

2004 ASUA ELECTIONS CODE

Daniel Suh
ASUA Elections Commissioner

Clark Burnett
Erika Neary
Gain Sann Jue
Elections Assistants

Original by
Gregg Davis
1984-1985 Elections Commissioner

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CHAPTER 1 - QUALIFICATIONS OF VOTERS

1-100. QUALIFICATIONS OF VOTERS

- 1-100.01 Any and all currently enrolled and registered University of Arizona students shall (See Chapter 10 - Glossary, for the definition of shall) be considered qualified voters.
- 1-100.02 To be allowed to vote, a qualified elector must have paid all registration and tuition fees by the time of voting (as verified through the Registrar's records).
- 1-100.03 When voting in person a qualified elector shall provide an official University of Arizona picture identification card.
- 1-100.04 When voting on-line a qualified elector shall be verified through the University of Arizona Student Link validation process.

CHAPTER 2 - CANDIDATES' ELIGIBILITY, QUALIFICATIONS, AND REGISTRATION

2-100. CANDIDATE ELIGIBILITY AND QUALIFICATIONS

- 2-100.01 A student desiring to become a Primary Election Candidate, a Write-In Candidate, or a Special Election Candidate must meet the following requirements set forth in the ASUA Constitution and Elections Code.
- 2-100.02 A candidate must be a student who has completed at least seven (7) units or graduate student who has completed at least three (3) units at the University of Arizona, in the semester prior to the Election. In addition, undergraduate candidates must currently be enrolled in at least seven (7) units and graduate candidates must currently be enrolled in at least three (3) units at the University of Arizona. The above applies to all students with the exception of first time students, first semester re-enrolled students, and first semester freshmen who need only satisfy the good academic standing and curricular eligibility requirements, as established by the University of Arizona.
- 2-100.03 A candidate must currently be in good academic standing as defined by the University of Arizona co-curricular eligibility requirements (2.0 minimum cumulative G.P.A. for undergraduate; 3.0 minimum cumulative G.P.A. for law, medical, and graduate students).
- 2-100.04 A candidate is responsible for verifying with the registrar his or her own academic status and must have the required units at the filing deadline set by the Elections Commission.

2-100.05 At the filing deadline, the Elections Commission will (See Chapter 10 - Glossary, for the definition of will) receive the final check for candidate eligibility from the registrar, and if at that time a candidate is not in compliance with 2-100.02 and 2-100.03, they shall be disqualified from the race and shall lose all further rights as a candidate.

2-200. **CANDIDATE REGISTRATION**

2-200.01 A student desiring to become a Primary Election, Special Election, or Write-in Candidate must register with the Elections Commission according to ASUA Senate approved ASUA Election dates, and must receive a Candidate Packet.

2-200.02 All candidates shall submit a \$50.00 poster removal deposit at the Mandatory Candidates meeting, which shall be refunded after the end of the election period unless forfeited under 4-501.01. The \$50.00 deposit shall not be included in a candidate's Expense Limit. If their deposit is not received, in the form of cash or check at the mandatory candidates meeting, the candidate will be removed from the campaign.

2-300. **NOMINATING PETITIONS**

2-300.01 Nominating petitions shall carry Twenty-Five (25) spaces for signatures. They shall be 8 1/2" by 11" and will be color-coded according to office sought. The petition shall provide a space for the signature, printed name and student ID number or Cat Card number of petitioned student. Their availability and due dates shall be set by the Elections Commission no later than the end of the semester prior to the General Election. These dates shall be posted in the Elections cubicle upon ASUA Senate approval.

2-300.02 Each Primary Candidate for President shall be issued Forty (40) Nominating Petitions for the Annual Election.

2-300.03 Each Primary Candidate for Executive VP and Administrative VP shall be issued Thirty-Two (32) Nominating Petitions for the Annual Election.

2-300.04 Each Primary Candidate for ASUA Senate shall be issued Twenty-Four (24) Nominating Petitions for the Annual Election.

2-300.05 Each Candidate for ASUA Senate and shall be issued Eight (8) Nominating Petitions for the Special Election.

2-300.06 Only those official Nominating Petitions issued by the Elections Commission are valid.

2-300.07 Only those names that appear in the provided Twenty-Five (25) spaces shall be valid.

2-300.08 Nominating Petitions shall not be circulated in a classroom while class is in session

2-300.09 Nominating Petitions shall not be circulated at any ASUA sponsored event or in an ASUA office.

