



Senate Bill 24-05

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Sponsored by Senator Will Burgess, the School of Public and International Affairs

The elections code shall be amended so that it reads as follows:

Elections Code

CHAPTER 700: PURPOSE and DEFINITIONS

700.1 This Code shall be the governing document in regards to all aspects of the elections process for the Student Government Association of the University of Georgia.

700.2 “Active Campaigning”

- a. Active Campaigning is to be defined as verbal or physical interactions taken by a candidate, senate party, executive ticket, or any campaign staff member in an attempt to persuade voters to support chosen candidate(s), ballot measures, or any other issue/idea related to any entity pertaining to an SGA election.
- b. Active Campaigning includes, but is not limited to, passing out handbills, phone calls, wearing t-shirts, buttons, etc.

700.3 “Passive Campaigning”

- a. Passive Campaigning is to be defined as non-verbal, non-physical interactions that attempt to persuade voters toward a certain cause or candidate.
- b. Passive Campaigning includes, but is not limited to, Facebook profile pictures, signs left in place, etc. Attempting to draw attention to these items, however, constitutes active campaigning.

700.4 “Endorsement”

- a. Endorsement is to be defined as a candidate or party receiving the support of a member of the SGA, a registered student organization, a senate party, an entity with no relation to the University, or an individual acting alone through a signed agreement on a document entitled “endorsement form”. In order for the endorsement to be valid, the form must be submitted to the Elections Committee. The Elections Committee shall distribute endorsement forms to each candidate, senate party, or executive ticket when each becomes eligible for campaigning.

- b. Support, as mentioned in 701.3 (a), is defined by financial contributions, word of mouth, inclusion in newsletters, listserv emails, additional promotional materials or, but not limited to website promotions.
- c. Executive tickets may not endorse any senate party and no senate party may endorse any executive ticket.
- d. Senate parties may endorse other senate parties so long as neither party is in competition for the same seat.

700.5 The Elections Committee has the right to clarify the definition or interpretation of the listed definitions or any additional terms through written communication with the candidates or parties. The Election Committee will further distribute such clarification to every candidate or party.

CHAPTER 701: REQUIREMENTS FOR OFFICE

701.1 Presidential Candidates

- a. Must be registered as a full-time student as defined by the President's degree or program of study and must have an institutional G.P.A. of at least a 2.75 on a 4.0 scale prior to the start of the campaign period.
- b. Shall run as an executive ticket with the Vice President and Treasurer.
- c. Shall, as an individual, submit a petition with 200 signatures from any registered student.
- d. Shall be elected by the student body in a secret ballot no later than April 30th.
- e. May serve no more than two terms as either President, Vice President, or Treasurer.
- f. Must be capable of fulfilling obligations of the office during the summer term.

701.2 Vice Presidential Candidates

- a. Must be registered as a full-time student as defined by the Vice President's degree or program of study, and must have an institutional G.P.A. of at least a 2.75 on a 4.0 scale prior to the start of the campaign period.
- b. Shall run as an executive ticket with the President and Treasurer.
- c. Shall, as an individual, submit a petition with 200 signatures from any registered student.
- d. Shall be elected by the student body in a secret ballot no later than April 30th.
- e. May serve no more than two terms as either President, Vice President, or Treasurer.
- f. Must be capable of fulfilling obligations of the office during the summer term.

701.3 Treasurer Candidates

- a. Must be registered as a full-time student as defined by the President's degree or program of study and must maintain an institutional G.P.A. of at least a 2.75 on a 4.0 scale.
- b. Must be registered as a full-time student as defined by the Treasurer's degree or program of study, and must have an institutional G.P.A. of at least a 2.75 on a 4.0 scale prior to the start of the campaign period.
- c. Shall run as an executive ticket with the President and Vice President.
- d. Shall, as an individual, submit a petition with 200 signatures from any registered student.
- e. Shall be elected by the student body in a secret ballot no later than April 30th.
- f. May serve no more than two terms as either President, Vice President, or Treasurer.
- g. Must be capable of fulfilling obligations of the office during the summer term.

