written ballot, voting delegates shall be provided with a ballot form prescribed by the Executive Committee with a listing of all offices to be voted upon with a blank line for each office. Each delegate shall write-in the name(s) of the person(s) for each office. The Secretary and two additional counters shall tally the vote and report the results to the Chairman who will announce the outcome to the delegation.

ARTICLE VII – FINANCES

1. The State Executive Committee is authorized to approve fund raising activities in support of its programs and operation.

2. The Constitution Party of Texas will not incur financial obligations until monies are collected sufficient to cover such obligations. Any financial commitments more than \$2000 will be in written form and approved by the State Executive Committee.
3. Expenditures up to \$200 may be authorized by the State Treasurer. Expenditures in excess of \$200 but less than \$2000 must be in written form and authorized by the State Chairman or Vice-Chairman.

ARTICLE VIII – CANDIDATES

1. Members of the Party desiring to run for elective office in the State of Texas must apply for Approval of Candidacy to the State Executive Committee for all offices not within one particular county. For offices within one particular county, application for Approval of Candidacy must be made to the Regional Chairman. In the absence of a Regional Chairman the application will be made to the State Executive Committee.
2. In order to receive the endorsement of The Party, the application for Approval of Candidacy must include:
 - a. A letter of agreement to the candidacy from the spouse of the applicant.
 - b. A letter of recommendation for the candidacy from a current or former authority over the applicant (ie. parent, pastor, or employer.
 - c. A signed commitment of support from a minimum of fifteen individuals not of the applicant's immediate family.
 - d. A signed agreement by the applicant to conduct the campaign by the following principles and any others the State Executive Committee may deem prudent: i) The Candidate, The Candidate's campaign organization, or any persons associated with the Candidate's campaign may not incur any debt for the purpose of gaining the Candidate's election. ii) The Candidate must be in support of the Platform, goals and principles of the Constitution Party of Texas.
 - e. All applicants not approved for candidacy may not associate their campaigns with the Constitution Party of Texas nor the national Constitution Party and are not eligible for financial assistance from the Party.
3. If a candidate who has made an application to be nominated withdraws, dies, or is declared ineligible, the filing deadline for applications for nomination for that office is reopened and extended until 11:59 pm of the day before the date of the

convention at which the nominee for that office is chosen. A candidate desiring to withdraw must do so in writing to the same authority with whom the application was filed.

ARTICLE IX - STATE CONVENTION

1. The Call for the State Convention will be issued by the Chairman of the Party. If the Chairman will fail to act, the next ranking officer or, if they fail, any Executive Committee member, is authorized and charged with the duty to issue the call.
2. Notice of the State Convention will be published by the Chairman in a newspaper of general circulation in Austin, Texas at least fourteen days prior to the Convention. Such notice will specify the time, date and place for holding the Convention. Notice will be mailed to all members of the Executive Committee.
3. Nominees for statewide party officers will be chosen by majority vote of the delegates voting at the State Convention.
4. The affirmative vote of the majority of the delegates present and voting at the State Convention will be the act of the Convention.
5. The out-going Chairman or other designee of the State Executive Committee shall act as Chairman *pro tem* of the State Executive Committee, and will preside at the opening of the State Convention until a State Chairman is elected.
6. The State Chairman or the State Secretary will certify the names of the duly elected delegates and alternate delegates from Texas to the National Convention of the national Constitution Party and promptly forward said names to the Executive Director of the national Constitution Party.
7. All officers of a State Convention must be qualified voters, as provided by State law.

ARTICLE X - SELECTION OF DELEGATES TO PRECINCT, COUNTY, DISTRICT, STATE, AND NATIONAL CONVENTIONS

1. Precinct Conventions: All registered voters in the State of Texas who declare their affiliation with the Party may participate in the precinct conventions. Delegates and alternate delegates to the county convention will be elected by each precinct convention. Members of the party who are not qualified voters may attend and discuss, but may not vote, nor hold office.