- 2-300.10 Nominating Petitions shall contain related election code sections located on the back of the petition, and shall require the signature of the circulator that they are understood.
- 2-301. **VIOLATION OF NOMINATING PETITIONS (2-300.08 OR 2-300.09)**
- 2-301.01 Violation of 2-300.08 or 2-300.09 may result in disqualification from running in the election henceforth.
- 2-400. **SIGNATURE REQUIREMENTS**
- 2-400.01 Any qualified voter is considered an eligible petitioner.
- 2-400.02 A petitioner may (See Chapter 10 - Glossary, for the definition of may) sign only one (1) Nominating Petition for each Executive Office Candidate and ten (10) such petitions for ASUA Senate Candidates in the Annual Election.
- 2-400.03 In a Special Election, a petitioner may sign only one (1) petition per number of ASUA Senate seats open.
- 2-400.04 A student shall submit the signatures of at least five hundred (500) petitioners upon a Nominating Petition to be considered a Primary Candidate for ASUA President for the Annual Election.
- 2-400.05 A student shall submit the signatures of at least four hundred (400) petitioners upon a Nominating Petition to be considered a Primary Candidate for ASUA Executive VP or Administrative VP for the Annual Election.
- 2-400.06 A student shall submit the signatures of at least three hundred (300) petitioners upon a Nominating Petition to be considered a Primary Candidate for ASUA Senate for the Annual Election.
- 2-400.07 A student shall submit the signatures of at least one hundred (100) petitioners upon a Nominating Petition to be considered a Primary Candidate for ASUA Senate for the Special Election.
- 2-400.08 Reproduction of signatures and use of Student ID numbers or Cat Card Number for fraudulent purposes on a candidates petitions will result in disqualification of that candidate from the campaign.
- 2-500. **WRITE-IN CANDIDATES**
- 2-500.01 To qualify for the General Election and be placed on the ballot, a Primary Election Write-In Candidate must receive no fewer than five hundred (500) votes for a Write-In Candidate for ASUA President; no fewer than four hundred (400) votes for a Write-In Candidate for ASUA Executive VP or Administrative VP and no fewer than three hundred (300) votes for a Write-In Candidate for ASUA Senate. The Candidate must also receive enough votes to place within the top two (2) Candidates if he or she is running for an Executive Office or the top twenty (20) Candidates if he or she is running for a ASUA Senate Office.

- 2-500.02 To qualify for the General Election and be placed on the ballot, a Primary Election Write-In Candidate shall also submit their petitions no later than one (1) week prior to the first day of the primary election
- 2-500.03 In the event that a primary election is not held a Write-In candidate shall submit their petition no later than one (1) week prior to the first day of the General Election.

CHAPTER 3 - CAMPAIGN EXPENSES

3-100. **EXPENSE LIMITS**

- 3-100.01 Candidates for ASUA President shall not exceed a campaign spending limit of \$325.00.
- 3-100.02 Candidates for ASUA Executive VP and Administrative VP for shall not exceed a campaign spending limit of \$265.00.
- 3-100.03 Candidates for ASUA Senate shall not exceed a campaign spending limit of \$205.00.
- 3-100.04 Special Election Candidates for ASUA Senate shall not exceed a campaign spending limit of \$175.00.
- 3-100.05 Expense limits apply as ceilings for the campaign process, which includes the Primary and General Elections which the candidate is involved in.

3-101. **VIOLATION OF EXPENSE LIMITS (3-100.)**

- 3-101.01 Violation of 3-100. will result in disqualification from the Election, loss of all rights as a candidate, and/or a fine not to exceed \$25.00 pursuant to 7-500. If elected, the officer will be subject to the impeachment powers of the ASUA Senate pursuant to Article VIII of the ASUA Constitution.

3-200. **ACCOUNTING OF EXPENSES**

- 3-200.01 Candidates shall be responsible for declaring on the Expense Form all campaign materials associated with a candidate that are publicly displayed or distributed on campus.
- 3-200.02 All goods and services purchased specifically for an Election through the University, ASUA Elections Commission Designated vendors or private vendors shall be included in the Expense Limit and reported on the Expense Form, including tax.
- 3-200.03 All non-purchased goods and services shall be reported on the expense form (but not included in the expense limit) providing they were available to all other candidates at 'no cost' too. Candidates must also report how and from where they obtained these items.

- 3-200.04 Any and all campaign materials and advertisements purchased by either a candidate and/or his/her campaign staff for the purpose of campaigning must be included in the campaign Expense Limit.
- 3-200.05 No candidate is allowed to declare a discount for materials or services utilized in a campaign unless that same discount is available to all candidates. All materials that are purchased at a discount not available to all candidates must be declared at fair market value (see Chapter 10 - Glossary, for the definition of fair market value).
- 3-200.06 Any club or organization recognized by the Dept. of Student Programs may contribute a total of up to \$75.00 to the campaign of any candidate in the primary and general election, so long as the club or organization does not rely solely on ASUA funding for its operation.
- 3-200.07 Any moneys that are donated for the sole purpose of an ASUA Election shall be declared on a Contribution Form as donations and will be included in the Expense Limit in the form of expenditures. Limits may not exceed those specified in 3-100.
- 3-200.08 Any and all advertisements, purchased by any recognized University club or organizations, for the purpose of endorsing candidates is considered a contribution and does not have to be included in the campaign Expense Limit. This is providing the total advertising space does not exceed one-half (1/2) page, as determined by the Arizona Daily Wildcat, for the election period (see Chapter 10- Glossary for definition of election period). Should such an endorsement constitute a violation of Expense Limits, the Elections Commission shall immediately investigate and, if necessary, request a Supreme Court hearing.
- 3-201. **VIOLATION OF ACCOUNTING OF EXPENSES (3-200.)**
- 3-201.01 Violation of 3-200. will result in disqualification from the Election, loss of all rights as a candidate, fine pursuant to 7-500. If elected, the offender will be subject to the impeachment powers of the ASUA Senate pursuant to Article VIII of the ASUA Constitution.
- 3-300. **REPORTING OF EXPENSES TO ELECTIONS COMMISSION**
- 3-300.01 All Primary, Special Election and Write-In candidates are required to submit the Expense Form and Contribution Form, listing expenses and contributions through 6:00 PM on the last day of the Primary Election, no later than 5:00 PM on the day following that Election.
- 3-300.02 All General Election candidates are required to submit the Expense Form and Contribution Form, listing expenses throughout the campaign, with copies of the receipts attached, no later than 5:00 PM on the day following the General Election.
- 3-300.03 A candidate must also include a sworn statement attesting to the accuracy of the Expense Form and Contribution Form. The candidate will be held accountable for all declared and undeclared campaign expenses.

