

UNIVERSITY of HOUSTON

STUDENT GOVERNMENT ASSOCIATION

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Committee: Internal Affairs

Draft: Final

The Election Reform and Fairness Act

Whereas, the Student Government election code is outdated;

Whereas, the Student Government Election code does not encourage a large number of students to vote;

Whereas, the lack of voter participation causes a lack of representation for many groups on campus;

Whereas, the first-past-the-post voting system is disproportional and unrepresentative of student's wishes.

Therefore, be it enacted by the 55th administration of the University of Houston Student Government Association:

That the attached document titled and labeled "University of Houston Student Government Association Election Code, Updated in the Spring of 2018 by the 55th Administration" become the new University of Houston Student Government Association Election Code;

Further be it enacted, that Article 5, Section 2, Clause 1 must be reaffirmed, by majority vote of the committee on Internal Affairs and the majority vote of the full Senate, after the election concludes, but before the commencement of the 56th administration. Should the clause not receive a majority vote, by the committee on

Internal Affairs and by the majority of the full Senate, this clause will revert back to the previous election code.

Jim Barrett

Cameron Barrett

Student Government President

Date of President's Approval: 4/24/18

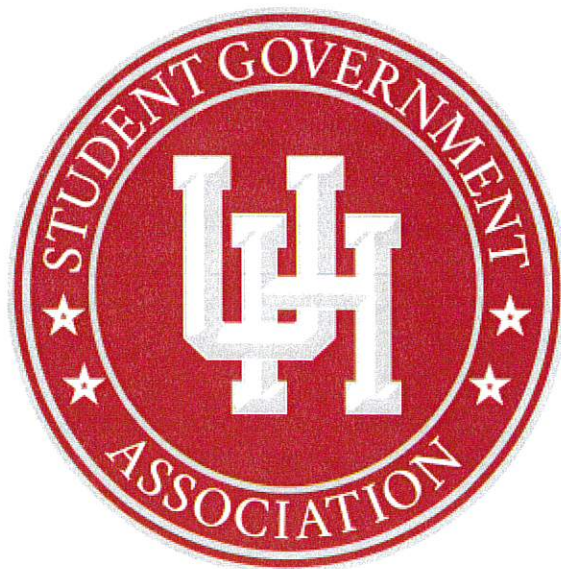
APPROVED

Andrew Trinh

Andrew Trinh

Speaker of Senate

Date of Senate Approval: 4/25/18



**University of Houston
Student Government Association
Election Code**

Updated April 25th, 2018 by the 55th Administration

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Article 1: General Provisions

Section 1: Purpose

- Clause 1. This Election Code is hereby adopted by the Senate to fulfill the Constitutional responsibility of the Senate in Article 4, Section 7, Clause 3 “to prescribe times, places, and manners of holding elections”.
- Clause 2. The Student Government Association at the University of Houston supports student elections, student expression, student advocacy and agency through this Code.

Section 2: Accountability of the Election Code

- Clause 1. Every person who files for an office elected under the authority of the Student Government Constitution and Bylaws will have access to a copy of this document at the time of filing.
- Clause 2. All candidates and their staff and volunteers will be responsible for knowing its contents. Any questions concerning this document will be addressed directly to the Election Commission or Attorney General.

Article 2: The Election Commission

Section 1: Responsibilities

- Clause 1. The Election Commission is responsible for the administration of the Student Government Association elections, as well as the administration of additional events at the discretion of the Election Commission that aim to promote the elections, inform the student body about the elections, provide the candidates with information, allow candidates an opportunity to promote themselves, or otherwise contribute to a fair, efficient, and publicized election.
- Clause 2. The Election Commission must act impartially to any candidates or parties participating in the Student Government Association Election.
- Clause 3. The Election Commission must act in accordance with the Student Government Election Code, the Student Government Bylaws, and the Student Government Constitution.
- Clause 4. The Election Commission must ensure to the best of its ability that all information provided by its members regarding the Student Government Association Elections is correct.
- Clause 5. If a constitutional amendment to be voted on by the student body has been provided by the Student Government Association Senate to the Election Commission, the Election Commission has the responsibility to ensure that the constitutional amendment is placed on the ballot correctly.
- Clause 6. The Election Commission must attempt to respond to any questions posed to the Commission through the designated and public e-mail address in a timely manner, defined as within 48 hours of the message being sent.

- Clause 7. The Election Commission will commence the election on the fourth Monday of January and conclude the election on the fourth Thursday of each February. Once established, the Election Commission must submit these dates to the Student Government Association Senate.