701.4 Senatorial Candidates

- a. Senators shall be elected from each of the individual schools and colleges of the University of Georgia in proportion to the student enrollment within the school or college using the formula of one Senate seat for every one-thousand students enrolled, or a portion thereof, and one Senate seat for any school or college with less than one-thousand enrolled.
- b. One Graduate Senator shall be elected per every two-thousand graduate students.
- c. Senators must be registered as full time students as defined by their degree or program of study and must have an institutional G.P.A. of at least a 2.75 on a 4.0 scale prior to the start of the campaign period.
- d. Senators must be enrolled in the school or college in which they stand for election.
- e. If a Senator ceases to be enrolled in a class in the school or college he or she was elected to represent, then he or she will be up for review by the Supreme Court.
- f. Shall submit a petition of signatures with the lesser of 100 or 10% of the students enrolled in the school or college in which they stand for election.
- g. Senators can serve unlimited terms following each annual election that they successfully win.

701.5 No cross-filing for any two offices is allowed.

701.6 Only students enrolled in classes at the Athens campus of the University of Georgia are eligible to run for office in this Student Government Association.

CHAPTER 702: ELECTIONS TIMELINE

702.1 Shall be the official timeline of the elections process, detailing all deadlines and restrictions outlined in the Elections Code.

- 702.2 Shall be set by the Elections Committee during the Fall semester for the Spring elections.
- 702.3 Shall be approved by a two-thirds vote of Senate no later than the first Senate meeting of the Spring semester.
- 702.4 Shall be distributed to all candidates at the Candidate Seminars.
- 702.5 After passage of the timeline by the Senate, the Elections Committee shall have the power to amend the timeline as needed. The Attorney General must communicate any amendments approved by the Elections Committee to the Senate and any other outlets deemed appropriate within three school days of passage.

CHAPTER 703: CANDIDATE SEMINARS AND EXECUTIVE SEMINARS

- 703.1 At least one Candidate Seminar shall be held during each week of limited campaigning. There will be no Candidate Seminar during the final week of campaigning. The exact time and place shall be determined within the Elections Timeline and announced by the Elections Committee no later than the date on which elections paperwork is released.
- 703.2 It is the duty of the Elections Committee to use the Candidate Seminar to inform potential candidates of all policies within the Elections Code, as well as presenting the Elections Timeline and answering any questions candidates might have.
- 703.3 Executive Seminar
- a. The Executive Seminar shall be held preceding each Candidate Seminar. The exact time and place shall be determined within the Elections Timeline and announced by the Elections Committee no later than the date which the election paperwork is released.
 - b. The Elections Committee and a sitting Student Government Association executive officer shall be responsible for thoroughly informing Executive Candidates of their duties of office.
 - c. Failure of an individual candidate to attend the Executive Seminar shall result in disqualification to run.
 - d. Executive Candidates are still required to attend the Candidate Seminar.
- 703.4 Candidate Absence Policy
- e. Any candidate who is unable to personally attend or send an agent to the Candidate Seminars shall contact the Chair of the Elections Committee prior to the meeting and report their reason for absence.
 - f. Any candidate who fails to attend a candidate seminar, personally, by agent, or who fails to contact the Chair, will not have his or her name printed on the ballot.
- 703.5 The Use of Agents

- a. A candidate may send an agent to represent them at a Candidate Seminar.
- b. Any person claiming to be an agent of a candidate shall be required to show written verification, signed by the candidate, identifying the person as an agent.

703.6 Staff Absence Policy

- a. It is recommended that all campaign staff attend a Candidate Seminar in addition to the candidates.
- b. If a staff member cannot attend a Candidate Seminar, he/she does not need to notify the Attorney General or send an agent; however, he/she will be held responsible for knowing all Elections Code policies and adhering to them.

CHAPTER 704: FILING OF REQUIRED DOCUMENTATION

704.1 Statement of Intent

- a. All candidates shall file a statement of his or her intention to run for office with the Elections Committee.
- b. The Statement of Intent shall be distributed by the Elections Committee and shall include the candidate's name, current address, phone number, e-mail address, position for which he or she shall stand for election, names of any individual campaign staff, staff phone numbers, and staff e-mail addresses.
- c. All candidates shall sign a grade release statement enabling the Elections Committee to check grade qualifications of the candidates.
- d. A candidate may change the office he or she seeks to run for up until the close of the filing period at which time changes will be prohibited.
- e. Staff may be added or removed by the candidate until the close of the filing period at which time modifications will be prohibited.
- f. If the Statement of Intent is submitted online, an electronic confirmation will be sent to the candidate; if no confirmation is received, it is the responsibility of the candidate to notify the Attorney General of the issue.