3-300.04 Any special cost reduction given by a business shall be given to all candidates, if it is not available to all candidates, then materials or sources must be declared at Fair Market Value pursuant to 3-200.05.

3-301. **VIOLATION OF REPORTING OF EXPENSES TO ELECTIONS COMMISSION (3-300.)**

3-301.01 Violation of 3-300. will result in disqualification from the Election, loss of all rights as a candidate, and/or a fine not to exceed \$25.00 pursuant to 7-500. If elected, the officer will be subject to the impeachment powers of the ASUA Senate pursuant to Article VI of the ASUA Constitution.

CHAPTER 4 - CAMPAIGN MATERIALS

4-01.01 Only one candidate's name may appear on any piece of campaign material.

4-100. **POSTERS**

4-100.01 Posters on any University property shall be placed only on approved bulletin boards. The Elections Commission shall include in the Candidate Packet a list of all approved bulletin boards and kiosks. Candidates will be notified of subsequent changes.

4-100.02 Posters placed in the Student Union must be approved in SU 201 and hung only on approved bulletin boards. All posters hung must be in accordance with the Student Union's current policy.

4-100.03 Posters placed in University Housing, Fraternity Houses or Sorority houses must be approved in accordance with their current policy.

4-100.04 During the General and Primary Elections, there shall be no more than one (1) poster per candidate per approved bulletin board. No more than four (4) posters for any one candidate shall be placed on any one Kiosk. as defined in the glossary.

4-100.05 During the Primary and General Election, there shall be no more than one (1) poster per candidate per classroom.

4- 100.06 No poster shall obstruct any portion of another poster. This includes non-campaign materials (see Chapter 10 - Glossary for a definition of obstruct).

4-100.07 No campaign poster not belonging to the campaign of the person placing the poster, may be relocated or removed in any manner.

4-100.08 Posters must be placed so that at least 50% of the poster is within the boundaries of the bulletin board. including the frame.

4- 100.09 No posters shall be placed on light or power poles, traffic signal poles, traffic signs, bus stop shelters, benches, trash cans, or the like.

4- 100.10 No non-campaign materials shall be removed unless the date of the event has passed.

4- 100.11 Each Candidate must submit one copy of each type of poster used in the campaign before posted on campus (i.e. if a candidate uses two different styles of poster, both must be submitted).

4-100.12 No posters shall be allowed to be placed in any University of Arizona computer lab.

4-100.13 A poster may be no larger than a 100 square inch sheet of paper.

4-101. **VIOLATION OF POSTERS (4-100.)**

4-101.01 First violation of 4-100. shall result in the loss of poster privileges in the building, or on the kiosk where the violation occurred.

4-101.02 Second violation of 4-100 shall result in a fine of \$25.00 pursuant to 7-500

4-101.03 Third violation of 4-100. shall result in the loss of the use of posters for the duration of the Election period.

4-101.04 Fourth violation of 4-100 will result in disqualification from the election, loss of all rights as a candidate.

4-101.05 Candidates shall receive written warning within twenty-four (24) hours before compoundment of violation.

4-200. **BANNERS**

4-200.01 Any campaign material larger than a 100 sq. inch poster is considered a banner.

4-200.02 No banners are allowed during the course of campaigning.

4-201. **VIOLATION OF BANNERS (4-200.)**

4-201.01 First violation of 4-200. shall result in a written warning from the Elections Commission and the removal of all existing banners.

4-201.02 Second violation of 4-200. shall result in a fine of 40.00 pursuant to 7-500. and the removal of all existing banners.

4-201.03 Third violation of 4-200. will result in removal of all banners. It shall also result in disqualification from the Election, loss of all rights as a candidate, and/or a fine not to exceed \$40.00 pursuant to 7-500.

4-201.04 Candidates shall receive written warning within twenty-four (24) hours before compoundment of violation.

4-300. **OTHER CAMPAIGN MATERIALS**

- 4-300.01 No leafleting of vehicles on or off campus is permitted. Also, no leafleting of any University building (Libraries, Campus Recreation Center, McKale, Bear Down, etc.) is permitted.
- 4-300.02 All mailing of campaign material is limited to University-owned property, residence-hall and club mailboxes and must be addressed to a specific individual.
- 4-300.03 No campaign materials are allowed within seventy-five (75) feet of the polling stations. This includes on or off the mall area (see Chapter 10 - Glossary for the definition of mall area).
- 4-300.04 No candidate may set up his or her own unofficial polling station on the day of elections with the express purpose of eliciting votes from the public.
- 4-300.05 There shall be no recognition of vendor sponsoring of campaign materials, except for vendors designated by the ASUA Elections Commission.
- 4-300.06 There shall be no use of the ASUA and/or Arizona logo on campaign materials.
- 4-300.07 No campaign materials shall be utilized until the campaign period has begun.
- 4-300.08 Leaving campaign materials on desks, chairs or tables is prohibited in public establishments (classrooms, Libraries, ILC, etc.)
- 4-300.09 Each Candidate must submit a copy of any other type of campaign material used in the campaign.
- 4-300.10 Nothing larger than the size of a moving placard can be visible from a polling area (see also 4-400.02).
- 4-300.11 No chalking is allowed on any university-owned property.
- 4-300.12 Campaigning in McKale Center during a University of Arizona Men's Basketball game is not permitted.
- 4-300.13 Written permission must be obtained from an official from the University of Arizona Athletics Department before campaigning in a University of Arizona sports complex during competition. This written permission must be delivered to the Elections Commissioner prior to the sporting event.
- 4-300.14 No campaign materials or campaigning is allowed within 75 feet of a public computer on Elections Day with the exception of classrooms.
- 4-300.15 No campaigning in any University of Arizona library or the Integrated Learning Center (ILC) is permitted.
- 4-301. **VIOLATION OF OTHER CAMPAIGN MATERIALS (4-300.)**
- 4-301.01 First violation of 4-300. shall result in a written warning.

