

**AMERICAN
TEA PARTY
CONGRESS**

One Voice for America's Future

By-Laws

American Tea Party Congress By-Laws

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Article I Establishment of Organizational By-Laws

Section 1

Pursuant to its Charter, the American Tea Party Congress, hereinafter referred to as the ATPC, is empowered and authorized through the Board of Representatives to legislate, enact and amend By-Laws for the governance of the organization.

Section 2

1. To the extent that they are applicable and in accordance with Article V, Section 5 of the Charter, these By-Laws shall govern all constituent member organizations, Representatives, Officers and ancillary personnel of the ATPC.
2. Any part of the By-Laws that conflicts with or contradicts any part of the Charter shall be deemed invalid and inapplicable.
3. Insofar as all resolutions, acts and statutes approved by the delegates of the organizations who founded the ATPC prior to the ratification of the Charter and the enactment of these By-Laws do not contradict them, such resolutions, acts and statutes shall have the force of law until such time as they are superseded or revoked by the Charter or the By-Laws.

Article II Functional Purpose of the Organization

Section 1

1. Pursuant to the Charter, the ATPC is incorporated in the state of New Jersey as a non-profit entity and a political action committee; it is registered with the IRS as a 501(c)(4) organization that may engage in activities of a political nature.
2. The ATPC may choose to cooperate with and provide representation to kindred organizations; however, the ATPC is wholly independent of all other organizations with regard to its operational and financial activities. All member organizations of the ATPC likewise operate independently of the ATPC, with restrictions only as indicated in the Charter and these By-Laws.
3. The ATPC will operate primarily to promote the common political, economic and social welfare of the people of New Jersey and the United States.
4. Any and all income received by the ATPC shall be devoted only to charitable and educational purposes in addition to defraying operational expenses as determined by the Board of Representatives.

Section 2

The ATPC embraces the following Core Principles:

1. That all people are created equal and are endowed by their Creator with unalienable rights, among which are life, liberty and the pursuit of happiness and that these rights are secured only by governments deriving their just powers from the consent of the governed.
2. That whenever any such government becomes destructive of these ends, it is the right of the people to alter or to abolish it and institute new government in a form most likely to effect their safety and happiness.
3. That the United States of America comprise a free and sovereign nation governed only by the Constitution and subject to no foreign power.
4. That the size and scope of federal and state governments ought not to exceed the boundaries established by their respective constitutions and that the revenue necessary to support the constitutionally-authorized activities of the federal and state governments ought to be raised only by means that apply equally to all residents without exception.

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5. That the free market, unfettered by needless and unconstitutional federal regulations, offers opportunities for prosperity to all who desire to achieve it.
6. That an educated, informed and engaged citizenry is essential to the establishment and longevity of a republic that secures the unalienable rights of its citizens.