704.2 Senator Party Affiliations

- a. Any group of senators who choose to form a senator party (herein after referred to as party) shall submit a party affiliation form as provided by the Elections Committee.
- b. The Party Affiliation Form shall include the party's name, list of all senatorial candidates in the party and their associated positions, and any party-wide staff.
- c. Candidates and staff may be added or removed from the party until the close of the filing period at which time modifications will be prohibited.

- d. Parties may only be composed of students from within the school for which they are running.
 - e. Parties may only submit one name for every position available within each school. No party will have more candidates than available seats for each school. Additionally, no party shall exceed eight candidates.
 - f. A candidate cannot appear on more than one Party Affiliation Form.
 - g. A party may not include an executive ticket.
 - h. A party may not endorse an executive ticket.
 - i. A party running in one school or college may endorse another party running for seats in a different school or college. A party may not endorse another party running for seats within the same school.
- 704.3 A prospective candidate may request the identity of any other students who have already filed for any office or position at any time.
- 704.4 Any tampering of election documents will result in the disqualification of the tampering person or the candidate they represent.
- 704.5 Candidates will be notified of eligibility following the filing deadline, before any scheduled debate.
- 704.6 Any organization, person, or party giving an endorsement must complete and file the Endorsement Form provided by the Elections Committee.

CHAPTER 705: CAMPAIGNS

- 705.1 The campaign period will be set by the Elections Committee.
- 705.2 Campaigning may begin for candidates and parties after they file all necessary documents, attend a candidate seminar, and are notified of eligibility by the Elections Committee.
- a. If a candidate or party is granted eligibility during the first week of candidate seminars, passive campaigning, and passive campaigning alone will be allowed for the remainder of that week.
 - b. If a candidate or party is granted eligibility during the second week of candidate seminars, or if eligibility was previously granted, active campaigning is allowed for up to two days for that second week.
 - c. If a candidate or party is granted eligibility during the third week of candidate seminars, or if eligibility was previously granted, active campaigning is allowed for up to three days for that third week.
 - d. Full campaigning is allowed beginning the Sunday after the final week of three weeks of candidate seminars until voting has concluded.

- e. The Elections Committee may determine the specific days on which campaigning is allowable.

705.3 Restrictions on Campaign Expenses

- a. Individual executive tickets may spend a maximum of \$1500 on their campaign.
- b. Individual candidates for Senate may spend a maximum of \$150 on his or her campaign.
- c. Senate Parties may spend a maximum amount based on the sum of \$100 for every candidate seeking a Senate seat.

705.4 Restrictions on Campaign Materials

- a. All campaign materials must be approved by the Elections Committee prior to use.
- b. Only approved postings may be posted.
- c. If an individual candidate, senate ticket, or executive ticket wishes to alter any respective posting after its approval, the Elections Committee must also approve the new changes.
- d. All postings within the UGA campus must abide by the UGA Campus Promotion Guide, Computer Use Policy, Housing policies, Food Services policies, and any other applicable code of a UGA governing body.
- e. If no decision is made within twenty-four hours by the Elections Committee as to the approval of a submitted posting, then it is automatically approved.
- f. A link to all applicable codes must be made available on the Student Government Association "Elections" website prior to the Candidate Seminar.
- g. Each candidate is responsible for seeing that his or her postings are removed by 5:00 p.m. the day following the announcement of the election results.
- h. If a candidate is involved in a run-off, he or she need not remove his or her postings until the day following the announcement of the run-off results

705.5 General Regulations

- a. No person other than a member of the Elections Committee, the respective candidate, or member of the respective candidate's staff or party shall willfully destroy, deface, obscure, move, or remove postings.
- b. The Elections Committee shall only handle campaign materials in the case of a violation of this Elections Code and shall alert the respective candidate within one business day.
- c. No candidate or any individual working on a campaign may malign or damage the character of another candidate, staff member, or Elections Committee member.

