

Passed

1-23-96

AB. 16

Election Code

## Election Code Reform

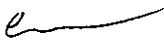
- 1 Proposition 1 - passed
2. Proposition 2   
 passed   
 as amended

**OFFICE OF THE DEAN OF STUDENTS**  
**Campus & Community Involvement**

**MEMORANDUM**

November 22, 1995

TO: Election Reform Committee  
(Marisol E., John K., Nidus A., Scott B., Jonathan B., David R.,  
Jason S., Jessica S., Zac Z.)

FROM: Glenn Maloney 

RE: NEW INFO ON PHONES AND TEX

After additional conversations between me and the phone people, the phone people and the TEX people, and me and the TEX people we have a new answer.

There is now some new stuff that telecommunications can use to limit calls coming into TEX from just the phones we say (I guess its call blocking stuff). So if you choose, you can use the SG owned lines (see attached list) and the Registrar's TEX lines in the FAC and GSB as polling locations, and people will not be able to vote from any other phones.

c: Sherry Boyles  
Brandon Bichler

TELEPHONE LINES

4-0537-T	Student's Association	45 LINES	X \$19.25 EA.
(1) Please place the following lines on vacation as of 9-1-93 through 2-28-94			
(2) Activate lines between April 1, 1994 and May 1, 1994			
(3) Place lines back on vacation after May 1, 1994.			
All lines are on JACKS only			
DN	LOCATION		
471-7396	WEL		
471-7397	LBJ		
471-7398	LBJ		
471-7399	P-R		
471-9164	UTC		
471-9184	UTC		
471-9185	CMA		
471-9186	CMA		
471-9187	CMA		
471-9188	CMA		
471-9189	CMA		
471-9196	RLM		
471-9197	RLM		
471-9221	RLM		
471-9224	RLM		
471-9226	RLM		
471-9230	UTC		
471-9233	UTC		
471-9251	UTC		
471-9255	UTC		
471-9273	UTC		
471-9284	JES		
471-9286	JES		
471-9288	JES		
471-9289	JES		
471-9291	JES		
471-9294	JES		
471-9295	JES		
471-9296	JES		
471-9298	JES		
471-9299	JES		
471-9406	WEL		
471-9409	WEL		
471-9423	WEL		
471-9446	WEL		
471-9459	WEL		
471-9466	ART		
471-9476	ART		
471-9483	TNH		
471-9484	TNH		
471-9485	LBJ		

471-9489	NJR				
471-9491	EDB				
471-9494	EDB				
471-9499	PHR				

Proposition 1

Chapter III: The Election Board

3.3 The Chair of the Election Board shall assemble an Election Board pursuant to Article ~~7.52~~ [6.32] of the Student Government Constitution. Applicants to the Election Board are to be chosen by the chair on the basis of merit and impartiality. All appointments must be ratified by unanimous vote of the Judicial Commission. Any member of the Election Board may be removed for just cause by a majority vote of the Judicial Commission.

Passed

Proposition 2

Chapter III: The Election Board

[3.8] In the event that a candidate and/or the candidate's agents and workers allegedly violate an Election Code rule, the Election Board shall investigate the incident and question the candidate(s) involved. The Election Board will make findings of fact, determine if a rule has been broken and provide for an appropriate sanction. The Election Board shall not conduct a hearing, [but all meetings shall be open to the public.] The Election Supervisory Board has the sole authority to conduct investigations into Election Code violations. A candidate ~~who receives a sanction~~ shall have the right to appeal the findings, ~~along with~~ [including] any sanction imposed, to the Judicial Commission [per Section 5.39 of the Student Government Constitution.] The candidate or the ESB may appeal a Judicial Commission decision to the Appellate Court. The party appealing any decision shall have the burden of showing by the weight of the credible evidence why the Election Board's findings of fact are erroneous and why the decision should be reversed or modified.

PASSED

## Proposition 3

### Chapter VII: Election Procedure

7.11 In all elections governed by this code, [there will be designated polling locations on campus with telephone lines that can access TEX. TEX can only be accessed through these telephones. These polling stations will be open from 9:00 a.m. until 5:00 p.m.] Persons in line at closing time shall be allowed to vote. [Voters must present photo-identification prior to voting. Election supervisors will record students as having voted. Any student found to have voted more than once will be referred to the Dean of Students for disciplinary action. Election supervisors must account for all votes by cross-referencing election records to the TEX system. Absentee ballots will be available to registered students living outside the Austin area during elections in internship programs, correspondence, or study abroad programs and may be obtained through formal written request to the Student Government office. The ESB will monitor absentee voting and verify the legitimacy of each request.]

