**Bill Status: Moved to Second Reading**

****

**University of Colorado Student Government**

**Legislative Council**

|  |  |
| --- | --- |
| **September 20, 2018** | **89 LCB 03 – Election Code Revisions** |

|  |  |
| --- | --- |
| **Sponsored by:** |  |
| Shyloh Kirksey | CUSG Election Commissioner |
| Sarah Altshuler | Senator of Arts and Sciences |

|  |  |
| --- | --- |
| **Authored by**: |  |
| Shyloh Kirksey | CUSG Election Commissioner |
| Brady Itkin | CUSG Historian |
| Sarah Altshuler | Senator of Arts and Sciences |
| Thomas Anderson | Election Committee |

**A Bill to Revise the Election Code**

**Bill History**

The CUSG Election Commissioner has a Constitutional duty and power to design and implement an Election Code governing CU Student Government Elections. In the furtherance of this responsibility, this bill has been written as the Legislative Council of the University of Colorado Student Government has the power to ratify any such changes the Commissioner proposes to serve as a check on the Election Commissioner’s power to design and implement the code.

The Election Code is one of the most important governing documents that CU Student Government follows. This document fundamentally organizes and governs how the individuals who run our budgets, programs, and the changes to our campus become a part of CUSG.

**Bill Summary**

This bill outlines changes and adaptations to the election code that include the necessary revisions for the Fall Election of 2018. With the changes this bill introduces, the code can better provide an adequate election for the Representative at Large positions.

**Whereas,** CU Student Government is committed to fair, open, and efficient elections;

**Whereas,** the revisions to the election code from the previous election are necessary to improve the next one;

**Whereas,** adequate time to properly review and edit the election code is necessary;

**THEREFORE, BE IT ENACTED by the Legislative Council of the University of Colorado Boulder Student Government, THAT:**

**Section 1:** Section 402 of the CUSG Election Code shall be amended to include clause 402(b)(4) that shall read:

“(i) Each candidate must be physically present when obtaining their

signatures.

(ii) In extraordinary circumstances, the Election Commissioner may grant a waiver to 402(b)(4)(i)

**Section 2:** Section 402 of the CUSG Election Code shall be amended to add a clause that reads:

“(g) The Election Commissioner shall have the authority to extend the

deadlines related to Petition Packets if the purpose in doing so is

to foster an open, fair, and efficient election.

(i) Any extension granted shall apply to all persons interested in

seeking election to office.

(ii) No extension shall be made after the original deadline for

petition packets has expired.

(iii) Extensions shall not alter any events on the Election timeline

other than the Petition Packet due date.”

**Section 3:** Section 404(a) of the CUSG Election Code shall be amended to read:

“All candidates must attend a Mandatory Candidates Meeting the week after Petition Packets are due. The Election Commissioner shall be responsible for setting a date and location for the Mandatory Candidates Meeting prior to the due date of the Petition Packets.”

**Section 4:** Section 406(e) of the CUSG Election Code shall be amended to read:

“If after a tie there is a subsequent tie, the Election Commissioner will

assign the Chief Justice of the Appellate Court to flip a coin to

determine the winner of the race. The coin-flip will be done publicly

and in the presence of all affected candidates and the Election

Commission. The Election Commissioner must document the result of

the coin-flip.”

**Section 5:**  Section 601(b) of the CUSG Election Code shall be amended to read:

“Volunteer: Any person promoting a candidate or ticket at the direction

of a candidate or ticket. A volunteer’s contact information need not be

disclosed to the Election Commission to be considered a volunteer.”

**Section 6:** Section 602 of the CUSG Election Code shall add a clause to read:

“(f) Any campaign expenditures made by a Ticket prior to a candidate

leaving a Ticket through any means shall be indicated on both the

expense reports of the original Ticket and the independent

candidate.”

