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## **SB [S] 55-012 VOTE Act**

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## University of South Florida Student Government Senate

SB [S] 55-012

Voter Opportunity,  
Transparency, and  
Education (VOTE) Act  
~~Title VII Reform Bill~~

55<sup>th</sup> Term

Fall 2014



*The intent of this Legislation is to reform the elections process.*

### A SENATE STATUTORY AMENDMENT

Be it enacted by the Senate of the University of South Florida Student Government assembled, that the following changes be made to the Student Government Statutes:

## Chapter

## 700

### Definitions of Terms for Student Government Elections

**700.1** The following terms shall apply only for the purposes of Title 7 of these Statues. These terms shall be considered binding in all legal actions brought forth during an election.

**700.2 Assistant Deputy**<sup>1</sup>- A voluntary position appointed to assist the Supervisor of Elections.

**700.2700.3** At-large seat – When there are more vacant seats than there are applicants for a particular college during a midterm election, the remaining vacant seats shall become At Large Senate seats. Any candidate for the Senate outside of the aforementioned college may opt to run for an At Large Seat instead of for a seat in their college.

**700.3700.4** **Ballot**- The electronic form containing the names of the candidates and tickets<sup>2</sup>, any constitutional amendments, any referenda, or any recalls to be presented to the Student Body<sup>3</sup> on which they will vote on the items presented before them.

<sup>1</sup> SB [S] 54-005 Adds this definition.

<sup>2</sup> SB [S] 54-017 Adds concept of "ticket" throughout entire Title VII

- 700.4700.5 Beyond Reasonable Doubt**- The standard that must be met by the claimants evidence that no other logical explanation can be derived from the evidence except that the claim made by the claimant is valid.
- 700.5700.6 Bribe**- A prize, reward, gift or favor given or promised with the intent to influence another vote for a particular candidate or ticket. Any campaign materials approved by the Election Rules Commission and given during official campaigning shall not constitute as a bribe or bribery.
- 700.6700.7 Campaign Budget Statement**- An itemized list of all campaign expenditures made by a candidate, ticket, or their respective campaign staff, and all campaign contributions received by a candidate, ticket, or their respective campaign staff.
- 700.7700.8 Campaign Contributions**- The donation of any resource, at a reduced price or without cost to the candidate, ticket, or their campaign staff, from a person or entity, on or off campus, for the purpose of furthering a campaign for a Student Government office. Non-monetary campaign contributions shall be assessed at fair market value.
- 700.8700.9 Campaign Expenditures**- The spending of money by a candidate, ticket, or their campaign staff, for the purposes of campaigning for a Student Government office.  
~~Candidates and tickets shall include sales tax when reporting expenditures.~~
- 700.9700.10 Campaign Materials**- Any physical or electronic materials which promote a candidate or ticket or impugn another candidate or ticket. All materials must be approved by the ERC two (2) business days in advance of usage. If campaign materials are needed for a Run-off Election, then materials must be approved by the ERC 24 hours in advance. This includes but is not limited to: television, newspaper, magazine, periodical, direct mail, e-mail, display, leaflet, public figure, or radio. The ERC shall have twenty four (24) hours to approve or deny received materials from a candidate and/or ticket. The ERC shall provide a written reason why the material was denied and provide a remedy.
- 700.10700.11 Campaign Staff**- Any person who is working or volunteering on behalf of a campaign ticket in any capacity.
- 700.11700.12 Campaign Staff List**- The official list of Campaign Staff for each individual Campaign Ticket maintained by the Election Rules Commission and submitted by a Campaign Ticket.
- 700.12700.13 Campaign Ticket**- Any group certified to take part in the elections (Senate Candidate or ticket, Referendum Sponsor/Referendum Campaign, Presidential Campaign Ticket, Campaign Staff, etc.).<sup>4</sup>
- 700.13700.14 Campaigning**- An expression by any medium attracting public attention whether radio, television, newspaper, magazine, periodical, direct mail, e-mail, display, leaflet, speech, or any other means which shall transmit any idea furthering the candidacy of any person.

<sup>3</sup> SB [S] 54-017 Replaces "electorate" with "Student Body" in Chapter 700

<sup>4</sup> SB [S] 54-017 Replaces previous definition.



**700.13.1 Active Campaigning-** Campaigning in which the person campaigning engages individuals in a direct manner. One example is a candidate or ticket passing out flyers or other promotional materials to a constituent. Further examples of active campaigning shall be outlined in the Election Rules Commission Rules of Procedure.

~~**700.13.2 Passive Campaigning-** All campaigning in which the person campaigning engages individuals in an indirect manner. One example is a constituent wearing a campaign button to promote a candidate or ticket. Further examples of passive campaigning shall be outlined in the Election Rules Commission Rules of Procedure.~~

~~700.14~~**700.15 Candidate-** A person who has been certified by the Election Rules Commission as eligible to run for an elected Student Government office.

~~700.15~~**700.16 Certification-** The process by which tentative election results are made official.

~~Clear and Convincing Evidencet—The standard that the accusation at question is highly and substantially more probably to be true than not.~~

~~700.16~~**700.17 Constitutional Amendments-** Proposed changes to the Student Body Constitution which have been passed by the Senate, signed by the President, and presented to the Student Body to be voted on.

~~700.17~~**700.18 Declaration of Intent to Run-** An official form that a candidate or ticket signs to officially declare their intent to be certified for a Student Government position.

~~700.18~~**700.19 Donation-** Any contribution, monetary, or otherwise, given to a candidate, ticket, campaign, or campaign staff member by any individual or entity, specifically for use in the campaign including, but not limited to, campaign staff, other students, or any non-student individual or entity.

**700.20 Election Rules Commission (ERC)-** An official entity of Student Government created to oversee the execution and logistics of all Student Government elections. This commission is comprised of a Supervisor of Elections, an Associate Supervisor of Elections, two Deputy Supervisors of Elections, and Assistant Deputies.<sup>5</sup> ~~If an election is called prior to the formation of the Election Rules Commission, the full time staff of the Advising, Training and Operations Bureau shall assume the responsibilities of the ERC.~~

**7020.1** ~~If an election is called prior to the formation of the Election Rules Commission, a Special Joint Ad-Hoc committee shall be formed by the Student Body President and Senate President to temporarily assume the duties of the Election Rules Commission.~~

~~700.19~~**7020.2** ~~If an Elections Rules Commission is named after the Special Joint Ad Hoc committee has been formed, the Special Joint Ad Hoc committee will continue to carry out its statutory responsibilities as stated in the preceding definition for the current election.~~

~~**700.19.1**—If an Election Rules Commission is named after an election has been called and before an election has been held, the Advising, Training and Operations Bureau will~~

<sup>5</sup> SB [S] 54-005 Modifies this definition.



~~continue to carry out its statutory responsibilities as stated in the preceding definition for the current election.~~

~~700.20~~**700.21** **Electorate**- The officially enrolled student body, as determined by the Office of the Registrar, at the University of South Florida, Tampa Campus. Students enrolled in the USF system may vote for Student Body President and Vice-President.

~~700.21~~**700.22** **Expedited Elections**- Any elections held in the event that a Supreme Court ruling or other circumstances result in an election needing to be rescheduled. These elections will follow an abbreviated version of the original election schedule.

~~700.22~~**700.23** **Fair Market Value**- The price a person or entity would charge any other student for a good or service.

~~700.23~~ **Figurehead**- ~~Any paid representative of the University or any paid/unpaid entity trademarked by the University including but not limited to, Judy Genshaft, Rocky the Bull, or NCAA Division I athletes.~~<sup>6</sup>

**700.24 General Election**- The annual Spring semester election during which the President, Vice President, and the new term of Senators are elected, any new constitutional amendments are proposed, and any referenda are voted upon.<sup>7</sup>

**700.25 Governing Documents**- For the purposes of enforcement of Title 7, this shall refer to the Student Body Constitution, Student Government Statutes, and the Election Rules Commission Rules of Procedure. Additional documents may be created or adopted by the Election Rules Commission with the consent of the Committee on Judiciary and Ethics and the Committee on Rules, but shall not conflict with the governing documents. Only documents which have been approved by the Election Rules Commission and presented to the candidates and tickets shall be binding.

