



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

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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 shall have access to a copy of this document at the time of filing.
- Clause 2. All candidates and their staff and volunteers shall be responsible for knowing its contents. Any questions concerning this document shall 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 must establish dates for General Elections and potential Runoff Elections. These dates must fall after February 14<sup>th</sup> and before Spring Break as established by the academic calendar for the University of Houston. 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 31<sup>st</sup> of the calendar year the election is held.

- Clause 7. If there are any remaining vacant positions on the Election Commission at the time of that specific election year's first Senate meeting, the Student Government Association Attorney General will be authorized to fill any unassigned positions without the consent of the Senate.
- 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, but must be confirmed by a two-thirds vote of the Senate to remain in the position.
- 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 9:00 a.m. and 8:00 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 Secretary a collection of documents, correspondences, and other materials related to the election in order for the members of the Commission to receive a stipend.
- Clause 2. The journal must include:

- A. All completed forms and documents related to the election process.
- B. All complaints, responses to complaints, and available correspondence regarding complaints.
- C. Official election results and any available statistics or demographic information accompanying those results.
- D. All available correspondence with the Attorney General or the Court of Appeals.
- E. All results from the Court of Appeals regarding the election.
- F. An original correspondence to future Election Commissions with remarks and suggestions related to the election.
- G. Any materials requested by the Election Commission faculty advisor to be placed in the journal.

Clause 3. The Election Commission may choose to include any materials not explicitly required for the election journal at the discretion of the Chief Election Commissioner.

### **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 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.

### **Section 6: Removal from Office**

Clause 1. The Senate may remove any member of the Election Commission from office with a two-thirds vote of the total number of occupied senate seats.

Clause 2. The Student Government Association Attorney General may temporarily suspend any member of the Commission from his or her duties until the next senate meeting.

Clause 3. If the Student Government Association Attorney General suspends the Chief Election Commissioner, the Attorney General may allow a designated Associate Commissioner to assume this position without the approval of the Senate.

Clause 4. In the case of the suspension of an Associate Election Commissioner or the suspension of the entirety of the Election Commission, these vacancies will be filled through the process detailed in Article 2, Section 2, Clauses 9 through 11 of this Election Code.

Clause 5. The Senate may reinstate any Election Commissioner suspended by the Attorney General with a three-fourths vote.

### **Section 7: Oath of Office**

Clause 1. The Student Government Association Attorney General must administer the following oath to each member of the Commission before the commencement of each member's respective duties: "I, (name), do solemnly affirm that I will faithfully execute the duties and responsibilities entrusted to me by virtue of my office, and will to the best of my ability, preserve, protect, and enforce the Constitution and the Election Code of the Student Government Association at the University of Houston."

## **Article 3: Candidates and Parties**

### **Section 1: Qualifications to be a Candidate**

Clause 1. A "candidate" shall be defined as a student who is eligible to run for an elected position and submits the necessary documents to the Election Commission by the deadline set by the Commission.

- 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 have provided confirmation of their college major and graduation date.
- Clause 3. The right of a University of Houston student to be a candidate for any Student Government Association office shall 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 Court of appeals may be a candidate for elective office.

## **Section 2: 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 Chief Election Commissioner shall 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 3: Qualifications of a Party**

- Clause 1. A party is defined as “an affiliation of candidates 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 shall not be listed on more than one party ticket.

### **Section 4: Responsibilities of a Party**

- Clause 1. Individuals within and comprising parties shall be subject to the responsibilities of candidates enumerated in Article 3.
- Clause 2. Parties as a whole or in part may be held responsible to infractions of this code.

- Clause 3. Parties must account for the total amount of expenditures of the candidates who are affiliated with them.
- Clause 4. Parties must register the party name and candidates with the Election Commission before engaging in campaign practices.

### **Section 5: Filing for Candidacy**

- Clause 1. A student may file as a candidate by filing his/her 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 entire duration of the election process. Either member may choose to drop from the ticket at any time after filing, but doing so will disqualify both members of the ticket for the rest of the election process.
- Clause 7. 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 8. The Chief Election Commissioner may not disclose the names of any candidate(s) or party(s) before the filing deadline.

## **Section 6: Restrictions on Parties**

- Clause 1. For all At-Large and College positions that have more than one seat, each party may not register candidates for more than 3/4 of the available seats for that position. In calculations of seat eligibility, a fraction of the seat shall always round down.
- Clause 2. A party shall become official after being successfully registered to the election commission. The party shall 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.

### **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 and all University of Houston policies.
- Clause 3. 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 4. 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.

### **Section 4: Campaign Ethics**

- Clause 1. Election Commissioners, Election Commission Assistants, and members of the Student Government Association Court of Appeals 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 and the Student Code of Conduct.
- 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 to a member of the Election Commission or the Attorney General with the intention of incentivizing certain actions in the election process by the intended recipient.
- 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 shall 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 Elections shall be held during a continuous period consisting of a Tuesday, Wednesday and Thursday between the second week of February and the first week of March. The Chief Election Commissioner shall be wholly responsible for determining the time of the elections.
- Clause 2. Runoff Elections shall be held within three (3) to six (6) business days after the General Election. Runoff Elections shall be held on two consecutive days to be decided by the Election Commission. The Chief Election Commissioner shall be wholly responsible for determining the time of the Runoff Elections. Runoff Elections must conclude prior to the Friday preceding the beginning of Spring Break.