**Section 7:** Section 703(e)ii of the CUSG Election Code shall be amended to read:

“Within or on the grounds of any University-operated residence hall or University-owned residences, unless the candidate campaigning is a resident of the hall, and has explicit confirmation from the Hall Director. Said confirmation is to be shared with the Election Commissioner.”

**Section 8:** Section 703(g) of the CUSG Election Code shall be amended to read:

“Claiming the endorsement of an individual, group, organization, etc. without their/its consent. Candidates are required to obtain endorsements in writing.”

**Section 9:** Section 704(a) of the CUSG Election Code shall be amended to read:

“Destroying, defacing, covering, moving or removing from their places,

posters, signs, banners, leaflets or flyers of CU Student Government,

or any student organizations.”

**Section 10:** Section 704 of the CUSG Election Code shall be amended to read:

“(j) Failure to disclose the names and contact information of a

ticket/candidates’ volunteers to the Election Commission prior to

the beginning of voting.

1. In the event a person begins volunteering after voting has started, the ticket/candidate must inform the Election Commission of said volunteer within twenty-four hours in order to avoid a violation of this infraction.

(2) A single infraction of this section shall occur with each volunteer

of a Ticket or Candidate whose contact information has not been

submitted to the Election Commission.”

**Section 11:** Section 802(b) of the CUSG Election Code shall be amended to read:

“The report shall provide the Ticket name (if applicable), candidate's

name, office(s) sought, a ledger for campaign contributions, and a

ledger for campaign expenditures. The expenditure report must be

submitted via electronic email to the Election Commission, and a

physical copy must be furnished as well to the CUSG Office Manager

or Election Commission on the soonest business day after the election

by 5:00pm.”

**Section 12:** Section 802(b) of the CUSG Election Code shall add a clause to read:

“(4) All social media campaigns and/or online advertisements must be

reported to the Election Commission as soon as they are launched,

and must also be reported individually on the Campaign

Expenditure Reports. Any initial report of a social media campaign

must include total monies spent, whether the candidate or ticket

plans to spend additional monies on the campaign, its targeted

audience (including any geofencing, interests targeted, etc.), and

the content of such a campaign.”

**Section 13:** Section 1004(a)(1) of the CUSG Election Code shall add a clause to

read:

“(i) All campaign finance infractions shall be filed within 48 hours of

the campaign finance reports being submitted.”

**Section 14:** Section 1004(3) of the CUSG Election Code shall be struck:

“~~The Election Commissioner must file all complaints related to~~

~~Campaign Finance and Expenditures.~~”

**Section 15:** Section 1004 shall be amended such that numbering is consistent.

**Section 16:** Section 1005(a) of the CUSG Election Code shall be amended to read:

“The Infraction Tribunal shall be held after the close of business on the

Wednesday following the end of the election, or the morning of the

Saturday after the Monday of a runoff election. The Infraction

Tribunal shall be held in the manner outlined by Rule 23 of the

Appellate Court Bylaws.”

**Section 17:** Section 1005(a)(5) of the CUSG Election Code shall be amended to

read:

“Whenever there is an infraction complaint filed by a member of the

Election Commission, the person who filed the complaint shall recuse

themselves from the Tribunal and act as the complainant for the

particular complaint.”

**Section 18:** Section 1006(e) of the CUSG Election Code shall add a clause to

read:

“(1) The invalidation of votes for a candidate or group that was

disqualified shall not affect any other vote made on that ballot.”

**Section 19:** Section 1008(b) of the CUSG Election Code shall be amended to

read:

“Any Appeals to rulings made by the Election Commission must be

submitted to the Appellate Court within three (3) days of the release

of the opinions of the Infraction Tribunal.”

**Section 20:** This Bill shall take effect upon passage by the Legislative Council and upon either obtaining the signatures of two Tri-Executives or the lapse of six days without actions by the Tri-Executives.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Josh Ney David Kidd

Legislative Council President Student Body President

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_

Olivia Wittenberg Jake Reagan

Student Body President Student Body President