

# Utah Republican Party Constitution

## PREAMBLE

We, as members of the Utah Republican Party, grateful to Almighty God for life and liberty, desiring to perpetuate principles of free government and the blessings of liberty to our posterity, do establish and adopt this Constitution. This Constitution and the Party Bylaws are the exclusive governing rules of the Utah Republican Party.

## ARTICLE I

### NAME, PURPOSE AND MEMBERSHIP

A. Name. The name of this organization shall be the Utah Republican Party, also referred to as the State Party or the Party.

B. General Purposes. The Party shall nominate and support the election of Republican candidates in partisan races for public office, promote the principles set forth in the State Party Platform, and perform Party functions set forth in the election laws of the State of Utah and the Constitution and Bylaws of the Party.

C. Membership. Party membership is open to any resident of the State of Utah who registers to vote as a Republican.

## ARTICLE II

### BYLAWS

A. Bylaws. The State Central Committee may adopt Bylaws to govern subjects not covered by the Constitution. Such enactments shall not be inconsistent with this Constitution.

B. Adoption and Modifications.

1. By the State Central Committee. Any Bylaw adopted or modified by the State Central Committee shall be binding and in full force and effect when adopted by a 2/3 vote of a quorum of the State Central Committee.

2. By the State Convention. The delegates to the State Convention may adopt or modify a Bylaw by a 2/3 vote.

## ARTICLE III

### OFFICERS

A. State Party Officers. The Officers of the State Party shall be the Chair, Vice-Chair, Secretary, and Treasurer.

B. Duties of Officers.

1. Chair. The State Party Chair shall serve, as Chair of the State Central Committee, and as Chair of the State Executive Committee. The Chair may appoint, subject to the approval of the State Central Committee, Party personnel and the General Counsel. The State Party Chair shall serve as liaison with the Lieutenant Governor of the State of Utah on all matters relating to state election laws. The term of office shall be two years.

2. Vice-Chair. The State Party Vice-Chair shall serve, as Vice-Chair of the State Central Committee, and as Vice-Chair of the State Executive Committee. The Vice-Chair shall assist the Chair in his or her duties and perform the Chair's duties in the Chair's absence. The term of office shall be two years.

3. Secretary. The State Party Secretary shall serve as Secretary of the State Central Committee, as Secretary of the State Executive Committee, and as Secretary of the State Convention. The Secretary shall provide required notice, minutes and attendance records for the State Central Committee, State Executive Committee, and the State Convention. The term of office shall be two years.

4. Treasurer. The State Party Treasurer shall serve as Treasurer of the State Party, as Treasurer of the State Central Committee, as Treasurer of the State Executive Committee, and as a member of the Budget and Finance Committee. The Treasurer shall keep and maintain financial records. The term of office shall be two years.

#### C. Election of Officers.

1. Delegates to the State Party organizing convention held on odd-number years shall elect the State Party Chair, Vice-Chair, Secretary, and Treasurer.

#### D. Replacement of Officers.

1. Vacancies. Officer vacancies shall be filled within ninety (90) days of the vacancy by the State Central Committee.

2. Removal. Any officer may be removed by a 60% vote of all the voting members of the State Central Committee.

### ARTICLE IV STATE CENTRAL COMMITTEE

A. Powers. The State Central Committee shall be the governing and policy-making body of the Party.

B. Membership. The voting members of the State Central Committee shall consist of the State Party Chair, State Party Vice-Chair, State Party Secretary, State Party Treasurer, National Committeeman, National Committeewoman, Chair and Vice-Chair of each County Republican Party, County Representatives elected at the county organizing conventions, and Presidents or Chairs of any organization designated as a Party Auxiliary by the State Central Committee. The following elected officials, if Republicans, shall each be a voting member of the State Central Committee: Governor, U.S. Senator, U.S. Representative, State Attorney General, State Treasurer, State Auditor, and the Republican leader in both the Utah House and Utah Senate. Republican U.S. Senators and U.S. Representatives may designate a voting representative to attend State Central Committee meetings and vote when the elected official is unable to attend. The Lieutenant Governor may attend State Central Committee meetings and vote when the Governor is absent.

