

STUDENT SENATE BILL 2020-1024

TITLE: Gender Neutral Wording Act - 700 Codes Revision

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SPONSORS: LGBTQ+ Caucus Leader Ryan Wilder, Senator Angel Silva, and Kristen Jackson

CHAPTER 700 STUDENT GOVERNMENT ELECTION CODE (75-122, 75-188, 76-177, 76-118, 76-119, 76-120, 76-121, 76-127, 76-160, 76-165, 76-174, 77-132, 78-122, 78-128, 78-170, 78-190, 79-129, 79-159, 79-180, 80-129, BOM Petition 100280, 81-131, 81-203, 81-108, 81-147, 81-157, BOM Petition 03582, 82-104, 82-146, 83-164, 83-172, 83-199, 84-101, 84-171, 85-159, 86-148, 87-153, 87-160, 88-129, 88-143, 89-103, 90-144, 90-163, 91-119, 91-126, 92-109, 92-113, 94-103, 94-123, 95-107, 95-119, 96-101, 96-124, 96-131, 96-134, 97-101, 98-100, 98-106, 98-110, 98-122, 99-125, 2000-116, 2000-117, 2000-120, 2000-137, 2000-141, 2001-110, 2002-144, 2004-116, 2005-138, Spring 2006 Ballot Initiative, 2006-123, 2006-124, 2006-129, 2007-103, 2007-109, 2009-101, 2010-100, 2011-100, 2011-115, 2011-116, 2012-101, 2012-107, 2013-SC: Students Party v. Swamp Party, 2013-111, re: “MERWITZER I”).

700.4 The following words and phrases when used in 700.001 to 790.999 shall have the meaning as ascribed to them in this section:

(g) “Candidate” means any person who has qualified to have ~~his or her~~ their name placed on a ballot for elective office in a Student Government election, or any qualified person eligible for elective office seeking election to such office by write-in votes.

(ii) “Voting Booth” means that booth or enclosure designed to protect the integrity and secrecy of the voter wherein an elector casts ~~his or her~~ their ballot and shall be so arranged that it will be impossible for one elector in one compartment to see an elector in another in the act of marking ~~his or her~~ their ballot.

CHAPTER 710 – THE SUPERVISOR OF ELECTIONS ACT (2000-141, 2002-144, 2004-116, 2005-137, 2005-138, 2006-103, 2006-108, Spring 2006 Ballot Initiative, 2006-113, 2006-117, 2006-123, 2006-129, 2007-109, 2009-100, 2009-102, 2009-103, 2010-100, 2010-111, 2011-115, 2012-101, 2012-107, 2013-102, 2014-119, 2016-104, 2017-113, 2018-124, 2019-103)

711.5 In the event of a vacancy in the office of Supervisor of Elections during an

election cycle, the Supreme Court shall appoint by majority vote, one of the Assistant Supervisors of Elections to be the new Supervisor of Elections. That supervisor shall take office effective upon notification of ~~his or her~~ their appointment.

- 712.0 The Supervisor of Elections shall appoint a minimum of four (4) Assistant Supervisors of Elections at least four (4) weeks prior to the fall general election. The Supervisor of Elections may appoint any additional Assistant Supervisors of Elections that ~~he or she deems~~ they deem necessary. Any Assistant Supervisor of Elections must be approved by a two-thirds vote of the Student Senate. The Assistant Supervisor's term shall end in conjunction with the expiration of the natural term of the Supervisor of Elections.
- 712.12 Assistant Supervisors of Elections shall assist the Supervisor of Elections in the performance of ~~his or her~~ their duties during the election cycle.
- 713.11 The Supervisor of Elections shall provide a complete list of ~~his or her~~ their official Student Government contact information and the official contact information of all the members of the Elections Commission to each registered party president, independent candidate and any interested students.
- 713.2 The Supervisor of Elections shall be responsible for receiving a list of campaign contributions and expenditures from each political party and independent candidate. The Supervisor of Elections shall place any list ~~he or she receives~~ they receive pursuant to this section on public record in the Student Government office and shall post it on the Student Government web site within twenty-four (24) hours of receiving it.
- 714.81 In the event that a polling location becomes unavailable due to an event or circumstance outside the control of the elections staff, the Supervisor of Elections, at ~~his or her~~ their discretion, may add or change a polling location to the nearest available building so long as it is properly noticed at the original polling location.

CHAPTER 720 – THE ELECTION COMMISSION ACT (2000-141, 2002-144, 2002-155, 2004-116, 2005-138, 2006-108, 2006-129, 2007-109, 2007-131, 2009-104, 2010-100, 2010-101, 2012-101, 2013-100, 2018-124)

- 721.1 The Elections Commission shall consist of six (6) members. The Student Body President shall nominate two (2) law students. The Student Senate President shall nominate two (2) law students. The Chief Justice of the Supreme Court shall

nominate two (2) law students. The student senate shall be notified of nominations no later than forty-eight (48) hours prior to the senate meeting at which the nominee will be presented for confirmation. The nominations will be presented to the Student Senate for approval by a 2/3 vote. Members shall serve staggered one-year terms, so that one (1) of the nominees of each branch ends ~~his or her~~ their term after each election. Commissioners shall not hold nor have held any position or affiliation with any past or present Student Government political party or independent candidate during the previous two (2) election cycles. Commissioners shall not hold any other position or office in Student Government. Commissioners shall not be an executive officer of any Student Government funded organization.