**700.26 Grievance**- Any complaint brought forth via the grievance form to the Election Rules Commission and can be submitted against a candidate, ticket, or any group certified to take part in a USF Student Government election.<sup>8</sup>

**700.27 Interim Elections**- The elections held after the General Election to fill any open Senate seats or present any issues that must be voted on by the Student Body. These elections shall be called as determined by the Senate and Senate quorum, and shall follow the same guidelines as the Midterm elections.<sup>9</sup>

**700.28 Major Violation:** An assessment given by the Student Supreme Court which may be assessed to a candidate, ticket, or any group certified to take part in a USF Student Government election for a breach of any Student Government governing document.

<sup>6</sup> SB [S] 53-008 Adds this definition

<sup>7</sup> SB [S] 54-017 Expands this definition

<sup>8</sup> SB [S] 54-017 Expands this definition

<sup>9</sup> SB [S] 53-008 Makes changes to this definition

**700.28700.29 Majority-** A vote of 50% +1 of the total electorate who voted in the election; applicable to university-wide Student Government elections only.

**700.29700.30 Members of the Election Rules Commission** - Includes all employees, paid or non-paid, who comprise the Elections Rules Commission.

**700.30700.31 Minor Violation-** An assessment given by the Election Rules Commission which may be assessed to a candidate, ticket, or any group certified to take part in a USF Student Government election for violations including but not limited to late paperwork, unintentional misrepresentation of financial statements, unintentional misrepresentation of campaign staff lists, and any others outlined in the Elections Rules of Procedure Rules of Procedure.

**700.31700.32 Mobile Polling Station-** The use of any portable device by any person for the purposes of voting in any election.<sup>10</sup>

**700.32700.33 Midterm Election-** The annual Fall semester election in which new senators are elected to fill vacancies in the Senate, any new constitutional amendments are proposed, and any referenda are voted upon.<sup>11</sup> If the past general election was chosen by selection of last resort then the Vote of Confidence will also take place in this election.

**700.33700.34 Officers of the Election Rules Commission** - Includes all paid employees who comprise the Election Rules Commission.

**700.34700.35 Official Polling Station-** A device or outlet of voting that is directly designated in writing and staffed<sup>12</sup> by the Election Rules Commission on voting days for the General Election and the Run-Off Election, if necessary.

**700.35700.36 Plurality-** The election of Senators, within their college, using the total vote count of the electorate who voted in the election. The Student Body may vote for as many Senators as the number of seats allocated for their respective college. Senate seats shall be distributed to the Senator with the highest vote count until all seats have been filled within each respective college.

**700.36700.37 Post-Election Report-** A comprehensive report compiled by the Supervisor of Elections that includes reports from all employees of the Election Rules Commission. The report shall include an in-depth synopsis of strengths, weaknesses, opportunities, threats and recommended changes to the election process. This report is compiled following each general election.

**700.37700.38 Presidential Campaign Ticket-** A joint Presidential and Vice-Presidential ticket that has been certified by the Election Rules Commission to campaign, including campaign staff.<sup>13</sup>

<sup>10</sup> SB [S] 54-005 Modifies this definition

<sup>11</sup> SB [S] 54-017 Adds referenda to Mid-Term Elections

<sup>12</sup> SB [S] 54-005 Modifies this definition

<sup>13</sup> SB [S] 54-017 Adds this definition



- | ~~700.38~~**700.39 Recall**- An action which allows any USF student, by petition, to initiate a vote of the Student Body in which an elected Student Government officer may be removed from their position.
- | ~~700.39~~**700.40 Referendum Campaign**- Any group supporting a Referendum that was certified to take part in an Election. A Referendum Campaign will be considered a type of campaign ticket.<sup>14</sup>
- | ~~700.40~~**700.41 Referendum Campaign Staff**- Any person who is working or volunteering on behalf of a referendum campaign in any capacity.
- | ~~700.41~~**700.42 Referendum Campaign Staff List**- The official list of Campaign Staff for each individual Campaign Ticket and/or referendum maintained by the Election Rules Commission and submitted by a Campaign Ticket.
- | ~~700.42~~**700.43 Restricted Area**- Any physical location that has been restricted from active ~~and/or~~ ~~passive~~ campaigning by the Election Rules Commission, any University Entity, College, Building Manager or Dean.
- | ~~700.43~~**700.44 Run-Off Election**- The election which shall occur if no candidates or tickets receive a majority vote (50% +1) in the election for the offices of President and Vice President. The Run-Off Election shall take place between the two tickets who received the most votes in the election. If there is a tie between two Senate candidates or tickets for the last seat in any college then a Run-Off Election will occur between these two candidates or tickets.
- | ~~700.44~~**700.45 Special Elections**- Any election which is held, as necessary, throughout the academic year.<sup>15</sup> These elections shall include Expedited Elections, Interim Elections, and elections to present Recalls, Referenda, and Constitutional Amendments.
- | ~~700.45~~**700.46 Statute of Limitations**- A statute setting a time limit on legal action in certain cases.
- | ~~700.46~~**700.47 Student Government Referendum**- An action which allows any Student Government Officer, with the consent of the Senate and Student Body President, the power to call for a Referendum in which the Student Body will vote on the issue presented to them.
- | ~~700.47~~**700.48 Student Referendum**- An action which allows any USF student, by petition, to bring forth a question or issue to be voted on by the Student Body.
- | ~~700.48~~**700.49 Total Campaign Value**- The sum of all campaign expenditures and campaign contributions as reported by a candidate or ticket in the Campaign Budget Statement.
- | ~~700.49~~**700.50 Unofficial Intent to Run**- An un-official and private declaration to a student(s)' peers that they have intent to apply for certification to run for a Student Government position.

<sup>14</sup> SB [S] 54-017 Adds this definition, Referendum Campaign Staff, & Referendum Campaign Staff List

<sup>15</sup> SB [S] 54-017 Strikes "following the General Election"



**700.51 Unrestricted Area**- Any physical location that is free for any individual to campaign on behalf of any Campaign Ticket.

~~700.50~~**700.52** USF Spirit Squad- The USF Herd of Thunder band, USF Pep Band, Sundolls, Coed Cheerleading, All-girl cheerleading, USF Diamond Dolls, USF Goal Girls, and Rocky D. Bull.

~~**700.51 Violation**- An assessment given by the Election Rules Commission which may be assessed to a candidate, ticket, or any group certified to take part in a USF Student Government election for a breach of any Student Government governing document.<sup>46</sup>~~

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<sup>46</sup>~~SB [S] 54-017 Expands this definition~~

## Chapter

### 701

#### Election Rules Commission

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##### 701.1 Elections Rules Commission

- 701.1.1 The Election Rules Commission (ERC) shall be comprised of the Supervisor of Elections, and may include and is limited to, the Associate Supervisor of Elections, and two Deputy Supervisors of Elections.<sup>17</sup>
- 701.1.2 The Supervisor of Elections, Associate Supervisor of Elections, and Deputy Supervisors of Elections shall be eligible for remuneration.
- 701.1.3 The following individuals shall not serve on the Election Rules Commission:
  - 701.1.3.1 Non-University of South Florida Students
  - 701.1.3.2 Any student employed by Student Government departments, offices, bureaus or ~~and~~ agencies
  - 701.1.3.3 Any member in Executive Cabinet in addition to Agency Directors and Assistant Directors
  - 701.1.3.4 Any member of the Legislative Branch and its interns
  - 701.1.3.5 Any member of the Judicial Branch and its interns
  - 701.1.3.6 Students running for any Student Government position during that term.
- 701.1.4 The Associate Supervisor of Elections and Deputy Supervisors of Elections shall be nominated by the Supervisor of Elections from a pool of applicants and the nominees shall go before the Senate for confirmation.
  - 701.1.4.1 Only the Supervisor of Elections shall have the ability to appoint Assistant Deputies.<sup>18</sup>
- 701.1.5 Should the Supervisor of Elections not appoint the necessary Election Rules Commission positions, by the end of January, then the President must issue an Executive Order insisting action by 4:59:59 PM the second day of business in February. The General Election may not proceed until all officers of the Election Rules Commission have been properly selected.
- 701.1.6 Should the Supervisor of Elections be unable to perform their duties the order of succession for the Election Rules Commission shall be:
  - 701.1.6.1 Associate Supervisor of Elections
  - 701.1.6.2 Deputy Supervisors of Elections (Seniority, by confirmation)
- 701.1.7 No member of the Election Rules Commission shall be a candidate or on a ticket for any election they preside over nor campaign, endorse, or actively assist a candidate or ticket outside of their duties as a member of the Election Rules Commission. Should

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<sup>17</sup> SB [S] 54-005 Amends positions throughout Chapter 701.