C. Meetings. The State Central Committee shall meet at least quarterly. The Chair or 25% of all the voting members of the State Central Committee may call a special State Central Committee meeting.

D. Quorum. In order to conduct binding business, the State Central Committee must have a quorum in attendance, defined as 40 voting members.

E. Notice of Meetings. A regular, quarterly State Central Committee meeting shall be noticed by postmarking an agenda at least two weeks before the intended meeting. A special State Central Committee meeting shall be noticed by postmarking an agenda at least one week before the intended meeting. No

business may be considered at a State Central Committee meeting unless properly noticed by inclusion in the agenda except if a majority of the members in attendance vote to add an item to the agenda.

#### ARTICLE V STATE EXECUTIVE COMMITTEE

A. Powers. The State Executive Committee shall be a standing committee of the State Central Committee.

B. Membership. The voting members of the State Executive Committee shall consist of the State Party Chair, State Party Vice-Chair, State Party Secretary, State Party Treasurer, Chair of the Constitution and Bylaws Committee, Chair of the Audit Committee, National Committeeman, National Committeewoman, and two Congressional District Representatives from each congressional district who are elected from the Central Committee members in each congressional district, and the Presidents or Chairs of any organization designated as Party Auxiliary by the State Central Committee. The Congressional District Representatives shall be elected for two year terms at the first State Central Committee meeting after the state organizing convention to serve on the State Executive Committee. The following elected officials, if Republicans, shall each be a voting member of the State Executive Committee: Governor, U.S. Senator, U.S. Representative and the Republican leader in both the Utah House and Utah Senate. Republican U.S. Senators and U.S. Representatives may designate a voting representative to attend State Executive Committee meetings and vote when the elected official is unable to attend. The Lieutenant Governor may attend State Executive Committee meetings and vote when the Governor is absent.

C. Quorum. In order to conduct binding business, the State Executive Committee must have a quorum in attendance, defined as a majority of voting members of the State Executive Committee.

#### ARTICLE VI PARTY COMMITTEES

A. Party Committees. The following standing committees shall be established:

1. Budget Committee, to propose a Party budget and monitor financial matters. The Party Chair shall appoint members with the advice and consent of the State Central Committee. A majority of the members shall be State Central Committee members.
2. Finance Committee, to raise funds for the Party Convention, to plan and oversee the annual convention. The Party Chair shall appoint members with the advice and consent of the State Central Committee. A majority of the members shall be State Central Committee members.
3. Constitution/Bylaws Committee, to propose changes to the Party Constitution and Bylaws. The State Central Committee shall elect, from among its members, the voting members. State Party Officers may not serve on the Constitution/Bylaws Committees.
4. Audit Committee, to appoint the Auditor and oversee an annual audit of the State Party. The Audit Committee shall issue an annual written report to the State Central Committee. The State Central Committee shall elect, from among its members, the voting members. State Party Officers may not serve on the Audit Committee.
5. The State Party Chair may establish other committees. These committees shall be recommending bodies only.

#### ARTICLE VII COUNTY PARTIES

A. Constitution and Bylaws. Each County Party shall, by its central committee or its convention, adopt a Constitution and/or Bylaws, which shall govern its procedures, including the selection of those party officers, delegates, and representatives who represent only that county or its parts. Any provision of those documents that is contrary to state law or to a specific provision of this Constitution is null and void.

1. Each County Party shall file a current copy of its Constitution, Bylaws, and any special or standing rules of continuing application by February 1, 2004.

2. Each County Party shall file revised copies of its Constitution, Bylaws, and any special or standing rules of continuing application within 30 days of their adoption or amendment.