Section 2: Appointment

- Clause 1. The Election Commission must be composed of a Chief Election Commissioner and at least two Associate Election Commissioners.
- Clause 2. All Election Commissioners must be appointed by the Student Government Association Attorney General and confirmed by a two-thirds vote of the Student Government Association Senate present and voting.
- Clause 3. Members of the Election Commission must be students currently enrolled nine credit hours or more, and in good standing with the University.
- Clause 4. No member of the Election Commission may, at the time of appointment, be an elected or appointed member of the Executive, Legislative, or Judicial branches of the Student Government Association. This restriction does not include members of university committees with no other elected or appointed role in the Student Government Association.
- Clause 5. Members of the Election Commission may not pursue any elected or appointed position within the Student Government Association until their term on the Commission has ended.
- Clause 6. The official term of each Election Commissioner begins at the time of confirmation by the Senate and ends on March 31st of the calendar year the election is held.
- Clause 7. If the office of the Election Commissioner becomes vacant, the Attorney General will appoint a replacement and the Senate will confirm via a two-thirds vote. Any vacancies within the Associate Election Commissioner positions will be appointed by the Chief Election Commissioner and confirmed by the Senate via a simple majority vote.
- Clause 8. The Attorney General will appoint replacements to the Commission if necessary, in the event of any same-term vacancies. The replacement may begin performing duties as Commissioner as soon as they are appointed. The replacements must be confirmed by a two-thirds vote of the Senate to remain in the position by the next Senate meeting.
- Clause 9. If the confirmation vote for a replacement to fill a vacancy on the Election Commission fails, the Attorney General must appoint a new candidate to the position, subjective to the terms stated in Clause 8.
- Clause 10. A replacement for a vacant position on the Election Commission may not be removed due to an absence of a confirmation vote by the Senate.

Section 3: Office Hours

- Clause 1. At least one Election Commissioner must be present in a designated office for the Election Commission for at least twenty-five hours each week.

- Clause 2. If more than one Election Commissioner is present for the same hour in the designated office, this only counts as one hour towards the twenty-five-hour total.
- Clause 3. These hours may be held on any day Monday through Friday between the hours of 8:00 a.m. and 10:00 p.m.
- Clause 4. These requirements for office hours take effect exactly four weeks before the planned date of the election and end at 8:00 p.m. on the first Monday after the election and runoff have ended.

Section 4: Election Journal

- Clause 1. The Election Commission must prepare and submit to the Student Government Association Advisor, a collection of all documents, correspondences, and other materials related to the election in order for the members of the Commission to receive a stipend. This journal must give an accurate and detailed descriptions of events and must be submitted both to the Attorney General and the Speaker of the Senate.
- Clause 2. This journal must include, at a minimum: all complaints and responses to complaints, election results, any results from the Student Government Association Supreme Court, ideas for upcoming commissions on improving the election process, and other pertinent information. A copy of the Election Journal will be offered to the Student Government Association Advisor and this copy will be published online and viewable by the public.

Section 5: Individual Duties of Commissioners

- Clause 1. The Chief Election Commissioner is the administrative head of the election process and must ensure that all duties of Election Commission are carried out as detailed in Article 2, Section 1 of this Election Code.
- Clause 2. The Chief Election Commissioner may delegate both tasks and authority to the Associate Election Commissioners as necessary.
- Clause 3. The Chief Election Commissioner must designate one Associate Election Commissioner as specifically responsible for the marketing of the Student Government Association Elections.
- Clause 4. If necessary, the Chief Election Commissioner may enlist the help of self-appointed Election Commission Assistants without the confirmation of the Senate. These assistants have no authority in the election process.
- Clause 5. The authority to expend funds as appropriated to the Election Commission is vested in the Chief Election Commissioner.
- Clause 6. The Chief Election Commissioner may not violate any specific orders of the Student Government Association Attorney General related to the expense of appropriated funds.
- Clause 7. The Chief Election Commissioner is responsible for verifying each candidate meets baseline requirements set forth in this document.
- Clause 8. The Chief Election Commissioner is responsible for making sure the topics to be discussed at the Candidate Seminar will include but are not limited to: The Election Rules and Regulations, University Policy relating to the election,

Election Schedule, Structure and functions of the Student Government Association, and the duties and responsibilities of the elected officers of the Student Government Association.

- Clause 9. The Election Commission will create and maintain electronic accounts, such as email accounts and social media pages as it finds appropriate to carry out its duties. All official electronic correspondence from the Commission will only come from the official UH- email account of the Election Commission.
- Clause 10. Any Commission-related correspondence received to a personal email account or personal social media account will be immediately forwarded onto the Commission's official account.
- Clause 11. The Election Commissioner may provide a voter guide to all voters so long as all candidates are given equal opportunity to be included and the space allocated to each candidate is equal, based on the position they are running for. This guide will be posted on the SGA website.