~~<sup>18</sup> SB [S] 54-005 Adds this sub-clause.~~

an accusation from an individual be brought forth regarding a violation of this policy, it shall be submitted in a memo to the Senate President Pro Tempore who will call for the creation of a Senate Impeachment Committee. Assistant Deputies who violate this policy may be removed from their position by the Supervisor of Elections.

- 701.1.8 The Election Rules Commission shall adopt a Rules of Procedure in conjunction with the ERC ROP revision Ad-Hoc Committee which shall not conflict with any Student Government governing document.
- 701.1.9 Said Rules of Procedure shall be submitted to the Senate Committee on Rules and the Senate Committee on the Judiciary and Ethics for their joint approval at least five (5) business days before the onset of campaigning. Any subsequent amendments must be approved by both committees.
- 701.1.10 The Student Body President may remove any Election Rules Commission member(s) with the advice and consent of the Senate by a Supermajority vote.
- 701.1.11 The Senate may end the ERC's Supervisors time in office four weeks after spring break or any time after that with a majority vote.

## 701.2 Duties of the Officers of the Election Rules Commission

- 701.2.1 Be available during office hours to assist other members of the Election Rules Commission, candidates or tickets, and students.
- 701.2.2 The ERC must hold at least ten (10) office hours collectively during business days, per week during any election cycle.
  - 701.2.2.1 The ERC must include their office hours and location in the election packet.
  - 701.2.2.2 The ERC must include a copy of major and minor violations as stated in the ERC ROPs in the election packet
- 701.2.3 Make public and accessible to all students on the Student Government website any and all referenda, constitutional amendments, and required campaign documents, in collaboration with the Executive Branch Department of Public Relations and Communications.<sup>19</sup>
- 701.2.4 Observe the ongoing election process and examine campaign materials for violations.
- 701.2.5 ~~Investigate and report~~ Report and investigate any breach of any Student Government governing document by a candidate, ticket (campaign, presidential campaign, referendum campaign, etc.), or member of campaign staff (campaign, presidential campaign, referendum campaign, etc.).<sup>20</sup>
- 701.2.6 ~~Vote on grievances submitted against a candidate or ticket during any election.~~<sup>21</sup>
- 701.2.7 ~~Assess violations upheld against a candidate or ticket.~~<sup>22</sup>
- 701.2.8 Assess minor violations against candidates or tickets.
- 701.2.9 Propose changes to the Election Rules Commission Rules of Procedure.
- 701.2.10 Vote on proposed changes to the Election Rules Commission Rules of Procedure.
- 701.2.11 Propose changes to Title 7 of the SG Statutes to the Senate.

<sup>19</sup> SB [S] 54-017 Adds this clause

<sup>20</sup> SB [S] 54-017 Clarifies tickets and campaign staff

<sup>21</sup> SB [S] 54-017 Adds this clause

<sup>22</sup> SB [S] 54-017 Expands this clause



~~701.2.10~~701.2.12 Create and change forms for candidacy, as necessary.

~~701.2.11~~701.2.13 Create and distribute all certificates of election for all elected positions.

### 701.3 Duties of the Supervisor of Elections

**701.3.1** Manage and oversee the daily operations of the Election Rules Commission.

**701.3.2** Ensure all Election Rules Commission positions are filled throughout the election.

**701.3.3** Inform candidates and tickets of the election rules and regulations through a Candidates Meeting and via official USF email.

**701.3.4** Certify candidates and tickets and approve their signed paperwork with their signature and timestamp.

**701.3.5** Distribute all necessary information to candidates and tickets in the election via official USF email or hardcopy.

**701.3.6** ~~Set deadlines for candidates and tickets not outlined in the governing documents.~~

~~**701.3.7** Provide written notification to i~~Inform candidates and tickets of any minor violations they ~~may~~ have been alleged to have committed and the date, time, and place of the location of the violation hearing with at least two (2) business days' notice. ~~assessed.~~

~~701.3.7~~**701.3.8** Inform all senate candidates of the number of seats per college, as well as the number of candidates per college.

~~701.3.8~~**701.3.9** Vote on any issue in the event of a tie during an Election Rules Commission meeting.

**701.3.10** Announce locations and operating hours of all official polling stations at least five business days in advance of any election.

**701.3.10.1** Polling locations must be sent to the Oracle via email at least seven (7) business days prior to the first day of any election.

~~701.3.9~~**701.3.10.2** Polling locations must be posted to the Student Government web site at least five (5) business days prior to the first day of any election.

**701.3.11** Announce cancellation of an official polling station at least twenty four (24) hours in advance of the applicable voting day.

~~701.3.10~~**701.3.12** Announce the cancellation of an election due to the university closing or problems with the voting system.

~~701.3.11~~**701.3.13** Announce and make public the results of the General Election and Run-Off Election.

~~701.3.12~~**701.3.14** Certify the results of the election.

~~701.3.13~~**701.3.15** Sit on a Senate created Ad-Hoc Committee, following the General Election, to suggest ways to improve the election process.

~~701.3.14~~**701.3.16** Attend all Election Rules Commission sponsored events including the Election Rules Commission debates and the annual Presidential Inauguration Ceremony.

**701.3.17** May terminate any employed deputy two weeks after Spring Break or any time after that with the consent of the Student Body President.

~~701.3.15~~**701.3.18** Appoint Assistant Deputies.

### 701.4 Duties of the Associate Supervisor of Elections<sup>23</sup>

<sup>23</sup> SB [S] 54-005 Adds 701.4 and subsequent sub-clauses.

- 701.4.1 Assist the Supervisor of Elections in managing and coordinating the day-to-day activities of the Election Rules Commission
- 701.4.2 Assist the Supervisor of Elections in any manner possible that would ensure the proper execution of the role of the Election Rules Commission.
- 701.4.3 Ensure candidates and tickets comply with the governing documents.
- ~~701.4.4 Accept grievances filed by students against candidates, tickets, and recall petitions.<sup>24</sup>~~
- ~~701.4.5 Vote on the assessment of violations against a candidate or ticket.~~
- 701.4.6 ~~701.4.4~~ Testify in cases brought to the Supreme Court.
- 701.4.7 ~~701.4.5~~ Temporarily assume any Election Rules Commission position in the event that the person cannot fulfill their duties.
- 701.4.8 ~~701.4.6~~ Act on behalf of the Supervisor of Elections when the Supervisor is not present.
- 701.4.8.1 ~~701.4.6.1~~ May not certify elections.
- 701.4.8.2 ~~701.4.6.2~~ May not hire any person to the Election Rules Commission.
- ~~701.4.8.3 May not fire any person from the Election Rules Commission.~~
- 701.4.9 ~~701.4.7~~ May not set deadlines for candidates and tickets not outlined in governing documents.

## 701.5 Duties of the Deputy Supervisors of Elections

- 701.5.1 Ensure candidates and tickets comply with the governing documents.
- ~~701.5.2 Accept grievances filed by students against candidates, tickets, and recall petitions.<sup>25</sup>~~
- ~~701.5.3 Vote on the assessment of violations against a candidate or ticket.~~
- 701.5.4 ~~701.5.2~~ Testify in cases brought to the Supreme Court.
- 701.5.5 ~~701.5.3~~ Assist the Supervisor of Elections in any manner possible that would ensure the proper execution of the role of the ERC.<sup>26</sup>

## 701.6 Election Procedures

- 701.6.1 Online voting shall be utilized in all Student Government elections.
- 701.6.2 The Election Rules Commission shall make public the locations of all Restricted and Unrestricted Campaign zones prior to Official Campaigning. No candidate or ticket may receive violations for campaigning in areas that are not made known by the Election Rules Commission to be restricted. The Election Rules Commission must research all locations that are restricted by the University.
- 701.6.3 The Election Rules Commission shall set up and operate a minimum of ~~two (2)~~ ~~one (1)~~ official polling station on campus during regular business hours (9 AM – 5 PM) on voting days for the General Election, Midterm Elections, and Run-Off Elections.<sup>27</sup>

<sup>24</sup> SB [S] 54-017 Expands this clause

<sup>25</sup> SB [S] 54-017 Expands this clause

<sup>26</sup> SB [S] 54-005 Adds this clause

<sup>27</sup> SB [S] 54-005 Modifies this clause



**701.6.3.1** The Student Government Computer Services Center shall be an exception to the minimum number of required official polling stations.<sup>28</sup>

**701.6.3.2** In the event that at least two officers of the Election Rules Commission have not yet taken office, one (1) official polling station shall not be required.