3. The governing documents of a County Party applicable to the choosing of state delegates shall be those on file with the State Party 30 days prior to the voting precinct caucuses.

B. County Party Officers. Each county organizing convention held during odd-numbered years shall elect a County Chair, Vice-Chair, Secretary, and/or Treasurer.

C. County Central Committee. Each County shall have a County Central Committee, which shall be its governing body.

D. Function of County Parties. The County Parties and the State Party shall cooperate to elect Republicans and promote the State Party platform.

#### ARTICLE VIII BUDGET

A. State Party Budget. The Budget Committee shall submit, and the State Central Committee shall consider for approval, the budget for the next fiscal year at the last State Central Committee meeting of the current fiscal year.

B. Fiscal Year. The fiscal year for the State Party shall run from 1 July through the next June 30.

#### ARTICLE IX NATIONAL COMMITTEEMAN AND COMMITTEEWOMAN

A. National Committeeman and National Committeewoman. The National Committeeman and National Committeewoman shall represent the State Party on the Republican National Committee. The National Committeeman and National Committeewoman shall perform all other duties prescribed in the Republican National Committee and Utah Party Bylaws for the National Committeeman and National Committeewoman.

B. Election of National Committeeman and National Committeewoman. Delegates to the State Party Nominating Convention during the presidential election years shall elect the National Committeeman and National Committeewoman.

C. Term of Office. The National Committeeman and National Committeewoman shall serve for four years.

#### ARTICLE X MODIFICATION

A. Ratification. The Constitution shall be binding when approved by a majority vote of the delegates present at a State Party Convention.

B. Amendments. The Constitution may be amended by a 2/3 vote of the members at a State Central Committee meeting if subsequently ratified by a majority vote of the Delegates present at the State Convention. This Constitution may also be amended by 2/3 vote of Delegates present at the State Convention.

C. Severability. If any portion of this Constitution is ever declared void, all other portions shall remain binding and effective.

## ARTICLE XII CAUCUS AND CONVENTION PROCEDURES

### Section 1. Precinct Caucuses

A. Precinct Caucuses shall be held in each even-numbered year. The State Party shall designate the date thereof at least four weeks prior to the caucuses. The County Party shall designate the locations. The County Party shall designate, based upon the relative Republican strength of each precinct, the number of delegates to be elected in each individual caucus meeting. Relative Republican strength shall be calculated by aggregating the total combined county Republican votes cast at the previous election for governor/lieutenant governor, attorney general, state auditor, and state treasurer, excluding the vote for any candidate who had no opposition. Each precinct's portion of the aggregate vote shall be calculated on a strict percentage basis, without rounding. The County Party shall give notice of each individual caucus meeting by notifying the local news media and requiring three notices to be posted in the precinct. Each individual caucus shall be open to any Utah citizen who resides in the precinct, who will be at least 18 by the time of that year's general election. The State Party, through its Bylaws, may restrict participation and voting in the precinct caucuses based on party affiliation. The caucus shall convene at 7:00 p.m.

B. The voting precinct caucus shall elect:

- (1) voting precinct officers; and
  - (2) the number of delegates to the county convention and state convention that the voting precinct has qualified to elect.
- C. No subsequent election or ratification shall be required by county conventions for state delegates elected at the precinct caucuses or at a caucus of delegates at the county convention.
- D. If any precinct fails to elect sufficient delegates to the county convention or state convention, the County Central Committee may designate delegates to the county convention from qualified members residing in the precinct, and the state delegate positions may be filled from qualified members by the county convention. These state delegates shall reside in the same congressional, Utah House, and Utah Senate districts as the precinct.