- Clause 3. The Election Commission shall keep online voting open for the entirety of the election period. Online voting shall begin at 12:00:00 a.m. on the morning of the first day of the election, and shall close at 11:59:59 p.m. on the evening of the last day of the election.
- Clause 4. Physical polling locations must remain open from 9:00 a.m. to 5:00 p.m. each day of the election.

### **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 shall 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. Physical polling locations must include, at a minimum, the Student Center and M.D. Anderson Library.
- Clause 5. 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 6. Volunteer poll workers shall consist of UH Faculty and Staff as well as the Election Commission. The Election Commission will work in conjunction with the Faculty and Staff to develop a volunteer poll worker schedule.
- Clause 7. 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 4, Clause 1.

#### **Section 4: Ballots**

- Clause 1. All ballots shall 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 shall 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 shall 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 shall 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 shall 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 shall be placed at the end 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. 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 3. Regardless of complaints or appeals, the unofficial results of the general election shall be announced by the Chief Election Commissioner in an appropriate campus location on the day after the General Election.
- Clause 4. If no complaints or appeals are registered within two (2) business days of the announcement of election results, all election results shall be deemed final.
- Clause 5. Candidates running for At-Large Undergraduate, At-Large Graduate, and College Senate seats shall run in conjunction with all other candidates running for the same seats. The candidates who receive the most votes shall be seated into each available seat in the order of the number of votes received.

#### **Section 6: Runoff Elections**

- Clause 1. If no candidate in the Presidential and Vice-Presidential race receives a majority of the votes cast in the General Election, the top two candidates receiving the highest number of votes in the General Election will participate in a Runoff Election.
- Clause 2. If there is a tie in the last available senate seat within a college, the seat shall go to a Runoff Election.
- Clause 3. The unofficial results of the Runoff Election shall be announced in the same manner as the results of the General Election.
- Clause 4. If no complaints or appeals are registered within two (2) business days of the announcement of the Runoff Election results, all election results shall be deemed final.
- Clause 5. One of the Presidential and Vice-Presidential tickets may concede the Runoff Election by submitting a formal letter of concession to the Election Commission before the beginning date of the Runoff Election. Such a concession will conclude the Runoff process, and the remaining ticket shall be deemed the winner of the Election.

## **Article 6: Campaign Finance**

### **Section 1: Expenditures**

- Clause 1. Candidates running to be the Student Government Association Senator for a specific college are limited to expenditures totaling no more than three hundred dollars.
- Clause 2. Candidates running to be one of the At-Large Senators are limited to expenditures totaling no more than four hundred dollars.
- Clause 3. Each Presidential and Vice-Presidential pairing is limited to expenditures totaling no more than one thousand dollars.
- Clause 4. Once a Runoff Election has been announced, the total expenditure limit of each candidate participating in the Runoff is increased by the amounts specified in Article 6, Section 1, Clauses 5 and 6.
- Clause 5. The total expenditure limit for candidates running in a college-wide Runoff Election is increased by one hundred dollars for a total of five hundred dollars.
- Clause 6. The limit for candidates running in a campus-wide Runoff Election is increased by one hundred and fifty dollars for a total of five-hundred-and-fifty dollars for those running to be an At-Large Senator and for a total of one thousand one hundred and fifty dollars for each pairing of Presidential and Vice-Presidential candidates.
- Clause 7. Political parties are limited to expenditures totaling no more than one thousand and three hundred dollars. This limit is not increased in the event of a Runoff Election.
- Clause 8. 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 48 hours of the Commission's request.
- Clause 2. Items and services donated to a campaign shall be reported at the closest possible approximation of market value.

- 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.
- 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 shall falsify any entry on a statement of financial disclosure.

## **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. 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 3. The Attorney General shall 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 4. The Attorney General shall 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 5. 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 6. If an appeal is rejected by the Court of Appeals, the Attorney General's ruling on the violation is final and the penalty shall be immediately enforced.
- Clause 7. 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 8. 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 9. The Attorney General shall make any filed complaints available to the public immediately after they are filed and decisions regarding the legitimacy of complaints shall be made public within one (1) class day.

## **Section 2: Classification of Violations and Penalties**

- Clause 1. The Court of Appeals shall have the discretion to consider the severity of each violation in their final ruling of punishment.
- Clause 2. The following lists shall 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. 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 5. All complaints of Class A Violations, after being confirmed of having merit by the Attorney General and Chief Election Commissioner, shall be immediately presented to the Court of Appeals for final ruling.
- Clause 6. 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 7. The penalty for a Class B Violation is a temporary suspension of campaigning. The Attorney General shall have the discretion of administering a fair and proportional suspension. The Attorney General's decision may be appealed to the Court of Appeals.
- Clause 8. 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 9. 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 10. Party staff members and volunteers are subject to the same violations and penalties as candidates. The Attorney General and Court of Appeals shall have jurisdiction to decide whether or not it is necessary to penalize the party for a violation of its staff/volunteer members.

### **Section 3: Election Fraud**

Clause 1. "Election Fraud" is defined as the unauthorized tampering, altering, or abuse of the voting process.