



## The University of West Florida Student Government Association

Legislation: 13-14 B VIII

The Campaign Finance Act

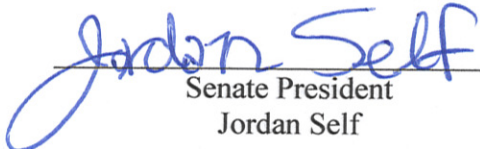
Authors: Carlos Sosa

Sponsors: Brandon McCaffery  
Daniel McBurney

See attached

University of West Florida Student Body Statutes.

First Reading : <u>Pass</u>	Second Reading: <u>Pass</u>
Yes: <u>24</u>	Yes: <u>23</u>
No: <u>1</u>	No: <u>0</u>
Abstain: <u>0</u>	Abstain: <u>2</u>

  
Senate President  
Jordan Self

Be it known that Student Government 13-14 B VIII is hereby signed on 12/12/2013

Pass: X Veto: \_\_\_\_\_

  
Student Body President  
Chris Hill

**Legislative Intent**

This Bill seeks to increase “per candidate” election spending from \$500 to \$750; and  
Increase “per ticket” election spending from \$1000 to \$1500; and  
To refer to monetary sums in a consistent manner.

## **TITLE IV: THE STUDENT BODY ELECTION CODE**

### **Chapter 400: The Election Commission**

400.1 The Election Commission shall be responsible for all Student Government Elections.

400.2 The Election Commission members and appointments:

- A. The Election Commission shall be composed of at least five members, appointed by the President and confirmed by the Senate. These members may not be a candidate.
- B. The Supervisor of Elections must be appointed by the first senate meeting in January. The remainder of the Election Commission must be appointed by the last senate meeting in January. The Election Commission appointees must be confirmed by a majority vote of the Senate.
- C. All Election Commissioner appointees not confirmed by said time requirements, in 400.2 B, must be confirmed by a two-thirds vote of the senate.

400.3 Qualifications of the Election Commission

- A. No member of the Election Commission shall be actively involved with any campaign for elective office in any partisan way or manner during membership on the commission.

400.4 Duties of the Election Commission

- A. Rule on the qualifications of candidates, which shall occur within two school days after filing. The Election Commission shall ensure that the candidates meet all qualifications necessary. The Election Commission shall provide the Student Government Association office with a current list of all eligible and ineligible candidates.
- B. Organize a public forum after close of filing to allow candidates an opportunity to speak to the Student Body.
- C. Arrange for the main polling places in the Commons, building 22. Provide electronic ballots, computer terminals for voting online and other items necessary for the proper, efficient, and legal completion of elections.
- D. Appoint nonpartisan poll workers.
- E. Be responsible for the enforcement of all rules and regulations of the elections code

- F. Provide election package to each candidate at time of filing, and establish dates and times to hold candidate meetings in which the campaign rules will be explained to the candidates and discussed.
- G. Advertise filing for elections and election dates.
- H. The Election Commission shall provide a packet that includes at least an application, important dates pertaining to the election, endorsement form, and Title IV.

#### 400.4 Duties of the Supervisor of Elections

- A. Provide, prior to each election, training for poll workers in their duties and responsibilities in the operation of the polls.
- B. Provide adequate information concerning elections to the Voyager prior to and following each election.
- C. Hold election committee meetings to verify the validity of Election Code violations. The Supervisor of Elections may only vote in case of a tie.
- D. To ensure that the Election Commission fulfills all responsibilities and duties.
- E. Shall be responsible for obtaining expense statements from all elected candidates as defined in 408.2.
- F. Oversee public inspection of election ballots.

#### Chapter 401: Officers to be Elected

##### 401.1 The following positions shall be elected in the Student Body Elections during Spring Semester.

- A. The President, Vice President, Treasurer, Senate President, Emerald Coast , Emerald Coast Senate President, and all Senate positions will be elected by a majority of votes.
- B. Senate positions will be elected based on representation from each college.
- C. Number of senate positions for each college will be determined by the Supervisor of Elections and SGA advisor at least two weeks prior to filing opening.

- D. Emerald Coast Senate designated campus positions shall be elected by a plurality of the votes cast for the designated Emerald Coast representative seat. The Emerald Coast at large positions shall be filled by the candidates who received a plurality of votes that have not already filled a designated campus position. See Title IX Chapter 906.

