



LPTexas

2016 Platform

PREAMBLE

As the Libertarian Party of Texas (LPTexas), we seek a world of liberty; a world in which all individuals are sovereign over their lives and no individuals are forced to sacrifice their values for the benefit of others.

We believe that respect for individual rights is the essential precondition for a free and prosperous world, that force and fraud must be eliminated from human relationships, and that only through freedom can peace and prosperity be realized. Consequently, we defend each person's right to engage in any activity that is peaceful and honest.

The following pages set forth our basic principles and some of the policies derived from them. Our goal is a world set free in our lifetime, and it is to this end that we take these stands.

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 hold that Libertarians, by definition, oppose the initiation of coercion (force, threat of force, 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.

The Libertarian Party of Texas (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. The Libertarian Party of Texas (LPTexas) holds that all human interaction should be voluntary and consensual, in accordance with the Non-Aggression Principle.

I. ECONOMIC LIBERTY

I.1. TAXATION

As the Libertarian Party of Texas (LPTexas) we believe that all persons are entitled to the fruits of their labor. As such, we view taxation as the forced taking of property. At most we regard it as a necessary evil, so that the vital functions of government can continue independent of undue outside influence. For this reason we advocate the reduction of taxation to the lowest feasible level, and the replacement of taxation with voluntary subscription where possible.

Though many forms of taxation are authorized in the Constitution, the Libertarian Party of Texas (LPTexas) feels that the following warrant specific consideration:

I.1.a. Government Spending

The Libertarian Party of Texas (LPTexas) believes that smaller government is better. We seek to reduce the size and scope of government, and sunset or abolish unnecessary or unconstitutional programs and agencies. We support balancing the budgets of all levels of government by reducing government spending, as opposed to raising taxes, fines, fees, assessments, or asset seizure.

I.1.b. General Taxation

The Libertarian Party of Texas (LPTexas) opposes any effort of the Texas Legislature to impose income taxes, for any purpose. We support a constitutional amendment that would require a two-thirds majority vote by each house of the legislature to increase the rate of any tax. We advocate the repeal of the federal income tax, the federal estate and gift tax, and the Individual Shared Responsibility Provision of the Affordable Care Act as an unconstitutional direct tax.

All taxes should be for a specific purpose, and have specific sunset dates. This will allow every legislative session to be held accountable for establishing excessive taxation and prevent perpetual funding of governmental growth.

I.1.c. Gross Margins Tax

The Libertarian Party of Texas (LPTexas) opposes the Gross Margins Tax adopted by the Texas Legislature in 2006. We support the efforts by the legislature to tighten the state's constitutional spending limits.

I.1.d. Ad Valorem Tax

The Libertarian Party of Texas (LPTexas) supports the elimination of the property tax which cannot be assessed in any objective manner and which operates to take property from the poor. However, until a time when an alternative means of financing can be achieved, we support efforts to restrict appraisal valuations.

The Libertarian Party of Texas (LPTexas) supports legislative efforts which would lower the cap on annual increases in property appraisals from 10% to an amount reflecting the rate of change in the state's Gross Domestic Product.

The Libertarian Party of Texas (LPTexas) supports changing all Central Appraisal Districts (CAD) board of directors' from political appointees to elected officials governed under the provisions of the Texas Election Code and limiting the office to two consecutive terms.

I.1.e. Tax Increment Reinvestment Zones

In the interest of protecting the tax payers, the Libertarian Party of Texas (LPTexas) seeks to abolish the establishment of Tax Increment Reinvestment Zones (TIRZ) districts to previously developed municipal

areas and prohibit their establishment on undeveloped "raw" land. The ability for a local government to create Tax Increment Reinvestment Zones (TIRZ) was established by the legislature as a means to combat blight in our inner cities. However, this tax structure has been abused by many local governments and utilized as a means to enrich political benefactors and campaign contributors.

I.1.f. Occupational Licensing

The Libertarian Party of Texas (LPTexas) believes that the exercise of an occupation or profession is a natural right not subject to regulation or taxation by the government. Therefore, the Libertarian Party of Texas (LPTexas) supports the repeal of all statutes regarding licensing occupations or professional practices.

While prosecution against fraud or abuse is acceptable, government should not be a gatekeeper that converts a right into a privilege.

I.1.g. Government Debt

Most levels of government operate with systemic and perpetual debt. As The Libertarian Party of Texas (LPTexas), we support a moratorium on state bond issuance and all other forms of government borrowing. Additionally, state-owned real estate and other valuable property should be liquidated for the repayment of outstanding state debt.

