



Bylaws of the Libertarian Party of _____ County

Article 1. General

1.1 Name

The name of this organization shall be the Libertarian Party of _____ County, also known as "LP _____", and hereinafter referred to as "County Affiliate". As a Texas county party, this organization is an affiliate of the Libertarian Party of Texas, hereinafter referred to as "LPTexas".

1.2 Duration

This organization and bylaws shall persist as long as the County Executive Committee, hereinafter referred to as the "CEC", has at least one member and remains valid in accordance with LPTexas bylaws and operational policies in addition to Texas state law.

1.3 Purpose

The purpose of the County Affiliate is to implement and give voice to the principles and message of the Libertarian Party by:

- a. Informing the public about Libertarian policies and principles;
- b. Nominating and supporting the best candidates for public office to represent the Libertarian Party;
- c. Attracting and developing leaders, volunteers, donors, and members to maintain and grow the County Affiliate and Libertarian Party;
- d. Working to influence local and state government towards Libertarian Party principles;
- e. Cooperating in activities with LPTexas and the national Libertarian Party;
- f. Performing the duties specified in LPTexas bylaws and operations policy; and
- g. Performing the duties specified in Texas Election Code and other applicable state laws.

1.4 Definitions

The following terms are used through these bylaws and other County Affiliate governing documents.

"Business Meeting" means an officially called meeting of the County Affiliate at which issues can be placed before the Voting Affiliate body and voted upon.

"County Convention" means the convention in a county described by Texas Election Code §181.061(c).

"Precinct Convention" means a convention of a voting precinct in the county as described by Texas Election Code §181.061(c).

"State Libertarian Executive Committee", hereinafter referred to as "SLEC", means the executive board of LPTexas.

"Voting Affiliate" means a person who is qualified and has rights as defined in these bylaws to officially participate in business of the County Affiliate.

1.5 Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order shall govern the County Affiliate in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the County Affiliate may adopt.

Article 2. Membership

2.1 Voting Affiliate

Any person who meets the qualifications to become a Voting Affiliate shall be recorded as a Voting Affiliate and granted Voting Affiliate rights immediately.

2.1.1 Voting Affiliate Qualifications

A person is eligible to become a Voting Affiliate if they:

- a. Are a Voting Member as defined by LPTexas bylaws;
- b. Are currently registered to vote in the same county as this County Affiliate;
- c. Agree to and sign the statement: "I generally support the LPTexas Statement of Principles.";
- d. Agree to and sign the national Libertarian Party pledge: "I certify that I oppose the initiation of force to achieve political or social goals."; and
- e. Are not currently affiliated with, nor an active participant of, any other political party.

2.1.2 Rights of Voting Affiliate Membership

Voting Affiliates shall have equal rights and privileges to participate and vote at Business Meetings of the County Affiliate.

2.1.3 Duration of Voting Affiliate Membership

Voting Affiliate membership begins once a qualified person meets all criteria of 2.1.1 Voting Affiliate Qualifications, and it continues until the date of the following Precinct Convention.

2.1.4 Termination of Voting Affiliate Membership

A person ceases to be a Voting Affiliate if:

- a. They cease to meet the criteria of 2.1.1 Voting Affiliate Qualifications;
- b. They do not affiliate at the next Precinct Convention;
- c. They resign or are removed for cause; or
- d. The County Affiliate organization ceases to exist as described in 1.2 Duration.

2.1.5 Resignation of Voting Affiliates

A Voting Affiliate may terminate their own membership by giving written notification to any CEC officer. Such resignations shall be filed and kept on record with the Secretary until the following Precinct Convention. A person who terminates their Voting Affiliate membership shall not be eligible to become a Voting Affiliate again until the following Precinct Convention.

2.1.6 Removal for Cause of Voting Affiliates

Any Voting Affiliate may be removed for cause by a unanimous vote of the entire membership of the CEC, or by a 3/4 vote of the entire Voting Affiliate membership of the County Affiliate. A formal statement of cause shall be drafted, and a reasonable attempt shall be made to deliver this cause to the subject Voting Affiliate. The subject Voting Affiliate shall be given a reasonable opportunity for speaking privileges to those voting on the issue before a vote can take place. An exception for speaking privileges and delivery of the statement may be made if there is reasonable cause for security concerns, and such reasons shall be included in the formal statement of cause.