- 4-301.02 Second violation of 4-300. shall result in a \$25.00 individual campaign expense limit fine to be included on the Expense Form.
- 4-301.03 Third violation of 4-300. will result in disqualification from the Election and loss of all rights as a candidate.
- 4-400. **SIZE OF CAMPAIGN MATERIAL**
- 4-400.01 Posters shall not exceed 100 square inches (645 square centimeters). Note that letter size 8.5" by 11" paper is 93.5 square inches.
- 4-400.02 Moving placards shall be no larger than two (2) – twelve (12) square-foot pieces of poster-board.
- 4-401. **VIOLATION OF SIZE OF CAMPAIGN MATERIAL (4-400.)**
- 4-401.01 Violation of 4-400.01 shall result in the loss of the use of posters for the duration of the Election Period, and/ or a fine not to exceed \$25.00 pursuant to 7-500.
- 4-401.02 Violation of 4-400.02 shall result in the loss of the use of banners for the duration of the Election Period, and/or a fine not to exceed \$25.00 pursuant to 7-500.
- 4-401.03 Violation of 4-400.03 will result in the loss of the use of moving placards for the duration of the Election Period, and/ or a fine not to exceed \$25.00 pursuant to 7-500.
- 4-500. **CAMPAIGN MATERIAL REMOVAL RESPONSIBILITY**
- 4-500.01 Candidates eliminated in the Primary Election must remove all campaign materials within forty-eight (48) hours after the results are announced.
- 4-500.02 The elections commission shall hold the \$50.00 poster removal deposit for forty-eight (48) hours after the results of the Primary Election are announced, at which time an inspection shall be conducted of all campus areas in which the paraphernalia were hung. If any amounts of elections paraphernalia still remain, offending candidates shall forfeit the \$50.00 deposit as stated under 4-500.
- 4-500.03 All Candidates running in the General Election must remove all campaign materials within one (1) week after the polls are closed.
- 4-500.04 The Elections Commission shall hold the \$50.00 poster removal deposit for a period of one (1) week after the polls are closed at which time an inspection shall be conducted of all campus areas in which election paraphernalia were hung. If any amounts of election paraphernalia still remain, offending candidates shall forfeit the \$50.00 deposit as stated under 4-501.
- 4-501. **VIOLATION OF CAMPAIGN MATERIAL REMOVAL RESPONSIBILITY (4-500.)**
- 4-501.01 Violation of 4-500. shall result in loss of the \$50.00 poster removal deposit.

4-600. **DESTRUCTION OF CAMPAIGN/ NON-CAMPAIGN MATERIALS**

4-600.01 Any candidate who intentionally destroys, removes, defaces or damages campaign or non-campaign material shall be disqualified. In the event that a candidate's campaign worker is found guilty of the above referenced act, a \$40.00 individual campaign limit reduction shall be levied upon that candidate. This shall occur upon a finding by the ASUA Elections Commission that (1) the said violator is affiliated with that candidate's campaign; and (2) that said violator has in fact committed the act.

CHAPTER 5 - CAMPAIGN CONDUCT

5- 100. **CAMPAIGN CONDUCT**

5-100.01 Campaigning (See Chapter 10 - Glossary for the definition of campaigning) cannot begin before the dates set by the Elections Commission

5-100.02 Off campus campaigning (hanging posters and flyers) is permitted in private off campus locations provided the candidate or persons campaigning have the permission of the owner, operator, manager, or resident of the location, with the exception of any establishment that is age restrictive at any time. Candidates must make reports of all off-campus facilities used for any type of campaigning within twenty-four (24) hours of receiving written permission to the Elections Commission.

5-100.03 The Elections Commission shall provide official consent forms for off campus campaigning.

5-100.04 All consent forms shall be approved by the Elections Commission prior to the implementation of said form.

5-100.05 There will be no posting of flyers, banners or leafleting on a public street or area. (See Chapter 10 - Glossary for the definition of public street or area)

5-100.06 No campaigning is allowed in any office of the Associated Students at any time prior to or during the Election Period.

5-100.07 No campaigning is allowed at any ASUA sponsored event (aside from Elections Commission sponsored events) or ASUA office at any time prior to or during the election period (see Chapter 10- Glossary for the definition of election period).

5-100.08 Campaigning in a classroom is strictly prohibited while a class is in session. (Campaigning is defined in Chapter 10 Glossary.)

5-100.09 No ASUA organization or any organization who is entirely dependent on ASUA funding, shall be able to endorse or donate resources to a candidate.

5-100.10 No ASUA program, service, units or divisions may use ASUA resources for the purpose of any campaign. This includes, but is not limited to, the use of computers, printers, paper, phones, copy machine, or other activities as allowed for in 8-400.01.