I.1.h. Certificates of Obligation

The Texas Legislature bypassed voter approval for political subdivisions to borrow money by enacting the Certificate of Obligation Act of 1971 (Section 274.041 Local Government Code) as local governments viewed bond referendum requirements as "too burdensome." Since that time, many local governmental entities have driven their communities deep into debt with no approval from the voters. Unlike bonds, a Certificate of Obligation simply requires a 30 day public notice of a corresponding ordinance to enact. Should the public oppose the measure, they have 30 days to petition, requiring 10% of all registered voters as a minimum, to prevent the ordinance from being enacted.

As such an unfair process is a clear danger to taxpayers and residents of the state, The Libertarian Party of Texas (LPTexas) supports the repeal of the Certificate of Obligation Act of 1971.

I.2. EDUCATION

I.2.a. General Education

The Libertarian Party of Texas (LPTexas) seeks to eliminate truancy laws and other barriers to school choice, and supports competition in education, in accordance with community standards. We believe that parents/guardians should have the authority to decide where and how their children are educated. We support measures to restore decision-making regarding education to parents, guardians, teachers, and/or local education boards.

The Libertarian Party of Texas (LPTexas) rejects any involvement of the federal government in our local school systems, including funding.

The Libertarian Party of Texas (LPTexas) seeks a nonpartisan education funding policy that would provide equitable use of state funds to eliminate waste and decrease bureaucracy, with the ultimate goal of voluntary funding.

I.2.b. Standards in Education

The Libertarian Party of Texas (LPTexas) seeks to repeal all federal mandates on public education, eliminating the need for federal funding and any strings that come with it. Standards and objectives for education should be determined by individuals in the free market.

I.3. TRANSPORTATION

The Libertarian Party of Texas (LPTexas) supports eliminating barriers to free market construction and maintenance of infrastructure. Let market demand and willingness to fund dictate which routes are developed.

The Libertarian Party of Texas (LPTexas) opposes costly boondoggles intended to benefit land developers through the abuse of eminent domain.

The Libertarian Party of Texas (LPTexas) also opposes any unelected boards charged with transportation planning; as such boards are not accountable to constituents or local authority.

I.3.a. Toll Roads

The Libertarian Party of Texas (LPTexas) supports legislation that would forbid tolls on any highway right-of-way which was obtained with tax dollars, or through the use of eminent domain, or condemnation.

Toll roads should not be used to restrict people's freedom of movement, only to enhance it.

The Libertarian Party of Texas (LPTexas) upholds the right of private enterprise to construct and operate private toll roads, provided that such private toll roads are established through free market transactions and private negotiation for purchase or lease of property.

II. PERSONAL FREEDOM AND CIVIL LIBERTIES

II.1. RIGHTS OF INDIVIDUALS, CHILDREN, AND FAMILIES

II.1.a. Speech

The Libertarian Party of Texas (LPTexas) upholds the ideals embodied in the First Amendment to the Constitution of the United States; specifically, that government should not interfere in matters of personal conscience, such as religion, speech, creativity, or political activity. Nor should any majority be allowed to use government power or support to force the minority to accept their moral, religious, or political beliefs.

The Libertarian Party of Texas (LPTexas) calls for an end to so-called "free speech zones," which are in reality a means of isolating and silencing dissent in the public arena. Public officials have no right to be insulated from the voice of opposition to their policies.

II.1.b. Religion

The Libertarian Party of Texas (LPTexas) supports the principle of separation of church and state, and that there is no freedom of religion without freedom from religion. The Libertarian Party of Texas (LPTexas) opposes government funding or endorsement of any religious or nonreligious position over any other. The Libertarian Party of Texas (LPTexas) calls for strict supervision of how government payments or tax subsidies to all religious organizations are used, to insure they are not used to support indoctrination.

II.1.c. Self-Defense

Self-defense is an inherent individual right, and must not be restricted or impeded. Therefore, the Libertarian Party of Texas (LPTexas) supports the right of individuals to keep and bear arms in a manner consistent with the Non-Aggression Principle.

II.1.d. Equality Under the Law

The Libertarian Party of Texas (LPTexas) supports the full and complete protection of all people from biased legislation that violates individual rights. The Libertarian Party of Texas (LPTexas) believes government does not have legitimate authority to define or restrict personal relationships or associations to any group of citizens. We believe that "Hate Crime" legislation is unconstitutional, and that our nation has prospered under the concept of "equal protection under the law."

II.1.e. Marriage and Domestic Partnership

The Libertarian Party of Texas (LPTexas) believes that marriage is a matter of private contract, and should not be defined or licensed by government. We believe that government should not treat individuals differently based on their marital status.