- d. No candidate or any individual working on a campaign may publicly state any false or misleading information about a candidate, staff member, Elections Committee member, or party.
- e. Chalking and all other forms of defacing University property are prohibited.
- f. Candidates and staff may not distribute campaign materials in campus dining areas.
- g. Door-to-door campaigning in residence halls is prohibited.
- h. Hand-distributed campaign materials must be distributed person-to-person and may not be placed in any central location for pick-up by voters.
- i. Candidates may not hand out campaign materials inside university buildings.
- j. No candidate shall claim to be endorsed by any individual or organization, other than a party, unless the candidate has secured a written statement of endorsement from the endorsing individual or organization and has presented it to the Elections Committee via the provided Endorsement Form.
- k. When a candidate is being interviewed by media outlets (i.e. all print media, television, and online venues), it is his/her responsibility to state any party affiliation and position within the party.

705.6 Executive Ticket Regulations

- a. An executive ticket shall run independently of senator candidates.
- b. An executive ticket shall not endorse any candidate for senator.

705.7 Campaigning Outside of Campus

- a. Any campaign materials posted on public property in Athens-Clarke County are subject to its own laws and policies, along with this Code.
- b. In order for candidates to post campaign materials on private property, they must first obtain written consent from the owner of the property and follow all applicable policies of the governing body that has jurisdiction over that property.

705.8 Debates

- a. The Elections Committee shall set a time and place for the Executive Debate. The debate is to be held during the period that polls have opened for voting.
- b. Attendance at the debate is mandatory for all respective candidates on an executive ticket.
- c. If an executive ticket candidate is unable to attend the debate, it is his/her responsibility to make arrangements to participate via any form of communication deemed acceptable by the Attorney General.
- d. The Elections Committee shall determine the format of the debates.

- e. It is the responsibility of the Elections Committee to publicize the Executive debate through relevant local media outlets.
- f. Candidates for office may organize their own debates between either executive tickets or Senate candidates; such debates are not subject to the rules or format of the debate hosted by the Elections Committee.

705.9 Responsibilities of Campaign Staff

- a. All individuals who are actively representing an individual or party are considered to be staff and must be registered with a Statement of Intent or Party Affiliation.
- b. Candidates and parties are responsible for the actions of their staff.

705.10 Campaign Liaison

- a. Each party will be responsible for establishing one member to be the Campaign Liaison.
- b. All individual complaints within the party must be sent to the Liaison, who will be the only member allowed to submit an official complaint to the Elections Committee.
- c. The Liaison may represent a candidate or staff member of he/she is unable to attend a scheduled hearing.

CHAPTER 706: ELECTIONS

706.1 Elections Period

- a. The elections shall be held on the last week of the campaign period.
- b. Candidates and staff shall respect the students' right to a secret ballot by not exerting any undue influence over a voter.
- c. The Elections Committee shall supervise the elections and be available for assistance and ruling in any and all matters during the elections process.
- d. Copies of the official enrollment numbers for the University of Georgia shall be obtained by the Elections Committee from the Office of the Registrar at the beginning of the Spring semester to determine the number of Senate seats.

706.2 Voting

- a. Only individuals who are officially registered as students at the Athens campus of the University of Georgia may participate in Student Government Association elections.
- b. One person submitting a ballot using the identity of another student, regardless of the willingness of the student, is prohibited.
- c. The counting of votes shall be under the supervision of the Elections Committee.

706.3 Results

- a. Results of the election will be announced following the end of the elections period at a time specified by the Elections Committee within the Elections Timeline.
- b. The incoming President, Vice President, Treasurer, and members of Senate elected in the elections shall take office after the ratification of the elections results by the Student Government Association Senate, and before April 30th.
- c. A vote to ratify the elections results must be made in the first meeting of the outgoing Student Government Association after the receipt of the report of the Elections Committee by the Attorney General.
- d. If the Senate chooses not to ratify the results, then it shall instruct the Elections Committee to carry out remedies or conduct another election on a date which the Senate specifies.

