

**ASSOCIATED STUDENTS OF COLORADO STATE UNIVERSITY
FORTIETH SENATE
SEVENTEENTH SESSION
JANUARY 26, 2011**

**BILL #4010
ELECTIONS JUSTICE ACT**

SPONSORED BY: Andrew Ives, Elections Manager; Jordan Von Bokern, Director of Finance; Keegan Schulz, Senator, College of Natural Sciences; Benjamin Weiner, Senator, College of Natural Sciences

WRITTEN BY: Andrew Ives & Jordan Von Bokern

ENDORSED BY: Ben Weiner

WHEREAS: The current elections rules do not explicitly guarantee the presumption of innocence in hearings on accusations of elections code violations; and,

WHEREAS: The presumption of innocence is an important protection of an accused person's rights in a disciplinary proceeding; and,

WHEREAS: The current system, which lacks this assumption, is vulnerable to abuse aimed at damaging candidates through the use of false accusations.

THEREFORE BE IT HEREBY ENACTED

That Section H subsection d of Article V of the ASCSU Referenda and Elections Code be added as follows and all subsequent subsections be re-numbered appropriately:

“d. The defendant will be presumed to be innocent until a preponderance of evidence indicates they are guilty of a violation of the ASCSU Constitution, ASCSU Referenda and Elections Code, or any other rules governing the ASCSU Elections.”

20-0-7 PASSED

PASSAGE

01/26/2011

DATE

PRESIDENT COOPER ANDERSON

DATE