

IUSA Election Commission
Official Decision
April 13th, 2015

After receiving final financial statements from the Amplify for IUSA ticket on Friday, April 10th, it came to the attention of the Election Commission that there were a few discrepancies in their reporting. Two items of import - a miniature pony and branded t-shirts - were omitted from the financial statements.

The Election Commission spoke with the ticket and relevant third parties, and determined that these items were left off because the t-shirts were provided free of charge by a company affiliated with a ticket member, and the pony was provided in exchange for 10 service hours at Agape Therapeutic Riding Center. The ticket believed they would not have to designate any contribution of goods or expenses that were not purely monetary. Though we recognize that this confusion resulted from a requested advisory opinion, this advisory opinion was given under the stated premise that the ticket would be purchasing the t-shirts at a discounted price, and the ticket was therefore advised to list this as an expense. However, the t-shirts were ultimately provided for free, thereby changing the circumstances of the situation and making them a contribution.

Not only did the ticket not request further clarification or advisory opinions after the change in circumstances, they omitted reports of the t-shirts and miniature pony altogether on the financial statements. Regardless of whether these contributions and expenses force them over the limit, the Commission holds that the ticket should have reported the expenditures, as the Fair Market Value rule is clearly delineated in the Election Code.

However, the fact remains that Amplify received a contribution of \$1,023 from Cintas for the t-shirts and an additional expense of \$350 for the pony (paid out in volunteer hours). This puts them over budget at a total of \$3,959.60.

As such, Amplify is liable for the following violations within Title IV and Title VI of the Election Code:

- Exceeding the budget of \$3000
- Exceeding the contributor limit of \$250
- Expenses exceeding contributions

Subsequently, the Election Commission must disqualify Amplify for IUSA from the 2015-2016 electoral race.

We recognize that the initial disparities were not done with intentionality. However, the purpose of this rule in the Election Code is to prevent significant advantages due to relationships with companies that provide invaluable resources such as t-shirts. Furthermore, the Election Commission looks to the *The Crimson Elections Ticket and The Fusion Elections Ticket v. The Big Red Elections Ticket* precedent Supreme Court case. In this case, the Supreme Court upholds the Commission's decision to disqualify a ticket that exceeded the budget, due to failure to report a relevant expense that was incurred for the purpose of campaign promotion.

The Election Commission issues this decision on April 13th, 2015. We will be reevaluating the final outcome of the election and will announce new outcomes as soon as possible.