706.4 Recount

- a. Any individual desiring a recount must petition the Elections Committee within twenty-four hours after the elections results are announced.
- b. All candidates involved in a recount shall be notified within twenty-four hours of the request.
- c. The recount shall be conducted by the Elections Committee within seven days of the request and must be done in the presence of two representatives of both parties.

706.5 Irregularities

- a. The Elections Committee shall have the power to withhold the certification and results of an election in which it finds substantial evidence that irregularities may have occurred and such irregularities may have influenced the outcome or results of the election.
- b. Notice of withholding results must be filed with Student Government Association Senate within three days of the conclusion of the election procedures in any election.
- c. The Elections Committee shall have three school days to investigate and rule on the irregularity.
- d. The Elections Committee may, if deemed necessary, call a new election to be held within the limits of this Elections Code at the earliest convenient time.

706.6 Run-off Elections

- a. A run-off between the top two tickets shall be held for the executive tickets when a ticket does not receive more than forty percent of the votes cast.
- b. The Elections Committee will set an appropriate date for the run-off election.

- c. In the case of a run-off election, the Financial Disclosure Form will not be due until 5:00 p.m. on the Monday following the run-off election.

CHAPTER 707: FINANCIAL DISCLOSURE

707.1 Candidates

- a. Each candidate is required to keep accurate and up-to-date records of all campaign receipts and expenditures.
- b. Contributions and expenditures of non-monetary assets shall be listed and valued at their fair market value.
- c. Each candidate shall be required to file a complete Financial Disclosure Form before midnight of the first day of the full campaign week; this form must be updated with an amendment no more than twenty-four hours after the results of the election are announced.
- d. Each candidate's financial records shall be available for public inspection.

707.2 Parties & Executive Tickets

- a. Each party and executive ticket is required to keep accurate and up-to-date records of all campaign receipts and expenditures for the party and associated party members and staff.
- b. Contributions and expenditures of non-monetary assets shall be listed and valued at their fair market value.
- c. Each party and executive ticket shall be required to file a complete Financial Disclosure Form before midnight of the first day of the full campaign week; this form must be updated with an amendment no more than twenty-four hours after the results of the election are announced.
- d. Each party's financial records shall be available for public inspection.

707.3 Any discrepancy of more than five percent between receipts provided and expenditures listed shall be considered a violation of this Elections Code and will result in a hearing before the Elections Committee and possible disqualification.

CHAPTER 708: REFERENDUMS AND CONSTITUTIONAL AMENDMENTS

708.1 Constitutional amendments, referendum issues, and other questions may be submitted to the student body at the same time as any election governed by this Code.

708.2 The Elections Committee, under instructions from the Student Government Association Senate, may call a special election while classes are in session during any fall and spring semester.

CHAPTER 709: TRANSITION

709.1 The Student Government Association transition period shall begin immediately following the announcement of the election results and will end with the swearing in of the new Student Government Association Executive Officers and Senators.

CHAPTER 710: OATH OF OFFICE

710.1 The President-Elect shall be administered the Oath of Office by the presiding Chief Justice of the Student Government Association at a time and date set by the Elections Committee, provided that this date is before April 30th.

710.2 The Vice President-Elect, Treasurer-Elect, Senators-Elect, and any appointed Constitutional officers shall be administered the Oath of Office by the new President of the Student Government Association.

CHAPTER 711: ELECTIONS COMMITTEE

711.1 The Elections Committee shall be formed in accordance with Article V, Section 6, Paragraph A of the Constitution of the Student Government Association of the University of Georgia.

711.2 Impartiality

- a. In the case where the Attorney General stands for election to an office or is otherwise deemed incapable of remaining impartial by the Elections Committee, he/she will be responsible for submitting a designee to the President of the Student Government Association to fulfill his/her duties on the Elections Committee.
- b. The designee must be approved by a two-thirds vote of the Student Government Association Senate.
- c. No voting member of the Elections Committee shall be a candidate for office in the Student Government Association while serving on the Elections Committee.
- d. No voting member of the Elections Committee shall assist with a campaign for office in the Student Government Association while serving on the Elections Committee.