Section 3

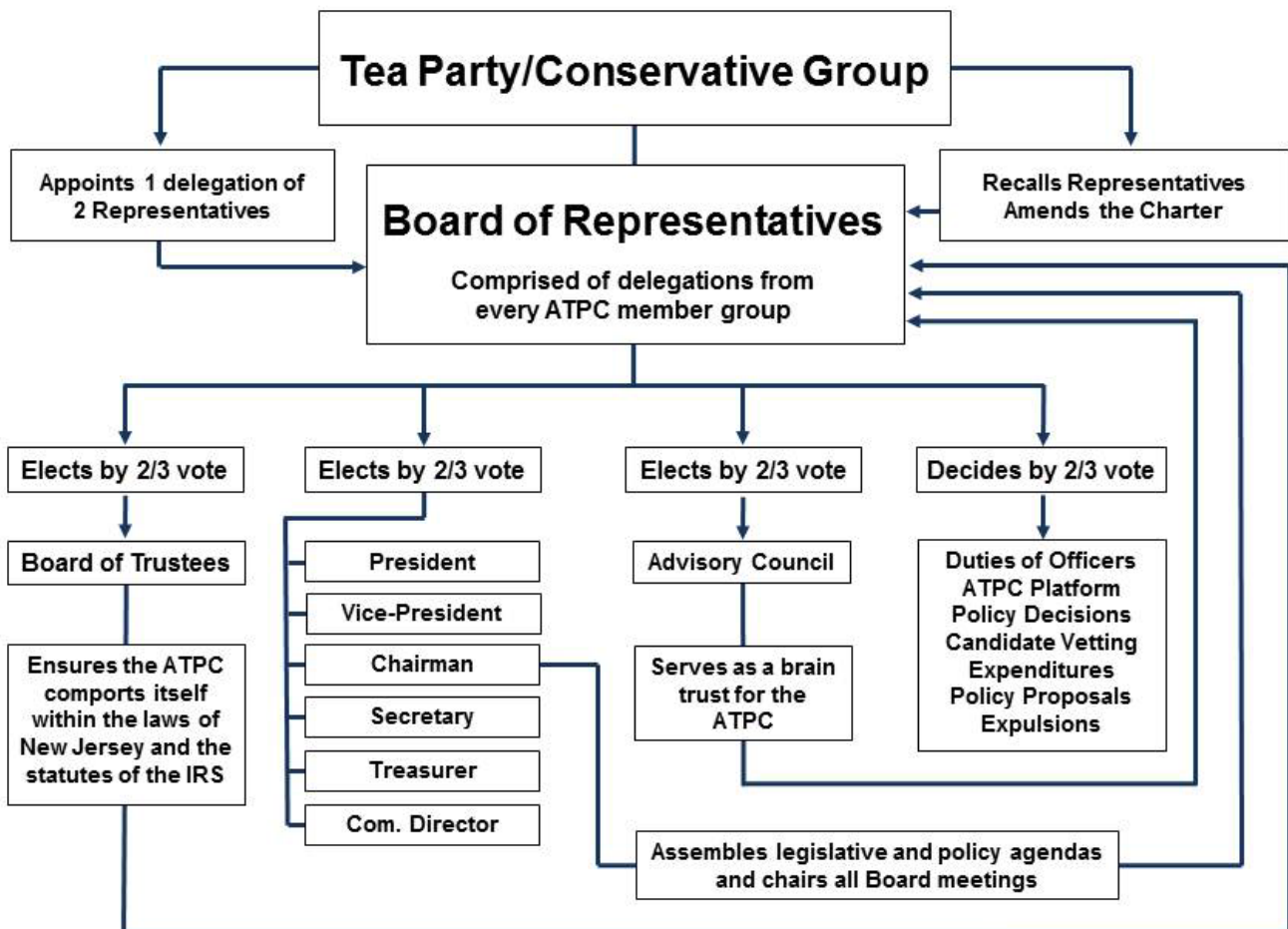
Pursuant to the Mission Statement in the Charter and the Core Principles set forth in Section 2 of this Article, the ATPC shall engage in the following activities:

1. Conduct regular meetings to transact the business of the organization and organize conferences at which delegations from every member organization can gather and network.
2. Serve as an agency through which multiple Tea Party groups and kindred conservative organizations can more efficiently focus coordinated activities.
3. Petition elected state and federal officials on behalf of the member groups.
4. Establish an Internet website and social networking sites on which all member groups may freely communicate and share information and news with each other and the world.

Article III Organizational Structure

Section 1

The organizational structure of the ATPC shall be comprised of a Board of Trustees, a Board of Representatives, an Advisory Council, Officers and other ancillary personnel as may be appointed or elected and all of whom shall be United States citizens.



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Section 2

1. The registered office of the ATPC shall be the same as listed on the articles of incorporation and the registered agent shall have a business office identical with such registered office, or have access to a corporate post office box.
2. The ATPC may have other offices within or outside the State of incorporation at such place or places as may be fixed from time to time by the Board of Representatives upon filing of such notices as may be required by law.

Article IV Board of Trustees

Section 1

1. The management of all the legal affairs, property and related interests of the ATPC shall be vested in a five-member Board of Trustees, divided into two tiers for the purpose of staggering their respective terms of office. Tier I shall consist of three members and Tier II shall consist of two members.
2. At the first session of the Congress following ratification of the Charter, both Tiers of Trustees shall be elected by two thirds majority vote of the Board of Representatives. The terms of the Trustees thus elected shall be two years for Tier I and one year for Tier II, both commencing retroactively to January 1 and terminating in December of the final year of the term.
3. Subsequently, all Trustee terms shall be for two years, commencing at 12:01 AM on January 1 and terminating at midnight, December 31 of the final year of the term.
4. It is the purpose and intent of this section that after the initial election has occurred, Tier I Trustees shall be elected in even-number years and Tier II Trustees shall be elected in odd-number years.
5. All candidates for Trustee shall be persons of integrity and sound judgment whose knowledge and experience makes them suitably qualified and shall serve at the pleasure of the Board of Representatives.