Section 6: Removal from Office

- Clause 1. Failure to fulfill the duties or responsibilities as outlined in this document will constitute grounds for removal. Removal from the Commission will be decided by the Student Government Association Supreme Court. The Attorney General of the Student Government Association will serve as the prosecutor; any member of the Commission accused of failing to fulfill the duties and responsibilities will have a right to counsel.
- a) Submitting a petition bearing the signatures of at least a majority the Commission membership to the Attorney General will initiate removal proceedings against any member of the Commission. This petition must contain written charges against the individual in question, specifying the basis for instituting such proceedings.
 - b) Upon the Attorney General receipt of the petition, they will forward the petition to the accused and the Chief Justice of the Student Government Supreme Court within 24 hours.

Section 7: Chief Investigator

- Clause 1. The Chief Election Commissioner will appoint a Chief Investigator as a staff officer of the Election Commission. The Chief Investigator may not be registered as a candidate for any office in the elections to be overseen by the Election Commission. The Chief Investigator will not have held a position within the Student Government Association within four months of the start of the election season. The Chief Investigator will:
- a) Promote the compliance of all individuals, both Election Commission members and candidates, with this document and any advisory opinions;
 - b) Investigate complaints and alleged violations of this Election code and any additional rules;
 - c) Present complaints to the Attorney General;

- d) Perform any other functions or duties as are requested by the Commission in relation to their position as Chief Investigator.

Clause 2. The Chief Investigator may, with the approval of the Election Commission, appoint any Assistant Investigators as staff officers as they feel may be necessary for the prompt and efficient performance of their functions. Assistant Investigators may not be registered as a candidate for any office in the elections to be overseen by the Election Commission. Assistant Investigators will not have held a position within the Student Government Association, within four months of the start of the election season. The Chief Investigator may delegate to an Assistant Investigator any of their duties, responsibilities or powers.

Clause 3. Except as otherwise stated by this Code or by additional rule, any document kept and maintained by the Commission will be made available online for public review within 24 hours of the Commission's receipt of the given document. These include, but are not limited to:

- a) Any financial expenditure reports on behalf of elections campaigns, excluding personal financial information; and
- b) Any financial expenditure documentation on behalf of the Commission.

Clause 4. No document may be removed from the office of the Election Commission unless under the care and supervision of a member of the Election Commission or a staff officer. The following exceptions apply to this rule:

- a) All complaints will be immediately sealed as soon as they are officially filed. No sealed complaint will be made available for public review at any time. A complaint will only be unsealed if the Election Commission finds that there is probable cause on the given complaint. Once a complaint is unsealed, it will be made available for public review immediately. All unsealed complaints will contain redacted names of all parties involved in the complaint, excluding that of the candidate and the filer.
- b) Fruits of Investigation: any record, report, form, or other document acquired by the Election Commission, by the Chief Investigator, or by an Assistant Investigator in the course of an investigation will be sealed. No such sealed document will be made available for public review at any time unless it is used in a court proceeding. Access to fruits of investigation will be permitted to the accused of the investigation.
- c) Notice of Advisory Opinions and Rulings; The Election Commission will distribute via email, at the time of their adoption, any advisory opinions and rulings to all registered candidates in an election and will make available all such additional advisory opinions and rulings on its website and social media channels.

Clause 5. The Chief Investigator will be required to investigate any allegations made in any officially filed complaint, following finding of probable cause by the

Commission. In the course of such an investigation, both the Commission and the Chief Investigator will have the power to:

- a) administer oaths or affirmations in any proceeding where such is required;
- b) require by order that any candidate, or authorized agent thereof, give, under oath, testimony regarding any matter in the form of a deposition or sworn statement; and
- c) require by order that any candidate, or authorized agent thereof, furnish any records, reports, forms, documents or other evidence as may be requested.

Clause 6. The Election Commission will have the power to issue an advisory opinion regarding any rule or proceeding found within this Code. In order to issue an advisory opinion, the Election Commission may choose to issue an opinion of its own with approval by a simple majority, or a candidate may first request an advisory opinion on a given rule or proceeding by email, public comment, or otherwise. All advisory opinions will be binding upon the Election Commission and will be treated as having the same effect as a rule.