PASSED

Election Code Reform

Proposal 4

Chapter V: Candidate Filing

5.4 .....The filing fee of twelve (\$12) dollars shall be used to defray the administrative costs of elections.

passed

~~XXXXXXXXXXXXXXXXXXXX~~



Proposition 5

Chapter VII: Election Procedure

7.19 Candidate information on the ballots shall not include candidate association, but shall be limited to the candidate's name, the position he/she is seeking, and other information pertinent to voting procedure.

PASSED

# **••Students' Association Election Code••**

## **Chapter I: General Provisions**

- 1.1 Pursuant to Article 6.33 of the Students' Association Constitution, this act shall be referred to and cited as the Students' Association Election Code.
- 1.2 This Act shall apply to all aspects of Students' Association sponsored elections at the University of Texas at Austin.
- 1.3 References to the singular shall be construed to include the plural.
- 1.4 This Act shall become effective immediately after its passage by the Student Assembly.

## **Chapter II: Definitions**

- 2.1 "University" refers to The University of Texas at Austin.
- 2.2 "Students' Association" refers to the representative organization of all students currently enrolled at the University of Texas at Austin.
- 2.3 "Student" means any person whose name appears on the current roster of The Registrar of The University of Texas at Austin.
- 2.4 "Commission" means the Students' Association Judicial Commission as empowered by Article V of the Students' Association Constitution.
- 2.5 "Election Board" means the Election Supervisory Board established by Article 6.3 of the Students' Association Constitution.
- 2.6 "General Election" means the annual election of Students' Association officers as specified in Article 6.1 of the Students' Association Constitution.
- 2.7 "Special Election" means an election called by the Students' Association President as specified in Article 6.2 of the Students' Association Constitution.
- 2.8 "Run-off Election" refers to all secondary elections held to resolve races not determined by initial elections.
- 2.9 "Candidate" means any student consenting and/or endeavoring to be elected as an officer of the Students' Association.
- 2.10 "Agents and Workers" means any person who contributes time, effort, or services for the purpose of supporting and furthering the candidacy where that candidate has personal knowledge of and accepts the time, effort, and services rendered.
- 2.11 "Campaign Materials" refers to all materials and literature concerning any candidate or ballot item. "Campaign Materials" shall include, but not be limited to signs, handbills, buttons, and other advertisements.
- 2.12 "Campaigning" means the solicitation of support for or against a candidate or ballot item.

## **Chapter III: The Election Board**

- 3.1 The Election Board shall be responsible for the administration of Students' Association elections. The Election Board may delegate coordination of the Students' Association elections to an Election Supervisor.
- 3.2 No member of the Election Board shall be a candidate for, nor hold any elective or appointive office or position in, the Students' Association Executive, Legislative, or Judicial Branches while on the Election Board.
- 3.3 The Chair of the Election Board shall assemble an Election Board pursuant to Article 7.52 of the Students' Association Constitution. Applicants to the Election Board are to be chosen by the chair on the basis of merit and impartiality. All appointments must be ratified by unanimous vote of the Judicial Commission. Any member of the Election Board may be removed for just cause by a majority vote of the Judicial Commission.

- 3.4 The Election Board has the authority to execute and enforce all election rules provided in the Students' Association Constitution and Election Code in a manner consistent with University policy.
- 3.5 The Election Board shall appoint a Secretary who shall be responsible for recording the minutes of its meetings. The Secretary shall provide a written copy of all decisions concerning individual candidates to the candidates involved. The Secretary shall promptly file a copy of all minutes with the Chair of the Judicial Commission.
- 3.6 The Election Board will have the authority to issue any and all orders necessary to the orderly and fair administration of the election process, including posted guidelines, to which candidates must answer. Members of the Election Board are empowered to issue temporary orders enjoining any candidate, agents or workers from engaging in improper campaign activities.
- 3.7 The Election Board shall protect the integrity of the election process. In the event that a violation of this code occurs, the Election Board may enforce sanctions appropriate to the violation. The Election Board will give due consideration to the severity of the infraction and the intent of the violator. These sanctions may include but are not limited to:
- a) Issuance of a cease and desist order enjoining the actions constituting the violations to remain in effect for the duration of the campaign period, and/or
  - b) forfeiture of all or a portion of the candidate's deposit, and/or
  - c) disqualifying the candidate, and/or
  - d) fashioning an appropriate remedy.
- 3.7 In the event that a candidate and/or the candidate's agents and workers allegedly violate an Election Code rule, the Election Board shall investigate the incident and question the candidate (s) involved. The Election Board will make findings of fact, determine if a rule has been broken and provide for an appropriate sanction. The Election Board shall not conduct a hearing. The Election Supervisory Board has the sole authority to conduct investigations into Election Code violations. A candidate who receives a sanction shall have the right to appeal the findings, along with any sanction imposed, to the Judicial Commission. The candidate or the ESB may appeal a Judicial Commission decision to the Appellate Court. The party appealing any decision shall have the burden of showing by the weight of the credible evidence why the Election Board's findings of fact are erroneous and why the decision should be reversed or modified.