**701.6.3.3** Polling Stations must be setup and operated at four (4) of the following locations for at least one (1) day of General Elections  
~~Polling stations must be set up and operated at the following locations for at least one (1) days of General Elections:~~

**701.1.2.1.1** Tampa Campus Main Library

**701.1.2.1.2** Juniper-Poplar Hall

**701.1.2.1.3** Marshall Student Center

**701.1.2.1.4** Recreation Center

**701.1.2.1.5** Argos

**701.6.3.4** Polling Stations must be setup and operated at two (2) of the following locations for at least one (1) day of Midterm and Run-Off Elections:

**701.1.2.1.1** Tampa Campus Main Library

**701.1.2.1.2** Marshall Student Center

**701.1.2.1.3** Juniper Poplar Hall

**701.1.2.1.4** Recreation Center

~~**701.6.3.2**~~**701.1.2.1.5** Argos

~~**701.6.3.3**~~**701.6.3.5** In the event of unforeseen circumstances, which hinder the commission from operating polling stations safely, the Election Rules Commission can operate a minimum of one (1) official polling station until it is deemed safe to resume normal operations.

**701.6.4** Students who have declared a major shall vote for Senators in the college in which they are majoring, as well as Senators At Large during the midterm elections. Students, who have not declared a major or have not been accepted to the program they are majoring in, shall vote for Senators in the college of their choice. Students that have declared two or more majors in two different colleges may only vote for Senators from one college and may choose the college in which they wish to vote for.

**701.6.5** No undergraduate student may vote for a Senator in a college that is restricted to graduate students.

**701.6.6** Only non-student staff members of the Student Government Advising and Training Services Bureau and the Student Government graduate assistant or their non-student designee may have access to the vote counts during active voting. The aforementioned parties shall not share the running tally of vote counts with any other student **or individual**, unless **requested** by the University Board of Trustees, **their designees** or applicable courts. The vote counts and all documents pertaining to the voting system shall be made public once active voting is complete, certified<sup>29</sup>, and archived for historical purposes.

**701.6.7** The Student Government Advising, Training, and Operations Bureau shall be responsible for maintaining the format of the infrastructure being utilized for voting. Any changes being made to the voting system shall require the authorization of the Student Government Advisor.

<sup>28</sup> SB [S] 54-005 Repositions this clause

<sup>29</sup> SB [S] 54-017 Adds "certified"



**701.6.8** For all General and Mid-Term Elections, the Election Rules Commission shall certify the results on the Friday following the close of the respective election's polls no earlier than 5:00 PM and no later than 8:00 PM, pending any grievances filed. If a grievance is filed against a Senate election, then the results for the respective college will not be certified until the grievance is resolved. If a grievance is filed against a Presidential election, then the results for the Presidential election will not be certified until the grievance is resolved. If a grievance is filed against a referendum election or constitutional amendment, then those results will not be certified until the grievance is resolved.<sup>30</sup>

**701.6.8.1** If a Run-Off occurs, then the results of the Run-Off Election shall be certified on the Friday following the close of the Run-Off Election's polls at 5:00 PM. These certifications shall include notice of any pending Supreme Court cases involving the election. The results of any election are not official until certified by the Election Rules Commission.<sup>31</sup>

~~**701.6.9** — In the absence of the Supervisor of Elections during any election, the Student Government Advising, Training, and Operations Bureau shall be responsible for certification of the election within twenty-four (24) hours of the close of the respective election's polls.<sup>32</sup>~~

~~**701.6.10**~~**701.6.9** Campaigns may not use University and Student Government logos or trademarks. Campaigns may not, also, use university ~~figureheads or~~ administrators, USF Spirit Squad, current NCAA Division I athletes, Student Government employees or members, or any current non-student university employee as official endorsement. Official endorsement shall be at the discretion of the Election Rules Commission and in its Rules of Procedure.<sup>33</sup>

~~**701.6.10**~~**701.6.9.1** Specific exceptions shall be outlined by the ERC in its ROPs of the aforementioned ~~figureheads and~~ administrators.

~~**701.6.11**~~**701.6.10** All campaign materials must have the candidate's or ticket's name on said material.<sup>34</sup>

~~**701.6.12**~~**701.6.11** All required campaign documents must be submitted to the ERC no later than two (2) business days of the amendment being made, and/or no later than the close of the respective poll cycle.

<sup>30</sup> SB [S] 54-017 Expands this clause, clarifies certification timelines

<sup>31</sup> SB [S] 54-017 Makes this a sub-clause, clarifies types of elections

~~<sup>32</sup> SB [S] 54-017 Adds this clause~~

<sup>33</sup> SB [S] 53-008 Amends this clause

<sup>34</sup> SB [S] 54-005 Adds 701.6.10 and 701.6.11

## Chapter

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### 702

#### General Requirements and Regulations for Candidacy in the General Election

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##### 702.1 Candidacy

**702.1.1** Students interested in running for the offices of President ~~&~~ Vice President ~~or~~ and Senator will be able to pick up an application packet from the Election Rules Commission and access it online starting on the first day of Spring classes<sup>35</sup> prior to the General Election.

**702.1.2** Candidates and tickets will be allowed to apply Monday through Friday, except holidays, beginning the first day of classes.<sup>36</sup>

**702.1.2.1** To apply for candidacy, candidates and tickets must submit the following required forms in order to be put on the ballot.

**702.1.2.1.1** The official application packet

**702.1.2.1.2** A Declaration of Intent

**702.1.2.1.3** A Buckley Waiver

**702.1.3** Candidates and tickets shall be required to attend at least one of the official candidate meetings. There will be at least three meetings scheduled before Official Campaigning.

**702.1.3.1** These dates and times will be included in the application of intent to run for office.

**702.1.3.2** In the case that a candidate cannot attend any of the meetings, they can inform the Supervisor of Elections, in writing at least 24 hours before the first meeting. If the reason for missing all meetings is valid (as decided by the Elections Rules Commission), then a make-up meeting will be scheduled with the candidate.

~~702.1.3~~ **702.1.3.3** President/Vice President tickets shall be required to attend at least one of the official candidate meetings, as well as schedule an additional meeting with the Supervisor of Elections. Both candidates must attend the meeting.

**702.1.4** Candidates and tickets shall not run for more than one office. Senatorial candidates and tickets shall not run for more than one Senate seat during the election.

**702.1.4.1** Candidates and tickets shall run in the college they are currently registered in according to the Office of the Registrar.<sup>37</sup>

**702.1.4.1.1** If a student is registered in more than one college, they must choose which college they will run in.

~~702.1.4.1.2~~ During Midterm elections candidates may opt to run for an At Large Senate seat.

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<sup>35</sup> SB [S] 54-017 Amends this clause

<sup>36</sup> SB [S] 52-015 Amends this clause

<sup>37</sup> SB [S] 52-018 Amends this clause



~~702.1.4.1.1~~ 702.1.4.1.3

- 702.1.5 No undergraduate candidate or ticket may run in a college that is restricted to graduate students.
- 702.1.6 All campaign materials must be submitted to the ERC for approval at least two (2) business days prior to usage.
- 702.1.7 The ERC shall approve or deny campaign materials within twenty four (24) hours of submission by candidates and/or tickets. The ERC shall provide a written reason why a candidate and/or ticket's campaign material was denied and the remedy.
- 702.1.7.1 Grievances shall not be accepted for materials already approved by the ERC.