Section 2

1. The Board of Representatives shall have the power and authority to determine the number of Trustees in excess of the minimum prescribed by law as well as the scope of their responsibilities.
2. The Trustees shall be responsible for ensuring that the ATPC comports itself within the boundaries established by the constitutions and laws of the United States and the State of New Jersey and shall report to the Chairman of the Board of Representatives any activities they deem to be a violation of either federal or state laws.
3. The number of Trustees may at any time be increased or decreased by amendment of these By-Laws, but no decrease shall have the effect of shortening the term of any incumbent Trustee.
4. At a meeting of the Board of Representatives called expressly for that purpose, the entire Board of Trustees, or any member thereof, may be removed by a two-thirds majority vote.
5. All vacancies in the Board of Trustees, whether caused by resignation, death or removal from office, may be filled by two-thirds majority vote of the Board of Representatives. A Trustee elected to fill any vacancy shall hold office for the unexpired term of his/her predecessor and until a successor is elected and qualified. Any Trusteeship to be filled by reason of an increase in the number of Trustees may be filled by the Board of Representatives for a term of office continuing only until the next election of Trustees by the Board of Representatives.

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Section 3

1. The Board of Trustees shall convene at such time or times as prescribed by law in a place to be determined by them to review the activities and business of the ATPC.
2. The Secretary and Treasurer shall attend all Trustee meetings and report details of the proceedings to the Chairman and the President.

Article V Board of Representatives

Section 1

1. Pursuant and subject to the provisions and exceptions set forth in the Charter, all legislative power and all primary executive power within the ATPC shall reside in the Board of Representatives.
2. Regardless of the size or influence of their respective organizations, all Representative delegations shall be equal in station and dignity and each delegation shall have one vote.

Section 2

1. Every organization accepted for membership in the ATPC shall, before the next scheduled meeting of the ATPC, elect or appoint a delegation of two (2) members to serve as its Senior and Junior Representatives for a term of office to be decided by the organization.
2. The Senior Representative shall cast all votes on behalf of the delegation at all meetings of the Board of Representatives.
3. In the event the Senior Representative is unable to exercise this responsibility, it shall fall to the Junior Representative.
4. Every member group has the right to recall either or both of its Representatives at any time and for any reason.
5. In the event one or both Representatives are unable to attend a meeting of the Board, their organization shall have the power to designate a replacement for one or both from its own ranks.

Section 3

1. The Board of Representatives shall have the authority and power to create committees and sub-committees to more effectively manage the affairs of the organization. These may be in the form of either standing committees or ad hoc committees.
2. Upon formation, a committee shall elect one of its members to serve as Committee Chair.
3. Only standing committees shall have the power to create their own sub-committees.
4. Committees and sub-committees shall be comprised of no fewer than three and no more than eleven members in odd-number multiples.
5. Personnel for all committees may be drawn only from the ranks of the Board of Representatives, the general membership of member organizations and the Advisory Council.
6. Officers may not serve on any committee except in an ex officio capacity.
7. The following permanent standing committees have been formed: Membership, Fundraising, Communications, Political, Charter, By-Laws and Marketing.
8. The following ad hoc committees have been formed: Audio/Visual Tech and Nomenclature & Incorporation.
9. Ad hoc committees may be disbanded by the Board upon completion of their task or one year from the date of appointment, whichever comes first.
10. Any member of a committee may be removed by the Board of Representatives on the recommendation of the Committee Chair.

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Section 4

1. The Board of Representatives shall have the power to dismiss by two-thirds majority vote any Representative it determines has abused the office through misconduct or actions that are inimical to the mission of the ATPC.
2. Any Representative may submit to the Chairman the name of a Representative or Representatives he or she believes should be expelled from the organization together with the reasons for the recommendation and evidence to support those reasons.
3. The Chairman shall forward the charges to the party or parties that have been recommended for expulsion no later than one week after being notified of the charges in order to permit the accused party or parties time to prepare a defense.