Article 3: Candidates and Parties

Section 1: Qualifications to be a Candidate

- Clause 1. A "candidate" will be defined as a student who is eligible to run for an elected position.
- Clause 2. A student is eligible to run for an elected position if they are currently enrolled at the University of Houston, are in good standing as defined by University Policy, and are eligible under the requirements of Clause 5 and Clause 6 of this section.
- Clause 3. The right of a University of Houston student to be a candidate for any Student Government Association office will not be denied by the Student Government Association on the basis of race, color, religion, national origin, age, or sexual orientation, or gender pursuant to Title IX of the Education Amendments of 1972, Title VI & Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1963, or other Federal or state laws governing discrimination.
- Clause 4. If a candidate does not meet the requirements established above by the closing of the filing deadline, they are immediately disqualified from running in the election.
- Clause 5. For any college position, a candidate must be enrolled at the time of filing in the college that they are seeking to represent. A candidate must be majoring in a subject that falls under the domain of that college. Students with only a minor in a college are not eligible to run for that college position.
- Clause 6. All candidates must be able to serve as least two (2) full academic semesters, not including the summer after the election. If a student's degree plan does not indicate that they will be attending the University for at least two more full academic semesters, they must submit a letter with their application for candidacy from their academic advisor stating that their degree plan will continue through the term they are seeking to be elected for.

- Clause 7. The Chief Election Commissioner is responsible for verifying each candidate meets baseline requirements set forth in this document.
- Clause 8. No member of the Election Commission, the Attorney General, or member of the Student Government Association Judiciary may be a candidate for elective office.

Section 2: Limitations on Candidacy

- Clause 1. Sitting Presidents who served more than half of their term are not eligible to run for President
- Clause 2. Sitting Vice-Presidents who served more than half of their term are not eligible to run for Vice-President
- Clause 3. Should a member of the Student Government Justice Department run for any office in the Student Government they will automatically resign from their position.

Section 3: Responsibilities of a Candidate

- Clause 1. All candidates are held accountable to the provisions of this code, Student Government Association Constitution and Bylaws and all other University policies.
- Clause 2. Candidates will be held responsible for any activities by their supporters that are in violation of the provisions of this code if evidence supports that a candidate had actual or constructive knowledge of illicit activities and/or authorized or acquiesced in such activities.
- Clause 3. Candidates who are members of a party are held individually accountable to the provisions of this code, although parties as a whole may be penalized for violation of this code.
- Clause 4. All candidates must attend a candidate seminar to be held no later than three (3) business days after the filing deadline. At the time of filing, each candidate will be informed of the time and location of the seminar. The Election Commission will be wholly responsible for the organization and execution of this seminar.
- Clause 5. Failure to attend the Candidate Seminar will result in the disqualification of the candidate, unless the absence is requested by the candidate and approved by the Commission no later than twenty-four (24) hours after the meeting has occurred.
- Clause 6. The official method of communication between the Election Commission and candidates is by way of e-mail. It is the responsibility of the candidate to provide the Election Commission with valid and accessible e-mail address, and other contact information. Any information missed due to the lack of reading or any otherwise unstated reason is the sole responsibility of the candidate and not the Election Commission.

Section 4: Qualifications of a Party

- Clause 1. A party is defined as “an affiliation of candidates, students, and/or individuals who group together to organize campaigning for an election”.
- Clause 2. Parties are not required to have a Presidential/Vice-Presidential pairing.

Clause 3. Candidates will not be listed on more than one party ticket.

Section 5: Responsibilities of a Party

Clause 1. Individuals within and comprising parties will be subject to the responsibilities of candidates enumerated in Article 3.

Clause 2. Parties may register with the election commission at any time before the close of the filing deadline as established by the Election Commission following the confirmation of a Chief Election Commissioner for the current election cycle. New members may be added at any time before the close of the filing deadline by submitting a request to the election commission.

Clause 3. Parties must register the party name and candidates with the Election Commission before engaging in campaign practices so long as the filing deadline has passed.

Section 6: Filing for Candidacy

Clause 1. A student may file as a candidate by filing their intention for candidacy by completing registration with the Election Commission during the filing period set by the Chief Election Commissioner.

Clause 2. The filing period for candidacy must be at least ten (10) business days.

Clause 3. In the General Election, each candidate must file for one position only. All subsequent filings must be considered void unless the second application amends the first application before the filing deadline.

Clause 4. Available positions for filing include: President, Vice President, Two (2) Graduate At-Large Senate seats, Four (4) Undergraduate At-Large Senate seats, and a number of College Senate seats as outlined by the SGA Constitution.

Clause 5. A candidate for Student Government Association President must select a Vice Presidential running mate to run for election as specified in Article V, Section 2 of the Student Government Association Constitution.

Clause 6. A President/Vice-President ticket must remain whole for the three days leading up to the first day of voting. Either member may choose to drop from the ticket at any time after filing. A President or Vice-President withdrawing their candidacy will give the remaining party members 24 hours to decide on a replacement. If no replacement is decided in 24 hours, the party will forfeit this position on the ballot. If a President or Vice-President of a party drops out within three days of voting, no replacement will be allowed on the ballot.

Clause 7. Party names will be a maximum of 25 characters in length.