~~702.1.5~~

## 702.2 Election Timeline

- 702.2.1 The application period shall begin the first day of the Spring semester and shall end at 5 PM on the last day of the business week, six weeks prior to Spring Break.
- 702.2.2 After a candidate or ticket submits their complete application, the Student Government Advising and Training Operations Bureau shall commence the check of eligibility of candidates and tickets. SGATO shall continuously check the eligibility of candidates and tickets until the start of Official Campaigning. The eligibility status if each candidate or ticket shall continuously be sent from SGATO to the ERC via email until the start of Official Campaigning. ~~The week prior to the two weeks of Official Campaigning shall be reserved for the Student Government Advising and Training Operations Bureau to check the eligibility of candidates and tickets.~~ When the Student Government Advising and Training Operations Bureau have completed this check, they will contact the Elections Rules Commission who will ~~inform~~ certify the candidates and/or tickets to run they may run in the election via official USF email. If a candidate or ticket is found to be ineligible to run for office they will be notified of the reason for their ineligibility by a member of SGATO.
- 702.2.3 Official Campaigning shall begin four weeks prior to the start of Spring Break, and shall end with the close of polls on the final day of voting.
- 702.2.4 Elections shall be held two weeks prior to the start of Spring Break and shall last for four consecutive business days, Monday through Thursday of the applicable week.
- 702.2.5 If needed, a Run-off election shall be held during the week prior to the start of Spring Break.

## 702.3 Expenditures

- 702.3.1 Each Presidential/Vice-Presidential ticket and Senatorial candidate or ticket shall submit a completed Campaign Budget Statement to the Election Rules Commission before they will be allowed to officially campaign. This statement shall include all campaign contributions and any campaign expenditures with all receipts attached. <sup>38</sup>
- 702.3.2 A Campaign Ticket or Senatorial candidate or ticket shall submit an amended expense form to the Election Rules Commission when making purchases during the weeks of campaigning, detailing the cost and providing the receipt.
- 702.3.3 Misreported information on the Campaign Budget Statement may result in ~~major~~ minor violations being assessed against a candidate or ticket.

<sup>38</sup> SB [S] 53-004 amends this clause



## 702.4 Campaigning

702.4.1 Candidates and listed campaign staff ~~Students~~ may not actively ~~or passively~~ campaign prior to Official Campaigning.

702.4.2 Student Government employees and Senators may not ~~cannot~~ campaign in SG Suite, Bulls Radio, SGCS, or SAFE Team

702.4.2.1 Student Government employees may not actively campaign or wear campaign materials while on the clock

~~702.4.1~~702.4.3 ~~Poll workers~~ Assistant Deputies are not permitted to wear campaign materials, however students voting can wear campaign materials while voting

702.4.1.1 ~~Candidates~~ ~~Students~~ may solicit the assistance of campaign staff and organizers prior to the onset of campaigning.

~~702.4.2~~702.4.4 Presidential/Vice-Presidential Candidates and tickets may select a student to act as their Campaign Manager. If a Campaign Manager is chosen then he/she shall supervise a campaign ticket's logistics, paperwork, finances, and all Campaign Staff. The Campaign Manager shall also ensure that all Campaign Staff ~~are~~ is familiar with all the rules, statutes, and regulations that pertain to the elections and campaigning.

702.4.2.1 Campaign Managers and Campaign Staff are optional, but are required to be reported to the Election Rules Commission.

702.4.2.1.1 If a Campaign Manager and/or Campaign Staff are established, then a Campaign Staff List must be reported by the start of official campaigning.<sup>39</sup>

~~702.4.2.1.1~~702.4.2.1.2 Adjustments to campaign staff must be submitted by the end of business of Friday of each week.

~~702.4.3~~702.4.5 Any ~~student or non-student~~ candidate or listed campaign staff may engage in ~~Passive and/or~~ Active Campaigning.

~~702.4.4~~702.4.6 Rights and restrictions on campaign materials shall be outlined in the Election Rules Commission Rules of Procedure and Title 7.

## 702.5 Campaigning Code of Ethics

702.5.1 No candidate, ticket, or member of a campaign shall threaten or commit any violence to any member of a campaign ticket, or campaign staff.

702.5.2 No candidate, ticket, or member of a campaign shall commit or attempt to commit extortion or blackmail.

702.5.3 No candidate, ticket, or member of a campaign shall knowingly provide false information before the Election Rules Commission or Supreme Court.

702.5.4 No candidate, ticket, or member of a campaign shall withhold any financial records when reporting a budget or changes to the budget.

702.5.5 No candidate, ticket, or member of a campaign shall commit or attempt to commit a bribe.

702.5.6 No candidate, ticket, or member of a campaign shall commit slander or libel.

<sup>39</sup> SB [S] 54-005 adds this sub-clause.

702.5.7 No candidate, ticket, or member of a campaign shall commit destruction or theft of any campaign material.

702.5.8 No candidate, ticket, or member of a campaign shall use any A&S funded materials for any political campaigns with the exception of materials produced at free printing locations listed on the USF Information Technology website. ~~in Student Government Computer Services.~~

~~702.5.8~~ 702.7.8.1 No A&S fees shall be used in TechSmart for campaign purposes including but not limited to registered student organization allocations.

702.5.9 No candidate, ticket, or member of a campaign shall condone or authorize the destruction or theft of any campaign material.

702.5.10 No candidate, ticket, or member of a campaign shall cast or attempt to cast more than one vote or tamper with the election software.

702.5.11 No candidate, ticket, or member of a campaign shall condone or authorize the casting of more than one vote or tampering with the election software.

702.5.12 No candidate, ticket, or member of a campaign shall condone, authorize, or sponsor mobile polling stations.

702.5.13 No candidate, ticket, or member of a campaign shall distribute campaign materials by sliding material under doors of residence halls.

702.5.14 No candidate, ticket, or member of a campaign shall distribute campaign materials by placing them on vehicles parked on-campus.

## 702.6 General Election Ballot

702.6.1 There shall be no write-in candidates or tickets.

702.6.2 Candidates and tickets shall not run for more than one position during the General Election.

702.6.3 Should a Presidential or Vice-Presidential Candidate remove their name from a campaign ticket<sup>40</sup>, the remaining candidate must select and report the replacement to the Election Rules Commission within two (2) business days ~~forty-eight (48) hours~~.

702.6.3.1 Violations assessed shall remain in effect for the new ticket.

702.6.4 Candidates and tickets may withdraw from the election at any time by submitting a Withdrawal form. Candidates and tickets who withdraw from the election may not reapply for any position in that General Election after the close of applications.

702.6.5 The candidate's or ticket's legal name shall be on the ballot. The Election Rules Commission may allow nicknames to be listed along with the legal name on the ballot.

702.6.6 The order of the candidates' and tickets' names on the ballot shall be determined by a randomized selection process as determined by the voting software.

## 702.7 Major and Minor Violations

702.7.1 Should the actions of any Campaign Ticket, Campaign Staff or Candidate violate Student Government Statutes or Election Rules Commission Rules of Procedure, the respective Campaign Ticket or Candidate may be held liable. If actions are proven ~~by clear and convincing evidence~~ beyond a reasonable doubt, then the

<sup>40</sup> SB [S] 54-017 Adds the word "ticket"



- ~~Supreme Court Election Rules Commission~~ may assess major violations to the respective Campaign Ticket or Candidate.
- 702.7.2 The Election Rules Commission and Supreme Court ~~does~~ not have jurisdiction beyond Student Government Statutes and Election Rules Commission Rules of Procedure.
- 702.7.2.1 Violations of University Policy and Student Code of Conduct shall be determined by the office of Student Rights and Responsibilities.
- 702.7.2.2 Violations of municipal, state and federal law shall be determined by the judiciary of the respective government.
- 702.7.3 The Election Rules Commission may will accept grievances and investigate for major violations against candidates and tickets throughout the weeks of campaigning for ~~the General~~ Elections and they shall be turned over to the Supreme Court. Grievances may be filed by students, faculty, or staff for a breach of any Student Government governing document.
- 702.7.3.1 The person filing the grievance must provide sufficient evidence of the breach in order for the Election Rules Commission to report~~adopt~~ the grievance.<sup>41</sup>
- 702.7.3.2 The Election Rules Commission grievance form shall be filed with the following required information:
- 701.1.2.1.1 The names of the accused candidate or ticket. Only one candidate or ticket can be included in each grievance.
- 701.1.2.1.2 The filer's name and contact information.
- 701.1.2.1.3 A description of the alleged violation(s).
- ~~702.7.3.1~~ 702.7.3.3 Should the grievance form filer fail to include the required information, the grievance shall be deemed null and void by the Election Rules Commission.
- ~~702.7.3.2~~ Grievance procedures shall be further outlined in the Election Rules Commission Rules of Procedure.
- ~~702.7.3.3~~ The Supervisor of Elections has the discretion to dismiss any grievance with proper justification.
- ~~702.7.4~~ The Election Rules Commission may independently investigate a breach of any Student Government governing document without a grievance being filed.<sup>42</sup>
- ~~702.7.4.1~~ Investigative procedures shall be further outlined in the Election Rules Commission Rules of Procedure.
- 702.6 The Election Rules Commission shall issue a written warning for the first minor violation of a candidate, ticket, or any group certified to take part in a USF Student Government Election.
- 702.7 For each minor violation after the first violation and written warning, a nominal fine of \$50 will be levied against a Presidential and Vice Presidential ticket certified to take part in a USF Student Government election. The ERC must issue a written notification that includes the amount of the fine and the violation.