Section 5

1. At the next meeting of the Board of Representatives, the matter of the charges shall be the first order of business after the reading of the minutes of the previous meeting.
2. The Chairman shall read the charges and grant the accusing party time to present its case, after which the accused party shall be granted an equal allotment of time to present its defense. The Chairman may, at his discretion, extend to the accused party a reasonable amount of extra time to present its defense.
3. After all arguments have been presented, the Chairman shall order a roll call vote on the expulsion of the accused Representative or Representatives.
4. Any vote tally less than a majority of two-thirds in favor of expulsion shall be interpreted as acquittal.
5. If a two-thirds majority votes in favor of expulsion, the accused Representative or Representatives shall be escorted from the meeting premises.

Article VI Advisory Council

Section 1

1. The Trustees, Representatives and Officers of the ATPC shall be assisted in their deliberations by an Advisory Council whose members may make policy recommendations and provide research data.
2. Candidates for membership on the Advisory Council shall be persons of integrity and sound judgment whose knowledge and experience makes them suitably qualified.
3. No Officer or Representative may serve on the Advisory Council.

Section 2

1. Advisory Council members shall be each be elected by two thirds majority vote of the Board of Representatives at any time and shall serve at the pleasure of the Board of Representatives, which may dismiss any or all of them for any reason by two thirds majority vote.
2. Members of the Advisory Council are encouraged to attend all meetings of the Board of Representatives, but shall have no voting power.

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Article VII Officers and Ancillary Personnel

Section 1

The Officers of this organization shall consist of the President, Vice-President, Chairman, Secretary, Treasurer and Communications Director.

1. The President shall manage the overall operation of the ATPC; establish working relationships with state and national conservative organizations and perform other such duties as the Board of Representatives shall direct.
2. The Vice-President shall, in the absence or incapacity of the President, assume the duties and responsibilities of that office. If, for any reason, the office of the Vice-President becomes vacant, the Board of Representatives shall appoint a duly qualified individual to fill the unexpired portion of the term, pursuant to the procedures set forth in the Charter and these By-Laws.
3. The Chairman shall assemble all legislative and policy agendas received from Representatives, Committees, Trustees and other Officers; organize all meetings of the Board of Representatives; chair all Board and special meetings in accordance with established American parliamentary procedure; present all motions for vote at all regular meetings and perform other such duties as the Board of Representatives shall direct.
4. The Secretary shall attend to the general correspondence and record-keeping of the organization and perform other such duties as the Board of Representatives shall direct.
5. The Treasurer shall receive all monies given to the organization; deposit all receipts in depositories designated by the Board of Representatives; disburse ATPC funds to settle, at the direction of the Board, debts contracted by the organization; maintain accurate records of all receipts and disbursements together with all savings and investments of the organization; submit a report of all receipts, disbursements and monies on hand at every Board meeting; secure the appropriate bonding and indemnification insurance and perform other such duties as the Board of Representatives shall direct.
6. The Communications Director shall generate press releases and related communications of a public nature at the direction of the Board of Representatives, the President or the Chairman and distribute them to the print, broadcast and Internet media; create and maintain the ATPC website and related social media outlets, including Facebook, Twitter and other accounts and perform other such duties as the Board of Representatives shall direct. The Communications Director shall likewise be responsible for managing the marketing, advertising, promotional and publicity efforts of the ATPC.
7. If, for any reason, the office of the Chairman, Secretary, Treasurer or Communications Director becomes vacant, the Board of Representatives shall appoint a duly qualified individual to fill the unexpired portion of the term, pursuant to the procedures set forth in the Charter and these By-Laws.

Section 2

At the direction of the Board of Representatives, the President shall appoint a committee of three or more qualified individuals to audit the financial records of the Treasurer and to report its findings to the Board of Representatives.

Section 3

The Board of Representatives shall have the power to dismiss any or all Officers for any reason by two thirds majority vote.

Section 4

1. The Board of Representatives shall have the power to establish ancillary offices and set forth the powers and responsibilities of each office.