711.3 Duties

- a. Shall interpret, execute, and enforce all election laws provided in this Elections Code.
- b. Shall supervise all campaigns by candidates and parties for Student Government Association office as well as elections related to referendum issues, proposed Constitutional amendments, and other questions appearing on the official ballot.
- c. Shall assess and execute the remedies and sanctions provided in this Elections Code if it finds violation of either provision's of this Code or Elections Committee rulings.
- d. May promulgate rules and regulations to the extent that they are necessary in providing an equal opportunity to all candidates during the whole election process.
- e. Shall have the authority to submit news items and election results to campus and community news disseminating organizations.

- f. Shall have the authority to reserve University facilities for events related to any election.
- g. Shall appoint a secretary, who shall take all minutes of meetings and hearings, and keep records of all opinions, rulings, and filings required of candidates under this Elections Code.

CHAPTER 712: ELECTIONS HEARINGS

712.1 Complaints

- a. The Campaign Liaison shall submit all complaints on behalf of candidates in a party and will be responsible for representing the candidate filing the complaint if he/she is unable to attend a hearing that ensues.
- b. Any individual candidate not running in a party will be responsible for attending a hearing that results from a complaint he/she files.
- c. The Elections Committee must act on all complaints within three school days after they are received by dismissing them or by calling a hearing.
- d. All hearings and sanctions must be completed within forty-eight hours after the announcement of the election results.

712.2 Dismissal

- a. May dismiss a complaint if the complaint was not filed within two school days of the conclusion of all election procedures.
- b. May dismiss a complaint if the Elections Committee lacks jurisdiction over the subject or a party in the dispute.
- c. May dismiss a complaint if the complaint fails to state a cause of action for which relief may be granted.
- d. May dismiss a complaint if the complaint is not registered in good faith and is primarily for the purpose of harassment.

712.3 Hearings

- a. Shall set the time and place of the hearing.
- b. Shall notify the involved parties of the time and place of the hearing.
- c. Shall be open to the public.
- d. Require at least three Elections Committee members to be in attendance with the chair presiding. In his or her absence, the responsibility shall fall to a designated Elections Committee member.

- e. Shall determine the format for the hearing in such a manner where all parties are represented equally and the information necessary to make a decision is provided.
 - f. The presentation by witnesses or expert testimonies is allowed.
 - g. The complaining party shall bear the burden of proof.
 - h. Ignorance of the Elections Code, either by candidates, staff, parties, or members of the Elections Committee, shall not be an acceptable defense in response to any offense committed in any election governed by this Code.
- 712.4 Decisions, orders, and rulings of the Elections Committee shall be announced as soon as possible after the hearing and must be concurred to by the majority of the Committee.
- 712.5 Remedies and Sanctions
- a. Possible remedies and sanctions may include disqualification from office or candidacy; removal of candidate from the ballot; suspension from campaigning; probationary period; removal of campaign materials; or formal reprimand.
 - b. This list is not exhaustive; other remedies and sanctions may be assigned if deemed necessary by the Elections Committee.
- 712.6 Sanctions
- a. A candidate may not receive multiple numerical sanctions for the same incident, only steeper remedies if so deemed.
 - b. Three sanctions will, at least, result in automatic probation.
 - c. A sanction while on probation will, at least, automatically suspend the candidate from further campaigning.
 - d. A sanction while suspended will automatically disqualify any candidate from the election process.
 - e. A total of five sanctions will automatically disqualify any candidate from the election process.
 - f. If after a hearing, the Elections Committee finds that the candidate has willfully and blatantly violated the ruling of the Committee, the Committee may disqualify the candidate.
 - g. Any decision by the Elections Committee other than a formal reprimand shall be considered a sanction.
 - h. The Elections Committee has the discretion to take any action that is deemed appropriate with regard to the complaint.

CHAPTER 713: RATIFICATION

713.1 Upon ratification by a two-thirds vote in the Student Government Association Senate, this Elections Code shall supersede all previous governing documents regarding elections, which shall be deemed null and void.

CHAPTER 714: AMENDMENTS TO THE ELECTIONS CODE

714.1 Every year the Elections Committee shall convene in the Fall semester to review the Elections Code before the elections process begins in the following Spring semester.

714.2 If any amendments are deemed necessary to the Code by the Elections Committee, they shall be presented by the Attorney General to the Student Government Association as a Bill before the Senate no later than the first Senate meeting of the Spring semester.