II.1.f. Family Values

The Libertarian Party of Texas (LPTexas) seeks to abolish legislation and policies that define what a family is.

II.1.g. Parental/Guardian Rights

The Libertarian Party of Texas (LPTexas) holds that legal rights of parents/guardians must not be infringed by the state based upon unsubstantiated claims and not without due process.

II.1.h. Family Welfare and Government

The Libertarian Party of Texas (LPTexas) views government welfare programs as unnecessary as they drive out private charity organizations and replace the role of the family and of the community. As such, we generally oppose government charity programs. These programs can be better served by the local/private sector of society in the form of private charity.

The Libertarian Party of Texas (LPTexas) believes there is a great amount of wasted tax dollars in government programs due to mismanagement, fraud, and waste. We would seek to replace, where possible, all welfare programs by private charity organizations.

II.1.i. Property Rights - Homeowner Associations (HOA)

The Libertarian Party of Texas (LPTexas) supports moving private homeowner associations to the current government code to protect private property owners from further violations of the constitution of this state and nation by such associations, until further remedies can be pursued. HOA's should only be incorporated by members residing within the property affected and governed by said HOA members. No HOA assessment fee shall be enacted without a simple majority of said members.

II.1.j. Eminent Domain

The Libertarian Party of Texas (LPTexas) would close the exceptions and loopholes in the state prohibition against the use of eminent domain for private economic development. Under no circumstances should government have the power to force the transfer of land from a private entity to another against the will of the owner. Additionally, we believe that property owners displaced through eminent domain should be compensated 125% of the fair value of their property to compensate for their moving expenses and inconvenience. The Libertarian Party of Texas (LPTexas) strongly opposes state and local government's abusive use of eminent domain laws for the creation of toll roads, transportation corridors, and semi-public or private use projects.

The Libertarian Party of Texas (LPTexas) supports vested property rights above and below the surface, and there shall be no limitation by regulation, ordinance, or authority without just compensation.

II.2. GOVERNMENT AND HEALTH

II.2.a. Health Care

Government should neither provide, control, nor require health care. The Libertarian Party of Texas (LPTexas) does not believe that people have a right to be provided with healthcare at other peoples' expense. We advocate the phasing out of Medicare, Medicaid, and CHIPS programs. The Libertarian Party of Texas (LPTexas) supports free market based healthcare systems and health insurance. We oppose a "single payer" concept and the federal legislation known as the Health Care and Education Reconciliation Act of 2010 (Obama Care). The Libertarian Party of Texas (LPTexas) opposes any and all forms of unearned tax credits, tax subsidies, and tax penalties that are directed under the Affordable Care Act (ACA) or "Obama Care."

II.2.b. Drug Policy

The Libertarian Party of Texas (LPTexas) opposes the War on Drugs. Consistent with the principles of self-ownership, consenting adults ought not be restricted from partaking in activities that harm no one else. This includes possession, consumption and/or market transactions of substances for medicinal, recreational, or other purposes. Individuals seeking or providing medical treatment should not be subject to prosecution. Individuals seeking or providing treatment for addiction or offering Good Samaritan aid should not be subject to prosecution.

II.2.c. End of Life Choice

The Libertarian Party of Texas (LPTexas) believes in self-ownership. The Libertarian Party of Texas (LPTexas) supports the inherent right of individuals to end their lives with dignity. The Libertarian Party of Texas (LPTexas) opposes the prosecution of physicians and loved ones who participate in consensual assisted suicide.

II.2.d. Reproductive Rights

Recognizing that reproductive rights are a sensitive issue and that people can hold good-faith views on all sides, the Libertarian Party of Texas (LPTexas) believes that government should be kept out of the matter, leaving the question to each person for their conscientious consideration. The Libertarian Party of Texas (LPTexas) does not condone that tax dollars be spent for any such medical cost.

II.3. PRIVACY AND UNIVERSAL IDENTIFICATION

II.3.a. Privacy

The Libertarian Party of Texas (LPTexas) believes in an inherent right to privacy. As such, we oppose any legislation that permits government to become involved in our personal affairs where such authority has not been exclusively granted via a constitutional provision. We hold that the purpose of government is to protect our rights and property, and should never become a threat to the very things it was established to protect.

II.3.b. Real ID Act

The Libertarian Party of Texas (LPTexas) rejects the presumption of federal authority in requiring universal identification. Given the opportunity, the Libertarian Party of Texas (LPTexas) would reject the federal "Real ID Act" and join the growing list of states that are safeguarding their citizen's privacy.