- 5-100.11 No candidate may use ASUA resources for the purpose of any campaign. This includes, but is not limited to, the use of computers, printers, paper, phones, copy machine, or other activities as allowed for in 5-100.01.
- 5-100.12 No campaigning on CCIT or any University of Arizona server without prior Elections Commission approval, this includes but is not limited to distributing campaign information through listservs and newsgroups. E-mails must be addressed to specific individuals including first and last names and/or to specific clubs or organizations in the body paragraph of the e-mail. Furthermore, it is prohibited to send spam e-mails and to send unsolicited e-mails to individuals. *(CCIT Network Policy: #4. Use computer and network resources efficiently. Due to limited bandwidth, playing network games such as “Mud” or “Moo” are prohibited, as are other use applications such as “IRC’s”. Use CCIT printers located at the computer center and remote terminal and pc labs for academic or administrative purposes only. Using CCIT prints as a “copy machine” to print multiple copies of a document is prohibited. Other examples of inappropriate use include deliberately wasting computer resources by sending unsolicited mail either individually or via listservs and/or newsgroups (SPAM’s), and sending “chain letters” or engaging in “pyramid” schemes.)*
- 5-100.13 All Web pages utilized by a candidate shall be approved by the Elections Commission before posting. Any changes made to a web page during the campaign must be approved by the Elections Commission.
- 5-100.14 Web pages utilized shall be the University of Arizona provided home pages.
- 5-100.15 Web pages cannot have a direct link to Student Link
- 5-101. **VIOLATION OF CAMPAIGN CONDUCT (5-100.)**
- 5-101.01 First violation of 5-100. shall result in a written warning.
- 5-101.02 Second violation shall result in a \$25 fine. Pursuant to 7-500.
- 5-101.03 Third violation of 5-100. shall result in the loss of all campaigning for the remainder of the elections.
- 5-101.04 The fourth violation shall result in the disqualification from the election.
- 5-102. **VIOLATION OF CAMPAIGN CONDUCT (5-100.) ON THE DAYS OF THE ELECTIONS**
- 5-102.01 Any candidate who commits any gross, negligent violation (gross and negligent are defined in chapter 10 glossary) campaign rules shall be subject to the impeachment powers of the ASUA Senate pursuant to Article VIII of the ASUA Constitution if elected.
- 5-200. **SOLICITATION**

5-200.01 Door-to-door solicitation by candidates or campaign staff affiliated with those candidates shall be approved in accordance with current University policy. There will be no solicitation at any university owned or operated academic living quarters. All other solicitations must be in accordance with applicable laws.

5-200.02 Campaign materials shall not be placed under doors in University Housing.

5-201. **VIOLATION OF SOLICITATION (5-300.)**

5-201.01 Violation of 5-200. will result in loss of solicitation privileges for the duration of the Election Period pursuant to 7-500.

5-300. **NOTIFICATION OF COMPLAINT AGAINST A CANDIDATE**

5-300.01 All complaints against an ASUA candidate must be received in writing on an official complaint form provided by the Elections Commission to the Elections Commissioner.

5-300.02 Notice of a complaint and the time, date, and location of any subsequent hearing shall be given to all parties concerned within twenty-four (24) hours of the receipt of such a complaint. The name and number of the ASUA Supreme Court Chief Justice will be provided to the concerned parties by the Elections Commission or other ASUA officials.

CHAPTER 6 - CONDUCT OF ELECTIONS

6-100. **PROCEDURES**

6-100.01 The ASUA Elections Commission shall refer to the Arizona Revised Statutes or 8-400.01 for all matters concerning conduct of elections not specifically provided for in this Election Code or the ASUA Constitution.

6-200. **DATES OF ELECTIONS**

6-200.01 The Primary and General Election dates shall be set by the Elections Commission no later than the end of the semester prior to the Annual Election. These dates shall be posted in the Elections cubicle upon approval by the ASUA Senate. These dates are subject to time constraints and limitations set forth by the Pima County Board of Elections liaison. These constraints shall be made available to the ASUA Senate.

6-200.02 In the event that there is a low candidate turnout (See Chapter 10-Glossary, for the definition of low candidate turnout) a Primary Election will not occur. Notification on the status of the Primary Election will occur within 24 hours of the Petition and Application deadline.

6-200.03 All Special Elections shall be scheduled by the Elections Commission. The dates will be posted in the Elections cubicle upon ASUA Senate approval.