#### **Chapter IV: Election Timetable**

- 4.1 As stated in the Constitution, 6.1, the General Elections shall be held on two (2) consecutive weekdays during the first week of March. If necessary, runoff election shall be held during the second week of March.
- 4.2 As stated in the Constitution, 6.33, no election rules may be enacted within the four (4) weeks prior to an election.
- 4.3 As stated in the Constitution, 4.24, the number of representatives for each College shall be printed in The Daily Texan at least four (4) weeks prior to the election.
- 4.4 The Election Board shall publish the dates for filing along with a list of the contestable positions in the student newspaper of the University at least five (5) days prior to the opening of the filing period.
- 4.5 All candidates seeking to run for office in the Students' Association must file the appropriate documents in the Students' Association Office no later than 4:00 p.m. three (3) weeks prior to the election.
- 4.6 In the event that no one files for a particular office, the Election Board may extend the filing deadlines for that particular race for a period of up to three (3) days.
- 4.7 The Candidate Seminar will be held within seven (7) days after the filing deadline.

- 4.8 Ballot items declared pursuant to the Students' Association Constitution must be presented to the Election Board for certification by the Judicial Commission at least two (2) weeks prior to the election. All ballot items must contain exact wording of the items presented by the petitioners to the Student Assembly.
- 4.9 The Election Board shall publish the complete ballot in the student newspaper of The University at least one (1) week prior to the election.
- 4.10 The Election Board shall post an official list of polling locations at least two (2) days before any election.

### **Chapter V: Candidate Filing**

- 5.1 The appropriate documents all candidates seeking to run for office in the Students' Association must file in the Students' Association Office are:
  - a) a statement announcing the intention of the candidate to run for a particular office, listing the candidate's current address, phone number and college; and
  - b) a statement signed by the candidate which gives permission to verify the requirements for the appropriate office.
  - c) a statement signed by the candidates for Representative agreeing if elected to fulfill all obligations and duties of the office established by the Students' Association President and Vice President pursuant to the Constitution which have been approved by the Internal Affairs Committee.
- 5.2 Candidates may file to run for only one elected Students' Association office.
- 5.3 Upon request, prospective candidates shall be informed, prior to their filing for office, of the identity of candidates already filed for any office which the prospective candidate is eligible. After the filing deadline, the Election Board shall post a complete list of all candidates for all Students' Association offices.
- 5.4 At the time of filing, each candidate shall be required to submit a filing fee and a good faith deposit. Both checks shall be made payable to the Students' Association. The filing fee of ten (\$10) dollars shall be used to defray the administrative costs of the election. The Election Board may waive this fee if a candidate provides documentation of current receipt of need-based financial aid from The University. The deposit of thirty dollars (\$30) shall be held by the Election Board until the election process is completed, when it will be promptly refunded unless failure to follow the election code or election board policy has resulted in the forfeiture of all or part of the deposit. In any case, no portion of a candidate's deposit shall be returned until all the candidate's signs are removed from the campus. Failure to do so within three (3) class days after the election shall result in a forfeiture of the deposit.
- 5.5 Each candidate shall be entitled to one free copy of the Election Code, Students' Association Constitution, By-Laws and Election Timetable at the time of filing for office.

### **Chapter VI: Candidate Seminar**

- 6.1 All candidates must personally attend the entire Candidate Seminar, except when written permission is obtained at least 24 hours in advance of the Candidate Seminar. If permission is granted, the candidate must send a representative. Failure to do so may result in disqualification of the candidate by the Election Board.
- 6.2 At the time of filing, each candidate will be informed of the Seminar's exact time and location.
- 6.3 The Election Board will certify candidate's eligibility before the Candidate Seminar. Candidates who fail to meet eligibility requirements will be disqualified immediately and notified of this action in writing.