- 724.05 An elections complaint must be filed with the Elections Commission before the election results are read. Filing a complaint with the Elections Commission means that the aggrieved party delivers their complaint to either the Chair of the Elections Commission or ~~his or her~~ their designee in compliance with 729.6.
- 725.2 The Chair of the Elections Commission or ~~his or her~~ their designee may administer oaths to any person testifying at an Elections Commission meeting or hearing.
- 727.01 The Chair of the Elections Commission, or ~~his or her~~ their designee, shall, upon receipt of a request from a plaintiff or defendant, request that the Supreme Court subpoena a student to testify before the Elections Commission at the appropriate hearing. To be valid and carried out, a request shall be made at least 24 hours before the Elections Commission hearing in which the subpoenaed student would be required to testify.
- 728.0 If a candidate slated with a political party or an individual with a position or affiliation with a political party is found in violation of any portion of the Student Government Election Code, it will be within the reasonable discretion of the Elections Commission to determine whether the candidate acted on ~~his or her~~ their own or with the consent of ~~his or her~~ their political party.
- 729.2 If after an election has occurred, a candidate or political party feels that the vote totals are fraudulent or erroneous, the candidate or party president or ~~his or her~~ their designee may file a petition requesting an investigation into the procedures of the election and/or the vote totals with the Supervisor of Elections before the beginning of the reading of the vote totals.

729.7 The Elections Commission shall keep a written record of all of its meetings and hearings, including the evidence and testimony heard, the findings of the Election Commission, and the rulings made. Within forty-eight (48) hours of a meeting or hearing of the Elections Commission, the Chair of the Elections Commission, or ~~his or her~~ their designee, shall submit the record to the Student Government Office Manager.

CHAPTER 730 – THE ELECTION QUALIFICATION ACT (2000-141, 2001-111, 2001-112, 2001-141, 2002- 144, 2004-127, 2005-137, 2006-113, 2006-124, 2006-129, 2007-141, 2008-111, 2009-107, Board of Trustees ruling, 2010-100, 2010-103, 2011-100, 2011-107, 2012-101, 2012-107, 2014-114, 2014-120)

732.11 Candidates for President and Vice President shall run on a joint ticket and shall submit a single supporting petition as described in 732.12 in order to sustain their candidacy. Candidates for Treasurer shall also submit a supporting petition in order to sustain ~~his or her~~ their candidacy.

733.0 No candidate's name shall appear on the ballot when that candidate fails to qualify as a candidate with the Supervisor of Elections prior to the time of the closing of the qualifying period, as specified in 700.4 (y) at 5 p.m. on the third Tuesday preceding the spring and fall general elections. After this time a person may change ~~his or her~~ their registration with a political party or change to independent status only if ~~he or she is~~ they are not included on the political party's list of candidates listed in 742.1. In all cases, only those persons who are not listed on a political party slate as described in 742.1 may be reclassified as independent. Political parties may not fill originally vacant candidate slots from those candidates originally classified (before 5:00 PM on the second Friday preceding the Spring and Fall General Elections) as independent or non-slated candidates from a different political party.

733.01 In order for a candidate who originally qualifies as an independent candidate or who was reclassified by the Supervisor of Elections as an independent candidate under Section 713.4 to become a candidate of a political party, the candidate must change ~~his or her~~ their qualifications in writing with the Supervisor of Elections or the Supervisor of Elections' designated Assistant Supervisor of Elections before the end of qualifying. Candidates who have not been slated by a political party may not change their classification to anything other than independent

733.3 Upon qualifying, each candidate shall sign a waiver allowing Student

Government to ascertain that each elected person continues to fulfill eligibility requirement for such office during ~~his or her~~ their term of office.

733.4 Falsification of information certified as correct to the Supervisor of Elections required in 732.6 may result in disqualification. Each candidate shall determine that all information regarding ~~his or her~~ their qualifications is correct prior to ~~his or her~~ their qualifying for election.

733.6 If campaign material in violation of Student Government Election Code is observed for fifteen (15) minutes or greater, the Supervisor of Elections or one of the Assistant Supervisors of Elections shall attempt to contact the offending candidate, the president of the offending political party or ~~his or her~~ their designee. If the Supervisor of Elections or an Assistant Supervisor of Elections is unable to make contact, the Supervisor of Elections or ~~his or her~~ their designee, shall remove the offending material.