Clause 8. The Chief Election Commissioner may publicly announce the total number of candidates who have filed for candidacy, the total number of parties, and/or the total number of candidates for each position at any stage during the filing period.

Clause 9. The Chief Election Commissioner may not disclose the names of any candidate, party, or affiliated individuals before the filing deadline.

Clause 10. A party will become official after being successfully registered to the election commission. The party will cease to exist after the election concludes.

Article 4: Campaigning

Section 1: Definition of Campaigning

- Clause 1. Campaigning is defined as the intentional direct or indirect solicitation of votes initiated by a candidate or campaign staff member.
- Clause 2. "Direct solicitation of votes" is defined as an attempt to obtain votes through personal communication.
- Clause 3. "Indirect solicitation of votes" is defined as an intentional attempt to obtain votes through materials that can be seen or heard by potential voters.
- Clause 4. In the case of ambiguity related to whether or not an activity constitutes "campaigning," the decision is at the discretion of the Election Commission. This decision must be consistent between different candidates and campaigns.
- Clause 5. A "campaign staff member" is any individual aiding a candidate or party in any matter related to the election.
- Clause 6. Campaigning does not include any actions taken by candidates or parties to organize before the close of the filing deadline.

Section 2: Prohibitions on Campaigning

- Clause 1. All campaigning is subject to the authority of entities or individuals that have jurisdiction over the location in which campaigning is occurring.
- Clause 2. No campaigning may use personal property without the consent of the owner.
- Clause 3. No campaigning may interfere with a physical polling location or the online voting system.
- Clause 4. No candidate or party staff member may assist a voter in the online voting system, except as authorized by the Election Commission.
- Clause 5. No candidate may assist a voter in the use of the online voting system other than what is authorized by the election commission.
- Clause 6. No campaigning may occur within the building where an official physical polling location is for the entirety of the three election days and runoff election days.
- Clause 7. No candidate or party may campaign door to door in residence halls or take any other action that violates University of Houston Student Housing & Residential Life Policy.
- Clause 8. No campaigning may occur before the start of the official campaigning period as dictated by the Election Commission.
- Clause 9. The Election Commission may not place the start of the campaigning period before the end of the candidate-filing period.
- Clause 10. No candidate will utilize any materials or resources provided by the University (excluding sanctioned university postings and resources provided by the election commission) or Student Organizations for the purposes of campaigning or housing campaign materials, despite receiving prior permission or not.
- Clause 11. No candidate, or authorized person thereof, may, in the course of campaigning, disrupt any academic function.
- Clause 12. No candidate, or authorized representative thereof, may distribute or make available any campaign material prior to the commencement of the campaign

period. This section will also apply to the creation and availability of any website, social networking group, or other online campaign tool.

- Clause 13. No university academic system, such as Blackboard, may be used to promote, aid, or advertise any campaign. This includes mass emails to students.

Section 3: Campaign Materials and Endorsements

- Clause 1. All physical or online campaign materials must be accompanied by the name of the individual(s), candidate(s), or party responsible for funding, producing, and distributing the material.
- Clause 2. All physical or online campaign materials must be in accordance with the Student Government Association governing documents.
- Clause 3. All physical and non-physical campaign materials, including but not limited to: Flyers, Social Media, Buttons, T-Shirts, etc., must be originally created, and cannot be reused year to year. This does not include party names.
- Clause 4. Candidates or parties with campaign materials found to be in violation of Article 4, Section 3, Clauses 1 or 2 are subject to penalties following a formal complaint.
- Clause 5. Candidates or parties that are found to have presented a false claim of endorsement by any individual, organization, or business, are subject to penalties following a formal complaint.
- Clause 6. If a student group chooses to endorse a candidate, the candidate will be held responsible for all activities of the endorsing student group in regards to activities which are intended to advance or inhibit a candidacy.

Section 4: Campaign Ethics

- Clause 1. Election Commissioners, Election Commission Assistants, and members of the Student Government Association Judiciary are prohibited from campaigning or verbalizing support for a particular candidate or party.
- Clause 2. Candidates must act in accordance with the Student Government Association governing documents.
- Clause 3. No candidate or campaign staff member may interfere with the campaign materials of an opposing candidate or party.
- Clause 4. No candidate or campaign staff member may make any threats of physical or emotional abuse of an opposing candidate or party.
- Clause 5. No candidate or campaign staff member may offer anything of value nor threaten or promise any particular action to a member of the Election Commission, or a member of the Justice Department with the intention of incentivizing or causing undue influence in the election process. The Election Commission and Attorney General reserves the right to file a complaint against any individual who violates this clause.
- Clause 6. No candidate or campaign staff member may request proof that an individual voted for a candidate or party that they claim to have voted for.