<sup>41</sup> SB [S] 52-017 adds this clause and 702.7.3.3

<sup>42</sup> SB [S] 52-017 adds this clause and the subsequent clause



702.8 For each minor violation after the first violation and written warning, a nominal fine of \$20 will be levied against a Senate candidate or referendum campaign certified to take part in a USF Student Government election. The ERC must issue a written notification that includes the amount of the fine and the violation.

702.9 After a ticket, candidate, or referendum campaign has incurred ~~ten (10)~~ seven (7) minor violations, they shall be disqualified from the current USF Student Government election.

702.10 All minor violations must be paid within ten (10) business days of being issued a written notification. If fines are not paid within ten (10) business days, the candidate, ticket, or referendum campaign shall be disqualified from the current and any subsequent USF Student Government elections and a hold will be placed on the financially accountable student's OASIS account by the ASBO office.

702.7.1 If unpaid fines remain at the end of a USF Student Government election, the financially accountable student for a ticket, candidate, or referendum campaign may request a one-time ten (10) business day extension for payment via a written request to the ASBO office.

702.7.2 If unpaid fines remain after the one time ten (10) business day extension, a hold will be placed on the financially accountable student's OASIS account and their respective ticket, candidate or referendum campaign will be disqualified.

702.11 Monies for fines shall be submitted to the ASBO office by either check or money order and the funds shall be used to defray the cost of future elections.

702.7.1

~~702.7.5~~ 702.7.2 The Election Rules Commission may assess minor violations to Campaign Tickets or a Candidate. ~~for technical violations such as late paperwork, etc.~~ These violations will be handled by the Election Rules Commission and grievances will not be accepted accusing a candidate or ticket of these offenses.

~~702.7.6 The Election Rules Commission may assess violations to Campaign Tickets or a Candidate for misreported information on the Campaign Budget Statement. These violations will be handled by the Election Rules Commission and grievances will not be accepted accusing a candidate or ticket of these offenses.~~

~~702.7.7~~ 702.7.3 A Campaign Ticket shall be disqualified should the Campaign Ticket accumulate a major violation or ~~tenseven (7)~~ three minor violations.

702.7.4 No grievances may be filed after 9:59:59 AM of the day after voting for the General Election ends. ~~with the Election Rules Commission after 5:00 PM on the day of<sup>43</sup> the certification of the results of the General Election.~~

702.7.4.1 Only grievances pertaining to vote count manipulation shall be accepted after this deadline.

~~702.7.8~~ 702.7.4.2 No grievance will be accepted after General Election results have been certified.

## 702.8 Run-Off Elections

**702.8.1** After the results of the General Election have been announced, the Election Rules Commission will inform the candidates and tickets as to whether or not a Run-Off Election will need to be held. All the policies and procedures of the General Election shall apply to a Run-Off Election, except those changed by the policies and procedures found below.

<sup>43</sup> SB [S] 54-017 Adds time deadline to clause

- 702.8.2 Run-Off Elections shall occur the following Tuesday and Wednesday after the official announcement and certification of the election results.
- 702.8.3 No purchases may be made for the Run-Off Election until the Election Rules Commission has determined which Campaign Tickets shall participate in the Run-Off election.
- 702.8.4 Campaigning will begin immediately following the official announcement that a Run-Off Election will occur and end upon the closing of the polls on the final day of voting.
- 702.8.5 Violations assessed to candidates and tickets in the General Election shall remain in effect until the certification of the results of the Run-Off Election.<sup>44</sup>
- 702.8.6 No grievances may be filed after 9:59:59 AM of the day after voting for the Run-Off Election ends.
- 702.7.6.1 Only grievances pertaining to vote count manipulation shall be accepted after this deadline.
- 702.7.6.2 No grievance will be accepted after Run-Off Election results have been certified.
- ~~702.8.6 — No grievances shall be filed once the Election Rules Commission has certified the Run-Off election results.~~

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<sup>44</sup> SB [S] 53-008 Amends this clause



## Chapter

### 703

#### General Requirements and Regulations for Senate Midterm Elections

##### 703.1 Occurrence of Election and Determination of Vacancies

**703.1.1** The Mid-Term election shall take place the ~~second~~ Tuesday and Wednesday of the second full week of October. The purpose of a Mid-Term election is to fill vacant Senate seats, propose any Constitutional Amendments, and vote on any referenda.<sup>45</sup>

**703.1.2** The total number of vacant seats shall be determined by the Senate President Pro Tempore in conjunction with the SGATO Director ~~Advisor~~ and made public prior to the onset of the elections.

~~703.1.2~~ **703.1.3** The total number of At-Large seats shall be determined by ERC Supervisor in conjunction with the Senate President Pro Tempore and SGATO Director and made public prior to the onset of the elections.

##### 703.2 Candidacy

**703.2.1** Students interested in running for the Senate will be able to pick up an application packet from the Election Rules Commission in the Fall semester beginning on the first day of classes.

**703.2.2** Candidates and tickets will be allowed to apply Monday through Friday, except holidays, beginning the first day of classes. The application shall be due to the Election Rules Commission no later than the close of business (4:59:59PM) on the Friday of the third week of September.

**703.2.3** To apply for candidacy, candidates and tickets must submit the following required forms in order to be put on the ballot.

~~703.2.3.1~~ **703.2.3.3** The official application packet

~~703.2.3.2~~ **703.2.3.4** A Declaration of Intent

~~703.2.3.3~~ **703.2.3.5** A Buckley Waiver

**703.2.4** For Mid-Term elections, Senate candidates and tickets shall be required to attend an official Candidate Meeting. There will be at least two meetings scheduled for Senatorial candidates and tickets before Official Campaigning begins. ~~At these meetings, candidates and tickets will be given a Senatorial Candidate Packet.~~

**703.2.5** These dates and times will be included in the application of intent to run for office.

**703.2.6** In the case that a candidate cannot attend any of the meetings, they can inform the Supervisor of Elections, in writing at least 24 hours before the first meeting. If the reason for missing all meetings is valid (as decided by the Elections Rules Commission), then a make-up meeting will be scheduled with the candidate.

~~703.2.4~~ **703.2.7**

~~703.2.5~~ The week after the Senate application packets are due ~~week prior to the first week of campaigning~~ shall be reserved for the Student Government Advising, Training, and

<sup>45</sup> SB [S] 54-017 Adds voting on referenda



Operations Bureau to check the eligibility of candidates and tickets. After the application deadline has passed, the ERC Supervisor of Elections shall tally the number of applications received for each available Senate seat in their respective college. If there are fewer applicants than there are seats available, the ERC Supervisor shall turn the remaining seats into an At-Large Senate seat. The ERC Supervisor of Elections shall confirm the At-Large Senate seat numbers with the Senate President Pro Tempore and SGATO Director. The ERC Supervisor of Elections will notify all candidates via official USF email of their option to run for an At-Large seat within 48 hours after the application deadline. Any candidate for the Senate may choose to opt to run for an At-Large Senate seat. Upon notification of At-Large seats, a candidate has two (2) business days to notify the ERC Supervisor of Elections via official USF email of their decision to run for an At-Large Senate seat. Once a candidate has opted to run for an At-Large Senate seat, a candidate shall not revert back to running for a seat in their college for this election cycle. When the Student Government Advising, Training, and Operations Bureau have completed this check, they will contact the Election Rules Commission who will ~~inform~~certify the candidate and/or tickets they may~~to~~ run in the election via official USF email. If a candidate or ticket is found to be ineligible to run for office they will be notified of the reason for their ineligibility. The Election Rules Commission may still hold Candidate meetings during this time.<sup>46</sup>

~~703.2.6~~703.2.8 Candidates and tickets shall not appear on the ballot unless all required paperwork has been received by the Election Rules Commission.