2. County Conventions: Candidates for county office who have filed an application for nomination by the Party will be chosen by majority vote of the delegates at the county convention. The delegates at each county convention will elect delegates and alternate delegates to the state convention and any appropriate district conventions.
3. District Conventions: For any district that has at least one candidate file an application for nomination by the Party, a district convention will be held. In the case of a district that is completely within one county, the district convention will be held in conjunction with the county convention but only those delegates within that district may vote on the candidates seeking the Party nomination of that district. Candidates for district office will be chosen by a majority vote of the delegates at the district convention.
4. Delegates to the national conventions of The Constitution Party, and also the convention officers of said conventions, will be appointed by the State Chairman, subject to confirmation by majority vote of the State Executive Committee. Electors for Presidential and Vice Presidential nominees will be chosen by the State Chairman. If the Chairman will fail to act, the next ranking officer, or if they fail any State Executive Committee member is authorized and charged with the duty to choose said electors.
5. The representative apportionment of the aforesaid delegates, alternate delegates, convention officers and electors will be decided by the Executive Committee on the basis of Party strength in the respective precincts, counties, and regions of the state.

The locations selected for the aforesaid conventions do not have to meet the same requirements as a polling place.

ARTICLE XI - RULES FOR PRECINCTS, COUNTIES, AND REGIONS

1. County Bylaws shall be uniform throughout the state.
2. At the State Convention, a caucus of the counties shall be held, if necessary, to consider proposed changes to the County Bylaws. The caucus will consist of one delegate from each county, chosen as each county desires. The proposals shall be made at county conventions, at regional conventions, or delivered individually to the State Chairman and the Chairman of the county caucus.

ARTICLE XII - USE OF THE PARTY NAME

No person, group of persons, or organization will use the name, address, or emblem of the Party in any manner, unless the State Chairman grants permission.

ARTICLE XIII - PARLIAMENTARY AUTHORITY

The then current edition of Robert's Rules of Order, as modified by the Chair without objection of the voting attendees, will govern the Party and all meetings and conventions of the Party from the precinct level to the state level whenever they are applicable and not conflicting with the Party Bylaws and the Texas Election Laws.

ARTICLE XIV - AMENDMENT OF BYLAWS

These Bylaws may be amended by a two-thirds vote of the active membership of the State Executive Committee or by a two-thirds vote of the State Convention, provided that the amendment is stated in the call for the meeting.

ARTICLE XV - FILING OF PARTY RULES AND BYLAWS

Filing of the rules and bylaws of the Constitution Party of Texas with the Secretary of State will be accomplished at the direction of the State Executive Committee within thirty days of the adoption of said rules and bylaws by the State Secretary of the Constitution Party of Texas.

ARTICLE XVI - INDEMNIFICATION CLAUSE

Any duly elected or appointed officer of The Party, including but not limited to the chairman, vice chairman, secretary, treasurer, state development director, communications director, regional chairman, or their heirs, may be indemnified or reimbursed by The Party for reasonable expenses actually incurred in connection with any action, suit or proceedings, civil or criminal, in which the officer is made a party by reason of their having been an officer of The Party; and provided however, that no person shall be so indemnified or reimbursed in any matter for gross negligence, willful misconduct or criminal acts in the performance of their duties to The Party; and provided further, that no person shall be indemnified for any matter which has been made the subject of a compromise settlement, except with the approval of a court of competent jurisdiction, or upon action of the Executive Committee, by vote of members not parties to the same, or substantially same action, constituting a majority of the committee.

ARTICLE XVII - RESOLUTION OF DISPUTES

The Constitution Party of Texas (The Party) is committed to resolving all disputes in a biblical manner. This commitment is based on God's command that Christians should strive earnestly to live at peace with one another and, as far as possible, with those outside the church (see Matt. 5:9; John 17:20-23; Rom. 12:18; and Eph. 4:1-3).

When disputes arise, Christians should resolve them according to the principles set forth in Holy Scripture (see Prov. 19:11; Matt. 5:23-25; 18:15-20; 1 Cor. 6:1-8; Gal. 6:1). We believe that these commands and principles are obligatory on all Christians and absolutely essential for the well-being of personal relationships as well as mutual endeavors.