Article 5: Voting

Section 1: Voter Eligibility

- Clause 1. Each member of the Student Body as defined by the Student Government Constitution will be entitled to vote in the Student Government Elections.
- Clause 2. Each voter must agree to the UH computer use policy and the Student Code of Conduct in order to access the voting application upon login.

Section 2: Election Date

- Clause 1. General Election's voting will be held during the second Monday and Tuesday of February, the third Tuesday and Wednesday of February, and the fourth Wednesday and Thursday of February (six days of voting total) starting at 12:00 a.m. at the start of each day, concluding after a forty-eight (48) hour period at 11:59:59 p.m. each two-day period, with special extensions being allowed at the discretion of the Election Commissioner.
- Clause 2. Physical polling locations must remain open from 12:00 p.m. to 5:00 p.m. each day of voting, at a minimum.

Section 3: Polling Stations and Locations

- Clause 1. Voting may take place at any official physical polling location or online through an online voting system.
- Clause 2. The definition of an official physical polling station is a public voting station administered by the Election Commission. No other physical polling stations are allowed.
- Clause 3. The Chief Election Commissioner will make public through the SGA website and the Cougar the locations of each official polling station at least three (3) business days prior to any election.
- Clause 4. The Election Commission will open at least three (3) physical polling locations during each day of voting.
- Clause 5. Any time members of the election commission spend managing physical polling locations throughout the week will count as office hours.
- Clause 6. Additional polling locations may be added at the discretion of the Election Commission. Candidates and parties may petition the Election Commission to add additional physical polling locations. These petitions must be filed to the Election Commission no later than 3 weeks before the first day of the General Election.
- Clause 7. The Election Commission will manage and facilitate voting at each physical voting location. Volunteer poll workers may consist of UH Staff, Faculty, or members of the Election Commission and/or Justice Department.
- Clause 8. No University of Houston student, faculty, or staff member may use their personal device or a public device for the purpose of soliciting students to vote at that device. Any device that a student, faculty, or staff member shares with another student for the purpose of voting shall be considered a physical polling location. As no physical polling locations are permitted aside from the official physical

polling locations set forth by the Election Commission, any student, faculty, or staff member who does so is committing Election Fraud, further defined in Article 7, Section 2, Clause 4.

Section 4: Ballots

- Clause 1. All ballots will be cast only at official physical polling locations or online through the online voting system.
- Clause 2. If a candidate is affiliated with an approved party, the candidate's party affiliation will be listed next to their name on the official ballot. Any candidate who is not affiliated with a party will have the word "Independent" next to their name.
- Clause 3. The Election Commission will post the sample ballot for the purpose of correcting errors the day after the mandatory candidate's meeting by 5:00 P.M. If a candidate does not appeal any error on the sample ballot by 5:00 P.M. on the following day, they lose their right to contest the error.
- Clause 4. The sample ballot will not be used for any voting. It will only be used for a candidate to verify that their name has been properly recorded for the election process, and for other administrative purposes as needed by the Election Commission.
- Clause 5. The Election Commission will post the final ballot for any election at least five (5) business days prior to the election and will post a copy to the Student Government Association website as well as submit a copy of the final ballot to The Cougar for publishing.
- Clause 6. Ballot positions will be randomized by the online voting system each time they are accessed. If a candidate withdraws from the election or is disqualified following the establishment of the online ballot, but no sooner than four (4) days prior to the start of voting, their name will be replaced by "withdrawn" on all ballots. The Election Commission will notify the appropriate University personnel administering the online ballot system regarding the withdrawal or disqualification of candidates prior to the start of voting.
- Clause 7. Any Constitutional Amendments and/or referendums will be placed at the top of the ballot.
- Clause 8. The SGA President may place, with the advice and consent of the SGA Senate, University-related items requiring a student body vote at the end of the ballot, after all Constitutional items.

Section 5: General Election Results

- Clause 1. Candidates running for President and Vice President must receive a majority (50% + 1) of the votes cast to be seated.
- Clause 2. Voters will vote via a ranked choice system for each seat or set of seats. Each voter may rank their candidate choice in descending order from most (1) to least preferred (equal to the number of candidates). Voters will have the option to rank as many candidates as offered on the ballot, without a mandate to rank all candidates offered or rank any candidates at all.

- Clause 3. Students will rank the Presidential and Vice-Presidential candidates in order of preference. If no candidate receives a majority in the first round, the candidate with the lowest number of votes will be eliminated, and their votes will be distributed based on their voters' subsequent preference. This will happen until a candidate receives a majority of preferences.