E. 1. Pursuant to the requirements of Utah State Election Law, the following listings shall be made available to the public by the state party and each county party within the time frames specified:

- a. all officers of that party, within 7 days of their election or replacement;
- b. all persons holding membership on any governing bodies of that party, within 14 days of their selection or replacement;
- c. any other persons holding elected or appointed positions within that party, within 14 days of their election or appointment;
- d. all persons who have filed as Republicans for partisan public elective office, whose jurisdiction would include or be contained in that party's boundaries, within 7 days of the filing deadline;
- e. all persons who have been nominated as Republican candidates for public office by that party, within 7 days of their nomination or replacement.

2. All such listings shall include, at a minimum, the name, address, and phone number, where available, of each person listed.

3. The state party shall make available to the public, within 14 days of the caucuses, a complete statewide listing of all Republican state delegates. Each county party shall make available to the public, within 14 days of the caucuses, a complete countywide listing of the Republican state and county delegates residing in that county. Changes in delegate status shall be reflected in the listings within 14 days of their occurrence.

4. All delegate listings shall include, at a minimum, the name, precinct, Utah House district, Utah Senate district, Congressional district, address, phone number, and basis of eligibility of each delegate (e.g., election in the precinct caucus, election after the caucuses to fill an unfilled seat, or appointment to fill a vacancy occurring after the caucuses)<sup>2</sup>.

5. The state party and/or county parties may charge up to, but not more than, the direct cost of the medium by which a listing is made available to the person(s) so requesting, provided that any listing made available by electronic mail or on the Internet shall be made available at no charge.

## Section 2. State and County Nominating Conventions

A. The Party shall nominate candidates for partisan offices by a nominating convention and primary elections.

B. The number of delegates to the state convention shall be set by the State Central Committee.

C. Delegates shall be apportioned based upon relative Republican strength of each county. Relative Republican strength shall be calculated by aggregating the total combined Republican votes cast at the previous election for governor/lieutenant governor, attorney general, state auditor, and state treasurer, excluding the vote for any candidate who had no opposition. Each county's portion of the aggregate vote shall next be calculated on a strict percentage basis, without rounding. Each county whose allocation of delegates is smaller than the number of precincts in the county shall have its allocation of delegates increased to equal the number of precincts.

D. If an elected delegate dies, resigns, or is disqualified prior to the convention, the County Party precinct chair shall appoint a replacement from the precinct of the deceased or disqualified delegate.

E. At the time and place set for the state and county nominating conventions, the name of each person who has filed a declaration of candidacy may be placed in nomination for the office for which the declaration was filed.

F. When the number of candidates filing declarations of candidacy is no greater than the number of nominees required for the next general election, those candidates shall be declared to be the Party's nominees for those offices and shall not be required to run at either the nominating convention or the primary election.

G. Following the nominating and acceptance speeches made on behalf of the candidates for office, the delegates shall vote. The county and state convention shall provide time and voting facilities so that all delegates may vote.

H. Each delegate shall cast one vote for each office to be filled.

I. In the event that three or more candidates are nominated for the same office, the convention may use multiple ballots or preference voting to choose Party nominees. The State Party Central Committee shall

certify the method of election for the State Convention at least 6 months prior to the convention. In the case of multiple ballots, the first ballot shall be used to reduce the number of candidates to three if more than three candidates participate or by one if three participate. Each following ballot shall drop the lowest vote getter until two candidates remain. The two top candidates shall participate in the final ballot.

J. A candidate for an office that receives 60% or more of the votes cast at any point in the balloting process at the state nominating conventions shall become the Party's candidate without the necessity of running in the primary election, except in multi-county legislative district races where the percentage used shall be that of whichever county in the respective multi-county district requires the lowest percentage for its own races.

K. By 5:00 p.m. on the Monday after the convention, the secretary of each nominating convention shall immediately certify to the county clerk or the lieutenant governor, as appropriate, the names of the Party's nominees.

L. Counties shall submit state delegate lists to the State Party no later than two weeks before the state nominating convention.