II.3.c. Police Powers - Searches

The Libertarian Party of Texas (LPTexas) calls for the complete repeal of the USA-PATRIOT Act. We also call for the repeal of any and all laws which authorize the wiretapping or other search and seizure of private communications or property without a warrant issued in a free and independent court of law including, but not limited to, utilization of drones, NSA eavesdropping, internet data interception, etc.

The Libertarian Party of Texas (LPTexas) supports legislation or judicial rules that forbid the execution of "no-knock" warrants unless there is substantial probable cause with supportive evidence that they are necessary to avoid death or serious injury to an innocent person. We require that all warrants be presented to the subject for examination, with an original signature and a copy of the affidavit attached, and that the subject have an immediate opportunity to contact the court that issued the warrant to verify its validity.

II.4. ELECTIONS

II.4.a. Verifiable Balloting

The Libertarian Party of Texas (LPTexas) supports transparency in all publicly funded elections through verifiable ballot receipts and/or electronic tracking. We oppose any efforts to count the votes outside of public view.

II.4.b. Party Affiliation

The Libertarian Party of Texas (LPTexas) opposes legislative efforts which would require an individual to affiliate with a political party (or remain independent) at the time of registration. The Libertarian Party of Texas (LPTexas) supports the current affiliation process and the People's right to freedom of association. The Libertarian Party of Texas (LPTexas) opposes partisan labels on the ballot, as well as straight-ticket voting.

II.4.c. Primary Screen-out

The Libertarian Party of Texas (LPTexas) supports the right of voters to decide who will be on the ballot. As such we support legislative efforts which would remove restrictions regarding eligibility to sign candidate and party petitions to appear on a ballot. All eligible voters should have the opportunity to voice their opinion. Their voice should not be silenced due to their participation in a primary election or their decision to sign an alternative candidate's petition.

II.4.d. Initiative and Referendum

The Libertarian Party of Texas (LPTexas) supports the right of citizens to propose state laws or constitutional amendments through a referendum process.

II.4.e. Electoral Recall

The Libertarian Party of Texas (LPTexas) supports the rights of the People to recall elected or publicly appointed officials from any public office within their jurisdiction.

II.4.f. Election Reform

The Libertarian Party of Texas (LPTexas) supports election reform that does away with a two party duopoly and the uncontrolled corporate and PAC influence that exists today. The Libertarian Party of Texas (LPTexas) believes that party primaries are not a function of the state, and rather are processes which should be self-funded. We also believe that all races should be decided by Approval Voting, and that each race includes a choice for None Of The Above (NOTA).

II.5. CRIME AND THE JUSTICE SYSTEM

II.5.a. Federal Jurisdictional Limitation

Federal authority to prosecute "crime" is limited to only a few subjects (treason, counterfeiting, piracy, offenses against the laws of nations, and violations of rights by state agents). We find no authority in the U.S. Constitution for extraterritorial criminal jurisdiction or expenditure of tax dollars to interdict drug trafficking.

II.5.b. Judicial Reform (Grand Juries)

The Libertarian Party of Texas (LPTexas) supports reviving direct citizen access to grand juries for presentation of public complaints and for private criminal prosecutions, in which the grand jury authorizes private prosecution by issuing the indictment to the complainant. An adequate number of grand juries should be impaneled to provide sufficient time to investigate and deliberate on each complaint.

The Libertarian Party of Texas (LPTexas) supports making grand juries independent from public prosecutors and encouraging them to exercise oversight on governmental operations within their district. We also support enabling grand juries to decide whether an official has acted within his jurisdiction, and remove immunity from suit for any who has not.

II.5.c. Judicial Reform (Informed Juries)

The Libertarian Party of Texas (LPTexas) supports a return to the original standard of due process for jury trials. When there are mixed questions of fact and law, as there are in all criminal cases, all parties shall have the right not to have the bench make decisions on questions of law until all parties have completed making their arguments.

Furthermore, all parties may defer making those arguments until they can be made to the jury; the only exception would be for motions by the defense to exclude evidence in which the issues of law cannot be argued without disclosing evidence properly excluded.

II.5.d. Judicial Reform (quo warranto)

The Libertarian Party of Texas (LPTexas) supports the revival of the long established but recently suppressed remedy of writs of quo warranto sought by any person in the name of the people. The challenged official, bearing the burden of proof, must prove an unbroken logical chain of derivation of authority, current or proposed, from the Constitutions of the United States and/or the State of Texas, within 3-20 days. If said official fails to thus prove his or her authority, he or she must cease and desist any exercise thereof. If the challenge is to his or her holding the office, said office must be vacated.

This writ would remove the official immunity of officials so they could be civilly or criminally prosecuted for exceeding their jurisdiction or abusing their power. The writ would be decided by a trial jury of twelve randomly selected citizens if demanded by petitioner.