#### Chapter 402: Special Elections

##### 402.1 Constitution Amendment Referendum

- A. The Elections Commission shall conduct Constitutional Amendment Referenda upon request of a two-thirds vote of the Senate, or upon receipt by the Elections Commission of a student body petition as prescribed by Article VIII of the Constitution.
- B. The official ballot for the Constitutional Amendment Referenda shall, for referenda initiated by the Senate, list the number of the Senate Bill proposing the Constitutional change and the nature of the change. Voters shall vote "Yes" or "No" on the change.
- C. Complete copies of constitutional amendments are required to be on the official ballot. In changes made in existing Constitutional provisions, both the existing sections and proposed amendments shall appear on the ballot.

##### 402.2 Referendum Elections

- A. Referendum Elections shall be conducted by the Elections Commission upon receipt of a student body petition as prescribed by Article VII and Article VIII of the Constitution.

##### 402.3 Recall Elections

- A. The official ballot shall state the name of the official in question. Voters Shall vote "Yes" or "No" on the recall. A sample ballot shall be available at each polling place as prescribed by Article X of the Constitution.
- B. If a majority of the students voting in the Recall Election recall the official, their term of office shall cease upon certification of the election results by an Elections Commission. The vacancy created shall be filled as proved by the Student Body Constitution and Statutes.

#### Chapter 403: Election Process

- 403.1 The Spring Election shall take place the second week (on Tuesday and Wednesday) following Spring Break. Voting shall be held on the Tuesday and Wednesday after filing closes for two consecutive days, and voting shall begin at 8:00 a.m. Tuesday

and end at 8:00 p.m. Wednesday.

403.2

The Elections Commission shall conduct Spring Elections according to the following schedule:

- A. Campaigning is defined as active promotion of one's candidacy through publications and marketing material as well as public appearances and/or presentations. This does NOT include informal conversations or the use of social media (such as Facebook, Twitter, YouTube, etc.)
- B. Campaigning shall begin only after the candidate has filed and been cleared by the Election Commission and attended a mandatory candidate meeting.
- C. A student may change office for which he has become a candidate anytime prior to the closing date of filing. No student may be a candidate for more than one office, whether elected or appointed, at a given time.
- D. A candidate may withdraw at any time during the election process.
- E. Counting electronic ballots may begin no sooner than the closing of the polls at the end of the elections.
- F. Any paper ballots will be cross checked by the Assistant Dean of Students against students who filled out an electronic ballot and a registered student list to determine if they are eligible. Any paper ballots that are ruled eligible will be manually added to the final vote count.
- G. The runoff election shall take place on Tuesday after the last election day, pending appeals.

#### Chapter 404: Filing for Candidacy

404.1

No student shall be placed on the official ballot who has not properly filed for candidacy, been checked and cleared for good standing, attended a mandatory candidate meeting, signed a statement of understanding, and turned in the appropriate number of endorsements.

#### Chapter 405: Ruling on Candidate Qualifications

405.1

The SGA office staff shall investigate the qualifications of candidates and will reject unqualified applications within two school days after filing.

#### Chapter 406: Election Appeal



406.1 The aggrieved candidate shall submit a written request for appeal to the Chief Justice through the Dean of Students Office within two school days of the contested decision of the Election Commission ruling regarding an election violation.

406.2 For election appeals, the Student Supreme Court may only choose to hear appeals from candidates regarding rulings of the Election Commission on election violations.

Chapter 407: The Official Ballot Form

407.1 The official ballots for the online voting portion of the election process for each candidate shall be displayed in an alphabetical setting configured by ITS. The names shall be in the same form as requested on the application at the time of filing for candidacy.

407.2 A link to biographic information and a picture of candidates shall be provided to voters if the candidate submits in accordance with restrictions and deadlines set by the Election Commission.

Chapter 408: Campaign Expenses, Contribution, and Expense Infractions

408.1 Campaign Expenses

- A. Campaign contributions are defined as the giving or furnishing of money, material, or supplies to any campaign or in the furtherance of any campaign, by any person or organization.
- B. Campaign expenses are defined as the retail market value of campaign material or services including, but not limited to, posters, handbills, cards, banners, postage, public address apparatus, car tops, commercial media, advertising, etc. employed for campaigning for office.
- C. Campaign expenses shall include:
  - 1. Cash expenditures, defined as the spending of money for the purpose of campaigning for office.
  - 2. Gifts, defined as the receipt of anything of marketable value for the purpose of campaigning, and including but not limited to, discounts on campaign materials or professional services.
- D. Expenditures of candidates including cash spent, debts incurred and gifts received shall not exceed ~~\$500.00~~ \$750.00 per candidate. The Presidential and Vice Presidential ticket may spend up to ~~\$1000.00~~ \$1500.00 total.
- E. Runoff Elections are considered a separate election and are allowed

expenditures not to exceed ~~two hundred dollars~~ \$200.00.