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2. All candidates for ancillary offices shall be carefully vetted by the Board of Representatives for professional qualifications, probity and upstanding character; each shall be elected by two-thirds majority vote of the Board of Representatives at the December meeting for a term of one year, commencing at 12:01 AM on January 1, and shall serve at the pleasure of the Board of Representatives, which shall have the power to dismiss any or all ancillary personnel for any reason by two-thirds majority vote.

Article VIII Election of Officers and Trustees

Section 1

1. At the October meeting of the Board of Representatives, the Chairman shall form an ad hoc Nomination Committee to determine which qualified individuals in the organization are willing and able to serve as an Officer or a Trustee. At that time, any incumbent Officer or Trustee who does not wish to serve another term of office shall declare to the Board that such office will be vacated at the conclusion of the term on January 1.
2. Election of Officers and Trustees shall take place at the December meeting of the Board at which the presence of all Officers and Trustees is required.
3. If no candidates other than the incumbent office holders come forward on or before the December meeting, the Chairman shall make a final call for nominations from the floor. If no nominations are made, the Chairman shall call for a *viva voce* vote on each of the uncontested offices. A simple majority vote in favor will be sufficient to re-elect those individuals to another term of office.
4. In the event only one individual is nominated for an office that is to be vacated, the Chairman shall call for a *viva voce* vote. A simple majority in favor will be sufficient to elect that individual.
5. In the event there is no nominee for an office that will be vacated, the duties and responsibilities of that office shall be assumed by the immediate subordinate office holder until such time as a qualified individual has been elected by the Board.

Section 2

1. If there is a contest for a particular office or offices, the Chairman shall present the slate of candidates to the Board of Representatives.
2. A roll call vote of the Representatives shall be taken by the Chairman for each contested office. The candidate who receives a two thirds majority vote of the Representatives shall be elected to that office.
3. In the event of a plurality involving three or more candidates, a runoff ballot shall be called for the two candidates with the highest vote totals.
4. If no candidate for a particular contested office receives two-thirds of the vote, the Chairman shall call for another ballot and the candidate who receives a simple majority of the votes shall prevail.
5. In the event of a tie vote for two candidates, the Chairman shall cast the deciding ballot. In the event of a tie vote for two candidates for the office of Chairman, the President shall cast the deciding ballot.

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Article IX Membership

Section 1

1. Any Tea Party group or kindred conservative organization that embraces the Mission Statement in the Charter and Core Principles set forth in these By-Laws and expresses a willingness to abide by them may petition the ATPC for full membership.
2. The petition shall be made in the form of a letter or e-mail addressed to the membership Committee and shall contain pertinent information necessary for the Committee to make its recommendation to the Board of Representatives at the next proximate meeting.
3. The Board of Representatives must approve of the petition by two-thirds majority vote and if membership status is granted, the Chairman shall direct the Secretary to notify the petitioning organization of the decision.
4. Upon acceptance into the ATPC, the new member organization shall elect or appoint no more than two Representatives who shall be seated with full voting power at the next meeting of the Board of Representatives.

Section 2

1. Member organizations shall render \$250 initial dues at the time they are inducted into the ATPC and \$200 per year on the first day of July the following year and every year thereafter. This amount may be adjusted at the discretion of the Board of Representatives.
2. All membership dues are non-refundable for any reason, including withdrawal of the member organization from the ATPC or termination of membership by the Board of Representatives.
3. The Board of Representatives may, at its discretion, retroactively apply any dues on a prorated basis to any organization that has withdrawn from the ATPC and rejoined within a twelve month period.

Section 3

Any member organization may withdraw from the ATPC at any time by notifying the Chairman, who shall relay the information to the Board, the Trustees, the Advisory Council and the other Officers.

Section 4

1. Membership of an organization in the ATPC is a privilege subject to termination by a two-thirds voting majority of the Board of Representatives
2. Any Representative may submit to the Chairman the name of a member group he or she believes should be expelled from the organization together with the reasons for the recommendation and evidence to support those reasons.
3. The Chairman shall forward the charges to the accused group or groups no later than one week after being notified of the charges in order to permit time to prepare a defense.
4. At the next meeting of the Board of Representatives, the matter of the charges shall be the first order of business after the reading of the minutes of the previous meeting.
5. The Chairman shall read the charges and grant the accusing party time to present its case, after which the accused party shall be granted an equal allotment of time to present its defense. The Chairman may, at his discretion, extend to the accused party a reasonable amount of extra time to present its defense.
6. After all arguments have been presented, the Chairman shall order a roll call vote of those Representatives present on the expulsion of the accused group or groups.
7. Any vote tally less than two-thirds in favor of expulsion shall be interpreted as acquittal.
8. If two-thirds vote in favor of expulsion, the Representative or Representatives of the accused group or groups shall be escorted from the meeting premises.