6-300. **OFFICIAL BALLOTS FOR PRIMARY ELECTION**

- 6-300.01 Candidates' names shall be placed on the ballot according to random selection as carried out by means under the discretion of the Elections Commissioner.
- 6-300.02 All official ballots shall be inspected prior to tabulation.
- 6-300.03 In the Primary Election, Undergraduate voters may vote for one (1) of each Executive Office candidates and ten (10) ASUA Senatorial candidates. Ballots containing more than the maximum number of votes for an office shall be voided for that office.
- 6-300.04 In the Primary Election, Graduate voters may vote for one candidate for ASUA President, Executive Vice-President and Administrative Vice-President. Ballots containing more than the maximum number of votes for an office shall be voided for that office.
- 6-300.05 In the case of a Write-In candidate, the ballot shall have a space for the elector to type in the name of the candidate. There shall be no space if no Write-In candidate is declared.
- 6-400. **OFFICIAL BALLOTS FOR GENERAL ELECTION**
- 6-400.01 Candidates' names shall be placed on the ballot according to random selection as carried out by means under the discretion of the Elections Commissioner.
- 6-400.02 All official ballots shall be inspected prior to tabulation.
- 6-400.03 The top two (2) candidates for each Executive Office shall be placed on the General Election ballot, as will the top twenty (20) candidates for ASUA Senate. If a Primary Election does not occur all candidates shall be placed on the General Election Ballot.
- 6-400.04 In the General Election, Undergraduate voters may vote for one (1) of each Executive Office candidates and ten (10) ASUA Senatorial candidates. Ballots containing more than the maximum number of votes for an office shall be voided for that office.
- 6-400.05 In the General Election, Graduate voters may vote for one (1) candidate for ASUA President, Executive Vice-President and Administrative Vice-President. Ballots containing more than the maximum number of votes for an office shall be voided for that office.
- 6-400.06 In the event that one of the qualified candidates is disqualified, the General Election will be held with the disqualified candidate's position vacant.
- 6-500. **ABSENTEE BALLOTS**
- 6-500.01 The ASUA Elections Commission called pursuant to the laws of this state shall provide for absentee voting. Any qualified elector who meets the criteria established by this section and Chapter One (1) of this Elections Code shall be permitted to vote absentee at such election.

- 6-500.02 Starting two (2) days preceding the Saturday before any election called pursuant to the laws of this state, an elector may make a signed request to the ASUA Elections Commissioner or other officer in charge of elections for an official absentee ballot. If the signed request indicates that the elector needs a Primary Election ballot and a General Election ballot, the Elections Commissioner or other officer in charge of elections shall honor the request.
- 6-500.03 Application for absentee ballot shall be made in duplicate upon blanks furnished by the Elections Commissioner, or other officer in charge of elections.
- 6-500.04 The ballot shall be a print version of the online ballot.
- 6-500.05 The Elections Commissioner or other officer in charge of elections shall supply printed instructions to absentee voters, worded substantially as follows:
1. Subscribe to copies of this application before the Elections Commissioner or other officer in charge of elections.
 2. Display ballot unmarked before the officer in his/her presence, but in such a manner that he cannot see your vote, mark your ballot and seal it in the white envelope marked "for absentee ballot only".
 3. Subscribe to the oath on the back of the white envelope marked "for absentee ballot only".
 4. Place both copies of this application for ballot, complete with signature and acknowledgment, together with the white envelope containing your ballot in another self-addressed envelope. Check to see that the application is not enclosed in the envelope marked "for absentee ballot only" and submit to the elections officer.
 5. The ballot and application must be submitted to the office of the Elections Commission before five o'clock (5:00) PM on the day preceding the election.
- 6-500.06 The absentee ballot shall be accompanied by an envelope bearing upon the front the name, official title and address of the Elections Commissioner or other officer in charge of elections and an attached affidavit.
- 6-500.07 The ASUA Elections Commissioner or other authorized officer in charge of elections shall direct the voting of an elector by absentee ballot when it appears that the request of the elector was received before five o'clock (5:00) PM the day preceding the election.
- 6-500.08 The receipt and casting of the absentee ballot shall follow the procedures as set forth by the Arizona Revised Statutes as closely as possible.
- 6-500.09 The Elections Commissioner or other officer in charge of absentee balloting shall prevent the absentee elector from voting on line once the request for an absentee ballot is received by the Elections Commissioner or other officer in charge.
- 6-600. **CONDUCT AT THE POLLS**
- 6-600.01 The Elections Commission shall ensure that all used and unused ballots are secure at all times.

- 6-600.02 Voters shall be validated as provided by 1-1.
- 6-600.03 If necessitated, a poster containing the correct spelling of Write-In Candidate's names will be posted in plain view at the entrance to each polling station, along side a sample ballot.
- 6-600.04 Undergraduate voters who have complied with 6-600.02 shall be allowed to vote for not more than one (1) candidate for each Executive Office and not more than ten (10) candidates for ASUA Senate in the Primary and General Election.
- 6-600.05 Graduate voters who have complied with 6-600.02 shall be allowed to vote for not more than one (1) candidate for ASUA President, Executive Vice-President and Administrative Vice-President in the Primary and General Election.
- 6-700. **TABULATION**
- 6-700.01 Tabulation of official ballots will be done by the Pima County, Division of Elections. If online voting is used, tabulation of official ballots will be done electronically through the use of Center for Computer and Information Technology (CCIT) software. The ASUA Senate must approve all persons present at the tabulation. During a Special Election, the Elections Commission staff and Presidential appointees shall do tabulation of the results. The ASUA Senate must approve presidential appointees.
- 6-700.02 If the tabulated results between Candidates for Executive office or the 10th and 11th position for the Senate are within 1% of each other, there will be an automatic recount. The Elections Commission shall oversee the tabulation of the results.
- 6-700.03 If the tabulated results are between 1% and 3% the Elections Commission may order a recount.
- 6-700.04 To be tabulated as a valid vote for a Write-In Candidate the first and last name of the Candidate and the office being sought shall be placed in the correct position on the Write-In ballot and shall be legible by the ASUA Elections Commission. The spelling of the Write-In Candidate shall be spelled with a reasonable amount of certainty.
- 6-700.05 The manner of tabulation of votes in a Special Election shall be at the discretion of the Elections Commissioner.
- 6-800. **CERTIFICATION AND RATIFICATION OF RESULTS**
- 6-800.01 The results of any election will be certified on the final night of that Election by the Elections Commission and will be ratified by the ASUA Senate within two weeks.