If a removal for cause occurs, the formal statement of cause shall be presented before any other business can take place at the following Business Meeting and also at the following County Convention.

Article 3. County Affiliate Organization

3.1 County Executive Committee

The CEC shall consist of all the elected officers as established by these bylaws, and must include the position of Chair.

3.1.1 CEC Authority

The CEC shall have authority to represent and govern the County Affiliate in any way not covered by these bylaws.

3.2 Officers and Duties

The officers of the County Affiliate shall be:

- a. **Chair**, who shall be the principal and presiding officer to:
 1. Ensure Precinct and County Conventions are conducted as prescribed by Texas Election Code and LPTexas bylaws;
 2. Perform duties necessary to maintain the legal status of the County Affiliate as a political party;
 3. Receive, process, and report Applications of Nomination from local candidates;
 4. Preside over County Affiliate Business Meetings;
 5. Perform the duties of any other officer positions if those positions are vacant; and
 6. Perform any other duties as assigned by LPTexas and these bylaws.
- b. **Vice Chair**, who shall assist the Chair and:
 1. Perform the duties of the Chair when the Chair is absent.
- c. **Secretary**, who shall maintain records and:
 1. Take minutes at all official County Affiliate Business Meetings;
 2. Store meeting minutes and distribute copies to other officers in a timely manner;
 3. Maintain a list of Voting Affiliate memberships; and
 4. Maintain a contact list, which may include but is not limited to persons who have been involved with, volunteered for, donated to, contacted, or engaged with the County Affiliate.
- d. **Treasurer**, who shall maintain the treasury and:
 1. Collect donations, and maintain a list of donors and donation records;
 2. Track spending authorizations and disbursements;
 3. Provide a report of the County Affiliate finances at each Business Meeting and when requested by the CEC; and
 4. Disburse funds as authorized by instruction from the CEC or the Voting Affiliate body at a Business Meeting as prescribed by these bylaws.

3.2.1 Officer Eligibility

Only Voting Affiliates shall be eligible to hold officer positions in the CEC. An officer position is vacated immediately if the holder of that position ceases to be a Voting Affiliate.

3.2.2 Officer Terms

Officers are elected for a term beginning at the adjournment of the County Convention where they were elected, or immediately at a Business Meeting once they are elected, with the term ending at the adjournment of the next County Convention.

3.2.3 Officer Resignations

Any officer may resign by giving written notification to the Chair. In the case of the Chair, written notification must be given to the LPTexas State Chair, and must include an effective date and meet any other requirements set forth in LPTexas bylaws or policies.

3.2.4 Officer Removal for Absences

An officer position shall be declared vacant upon the establishment of quorum at the second consecutive Business Meetings for which that officer is absent.

3.2.5 Officer Removal for Cause

Any officer may be removed from their position on the CEC by a 2/3 vote of the entire Voting Affiliate membership. A formal statement of cause shall be included in the motion to remove the subject officer. Until the removal passes, the subject officer shall retain all rights and privileges of their office and their rights as a Voting Affiliate. The subject officer shall be given a reasonable opportunity for speaking privileges to those voting on the issue before a vote can be taken.

If an officer is removed cause, the formal statement of cause shall be presented before any other business can take place at the following Business Meeting and also at the following County Convention.

3.2.6 Officer Vacancies

Officer vacancies, including the Chair, may be filled by a majority vote of the Voting Affiliates in attendance at a Business Meeting.

3.3 Spending Authority

Funds shall be disbursed by the Treasurer according to motions of a majority of Voting Affiliates in attendance at a Business Meeting.

A majority of Voting Affiliates at a Business Meeting may designate an amount that the Chair is authorized to spend unilaterally for the current calendar year.

3.3.1 CEC Spending Authority

The CEC may authorize the use of County Affiliate funds by a 2/3 vote of the CEC. Such spending authorizations shall only be valid after all members of the CEC have been notified and have had the opportunity to vote. The vote by the CEC shall be considered failed if it has not gained the required votes 48 hours after the call for a vote.

3.4 Prohibitions

No motion or action by the CEC or County Affiliate shall:

- a. Obligate the County Affiliate to take on debt;
- b. Violate the LPTexas Statement of Principles or bylaws in any fundamental way; nor
- c. Support another political party or its candidates.

3.5 Operational Policy

The County Affiliate may create and maintain an operations document in which to establish perpetual traditions, policies, organizational structure, volunteer roles, or other mechanisms which need to remain from one County Convention through to the next.