Section 6: Determination of Results

- Clause 1. The results of any election, ballot measure or referendum will be determined as follows:
- a) For electoral races in which only one seat is available, the candidate in the given electoral race who receives over 50% of the "first choice" votes will win. If no such candidate surpasses the majority vote threshold, the candidate with the lowest number of "first choice" votes will be taken out of consideration, and all voters who chose said candidate will then have their "second choice" votes counted towards the remaining candidates. If any candidate at this point surpasses the 50% threshold, they will win. If no candidate yet receives 50% of the votes, the process of taking out the candidate with the lowest number of votes and redistribution of ranked votes will be repeated until a candidate surpasses the 50% threshold.
 - b) Races for Multiple Seats:
 - 1. For electoral races in which multiple seats are available, the "first choice" votes will be counted first. A winning percentage of the vote for a candidate to win a seat will be defined by $100\%/x$, where x is the number of seats available in an election. If any candidate passes this percentage threshold in "first choice votes", they will immediately win a seat, and promptly be taken out of consideration.
 - 2. Following this removal of victorious candidates, the voters who chose the victorious candidates will then have their "second choice" votes counted towards the remaining candidates. If any candidate(s) surpasses the given percentage threshold for the race, they are then awarded a seat.
 - 3. If, following the process of (b)(2) (above), no candidate surpasses the given threshold defined in (b)(1)(above), then the candidate with the lowest number of votes will be taken out of consideration, and their votes reassigned to their respective next "choice".
 - 4. The process of taking out candidates surpassing the given percentage threshold, and appropriate reassignment, then removal of candidates with lowest vote totals will repeat in that order until all seats are filled with candidates that surpassed the given threshold.
 - 5. If a situation arises at any stage of determination in this section where more candidates surpass a given threshold than there are

seats available, the remaining seats will be won by the respective candidates with the largest percentage of the vote.

- Clause 3. If a candidate is disqualified after the ballot is finalized, any vote cast for the disqualified candidate will be included in the final count of votes used to determine the percentage majority.
- Clause 4. Regardless of complaints or appeals, the unofficial results of the general election will be announced by the Chief Election Commissioner in an appropriate campus location on the day after the General Election.
- Clause 5. If no complaints or appeals are registered within one (1) business days of the announcement of election results, all election results will be deemed final.
- Clause 6. Candidates running for At-Large Undergraduate, At-Large Graduate, and College Senate seats will run in conjunction with all other candidates running for the same seats.

Article 6: Campaign Finance

Section 1: Expenditures

- Clause 1. Candidates running to be the Student Government Association Senator as an independent for a specific college are limited to expenditures totaling no more than One-Thousand (1,000) dollars.
- Clause 2. Candidates running to be one of the At-Large Senators as an independent are limited to expenditures totaling no more than Fifteen-Hundred (1,500) dollars.
- Clause 3. Political parties are limited to expenditures totaling no more than Twenty-Five Hundred (2,500) dollars.
- Clause 4. Any use of work product from a previous campaign must be considered expenditures and assessed at fair market value.

Section 2: Financial Disclosures

- Clause 1. Each candidate for office is required to keep accurate and up-to-date records of all campaign expenditures. The Election Commission may request to view these records at their discretion, and candidates must present these records to the Election Commission within 24 hours of the Commission's request.
- Clause 2. Any good or service actually purchased or paid for by the candidate for their campaign will be reported at the actual value expended by the candidate for the given good or service. Candidates must provide receipts in person or via email to prove the actual value of each good or service purchased or paid for. If the Election Commission requests such, the candidate must provide the original receipt(s) in person.
- Clause 3. Candidates that are not a member of a party are required to file a statement of financial disclosure weekly on each Monday from the first Monday after the start of the campaigning period until and including the first Monday after the end of all elections. The Chief Election Commissioner has the discretion to change the day that these financial disclosures are due to the commission.

- Clause 4. The first statement of financial disclosure must detail the names and monetary values of each expenditure the campaign has made thus far. Each subsequent statement of financial disclosure must detail the names and monetary values of each expenditure the campaign has made since the submission of the last statement.
- Clause 5. Political parties must submit a financial disclosure form that accounts for the spending of all members of the party. This form must be submitted on a weekly basis, defined in the same way as prescribed for independent candidates in Clause 3 of this section.
- Clause 6. Each party must be aware of the total expenditures of its members and is responsible for not exceeding its total expenditure limit.
- Clause 7. The Election Commission must keep running totals for the expenditures of each candidate and party to ensure that the limits presented in Section 1 of this article are not exceeded.
- Clause 8. Statements of financial disclosure as well as running expenditure totals are public record. This information may be requested at any time. The Election Commission must provide this information in a timely manner. The Election Commission must make available on the Student Government Association website all financial disclosures form once they have been submitted within 24 hrs.
- Clause 9. The total cost of an expenditure benefiting multiple candidates may be divided for financial disclosure at the preference of the candidates involved.
- Clause 10. No candidate or campaign staff member will falsify any entry on a statement of financial disclosure.
- Clause 11. For each election, each independent candidate and each party listed on the ballot will be required to submit a 'donation list' with their weekly financial disclosure form containing a list of individuals who have made a donation to their campaign. Candidates or parties that received no donations are still required to submit this list to the Election Commission. The Election Commission will provide this form on its website prior to the registration period, with the form including the following sections:
- a) Names;
 - b) The amount of the financial donation; and
 - c) The date the contribution was made.