~~703.2.7~~703.2.9 Candidates and tickets may request changes to documents which they have submitted to the Election Rules Commission by submitting a Change Request form.

### 703.3 Mid-Term Election Ballot

703.3.1 There shall be no write-in candidates or tickets.

703.3.2 Senatorial candidates and tickets shall not run for more than one Senate seat during the election.

703.3.2.1 Candidates and tickets who have declared a major shall run for a Senate seat in the college in which they are majoring.

703.3.2.1.1 Candidates and tickets shall run in the college they are currently registered in according to the Office of the Registrar.<sup>47</sup>

703.3.2.1.1 Senators may opt to run for an At Large Senate seat, instead of for their college.

~~703.3.2.1.1~~

703.3.2.2 If a student is registered in more than one college, they must choose which college they will run in.

703.3.2.3 Candidates and tickets who have not declared a major shall run in the college of their choice.

<sup>46</sup> SB [S] 54-017 Adds last sentence to clause

<sup>47</sup> SB [S] 52-018 Amends this clause

- 703.3.3 No undergraduate candidate or ticket may run in a college that is restricted to graduate students.
- 703.3.4 Candidates and tickets may withdraw from the election at any given time without penalty by submitting a Withdrawal form. Candidates and tickets who withdraw from the election may not reapply.
- 703.3.5 The candidate's or ticket's legal name will be required to put on the ballot. The Election Rules Commission may allow nicknames to be listed along with the legal name on the ballot.
- 703.3.6 The order of the candidates' and tickets' names on the ballot shall be determined by a randomized selection process as determined by the voting software.

#### 703.4 Expenditures

- 703.4.1 Candidates and tickets shall submit a completed Campaign Budget Statement to the Election Rules Commission before they will be allowed to officially campaign. This statement shall include all campaign contributions and any campaign expenditures with all receipts attached.
  - 703.4.1.1 All Campaign Budget Statements shall be posted on the Student Government Website.
- 703.4.2 A Campaign Ticket or Senatorial Candidate shall submit an amended expense form to the Election Rules Commission when making purchases during the weeks of campaigning, detailing the cost and providing the receipt.
- 703.4.3 Misreported information on the Campaign Budget Statement may result in minor violations assessed against a candidate or ticket.

#### 703.5 Campaigning

- 703.5.1 Campaigning shall begin two weeks prior to the week of voting for the Midterm Election and will end on the final day of voting.
- 703.5.2 Students may not actively ~~or passively~~ campaign prior to Official Campaigning.
  - 703.5.2.1 Students may solicit the assistance of campaign staff and organizers
- 703.5.3 Rights and restrictions on active campaigning for candidates and tickets shall be outlined in the Election Rules Commission Rules of Procedure and Title 7.
- 703.5.4 Any student or non-student may engage in ~~passive and/or~~ active campaigning.
- 703.5.5 Rights and restrictions on campaign materials shall be outlined in the Election Rules Commission Rules of Procedure.

#### 703.6 Violation Assessment

- 703.6.1 Mid-term Elections shall follow the violation assessment procedure of the General Elections.
- 703.6.2 No grievances may be filed after 9:59:59 AM of the day after voting for the Mid-term Election ends.
  - 703.703.2 Only grievances pertaining to vote count manipulation shall be accepted after this deadline.

703.703.2 No grievance will be accepted after Mid-term Election results have been certified.

~~703.6.2 No grievances may be filed with the Election Rules Commission after 5:00 PM on the day of the certification of the results of the Mid-Term Election.<sup>48</sup>~~

## 703.7 Run-Off Elections

703.7.1 After the results of the Midterm Election have been announced, the Election Rules Commission will inform the candidates and tickets as to whether or not a Run-Off Election will need to be held. All the policies and procedures of the Midterm Election shall apply to a Run-Off Election, except those changed by the policies and procedures found below.

703.7.2 Run-Off Elections shall occur the following Tuesday and Wednesday after the official announcement and certification of the election results.

703.7.3 Campaigning will begin immediately following the announcement that a Run-Off Election will occur and end on the final day of voting.

703.7.4 No grievances may be filed after 9:59:59 AM of the day after voting for the Run-Off Election ends.

703.703.4 Only grievances pertaining to vote count manipulation shall be accepted after this deadline.

703.703.4 No grievance will be accepted after Run-Off Election results have been certified.

~~703.7.4 No grievances shall be filed once the Election Rules Commission has certified the Run-Off election results.~~

<sup>48</sup>SB-[S] 54-017 Adds this clause



## Chapter

### 704

#### Elections and Student Government Supreme Court<sup>49</sup>

##### 704.1 Elections<sup>50</sup>

- 704.1.1 In all Supreme Court hearings where the Election Rules Commission is a party in a case against a candidate or Campaign Ticket, they will be represented by the Student Government Attorney General. In the event that the Attorney General and Deputy Attorney General are unable to represent the Election Rules Commission, the Election Rules Commission shall appoint their own student representation.<sup>51</sup>
- 704.1.2 The burden of proof shall rest with the plaintiff and appellant.
- 704.1.3 The Statute of Limitations for cases to be filed with the Supreme Court shall be by 5:00 PM on the day of the certification of the results of the General Election, Mid-Term Election, or Run-Off Election if it occurs.<sup>52</sup>
- 704.1.4 All rulings by the Supreme Court in cases shall be made within five (5) ~~two (2)~~ business days after the close of the hearing. The Supreme Court will issue the necessary opinions for the case within two ~~three (23)~~ business days of the ruling.

##### ~~704.2 Appeal of Violation Assessment~~

- ~~704.2.1 Candidates or tickets who feel that violations were assessed to them incorrectly during an election may appeal these violations to the Supreme Court. Multiple violation assessments may be handled by the Supreme Court as one singular appeal.~~
- ~~704.2.2 Violations assessed by the Election Rules Commission against a candidate or ticket<sup>53</sup> may be appealed to the Supreme Court only on the following grounds:~~
- ~~704.2.2.1 There was a procedural error in the way the Election Rules Commission handled the situation.~~
- ~~704.2.2.2 There was bias within the Election Rules Commission.~~
- ~~704.2.2.3 The violation assessment was not applied consistently to each candidate or ticket in accordance with the governing documents.~~
- ~~704.2.2.4 The Supreme Court must provide justification for their decision within two (2) business days of making the decision. Decisions must be made public.<sup>54</sup>~~
- ~~704.2.3 Appeals of violation assessment shall follow the Supreme Court trial procedures for appellate jurisdiction as outlined in the Supreme Court Rules of Procedure.~~
- ~~704.2.4 Should a candidate or ticket be removed by the Election Rules Commission and not have time to appeal the decision prior to the official voting days for a General Election or Run-Off Election then the candidate or ticket will continue to campaign.~~

<sup>49</sup> SB [S] 54-017 Revises title of Chapter 704

<sup>50</sup> SB [S] 54-017 Renames sub-section

<sup>51</sup> SB [S] 54-017 Amends this clause

<sup>52</sup> SB [S] 54-017 Amends this clause

~~<sup>53</sup> SB [S] 54-017 Adds "against a candidate or ticket"~~

~~<sup>54</sup> SB [S] 53-008 adds this clause~~

## Special Elections

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### 705.1 Interim Elections

- 705.1.1 The Senate may only call for an Interim Election through a supermajority vote of the Senate.
- 705.1.2 The Senate may not hold an Interim Election unless the total number of filled Senate seats falls below (85%) of the total number of allotted seats.
- 705.1.3 The total number of vacant seats shall be determined by the Senate President Pro Tempore in conjunction with the Advisor and made prior to the onset of the Interim Elections.
- 705.1.4 Upon announcement of an Interim Election, the officers of the Election Rules Commission will meet to draft a plan for the specifics of the election.
- 705.1.5 An Interim Election may only call for a Senatorial Election.
- 705.1.6 No part of an Interim Election may be held during Spring Break, Winter Break, or any University Holiday.
- 705.1.7 There must be an Election Rules Commission for an Interim Election to be called.