The operations document shall require a majority vote of the Voting Affiliates in attendance at a Business Meeting to adopt or amend. That document, in its entirety, shall be made available to any Voting Affiliate upon request to an officer.

Article 4. Meetings

4.1 Business Meetings

Business Meetings are the only class of meeting at which business of the County Affiliate is conducted, except as authorized elsewhere in these bylaws. Business Meetings must meet the following requirements:

- a. **Quorum:** 30% of the entire Voting Affiliate membership, that includes at least 1 CEC officer, shall constitute a quorum.
- b. **Calling a meeting:** Business Meetings may be called by the Chair, majority of the CEC, or by petition of 1/3 of the entire Voting Affiliate membership.
- c. **Agenda:** A tentative agenda must be provided along with the meeting notice. At the meeting, if any motion is made outside the scope of the tentative agenda, a 1/3 vote of the Voting Affiliates in attendance is sufficient to pass an objection to consideration of that motion.
- d. **Notice:** At least fourteen (14) days notice shall be given to call a Business Meeting. Valid notice may be given by electronic newsletter, postal mail, direct email, telephone, and/or direct communication. Any notices must make reasonable efforts to ensure all Voting Affiliates have been notified. Additionally, public notice of meetings shall be posted on all active online presences of the County Affiliate, such as a home website and social media accounts, but these methods shall not constitute valid notice to Voting Affiliates.
- e. **Frequency:** Business Meetings shall be held at least once per year, but may be called more frequently as deemed necessary.
- f. **Open to the public:** All Business Meetings, except for those declared a closed session, shall be open to attendance by the public and press. A closed session, at which only Voting Affiliates may attend, may be declared by a 2/3 vote of the Voting Affiliates in attendance at that meeting.

4.1.1 Minutes

Minutes shall be taken at all Business Meetings. Any Voting Affiliate may request and shall receive a copy of recorded minutes within 10 days of the request made to any CEC officer.

4.1.2 Remote Participation

The CEC, by majority vote, may allow a fully or partially online Business Meeting so that participants are able to attend remotely. Notices of how to attend such meetings shall be given along with the tentative agenda.

4.2 Other Meeting Classes

Other classes of meetings may be held by the County Affiliate, but such meetings shall not function as a Business Meeting.

Article 5. Voting

5.1 Voting Rights

Provided they maintain active Voting Affiliate membership, each Voting Affiliate shall have one vote for all purposes requiring a vote as long as they are recognized as in attendance at a session.

5.2 Voting Method for Elections

Approval Voting shall be used in all elections, except where restricted by LPTexas bylaws, or when a different voting system is decided upon by majority vote of the Voting Affiliates in attendance.

5.3 Right to Vote Against

The right to vote against each individual nominee or for “None Of The Above” nominees (“NOTA”) shall be an available choice in all elections, except where restricted by LPTexas bylaws. Voting Affiliates shall have the right to not elect a nominee to public or party office, leaving the position vacant instead.

Article 6. Conventions

6.1 Order of Business

At all County Conventions, the order of business shall be as follows:

- a. Call to order by the County Chair, or by another CEC officer if the Chair is absent.
- b. Establish the roster of participants to establish quorum as described in LPTexas bylaws for a Party Convention Quorum.
- c. Temporary officers of the convention are introduced, and the Temporary Convention Chair continues the convention.
- d. Nomination and election of permanent officers of the convention, after which the permanent Convention Chair continues the convention.
- e. Nominations and elections of candidates for public office for races that are entirely within the county for those who have filed an Application for Nomination form as described by Texas Election Code, Title 10, Subtitle C, Chapter 181, Subchapter B.
- f. Nominations and elections of CEC officers.
- g. If any applicable District Conventions will take place, the Convention Chair announces the time and location of such District Conventions, followed by nominations and elections for delegates to those District Conventions in accordance with LPTexas bylaws for District Conventions.
- h. Nominations and elections for delegates and alternates to the State Convention in accordance with LPTexas bylaws for County Conventions.
- i. Modifications to the County Affiliate bylaws in accordance with 9.1 Permanent Amendments.
- j. Other business, if any.
- k. Adjournment.

6.2 Governing Authority

All County Conventions shall adhere to LPTexas bylaws for General Rules Governing Party Conventions.