CHAPTER 7 - MISCELLANEOUS

- 7-100. **CANDIDATES' MEETINGS**

- 7-100.01 All Candidates must attend the Mandatory Candidates' meeting. Candidates not present at the Mandatory Candidates' Meeting will be disqualified if they are unable to show compelling circumstances to the Elections Commissioner.
- 7-100.02 The Elections Commission has the right to call subsequent candidates' meetings.
- 7-100.03 Candidates shall receive twenty-four (24) hours notice before any subsequent candidates' meetings.
- 7-100.04 The \$50.00 poster removal deposit will be collected at the Mandatory Candidates' Meeting.
- 7-100.05 All Forms and petitions must be received by the date and times set by the elections commission.
- 7-100.06 Candidates shall be held responsible for any and all information presented or distributed at the Mandatory Candidates' Meeting, any subsequent meetings, or by memorandum.

7-200. **CANDIDATE PACKET FORMS**

- 7-200.01 The \$50.00 poster removal deposit and all other forms included in the Candidate Packet as well as all petitions must be received by the date and time set by the Elections Commission.

7-201. **VIOLATION OF CANDIDATES' MEETING(7- PACKET FORMS (7-200.)**

- 7-201.01 Violation of chapter 7 shall result in disqualification from the Election.

7-300. **CANDIDATE MEMOS**

- 7-300.01 A candidate is responsible for checking his/her e-mail account for memos, violations, and sanctions which the Elections Commission issues by noon each business day, including the first day of campaigning. Any notices will be effective two o'clock (2:00) PM on that day.
- 7-300.02 A candidate may request a hard copy of any document issued by the Elections Commission through an e-mail account.

7-400. **CANDIDATE DISCLAIMER FORM**

- 7-400.01 Candidates are required to sign a candidate disclaimer form at the Mandatory Candidates' Meeting. The text will be as follows.
I _____, candidate for the office of _____, have been provided with the 20__ - 20__ Elections Code and have read the Code thoroughly. I understand all of the laws and regulations set forth in the Code and will abide by them throughout the campaign. I also fully understand the penalties for violations of set laws and regulations contained in the Code. I will train my staff in the Code and will be entirely responsible for their actions. I also realize that if I am elected, and violations are discovered post

factor, I can be removed from office. By signing below, I understand that any fines incurred over and above the \$50.00 deposit may be applied to my University bill by ASUA. I am also aware that any information that I or my campaign submits to the commission in the course of my campaign shall become public record. I was present at the Mandatory Candidates' Meeting on _____ and I agree that I am responsible for the information set forth in the meeting. I am signing this of my own free will and accept to abide by what I am signing.

7-500. **FINES & DEPOSITS**

- 7-500.01 The poster removal deposit will be held in a secure location by the ASUA Accountant until one week after the General Elections.
- 7-500.02 The money from the deposit laid out by the election code will be deposited into a fund set up for the next years- Elections Operating Budget.
- 7-500.03 Candidates have up to forty-eight (48) hours to appeal any fines to the Elections Commission after the primary election and one (1) academic week to appeal any fines after the general election.

CHAPTER 8 - ELECTIONS COMMISSION & ELECTIONS CODE

8-100. **ELECTIONS COMMISSIONER**

- 8-100.01 The Elections Commissioner is appointed by the newly elected ASUA President after each election and shall be approved by the ASUA Senate The Commissioner may choose his or her committee and staff.
- 8-100.02 The Elections Commissioner shall not be affiliated with any candidate's campaign.
- 8-100.03 Any candidate may request an advisory opinion from the Elections Commissioner on any provision of the Election Code, which may appear vague or unclear. This opinion must be in writing and issued within twenty-four (24) hours of the candidate's request. The opinion is binding on the Commission but not on any court which reviews the decision.
- 8-100.04 The Elections Commissioner shall oversee elections for all ASUA elected offices and any special elections that maybe held during the year.
- 8-100.05 The Elections Commissioner shall issue the final interpretation of this document unless the decision is appealed pursuant to 9-100.01.
- 8-100.06 The Elections Commissioner shall delegate any authority to the appropriate staff members of the Elections Commission.
- 8-100.07 The Elections Commissioner shall have the discretion as to whether to levy a violation, a fine or a combination of the both.
- 8-100.08 The Elections Commissioner shall devise any appropriate protocol that specifically pertains to Recall, Initiative and Referendum as initiated under the ASUA Constitution. All procedures shall be approved by the ASUA Senate.

8-200. **ELECTIONS COMMISSION STAFF**

8-200.01 No Elections Commission staff member may be affiliated with any candidate's campaign. Violation of this section shall result in the immediate removal of the offending staffer.

8-200.02 The Elections Commission staff shall be chosen by the Election Commissioner through an application process once the fall semester begins.

8-200.03 The Elections Commission staff shall be required to keep and make public their office hours to answer questions and perform any tasks for their position as described on their application.

8-300. **NOTIFICATION OF COMPLAINT AGAINST THE ELECTIONS COMMISSION AND/OR ELECTIONS COMMISSIONER**

8-300.01 All complaints against the ASUA Elections Commission and/or staff must be received in writing on an official complaint form which may be picked up from the ASUA Administrative Assistant and submitted to the ASUA Student Body President.