II.5.e. SLAPP Suits

The Libertarian Party of Texas (LPTexas) supports enacting SLAPP (Strategic Lawsuit Against Public Participation) protections for the citizens of the State of Texas and deny corporatists the ability to bankrupt individuals for the simple act of voicing an opinion. Though sufficient anti-SLAPP protections exist for corporations, no such protection exists for the individual.

SLAPP suits are utilized primarily by corporations (and Government) to silence opposition to any given objective. It is the ultimate form of the denial of our right to free speech. The decision on whether or not a suit brought against an individual is frivolous must be decided by a jury, not a panel of judges.

II.5.f. State Bar Act

The Libertarian Party of Texas (LPTexas) supports the repeal or sunseting of the State Bar Act and ending the prosecution of persons for the unauthorized practice of law. This act serves not to protect the public, but to raise the costs of legal services by creating unfair competition, protect the legal profession, and bring its members under undue control. Those who criticize judges or attempt to reform the legal system are especially affected.

II.5.g. Vice and Morality Based Laws

The Libertarian Party of Texas (LPTexas) supports the repeal of all Vice and Morality based laws that are against consenting adults and that do no harm to others. The State has no right to either criminalize or legalize the morality of adult individuals and their interaction with other consenting adults.

II.5.h. Capital Punishment

The Libertarian Party of Texas (LPTexas) opposes the death penalty as a form of punishment by the state, as well as any other unnecessary use of force by state agents in response to criminal action.

III. FREEDOM TO TRADE AND TRAVEL

III.1. FREE TRADE & MIGRATION

The Libertarian Party of Texas (LPTexas) believes the right to work or travel is an inherent personal liberty that should not be unduly impeded by the laws of governments.

The Libertarian Party of Texas (LPTexas) seeks to encourage immigration of students, workers, and business owners willing to invest in Texas.

The Libertarian Party of Texas (LPTexas) believes in and encourages free and fair trade among individuals from all nations which allows the easy exchange of currency, goods, labor, and services. The Libertarian Party of Texas (LPTexas) supports the spirit of the American Dream, where even the poorest immigrant can start anew, and through hard work, responsibility, and free market principles, may prosper and thrive.

IV. UNCATEGORIZED

IV.1.a. Perpetuities and Monopolies

The Libertarian Party of Texas (LPTexas) fully supports the Texas Bill of Rights, Art. I. Sec. 26, and desire its fullest enforcement by appropriate legislation. Texas prohibits the formation of perpetuities and monopolies and finds them contrary to the genius of free government as their establishment discourages competition and free markets. We find that the state of Texas, and its political subdivisions, to be in violation of this Constitutional Right as established under this article.

The Libertarian Party of Texas (LPTexas) seeks to have the state legislature enforce this freedom as granted in the Bill of Rights and abolish all existing government enforced monopolies, whether government or private corporations, where private sector companies or individuals wish to compete for a market share.

Subsidies, government-granted monopolies, and other forms of corporate welfare exist today as privileges granted by government to those with political access. These corrupt relationships between government authority and special interests destroy the level playing field that free markets depend on. The Libertarian Party of Texas (LPTexas) supports repeal of the Texas Enterprise Fund, The Texas Emerging Technology Fund and other slush funds and demands an independent public audit of funds spent.

IV.1.b. Nullification

The Libertarian Party of Texas (LPTexas) supports nullification of unconstitutional federal acts by all sworn to protect and defend the Constitution of the United States of America from all enemies foreign and

domestic. Those who can and should engage in nullification and interposition include our Texas governor, legislature, and law enforcement officials, and especially our constitutional county sheriffs.

IV.1.c. Texas Independence

The Libertarian Party of Texas (LPTexas) fully supports the rights of the people to alter their form of government. As the U.S. federal government is increasingly expanding its influence well beyond its Constitutional authority and clearly violating citizens' rights as guaranteed by the Bill of Rights, the right of the people of Texas to alter their form of government, as stated in Article I Section 2 of the Texas Constitution, must be acknowledged by allowing Texans to have an honest and frank discussion on the merits of independence and being allowed to vote accordingly to reassert Texas' Independence.

V. OMISSIONS

V.1. OMISSIONS

Our silence about any other particular government law, regulation, ordinance, directive, edict, control, regulatory agency, activity, or machination should not be construed to imply approval or disapproval.



Addendum:

All planks containing the word "(LPTexas)" were duly amended at the 2016 Libertarian Party of Texas convention. Any that were not so modified were last renewed at the 2014 convention.