6.3 Functionaries of the County Convention

The County Chair may designate temporary officers and their duties as deemed necessary to plan, arrange, and conduct the necessary work of the County Convention until it elects its own permanent officers.

The permanent officers of the convention shall be elected and include a Chair, Secretary, and any additional officers of the convention who may be elected. The Convention Chair fulfills the duties of any of these officer positions if they are vacant.

A Parliamentarian may be chosen to give advice to the Convention Chair, but shall have no authority over the convention.

6.4 Special Convention Rules

Discussion shall be limited in accordance with LPTexas bylaw for Limits on Discussion.

Article 7. LPTexas

7.1 SLEC Vacancies

Should a vacancy exist in a SLEC Senate District Representative seat that is wholly or partially contained within the County Affiliate's county, then the CEC or Voting Affiliates may act to fill the vacancy according to the following process. LPTexas bylaws and policies for recording and submitting any nominations and votes shall be followed.

7.1.1 Nomination

A Voting Affiliate may be nominated for a vacant District Representative seat by a majority vote of Voting Affiliates in attendance at a Business Meeting or a 2/3 vote of the CEC.

7.1.2 Vote

Upon LPTexas providing the list of nominated candidates, a majority vote of Voting Affiliates in attendance at a Business Meeting or a 2/3 vote of the CEC shall determine the vote cast for or against each nominee on behalf of the County Affiliate. A vote, for or against, may be cast for each nominated candidate.

Article 8. Authority

8.1 Superiority

These bylaws supersede and nullify all previous rules, constitutions, or bylaws of the County Affiliate.

8.2 Conflict

In the event these bylaws come into conflict with Texas Election Code or LPTexas bylaws, the relevant sections of Texas Election Code or LPTexas bylaws shall be recognized as superior.

8.3 Duration of Motions

All motions and votes passed between County Conventions are nullified at the adjournment of each County Convention unless preserved in an operations document as specified in 3.5 Operational Policy.

Article 9. Amendments

9.1 Permanent Amendments

These bylaws may be permanently amended, altered, or repealed only by a 2/3 vote of the delegates at a County Convention.

9.2 Temporary Amendments

Any Voting Affiliate may submit temporary amendment proposals to any officer. The CEC shall provide the full text of proposed temporary amendments along with the next Business Meeting's temporary agenda.

Temporary amendments will take effect upon ratification by 2/3 vote of Voting Affiliates in attendance at a Business Meeting. Temporary amendments will only remain in effect until the adjournment of the next County Convention. They shall be presented as bylaws proposals at that County Convention and approved according to 9.1 Permanent Amendments.

The County Convention body has the right to reject a temporary amendment by majority vote at any time and without needing a motion to suspend the rules.

9.3 Minor Corrections

The CEC may, by unanimous vote, update numbering, modify spacing, fix grammatical or spelling errors, and modify formatting of these bylaws, but shall not change wording, substance, or intent in any way. Notification of these changes must be announced as part of and made available at the Business Meeting following such modification.

Article 10. Bylaws History

10.1 Certification

These bylaws were accepted at the _____ (event)

on the _____ day of _____ of the year _____.

Presiding Chair Name: _____ (print)

10.2 History

A historical record of temporary and permanent amendment events and dates follows:

Suggested Format [Date] - [Modifying Person] [Description of changes]

County Business Meeting Minutes

Date: _____

Location: _____

Notice Posted At: _____

Date of Posting: _____

Presiding Officers:

Chair: _____

Vice Chair: _____

Secretary: _____

Treasurer: _____

Other: _____

Member(s) Present:

1. _____

7. _____

2. _____

8. _____

3. _____

9. _____

4. _____

10. _____

5. _____

11. _____

6. _____

12. _____

Additional Members Attached

County Chair Calls the Meeting to Order

First Order of Business: _____

Motion/Nomination/Resolution

Text of Motion:

Did It Pass? Yes / No (Circle One)

If Counted Vote For _____ Against _____

Additional Notes: _____

_____ Order of Business: _____

Motion/Nomination/Resolution

Text of Motion:

Did It Pass? Yes / No (Circle One)

If Counted Vote For _____ Against _____

Additional Notes:

_____ Order of Business: _____

Motion/Nomination/Resolution

Text of Motion:

Did It Pass? Yes / No (Circle One)

If Counted Vote For _____ Against _____

Additional Notes:

