

UNIVERSITY of **HOUSTON**

STUDENT GOVERNMENT ASSOCIATION

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Committee: Internal Affairs

Draft: Final Read

Various Election Code Adjustments

Whereas, the Election Code should include these adjustments to ensure a more smooth and orderly election process.

Therefore, be it enacted by the Senate of the Student Government Association of the University of Houston:

That Article 2, Section 2 of the Election Code remove clause seven (7) through clause ten (10).

Be it further enacted, that Article 2 Section 2 add the following new Clauses:

- Clause 7. The Deputy-Chief Election Commissioner will automatically become the Chief Election Commissioner should the Office of the Chief Election Commissioner become vacant between January 1st and March 31st of any given calendar year.
- Clause 8. The Attorney General will appoint, without confirmation, a Chief Election Commissioner should both the Office of the Chief Election Commissioner and the Office of the Deputy-Chief Election Commissioner be/become vacant between January 1st and March 31st.

Be it further enacted, that Article 2, Section 6, Clause 1, parts A and B of the Election Code be struck.

Be it further enacted, that Article 3, Section 3, Clause 1 be amended to read: "Clause 1: All candidates are held accountable to the provisions of this code, Student Government Association Constitution and Bylaws and all other University policies. All candidates, by way of registering and running for office, are agreeing to abide by

potential sanctions and policies the Attorney General, Election Commission, Supreme Court, and/or designated lower court deem appropriate based on their interpretation of the Student Code of Conduct and University Policy. No sanction will extend beyond the context of an individual or party's involvement with Student Government and/or Student Government practice."

Be it further enacted, that Article 4, Section 4 add the following Clauses:

- Clause 7. No candidate or campaign staff member may encourage or require campaign team-members to campaign in lieu of fulfilling academic obligations.
- Clause 8. No candidate or campaign staff member will physically or emotionally abuse campaign team-members.
- Clause 9. No candidate will be involved in or have a history of involvement in physical or emotional abuse of any kind within or outside the context of the Student Government Elections. This includes, but is not limited to physically abusive behavior, emotionally abusive behavior, sexual abuse, sexual harassment, etc.
- Clause 10. No candidate or campaign staff member may make threats towards any individual or group. This includes but is not limited to: physical threats, emotional threats, social threats, or any threat which might prove distressful to an individual or group's physical, emotional, and/or financial well-being.

Be it further enacted, that Article 5, section 4, Clause 8 of the Election Code be amended to read: "Clause 8: Any Constitutional Amendments or referenda will be placed at the bottom of the ballot."

Be it further enacted, that Article 7, Section 1, Clause 6 be amended to read: "Clause 6: Candidate(s)/individuals may appeal their penalty or its severity before the Student Government Association Supreme Court or designated lower court. Appeals regarding Class A violations must be heard by the Supreme Court or designated lower court. The Court, after receiving appeals regarding Class B, Class C, and Class D, may review the appeal and choose to hear the appeal in court, and may reject the appeal. All election complaint appeals must be filed within eight (8) hours of receiving the initial decision from the Attorney General."

Be it further enacted, that Article 7, Section 1, Clause 8 be amended to read: "Clause 8: If the Student Government Association Supreme Court or designated lower court chooses to hear the appeal, the Court must meet within forty-eight (48) hours to rule

on the appeal. The Attorney General's ruling will be considered final if the Court is unable to meet in the specified time-frame, unless in the case of a disqualification decision/recommendation. In the case of a potential disqualification, the court will have an additional seventy-two (72) hours to meet in addition to the allotted forty-eight (48) hours. In the case of potential disqualification, the Attorney General's ruling will be considered final if the Court is unable to meet within five (5) calendar days (120 hours) from receiving the appeal."

Be it further enacted, that Article 7, Section 1, Clause 10 be amended to read: "The Attorney General will make final complaint decisions public within one (1) business day after delivering the final decision to relevant parties. All fruits of investigation will be made available upon request, including but not limited to: the original complaint filing, any written correspondence (including email), and all evidence supporting and/or negating the complaint. The Attorney General has the discretion to withhold names should the Attorney General determine it necessary to protect an individual's identity."

Be it further enacted, that Article 7, Section 2, Clause 3 be amended to read: "Clause 3. Class A violations include but are not limited to: select violations of the Student Code of Conduct and/or local, state, and/or federal laws, select violations of the Election Code campaign ethics section (Article 4, Section 4), election fraud, falsified campaign documents, and identity theft."

Be it further enacted, that Article 7, Section 2, Clause 12 of the Election Code be struck, renumbering the subsequent clauses appropriately;



Allison Lawrence

Study Body President

Date of President's approval: 11/27/19



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Speaker of the Senate

Date of Senate Approval: 10/10/2019