### Section 3. State Nominating Convention

A. At least two days prior to the primary candidate certification deadline specified in the Utah State Code, delegates to the state nominating convention shall convene at a time and place designated by the State Central Committee in a state nominating convention to nominate candidates for partisan elective office and adopt a State Party platform.

B. In each presidential election year, the state nominating convention shall also choose presidential electors and the delegates and alternates to the national Party convention.

C. The gubernatorial candidates nominated by the state nominating convention shall nominate a candidate for lieutenant governor who meets the eligibility requirements of the statutes and constitution. If the convention fails to affirmatively ratify the nominee for lieutenant governor, the gubernatorial nominee shall nominate other candidates until the convention affirmatively ratifies a nominee.

D. The governor and lieutenant governor candidates nominated by the state nominating convention shall run as a joint ticket in the primary and general elections.

### Section 4. Nomination of Legislative Candidates

A. When the boundaries of either the Utah House or Utah Senate districts are identical or completely within the boundaries of a single county, the candidates shall be chosen at the county nominating convention by the county delegates from within the legislative district. If a house or senate legislative district encompasses more than one county, the candidates shall be chosen at the state nominating convention by the state delegates from within the legislative district.

### Section 5. Primary Election

A. When two candidates are nominated by the state nominating convention for the same office, both candidates shall run in a primary election in accordance with Utah Code.

B. Only voters who are registered Republicans may vote in a Republican primary election.

### Section 6. County Organizing Conventions

A. On or before August 15th in each odd-numbered year, a county organizing convention shall be held in each county in the state.

B. Each County Party shall mail a notice regarding the county organizing convention to every properly qualified county delegate.

C. At the time and place designated by the County Central Committee, the county organizing convention shall be held to elect a county chair, vice-chair, a secretary and/or treasurer and county representatives to the State Central Committee.

D. The method of choosing county representatives to the State Central Committee shall be determined by the County Central Committee.

E. The total number of county representatives to the State Central Committee shall be set by the State Central Committee. County representatives shall be apportioned among counties using the method of Article XII, Section 2B.

F. County representatives to the State Central Committee shall be seated after the state organizing convention and shall serve for two years.

#### Section 7. State Organizing Convention

A. On or before September 1st of each odd-numbered year a state organizing convention shall be held at a time and place designated by the State Central Committee.

B. Counties shall submit a current and updated listing of state delegates to the State Party no later than two weeks before the state organizing convention.

C. The State Party shall mail a notice regarding the state organizing convention to every properly qualified state delegate.

D. The state organizing convention shall be held to elect a State Party Chair, a State Party Vice-Chair, a State Party Secretary, and a State Party Treasurer.

E. In the event that three or more candidates are nominated for the same single seat office, the convention may use multiple ballots or preference voting to choose officers. The State Party Central Committee shall certify the method of election at least 6 months prior to the convention.

#### Section 8. Candidate Vacancies

A. In the event that a Party candidate who is involved in a contested primary resigns, dies or becomes incapacitated before the primary election the remaining candidate shall be designated as the Party nominee.

B. In the event that a Party candidate resigns, dies or becomes incapacitated after nomination at the state convention or at the primary election, the candidate shall be replaced by the following method:

1. A candidate for county or legislative office totally contained within a county shall be replaced by the respective County Central Committee.

2. A candidate for legislative office that encompasses more than one county shall be replaced by the state delegates elected from within the respective legislative district at a special legislative caucus.

3. A candidate for any statewide, U.S. Senate or U.S. Representative office shall be replaced by the State Central Committee.

Section 9. Interpretative Principles

A. In the case of ambiguity, Article XII shall be interpreted to be consistent with the provision of the Utah Code as of January 1, 1994.

ARTICLE XIII  
ROBERT'S RULES OF ORDER

The rules contained in the current edition of Robert's Rules of Order shall govern all meetings of the Party unless contrary to the Party Constitution and Bylaws and any special rules of order the Party may adopt.

May8, 2004 by the Utah Republican Party State Convention