_____ Order of Business: _____

Motion/Nomination/Resolution

Text of Motion: _____

Did It Pass? Yes / No (Circle One)

If Counted Vote For _____ Against _____

Additional Notes: _____

_____ Order of Business: _____

Motion/Nomination/Resolution

Text of Motion: _____

Did It Pass? Yes / No (Circle One)

If Counted Vote For _____ Against _____

Additional Notes: _____

Meeting Adjourned: _____ (Time)

Additional Members Present

- 13. _____
- 14. _____
- 15. _____
- 16. _____
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- 45. _____
- 46. _____
- 47. _____
- 48. _____

OATH AND CERTIFICATE OF PARTY AFFILIATION

According to Texas Election Code (“TEC”) and the State Rules of the Libertarian Party of Texas (the “Party”), administration of this oath of affiliation certifies the eligibility of the person taking it to become a Voting Member of the Party.

By taking this oath, I declare the following statements are true:

- I hereby certify that I oppose the initiation of force to achieve political or social goals.
- I have read and generally support the Party’s Statement of Principles.
- I am a qualified Texas voter and understand eligibility requirements (see TEC §162).
- I swear that I have not voted in a primary election or participated in a convention of another party during this voting year. I hereby affiliate myself with the Libertarian Party.

Further, I understand that my Voting Membership of the Party, and all the rights it imparts, shall terminate upon any of the above statements no longer being true or if I fail to affiliate with the Party on the date of the next Precinct Conventions.

Name of person taking oath

VUID (optional)

Signature of person taking oath

Date

Name of person authorized to administer oath

Signature of person authorized to administer oath

Date

Position of administrator

(If applicable) Party function at which the affiliation occurred

Instructions: On request of a person desiring to affiliate with the Party, a member of a County Executive Committee for the county in which the person resides may administer the oath of party affiliation. In unaffiliated counties, a member of the State Executive Committee, a person specially designated by the State Executive Committee, the State Chair, or person otherwise allowed by Texas law shall affiliate by administering the oath of party affiliation.

Extract from State Platform of the Libertarian Party of Texas As adopted July 2020

Current and complete State Platform available at: <http://www.lptexas.org/platform>

STATEMENT OF PRINCIPLES

We, the Libertarian Party of Texas (LPTexas), seek the maximum protection for the rights of all people against any violation, be it by other people, other nations, or our own government. We oppose the initiation of force, threat of harm, coercion, or fraud as a means of achieving personal, political, or social goals.

Every human being is born sole owner of his or her body and mind, free to live and act as he or she sees fit. It is our principle that, so long as a person does not violate the rights of others, he or she should be left free and unrestrained.

LPTexas opposes coercion of peaceful individuals. Governments may only exist for the sole purpose of defending the freedoms of people. These freedoms include the right to life; the right to liberty of thought, speech and action; and the right to property.

Government is, essentially, raw concentrated force, and thus, prone to abuse. It is established and tolerated only as the agent and servant of the people—not their master. The force of government must be used only in response to an attack, fraud, or other initiation of force against an individual, group or government by another individual, group or government.

Governments have no business interfering in voluntary and contractual relations amongst individuals. All people should be equal before the law, free to deal with one another in a free market, the only system compatible with the principle of individual rights.

Government should reflect the consent of the governed and not subject individuals to tyranny of the majority. Where it exists, government must be kept to the minimum necessary to protect the rights of individuals. LPTexas holds that all human interaction should be voluntary and consensual, in accordance with the Non-Aggression Principle.

Extracts from Texas Election Code As enacted in 2021 by the 87th Legislature (Emphasis added as highlights)

Current and complete Texas Statutes available at: <https://statutes.capitol.texas.gov/>

TITLE 1. INTRODUCTORY PROVISIONS

CHAPTER 1. GENERAL PROVISIONS

Sec. 1.005. DEFINITIONS. In this code:

- (23) "Voting year" means the 12-month period beginning January 1 of each year.

TITLE 10. POLITICAL PARTIES

SUBTITLE A. INTRODUCTORY PROVISIONS

CHAPTER 162. REGULATING PARTICIPATION IN PARTY AFFAIRS

Sec. 162.001. AFFILIATION WITH PARTY REQUIRED. (a) A person must be affiliated with a political party to be eligible:

- (1) to serve as a delegate to or otherwise participate in a convention held by the party under this code;
- (2) to be elected as a member of or be appointed to fill a vacancy on a state executive committee;
- (3) to be appointed to fill a vacancy on a county executive committee; or
- (4) for any other purpose within the party as adopted by state party rules.