Article 7: Violations

Section 1: Complaints and Reporting

- Clause 1. Any University of Houston student, faculty, or staff member may file a complaint.
- Clause 2. The filer of the complaint has three (3) calendar days after the incident to file the complaint. No complaints filed after three (3) calendar days of the incident will be considered by the Attorney General, Election Commissioner, or Judiciary.
- Clause 3. An official complaint must first be filed with the Student Government Association Attorney General. The Attorney General will then investigate said complaint and decide its merit. The Attorney General must review the complaint carefully to determine validity before proceeding. A written review by the Attorney General

- must submit written documentation of review to the Election Commission no more than one day (24 hours) after the Attorney General receives the complaint.
- Clause 4. The Attorney General will make a decision pertaining to the merit of the complaint, and provide substantive reasoning based on the Election Code SGA Constitution, Bylaws, Student Code of Conduct, and/or any other University policies.
- Clause 5. The Attorney General will decide within one (1) class day whether a complaint has merit. The Attorney General must also receive written agreement from the Chief Election Commissioner before being able to proceed. If the complaint is deemed legitimate, then the Attorney General may penalize the candidate(s)/individuals according to the penalties proscribed in the Election Code.
- Clause 6. Candidate(s)/individuals may appeal their penalty or its severity before the Student Government Association Court of Appeals. Appeals regarding Class A Violations must be heard by the Court of Appeals. The Court, after receiving appeals regarding Class B and Class C violations, may review the appeal and choose not to hear the appeal in court, and may reject the appeal.
- Clause 7. If an appeal is rejected by the Court of Appeals, the Attorney General's ruling on the violation is final and the penalty will be immediately enforced.
- Clause 8. If the Student Government Association Court of Appeals chooses to hear the appeal, the Court must meet within 48 hours to rule on the appeal.
- Clause 9. If the Student Government Association Court of Appeals chooses to hear an appeal, the court may decide that enforcement of the penalties contained in the appeal be suspended until a final ruling is made on the case.
- Clause 10. The Attorney General will make any filed complaints available to the public immediately after they are filed and decisions regarding the legitimacy of complaints will be made public within one (1) class day.

Section 2: Classification of Violations and Penalties

- Clause 1. The Court of Appeals will have the discretion to consider the severity of each violation in their final ruling of punishment.
- Clause 2. The following lists will never be construed to be an exhaustive list of all violations.
- Clause 3. Class A violations include but are not limited to: any violation of the Student Code of Conduct and/or local, state, and/or federal laws; Election Fraud; falsified campaign documents; identity theft.
- Clause 4. "Election Fraud" is defined as the unauthorized tampering, altering, or abuse of the voting process.
- Clause 5. The penalty for a Class A Violation is the disqualification of the candidate(s) from the election and an automatic referral to the Dean of Student's Office.
- Clause 6. All complaints of Class A Violations, after being confirmed of having merit by the Attorney General and Chief Election Commissioner, will be immediately presented to the Court of Appeals for final ruling.

- Clause 7. Class A complaints are not subject to time constraints as outlined in Article 7, Section 1, Clause 2 of the Election Code.
- Clause 8. Class B Violations include, but are not limited to: deliberately defacing, altering, or destroying the campaign material of another candidate without that candidate's explicit written permission; the obstruction of the Election Commission in the discharge of their official duties; exceeding campaign spending limits; and/or failing to appear before the Court of Appeals for hearings.
- Clause 9. The penalty for a Class B Violation is a temporary suspension of campaigning. The Attorney General will have the discretion of administering a fair and proportional suspension. The Attorney General's decision may be appealed to the Court of Appeals.
- Clause 10. Class C Violations include but are not limited to: pre-campaigning; failure to submit required campaign documents to the Election Commission; and/or failure to attend mandatory meetings.
- Clause 11. The penalty for a Class C Violation is a written warning from the Attorney General at the first occurrence, and a 24-hour suspension of campaigning for every subsequent occurrence.
- Clause 12. Party staff members and volunteers are subject to the same violations and penalties as candidates. The Attorney General and Court of Appeals will have jurisdiction to decide whether or not it is necessary to penalize the party for a violation of its staff/volunteer members.