8-300.02 Notice of a complaint and the time, date, and location of any subsequent hearing shall be given to all parties concerned within twenty-four (24) hours of the receipt of such a complaint. The name and number of the ASUA Supreme Court Chief Justice will be provided.

8-400. **IMPLIED POWERS OF THE ELECTIONS COMMISSION**

8-400.01 The Elections Commission retains the right to take all necessary steps to assure the smooth running of the campaign duration.

8-400.02 The Elections Commission retains the right to refer to the Arizona Revised Statutes or to a Pima County Board of Elections Representative for all matters not clearly addressed in this Elections Code or the ASUA Constitution.

8-500. **ELECTIONS CODE**

8-500.01 This document shall supersede all other elections related rules except for the ASUA Constitution, and general ASUA Bylaws.

8-500.02 This code supersedes any immutable bylaw referring to ASUA Elections.

8-500.03 The Elections Code shall be revised in accordance with Article V, Section II, Number 3 of the Associated Students of the University of Arizona Constitution.

8-500.04 The Elections Commissioner shall select a committee consisting of the Commissioner, the Assistant Commissioner, a member of the ASUA Executive Branch and a member of the ASUA Legislative Branch to oversee and recommend revisions to the Elections Code.

- 8-500.05 Recall, Initiative and Referendum that are initiated under the confines of the ASUA Constitution, shall be administered under the ASUA Elections Code when applicable.

CHAPTER 9 - COURT ADJUDICATION

- 9-100.01 A candidate has the right to appeal a decision by the Commission in writing to the Elections Commission. The candidate has twenty-four (24) hours to appeal. After twenty-four (24) hours the candidate loses this right. This excludes weekends and official University holidays.
- 9-100.02 A decision shall be rendered by the Elections Commission within twenty-four (24) hours after review of the appeal is undertaken.
- 9-100.03 A secondary appeal can be made to the ASUA Supreme Court Chief Justice and shall be matters of public record. Names and numbers of the ASUA Supreme Court Chief Justice and his/her staff will be provided and are available during ASUA office hours with the ASUA administrative assistant.
- 9- 100.04 The Supreme Court shall conduct formal procedures, referring to the Arizona Revised Statutes and the State and Federal Constitutions for all matters not specifically provided for in this Election Code or the ASUA Constitution. A copy of the Arizona Revised Statutes will be available at all times in the ASUA Elections cubicle.
- 9-100.05 During the appeal period, the candidate shall comply with the requests of the Elections Commissioner until a decision has been made on the appeal. However, the final decision of disqualification or interpretation of the ASUA Election Code is reserved for the ASUA Supreme Court.

CHAPTER 10 - GLOSSARY

- 10-100.01 Campaigning is defined as any public action including leafleting, buttons, signs, posters, web sites, talking, yelling, scheduling of speaking engagements, or other activities interpreted in 8-400.01, initiated by either a candidate or a member of his/her campaign staff to persuade members of the student body to vote for or against a candidate(s).
- 10-100.02 Compoundment shall be defined as a violation incurred by the failure to correct a first violation within twenty four (24) hours. Compoundments shall be considered second (or third) violations. First compoundment shall apply only to the area where the violation occurred (for example, compoundment of a poster violation shall count as a second violation under 5-101.02). Second compoundment shall count as third violations and shall carry the appropriate penalties. Second compoundments may only be incurred on top of first compoundments (i.e. two first compoundments do not add up to a second compoundment).
- 10-100.03 The use of the word 'duration refers to the Election Period that begins on the first day of campaigning and will continue through the closing of the polls for the General Election.

- 10-100.04 The Election period begins on the first day candidate packets are available and will continue through 24 hours past the closing of the polls for the General Election.
- 10-100.05 Fair Market Value is defined as the cost of an item based on the average of three price estimates including tax established by the existing Elections Commission.
- 10-100.06 Kiosks shall be defined as a small light structure with one or more open sides used as a newsstand.
- 10-100.07 The mall area shall be defined as the grassy and sidewalk areas bordered by the road East of Old Main and Campbell Avenue between East and Westbound University Avenue.
- 10-100.08 May shall be defined as permissive.
- 10-100.9 Obstruct shall be defined as the covering of any poster that covers another over one-fourth of an inch (1/4).
- 10-100.10 On-campus shall be defined as any property owned, operated, or recognized by the University as University affiliated property. This includes Fraternity and Sorority Houses both within the Speedway-Campbell-Sixth Street-Euclid border and outside.
- 10-100.11 Shall shall be defined as mandatory.
- 10-100.12 Will shall be defined as conditions permitting.
- 10-100.13 Public shall be defined as any area under the jurisdiction of the City of Tucson and/or Pima County.
- 10-100.14 Low Candidate Turnout shall be defined as having 2 or less candidates for each Executive office as well as 20 or less candidates for ASUA Senate.
- 10-100.15 A polling station is any voting location officially sponsored by the ASUA Elections Commission and any personal computer associated with a candidate or a candidate's campaign where more than just the owner of the personal computer are allowed to vote.
- 10-100.16 Violation shall be defined as an infringement of the rules
- 10-100.17 Endorsement shall be defined as to express support or approval of, publicly and definitely.
- 10-100.18 Negligent shall be defined as a carelessly easy manner or not taking prudent care.
- 10-100.19 Gross shall be defined as deviation of established policy or practice.
- 10-100.20 In the event of a tie there will be a runoff election the Thursday following the Election Day.