(b) The affiliation requirement prescribed by Subsections (a)(2) and (3) applies only during a voting year in which the general election for state and county officers is held and does not apply until:

- (1) general primary election day, for a party holding a primary election; or
- (2) the date of the precinct conventions held under this title, for a party nominating by convention.

Sec. 162.002. ELIGIBILITY TO AFFILIATE. To be eligible to affiliate with a political party, a person must be:

- (1) a registered voter; or
- (2) eligible to vote a limited ballot at the time of affiliating.

Sec. 162.006. AFFILIATION BY TAKING OATH. A person becomes affiliated with a political party when the person takes an oath of affiliation as provided by Section 162.007 or 162.008.

Sec. 162.007. AFFILIATION PROCEDURE: TAKING OATH AT PRECINCT CONVENTION. (a) This section applies only to a precinct convention held under this title by a political party making nominations by convention.

(b) On admitting a person for participation in the convention, the temporary chair shall administer to the person the following oath: "I swear that I have not voted in a primary election or participated in a convention of another party during this voting year. I hereby affiliate myself with the _____ Party."

(c) After administering the oath, the temporary chair shall request the person's registration certificate and stamp the party's name in the party affiliation space unless the party name has already been stamped in the space. If the person does not present a registration certificate, the temporary chair on the person's request shall issue the person an affiliation certificate.

Sec. 162.008. AFFILIATION PROCEDURE: TAKING OATH GENERALLY. (a) A person may affiliate with a political party at any time by taking an oath of affiliation.

(b) On request of a person desiring to affiliate with a political party, a member of the county executive committee for the county in which the person resides or other person authorized by party rule shall administer the following oath: "I swear that I have not voted in a primary election or participated in a convention of another party during this voting year. I hereby affiliate myself with the _____ Party."

(c) After administering the oath, the committee member or authorized person may stamp the party's name in the party affiliation space unless the party name has already been stamped in the space. If the person does not present a registration certificate, the committee member or authorized person on the person's request shall issue the person an affiliation certificate.

Sec. 162.009. CONTENTS OF AFFILIATION CERTIFICATE. The authority issuing an affiliation certificate under this chapter shall enter on the certificate:

- (1) the name of the person to whom the certificate is issued;
- (2) the name of the political party of the affiliation;
- (3) the name and official position of the issuing authority;
- (4) the party function at which the affiliation occurred, if applicable; and
- (5) the date of affiliation.

Sec. 162.010. DURATION OF AFFILIATION. (a) Except as provided by Subsection (b), a party affiliation expires at the end of the voting year in which the person became affiliated.

(b) A party affiliation made in an odd-numbered year expires on the first day on which a person may file an application for a place on the general primary election ballot.

Sec. 162.011. PRESENTATION OF FALSE EVIDENCE OF AFFILIATION PROHIBITED. (a) A person commits an offense if for the purpose of participating in a political party's convention or other party meeting or event the person presents to a party official:

- (1) an affiliation certificate that the person knows was not issued in compliance with this chapter; or
- (2) a voter registration certificate with a party affiliation stamp that the person knows was not obtained in compliance with this chapter.

(b) An offense under this section is a Class C misdemeanor.

Sec. 162.012. INELIGIBILITY TO AFFILIATE WITH ANOTHER PARTY. A person who is affiliated with a political party is ineligible to become affiliated with another political party during the same voting year.

Sec. 162.014. UNLAWFUL PARTICIPATION IN PARTY AFFAIRS. (a) A person commits an offense if the person knowingly votes or attempts to vote in a primary election or participates or attempts to participate in a convention of a party after having voted in a primary election or participated in a convention of another party during the same voting year.

(b) Except as provided by Subsections (c) and (d), an offense under this section is a Class C misdemeanor.

(c) An offense under this section is a felony of the second degree if the conduct constituting an offense under Subsection (a) consists of knowingly voting in a primary election after having voted in a primary election of another party during the same voting year.

(d) An offense under this section is a state jail felony if the conduct constituting an offense under Subsection (a) consists of knowingly attempting to vote in a primary election after having voted in a primary election of another party during the same voting year.