#### 408.2 Expense Statements

- A. All candidates must provide an expense statement, which shall be submitted to the Election Commission before the closing of the polls; such statements shall become public information. Expense statements shall include an itemized statement of all campaign expenditures based on the retail market value and shall be signed by the candidate even if no expenses were incurred. In case of a runoff election, expense statements for any additional expenses shall be submitted to the Election Commission before the closing of the runoff election polls.

#### Chapter 409: Regulations of Campaigning

- 409.1 Campaigning is defined as active promotion of one's candidacy through publications and marketing material as well as public appearance and/or presentations. This does NOT include informal conversations or the use of social media (such as Facebook, Twitter, YouTube, etc.)
- 409.2 All campaign materials must contain the dates of elections.
- 409.3 Campaign posters no larger than 8 ½ x 14 may be placed on Student Activities' Bulletin Boards in accordance with Student Activity policies. Campaign posters may also be placed on non-Student Activity Boards, with the consent of the department. Candidates shall be limited to one piece of publicity per Student Activities bulletin board.
- 409.4 Only one campaign sheet per candidate or ticket may be hung in the Great Hall of the Commons.
- 409.5 Materials disseminated in residence halls and the Village Apartments must be submitted to the Office of Housing prior to being received by residents. All literature must be in accordance with housing regulations. Residents in the dorms may post materials on their own dorm room only.
- 409.6 There shall be no writing, printing, or publicity of any type on windows, painted surfaces inside building, exterior of buildings, or trees, with the exception of campaign sheets which may be strung between trees provided they are in accordance with stipulations set by the Student Activities Office. Writing on sidewalks only with chalk shall be allowed as a form of publicity. It is prohibited to place materials on top of materials that are already posted. Removal of any material other than your own is not allowed. All material used in campaigning must be removed two days after the election.
- 409.7 Letters to the editor of the Voyager are permissible, subject to the stipulations set by



the Voyager.

- 409.8 All reservations for campaigning must be filed under SGA and must follow all University, UCSA, and Reservation policies.
- 409.9 To post material on private property, candidates must obtain the consent of the property owner or manager. Publicity may be placed on vehicles with the owner's permission.
- 409.10 Candidates are responsible for their own campaign materials and for any violations of the campaign rules, committed by themselves or their campaign workers.

#### Chapter 410: General Election Procedure

##### 410.1 Polling Procedure

- A. All registered students are eligible to vote.
- B. The Election Commission shall supervise the placement of nonpartisan signs announcing the election.
- C. The main polling place shall be in front of the Nautilus market in the Commons Concourse, Building 22. There shall be no active campaigning within 50 feet of the polling station on election days. Poll workers have the right to remove anyone from the poll station.
- D. Bands and loud speakers for candidates or parties shall not be allowed within two hundred feet of the polls during polling hours.
- E. There shall be no proxy voting which is defined as voting on behalf of another student, even with their permission.
- F. Voters shall be entitled to vote in privacy, as long as they remain in sight of the poll workers.
- G. Students may vote from any computer that is capable of access to the My UWF system at the University of West Florida. The main polling area in the Commons, Building 22 will serve the students that do not or cannot get access to any other computer but will be available from at least 10:00 am to 5:00pm Tuesday and Wednesday. Additional polling stations and extended hours shall be determined at the discretion of the Election Commission.
- H. Poll workers shall not be a candidate or involved with any campaign.

- I. Ballots shall be verified by the Dean of Students, the Assistant Dean of Students or an appointed designee.

Chapter 411: Installation and Assumption of Office

- A. Installation ceremonies for those elected shall be held the third to last Senate meeting of the spring semester pending all appeals.

Chapter 412: Violation of the Student Body Election Code

412.1 Any candidate that is involved in actions to perpetuate a fraudulent election such as tampering with the election machinery, proxy voting/casting more than one ballot, excessive negative/slandorous campaigning, falsifying expense statement, tampering with another candidates materials, exceeding the expense limit, failure to file an expense statement with the Elections Commission, or buying/selling of votes may be immediately disqualified.

412.2 Any violation of the campaign rules, University of West Florida Policies and Procedures, or rules set forth and deemed necessary by the Election Commission not listed above may merit disqualification at the discretion of the Election Commission.

412.3 Pending Appeals

- A. During the period between disqualification of a candidate and installation of a certified candidate, the incumbent of the office for which the winning candidate was disqualified shall remain in office. Should the incumbent be unable or unwilling to fulfill the duties of the office, the President or designated SGA member by the SGA advisor shall fill the vacancy by appointment and confirmed by a two-third vote of the senate.

Chapter 413: Amendment of Student Body Election Code

- A. The Student Senate shall be prohibited from passing on final reading, changes to any section of Title IV of the Student Body Statutes in the four weeks prior to the filing date for Student Body Elections.