### 705.2 Recalls

- 705.2.1 A Recall election may be called at any time during an academic semester and will be handled by the Student Government Advising, Training, and Operations Bureau with the assistance of the Election Rules Commission.
- 705.2.2 Upon announcement of a Recall Election, the officers of the Election Rules Commission will meet with the Student Government Advising and Training Office to draft a plan for the specifics of the election.
- 705.2.3 Any student enrolled at the University of South Florida, Tampa Campus, can initiate a recall petition in accordance with the Student Body Constitution.
- 705.2.4 The current Student Body President and Vice-President, as well as members in a college of the current Senate, are the only people who can be subjected to a Recall election, as outlined in the Student Body Constitution.<sup>55</sup>
- 705.2.5 The Recall election shall be held no later than three (3) weeks after the individual has submitted all appropriate materials necessary to hold a recall election to the Student Government Advising, Training, and Operations Bureau.
- 705.2.6 The official ballot shall state the name of the Student Government Office in question followed by, in no more than 200 words, the reasons for demanding recall as set forth in the recall petition.
- 705.2.7 The official ballot shall also include a rebuttal from the elected official(s)<sup>56</sup> being recalled. This rebuttal shall not be longer than 200 words.
- 705.2.8 The reasons for the recall and the rebuttal shall be made public and accessible to all students prior to the Recall Election.

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<sup>55</sup> SB [S] 54-017 Adds this clause

<sup>56</sup> SB [S] 54-017 Amends "elected official(s)"

- 705.2.9 A majority of the votes cast in favor of the removal of the elected official(s) shall lead to their removal.<sup>57</sup>
- 705.2.10 The Student Government Advising, Training, and Operations Bureau shall be responsible for certification of the election within one (1) business day of the close of the election.

### 705.3 Student Referendum<sup>58</sup>

- 705.3.1 Any student enrolled at the University of South Florida, Tampa Campus, can call for a Student Referendum in accordance with the Student Body Constitution.
- 705.3.2 Should a student acquire the necessary signatures to get the Student Referendum on the ballot then the Referendum may be proposed to the Student Body at the next Mid-Term or General Election held within the Fall and Spring academic semesters.
- 705.3.3 To be authorized by the Supreme Court to be placed on the ballot, the Student Referendum shall be sent to the Supreme Court for a review of constitutional conformity.
  - 705.3.3.1 If passed through the constitutional conformity review, the Student Referendum as written shall be placed on the ballot.
- 705.3.4 The official ballot shall state verbatim the Student Referendum as submitted by the student, and authorized by the Supreme Court.
- 705.3.5 The official ballot shall also include a statement explaining the reason for bringing forth the Student Referendum.
- 705.3.6 The deadline for the Student Referendum to be submitted to the Election Rules Commission shall be twenty (20) business days prior to the election in which it will be voted on.
- 705.3.7 The Referendum as well as the reason for bringing forth the Referendum shall be made public and accessible to all students on the Student Government website at least five business days prior to the election in which it will be voted on.
- 705.3.8 A majority of the votes cast in favor of the Student Referendum shall constitute the non-binding approval of the Student Referendum by the Student Body.

### 705.4 Student Government Referendum<sup>59</sup>

- 705.4.1 Any Officer of Student Government may submit a Referendum during any academic semester to the Student Government Senate.
- 705.4.2 The Student Government Referendum must be given to the Senate President forty-eight (48) hours in advance of the Senate meeting at which it is to be presented.
- 705.4.3 The Student Government Referendum must pass by a simple majority vote of the Senate and be signed by both the Senate President and the Student Body President in order to be placed on the ballot to be voted upon by the Student Body at the next Mid-Term or General Election held within the Fall and Spring academic semesters.

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<sup>57</sup> SB [S] 54-017 Amends this clause

<sup>58</sup> SB [S] 54-017 Amends sub-section under "Student Referendum"

<sup>59</sup> SB [S] 54-017 Amends this section



**705.4.4** To be authorized by the Supreme Court and be sent to the Senate, the Student Government Referendum shall be sent to the Supreme Court for a review of constitutional conformity.

**705.4.4.1** If passed through the constitutional conformity review, the Student Government Referendum as written shall be placed on the ballot.

**705.4.5** The official ballot shall state verbatim the Student Government Referendum as submitted by the officer and approved by the Senate.

**705.4.6** The official ballot shall also include a statement explaining the reason for bringing forth the Student Government Referendum.

**705.4.7** The deadline for the Student Government Referendum to be submitted to the Election Rules Commission shall be fifteen (15) business days prior to the election in which it will be voted on.

**705.4.8** The Referendum as well as the reason for bringing forth the Referendum shall be made public and accessible to all students on the Student Government website at least five (5) business days prior to the election in which it will be voted on.

**705.4.9** A majority of the votes cast in favor of the Student Government Referendum shall constitute the non-binding approval of the Student Government Referendum by the Student Body.

## **705.5 Constitutional Amendments<sup>60</sup>**

**705.5.1** Any student may propose a Constitutional Amendment. The Amendment must be approved by a supermajority vote of Senate and be signed by both the Senate President and the Student Body President before being placed on the ballot to be voted upon by the Student Body at the next Mid-Term or General Election held within the Fall and Spring academic semesters.

**705.5.2** The deadline for the Constitutional Amendment to be submitted to the Election Rules Commission shall be fifteen (15) business days prior to the election in which it will be voted on.

**705.5.3** Constitutional Amendments shall be made public and accessible to all students on the Student Government website, with an explanation of what is being proposed, at least five business days prior to the election in which it will be voted on.

**705.5.4** The official ballot shall state the proposed amendment to the Student Body Constitution to be voted on by the Student Body.

**705.5.5** If a majority of the votes cast are in favor of the Amendment, then the Amendment shall be adopted.

## **705.6 Selection of Last Resort**

**705.6.1** If the processes aforementioned in Title VII cannot select an official and sworn President and Student Body Vice President within ten business days before<sup>61</sup> the Spring Commencement, then the Student Senate of the previous term shall select from the certified pool of Campaign Tickets a joint Presidential and Vice-Presidential ticket to be the President and Vice-President.

<sup>60</sup> SB [S] 54-017 Amends this section

<sup>61</sup> SB [S] 54-017 Clarifies deadlines in election process

- 705.6.2** The Selection of Last Resort shall occur, even if there is pending litigation or dispute.
- 705.6.3** If the President and Student Body Vice-President have been selected by Selection of Last Resort, then they shall be subject to a Student Body vote of confidence in the next Mid-Term Election.
- 705.6.4** Should the President and Student Body Vice-President be removed by a vote of confidence (2/3rds +1 of the electoral vote “no-confidence”), then the Order of Succession shall determine the new officers and a Special Election shall take place four weeks after the Mid-Term Election and shall be governed similar to the General Election, except that dates mentioned in the General Election statute shall be modified to reflect the Special Elections date and time.

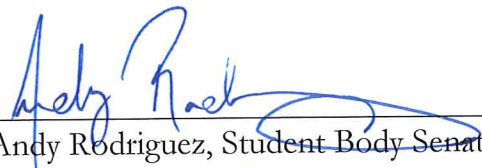
## **705.7 Expedited Elections**

- 705.7.1** Only the Supervisor of Elections and the Student Government Supreme Court can call for Expedited Election.
- 705.7.2** Upon announcement of an Expedited Election, the officers of the Election Rules Commission will meet to draft a plan for the specifics of the election.
- 705.7.3** All paperwork submitted by candidates and tickets to the Election Rules Commission shall remain in effect.
- 705.7.4** An Expedited Election may call for a Presidential/Vice-Presidential race, a Senatorial race, or both.
- 705.7.5** Officers of the Election Rules Commission may be subject to impeachment for decisions made during an Expedited Election.
- 705.7.6** No part of an Expedited Election may be held during Spring Break, Winter Break, or any University Holiday.
- 705.7.7** An Expedited Election must be completed by the last day of Spring classes.

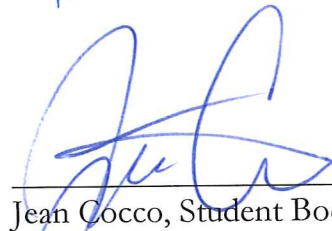
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Andy Rodriguez, Student Body Senate President

9/18/14  
Date

  
Jean Cocco, Student Body President & Trustee

9/23/14  
Date

### SB [S] 55-012

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Sponsor: Abdool Aziz, Senate President Pro-Tempore  
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Committee Action: Acclimation  
First Reading: September 2<sup>nd</sup>, 2014  
Second Reading: September 9<sup>th</sup>, 2014  
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