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9. The Chairman shall direct the Secretary to amend the official roster accordingly.
10. Any organization whose membership has been terminated may be re-instated in the manner prescribed in this article.

Section 5

Individuals or organizations that were members of the ATPC on or before July 28, 2012 shall be exempt from any qualification for membership based on any criteria set forth in these By-Laws.

Article X Meetings and Voting Procedures

Section 1

1. The Board of Representatives shall meet once every month on a date, at a time and in a place or manner it finds agreeable.
2. At the beginning of each year, the Secretary shall prepare a calendar of meetings and organizational events and send a copy of the calendar to all Representatives at least two weeks before the first meeting of the year.
3. The Secretary shall notify all Representatives of any ordinarily scheduled meetings or events at least one week beforehand.
4. Representatives are obligated to attend meetings, volunteer for committee assignments and participate in fundraising and other organizational events.
5. The Chairman, Secretary and Treasurer are obligated to attend all meetings of the Board of Representatives.

Section 2

1. The President may call a special meeting of the Board of Representatives and shall instruct the Secretary to notify each Representative no sooner than 48 hours in advance stating the time, place and purpose of the meeting.
2. The President shall chair any special meetings that he calls; the Secretary and Treasurer are obliged to attend these meetings.

Section 3

1. At a date in July to be determined by them, the Board of Representatives shall convene an Annual Meeting in the form of a statewide convention open to the general membership of all the member organizations for the purpose of affording the membership of the constituent organizations an opportunity to amend the Charter and/or to socialize and network with each other.
2. The schedule and agenda of the Annual Meeting shall be determined by the Board of Representatives.

Section 4

1. The Chairman shall call all regular Board meetings to order and lead the Representatives in the Pledge of Allegiance to the American Flag.
2. The Secretary shall obtain the signature of all members present to verify attendance at any meeting.
3. A quorum of the delegations consisting of a simple majority must be present at the beginning of any meeting for any action requiring a vote other than adjournment to take place.
4. Except for elections, all motions, resolutions or actions brought to the floor for a vote at regular and special Board meetings shall be decided by two-thirds majority vote of the delegations present at that meeting.

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5. Proxy voting in any form is not permitted at any meeting.
6. Officers have no power to vote at any meeting other than the election of Officers and Trustees.
7. As indicated in Article VII, the Chairman is authorized to present motions, propose resolutions, and conduct meetings in accordance with established American parliamentary procedure.
8. The Chairman is obliged by the nature of the office to present to the Board any and all motions or resolutions that have been proposed by any Representative ahead of time or directly from the floor.

Section 5

At all meetings of the Boards of Representatives and Trustees, the order of business shall be as follows:

- Call to order
- Invocation
- Pledge of Allegiance
- Proof of notice of meeting (or filing of waiver)
- Reading of minutes of the preceding meeting
- Reports of the Officers, Trustees and Committees
- Old and unfinished business
- New business
- Good and welfare
- Adjournment

Section 6

1. At all meetings, all votes shall be taken *viva voce*, except in the following instances:
 - a) The vote involves the removal of an Officer, Trustee, Advisory Council member, Representative or Member Organization;
 - b) The Chairman believes that the two-thirds threshold for a motion or resolution to carry has not been met, in which case he may either request a show of hands and make the vote count accordingly or announce a roll call vote; or
 - c) A Representative calls for either a show of hands or a roll-call vote.
2. If a roll call vote has been requested, the Chairman shall call out the name of every delegation present at the meeting and record the vote.