- 6.4 The Candidate Seminar shall include, but not be limited to:
- a) discussion of the Election Code, applicable University policy, and the general duties and responsibilities of Student Assembly members
  - b) determination of ballot positions by random selection
  - c) review of the election timetable
  - d) activities and issues of concern to the Students' Association.

### **Chapter VII: Election Procedure**

- 7.1 No campaigning will be allowed before 12:01 am on the day following the Candidate Seminar. This prohibition includes posting of candidate posters and speaking before campus organizations and student groups. Candidates are not prohibited from organizing their campaign.
- 7.2 No candidate may seek endorsements before filing for candidacy.
- 7.3 All endorsements, pro or con, must be filed in the Student Association office. Including those by registered campus organizations or their representatives. All Campaign Materials distributed by and/or paid for by an endorser are to be included in the candidate's campaign expenditures. This excludes endorser's newsletters delivered to regular receivers and letters to the Editorial Section of the student newspaper. It will be the responsibility of each student organization to keep abreast of the Election Code to avoid disciplinary actions.
- 7.4 All candidates shall be responsible for following all applicable University regulations while campaigning.
- 7.5 Candidates shall refrain from knowingly deceptive or misleading campaign activities, including any act or statement reasonably calculated to injure or compromise the rights or interests of any student, faculty, or administration member.
- 7.6 No candidate shall make use of The University mails for campaign purposes.
- 7.7 All campaigning on both University and non-University property shall conform to rules established by the administration or management.
- 7.8 On the day of voting, no campaigning shall be permitted within twenty (20) feet of any polling place as marked by the Election Board.
- 7.9 No candidate shall remove, obscure, or damage any sign which is already in place.
- 7.10 A sample of all campaign material must be filed with the Election Board prior to its public distribution or posting.
- 7.11 In all elections governed by this code, there will be polls on the West Mall (UGL), Robert Lee Moore Hall, Lyndon Baines Johnson School, and Jester Center, which shall be open from 9:15 a.m. until 4:00 p.m. Persons in line at closing time shall be allowed to vote.
- 7.12 Blank or improperly marked ballots shall be counted in determining the total number of votes cast but will not be counted in determining the outcome in any election.
- 7.13 Candidates have a duty to negotiate in good faith when disputes arise and must attempt to reach a settlement consistent with this code and Election Board decisions.
- 7.14 Candidates are responsible for the actions and conduct of their agents and workers acting with or without the candidate's knowledge. Furthermore, reckless or repeated failures to supervise one's agents or workers shall be a violation of this election code.
- 7.15 Candidates, as well as their agents and workers, shall not engage in campaigning activities that subjects students to demeaning verbal harassment.
- 7.16 The Election Supervisory Board may request each voter to provide information during voting which identifies the voter only as long as that information is provided in such a way that it cannot be used to identify how the voter voted in the election.

- 7.17 Candidates may not supply devices to voters to facilitate voting, including, but not limited to phones and computers. The collection of student id #'s and pins to facilitate voting is prohibited.
- 7.18 Any change in the election process or the Election Code shall be presented before the Student Assembly, and shall be implemented pending approval of the Assembly.

### **Chapter VIII: Spending Limits**

- 8.1 Candidates shall be required to adhere to the following limitation on campaign expenditures:  
Presidential candidates: \$350 in any general or special election.  
Vice Presidential candidates: \$350 in any general or special election.  
Representatives-at-large: \$150 in any general or special election.  
College Representatives: \$100 in any general or special election.
- 8.2 Candidates shall be allowed an additional \$70 for campaigning in a run-off election.
- 8.3 All expenses in excess of one dollar shall be included in the candidate disclosure statements and shall be supported by receipts. Non-money assets shall be valued at their fair market value.
- 8.4 Financial disclosure statements shall be filed with the Election Board at the following times:  
a. by 4:30 p.m., on the first day of campaigning;  
b. by 4:30 p.m., on the eighth day of campaigning;  
c. by 4:30 p.m., on the last day of voting in the General or Special Election;  
d. by 4:30 p.m., on the first day of voting in a Run-off election.  
e. by 4:30 p.m., on the last day of voting in a Run-off election.
- 8.5 The financial disclosure statements filed on the last day of voting in the General, Special and Run-off elections must contain all the expenses incurred by the candidate during the campaign.
- 8.6 The following events shall subject the candidate to disqualification by the Election Board:  
a. failure to file accurate financial disclosure statements by the above deadlines;  
b. falsification of financial disclosure statements.

As approved by the Student Assembly 1/25/95