737.0 Any candidate stricken from the certified list may appeal to the Division of Student Affairs for issues of academic qualifications or the Elections Commission for issues of Student Government qualifications if the person believes ~~he or she is~~ they are qualified for office. Any error corrected by the Division of Student Affairs or the Elections Commission must be certified to the Supervisor of Elections no later than 5:00 P.M. on the second Friday preceding the election or the candidate will not be eligible for office.

739.0 Any student attempting a write-in campaign must email the Supervisor of Elections ~~his or her~~ their intent to seek office prior to the close of polls on the second day of elections in order to be eligible for office.

CHAPTER 740 – THE POLITICAL PARTIES ACT (2000-141, 2001-112, 2001-141, 2002-144, 2004-116, 2005-137, 2006-113, 2006-129, 2007-120, 2008-142, 2009-105, Board of Trustees ruling, 2010-100, 2010-102, 2011-100, 2011-107, 2012-101, 2014-121)

741.0 The official registration of a political party shall be fulfilled by the procedures herein defined. All prospective political parties and political parties shall physically file conditions (a) through (e) with the Supervisor of Elections or ~~his/her~~ their designee at the Student Government office no sooner than 9:00 AM seven (7) calendar days prior to the first day of qualifying and no later than noon of the day immediately prior to the first day of qualifications as specified in 733.0 all of the following information which shall be certified as correct by the party president:

745.0 A political party may replace a candidate who was disqualified under 713.4 with another candidate for that office if the new candidate (1) has qualified for the office, (2) is not already running for office with another recognized party, and (3) has submitted written approval of ~~his or her~~ their qualification. Written approval must be submitted to the Supervisor of Elections no later than 5:00 P.M. on the second Friday immediately preceding the election

CHAPTER 750 – THE ELECTION FINANCE ACT (2000-141, 2006-129, 2010-103, 2012-101)

751.0 Each political party, or candidate, if running as an independent, shall submit to the Supervisor of Elections each Monday by 5:00 P.M. starting after the mandatory meeting referenced in 713.5 until the Monday following the election, as well as the Tuesday, Wednesday, and Thursday of election week, a statement of all contributions and expenditures. A copy of all bills received or paid by the political party or on the political party's behalf as of noon on that same day shall accompany this statement. The political party or candidate shall submit a letter signed by all individuals or businesses with which the political party or individual acting on the political party's or candidate's behalf has done business. Such letter shall read as follows: "These bills which are attached are to the best of my knowledge a true, accurate, and total account of all business transacted by this concern with ___ party (or candidate's name) or individuals acting in its/~~his/her~~ their behalf. To the best of my knowledge, the total fair market value of the transaction(s) is _____dollars. I understand that the purpose of this letter is to appraise the proper authorities of the level of campaign expenditures."

CHAPTER 760 – THE ELECTION CAMPAIGN ACT (2000-141, 2002-144, 2002-155, Spring 2006 Ballot Initiative, 2006-129, 2007-131, 2008-107, 2009-101, 2011-100, 2012-101, 2012-107, 2012-SC: Students Party v. Swamp Party, 2013-SC: Students Party v. Swamp Party, 2016-104, re: "MERWITZER I")

762.0 Candidates shall ensure that all "campaign material" as defined in Section 700.4(f) shall be labeled with the phrase "Registered Political Advertisement" or a phrase of similar import approved by the Supervisor of Elections. The phrase shall be followed by the name of the individual who authorized the creation of, disbursement of, or payment for, a piece of campaign material. In addition, all campaign material must be registered with the Supervisor of Elections or ~~his or her~~ their Assistant Supervisors of Elections prior to the time of distribution. Procedures for distribution and posting of campaign material not provided for by the Student Government Election Code may be established by the Supervisor of

Elections or by the Elections Commission. However, such procedures shall not be inconsistent with the Student Government Election Code and they shall not be effective unless presented in writing to the candidates and registered political parties twenty-four (24) hours prior to the time that any such procedures take effect.

762.14 The Supervisor of Elections and ~~his/her~~ their designees have the exclusive right to distribute any material that indicates a student has already voted during the Student Government election cycle.

CHAPTER 770 – THE GENERAL ELECTION ACT (2000-141, 2001-113, 2002-144, 2004-116, 2005-138, Spring 2006 Ballot Initiative, 2006-123, 2006-129, 2007-103, 2007-109, 2007-111, 2007-112, 2008-104, 2009- 104, Board of Trustees ruling, 2010-100, 2011-115, 2012-101, 2012-107)

771.0 No qualified elector may vote or be admitted to a voting booth unless the elector presents to a poll worker, as referred to in 700.4(x), ~~his or her~~ their University identification card or an official picture ID which matches ~~his or her~~ their name to the University registrar's list as evidence of the elector's eligibility to vote as a student or verifies their identity through an electronic method of voter verification as defined in 700.4 (n).

774.0 Each qualified elector shall be responsible for ensuring that ~~his or her~~ their registration and address are current and correct on the Registrar's Office records.