Section 7

1. The President and the Chairman shall each have the power to present emergency motions, resolutions, or requests for spending to the Board of Representatives by means of e-mail communication pursuant to the following procedure:
 - a) The Chairman shall present the motion, resolution or request in the body of an e-mail message and send it to all members of the Board of Representatives.
 - b) Representatives shall respond by e-mail to the Chairman with a yea or nay vote within 48 hours. No response or a response received after 48 hours will be deemed as an abstention.
 - c) The Chairman shall notify all other Officers and the Board of Representatives via e-mail with the results of the vote.
2. In the event that ordinary channels of e-mail communication are unavailable as the result of a power failure or general disruption of internet service, the President and the Chairman shall each have the power to present emergency motions, resolutions or requests for spending to the Board of Representatives pursuant to the following procedure:

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- a) The Chairman shall make no fewer than five attempts in a 24 hour period to contact at least one Representative of each member delegation by telephone and present the motion, resolution or request for a yea or nay vote.
- b) Delegations that cannot be reached within 24 hours will be deemed to have abstained.
- c) The Chairman shall notify all other Officers of the vote result via telephone and the Board of Representatives via e-mail when such service becomes available.

Article XI Conflict Resolution

1. If a disagreement or conflict should arise between Representatives or Representative delegations, the parties involved are urged to resolve the dispute privately in an equitable and amicable fashion.
2. If a private resolution of the dispute cannot be achieved, the parties shall approach the Chairman to act as an arbiter whose decision must be acceptable to both parties.
3. If the Chairman is unwilling or unable to resolve the dispute to the satisfaction of the parties involved, the matter may be appealed to the Board of Representatives for a hearing at the next meeting.
4. The conflicting parties must abstain when the Chairman calls for a vote to resolve the dispute.

Article XII Appropriations and Expenditures

Section 1

The fiscal year of the ATPC shall begin on July 1 and conclude in twelve months on June 30.

Section 2

1. The Board of Representatives shall be empowered to appropriate up to five-thousand dollars (\$5,000) per annum on behalf of the organization, pursuant to provisions set forth in Article II of the Charter.
2. Any appropriation in excess of five-thousand dollars (\$5,000) per annum on behalf of the organization that is made pursuant to provisions set forth in Article II of the Charter must first be approved by the general membership of two-thirds of all constituent organizations and individuals.

Section 3

1. The President shall be empowered to appropriate and spend or direct any Officer to spend up to one-thousand dollars (\$1,000.00) per annum on behalf of the organization, pursuant to provisions set forth in Article II of the Charter.
2. Any appropriation by the President in excess of one-thousand dollars (\$1,000) per annum on behalf of the organization that is made pursuant to provisions set forth in Article II of the Charter must first be approved by the Board of Representatives.

Article XIII Scope of Authority

1. All acts of the Board of Representatives passed in accordance with these By-Laws and pursuant to the Charter shall bind all constituent member organizations, Representatives, Officers, Trustees, Advisors and ancillary personnel.

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2. Member organizations may exempt themselves from acts of the Board in accordance with Article V, Section 5 of the Charter unless such exemptions violate the fundamental nature of the Charter and these By-laws.

Article XIV Force of Law and Amendments

Section 1

1. The By-Laws of the ATPC shall take effect at 12:01 AM on the day following the date the general membership of two-thirds of the signatory organizations ratify the Charter and may not be interpreted to function ex post facto.
2. Questions or disputes regarding the interpretation of any part of the By-Laws shall be resolved by two-thirds majority vote of the Board of Representatives.

Section 2

1. Alterations or amendments to these By-Laws may be proposed by any member delegation at any scheduled Board meeting or any meeting called by the President for that purpose; the proposition shall carry by a two-thirds majority vote.
2. The approved alteration or amendment shall take effect at 12:01 AM on the day of the next scheduled meeting of the Board of Representatives.
3. If the alteration or amendment was approved fifteen or fewer days prior to the next scheduled meeting, it shall take effect at 12:01 AM on the day of the next subsequent meeting.
4. The Secretary shall prepare a new version of the By-Laws, certify it with an actual or electronic signature and send a copy of it to all members via U.S. postal service or e-mail within seven days of the date the alteration or amendment was approved.

Article XV Adoption

At the 2 March 2013 session of the American Tea Party Congress, these By-Laws were adopted by a unanimous vote of the delegations present subject to ratification of the Charter.



Gene Hoyas, Moderator