Therefore, any and all disputes within The Party or among its official representatives at any level of the organization, including but not limited to questions as to whether a matter is governed by this section, shall be resolved according to biblical principles, as set forth in this bylaw. If a dispute arises within The Party between or among its officers or other official representatives, it is agreed to earnestly pursue all biblical means to resolve the matter. If the dispute cannot be resolved through internal procedures, it shall be resolved as follows:

Mediation: The parties shall submit their issues to an individual mediator through the Christian Mediation Network (www.christianmediation.com) that they regard as a Christian person of wisdom and who is not related to any other party by blood, marriage, or employment, as mediator. The parties agree to abide by the administrative procedures and the rules of CMN for their mediation proceedings.

The mediation shall be conducted in a spirit of prayer, for the purpose of hearing and discussing the facts and disputes, with a goal of seeking reconciliation of the parties and a resolution of the dispute that is reducible to writing and acceptable to the parties.

The mediator shall seek to discern the spiritual needs and weaknesses of the parties as such matters relate to the manner in which the parties view their dispute and the rights each believes they have in the matter.

Arbitration. If mediation fails to achieve a resolution of the dispute, or is waived by either party, the parties shall submit the dispute to binding arbitration. The parties agree to use the administrative rules and procedures of the Christian Mediation Network (www.christianmediation.com) for such arbitration. CMN shall appoint a single arbitrator and an arbitration hearing shall be set within 60 days after the mediation proceeding.

Cost of Arbitration: Except as provided in the following paragraph, all parties involved in a dispute agree to share the cost of arbitration equally. Where individual parties are involved, the two individuals shall share the costs equally. If the Committee be divided on a matter, each side shall share the cost equally, regardless of the number of Committee members on each side of the matter.

A permissible outcome of the arbitration process is the finding that a party holds a frivolous or baseless position. If in the opinion of the arbitrators, one of the parties has caused the dispute as a means of disrupting the peaceful conduct of Party business, or in a punitive manner, that Party shall be responsible for the full cost of arbitrations.

Refusal to Arbitrate. If any party fails or refuses to arbitrate under the terms of this Agreement, they agree that an award may be entered against them by the decision of the arbitrator provided that the refusing party received notices of each hearing, was given reasonable opportunity to participate, and a written decision is given to the party refusing to participate.

Judgment. The decision or award entered by the arbitrators may be entered as a judgment in any Court of competent jurisdiction for the enforcement thereof.

Written Agreement Required. Upon adoption of this Bylaw, all existing offices and other official representatives of The Party shall, within thirty (30) days, sign an agreement to be bound by the provisions herein and return it to the Chairman of the Party at the current official address of The Party, initially Christian Mediation Network. The form for this agreement shall be as prescribed by the Executive Committee as it may be amended from time to time. The initial Dispute Resolution Agreement was approved by the Executive Committee with the adoption of this Bylaw, an example of which has been filed with the Party records.

Prior to the approval of the appointment of any new officer or other official representative of The Party, the proposed appointee shall sign the same written agreement and return it as provided above.

The Chairman shall direct the Secretary to file and retain the signed agreements with The Party's official records.

No individual refusing to agree to the provisions herein, in writing, may hold any office or act in any capacity as an official representative of The Constitution Party of Texas.

ARTICLE XVIII - SEVERABILITY CLAUSE

If a court of competent jurisdiction does adjudge to be invalid or unconstitutional any portion of these Bylaws, such judgment or decree will not affect, impair, invalidate or nullify the remainder of these Bylaws. The effect of such judgment will be confined to the portion of these Bylaws so adjudged to be invalid or unconstitutional. If any portion of these Bylaws is in conflict with any laws of the State of Texas or of the United States of America, now or as a result of future enactments, then these Bylaws will be considered to be automatically amended to conform with the law.

Approved by the Executive Committee June 11, 2010

Approved as to form by the Executive Committee on November 12, 2010

Attest:

Sharon Wade, Secretary _____