

TITLE VII **The Student Body Election Code**

History: Amended by 44th Senate Bills 104, 161, 162, 163 and 166. Revised by 45th Senate Bills 155 and 172. Revised by the 46th Senate Bills 34 and 35. Revised by the 47th Senate Bills 14, 61, 62, 71, 78, 99, 174, 177 and 186. Revised by the 48th Senate Bills 19, 31, 65, 66, 75, 109, 119, 152 and 156. Revised by the 49th Senate Bills 6 and 116. Revised by the 50th Student Senate Bills 51, 146 and 162. Revised by the 51st Senate Bills 16, 17, 23, 24, 25, 26, 27, 30, 72, 105 and 121 A, 121 C. Revised by the 53rd Senate Bills 8, 12, 47 and 119. Revised by the 54th Senate Bills 11, 25, 64, 82 and 106, 110 (A), 113 and 117. Revised by the 55th Senate Bills 45, 71, 92 and 103. Revised by the 56th Senate Bills 22, 58 and 98. Revised by the 57th Senate Bills 8, 14 and 47. Revised by the 58th Senate Bills 3, 7, 50, 70, 79. Revised by the 59th Senate Bills 5, 19, 65 and 100. Revised by the 60th Senate Bills 8, amendment to Bill 8, 12, 27 and 59. Revised by the 61st Senate Bills 9, 16, 47, 73 and 82. Revised by the 62nd Senate Bill 19. Revised by the 63rd Senate Bills 39, 75, 81. Revised by the 64th Senate Bill 53. Revised by the 65th Senate Bills 25, 80 and 88. Revised by the 66th Senate Bill 7. Revised by the 68th Senate Bill 45. Revised by the 69th Senate Bills 31, 34, 51, 53 and 83. Revised by the 70th Senate Bills 30, 31 A, 75, 76, 79, 80 A, 83, 84, 85, 88, and 90. Revised by the 71st Senate Bills 3, 20, 23, 29, 44, 70, 89, 90, 103

Chapter 700 Restrictions on Altering the Election Code

Once the date of an election has been determined, according to 705.4 and 706.5, the election code used for that election cannot be changed. The Election Code will be enforced in a time period beginning three (3) weeks prior to an election and ending upon the certification of that election. This does not preclude the reporting of violations later enumerated in Chapter 711.

Chapter 701 Definitions

701.1 The following words and phrases, when used in this title shall be defined as follows:

- A. Campaigning – The distribution of campaign materials, use of campaign materials, or the solicitation of support for or against a ballot item, political party, and candidate for an elected office of the Student Body. Campaigning shall begin the Wednesday at 12 a.m., one week prior to the Election Day.
 - 1. Solicitation of support shall be defined as publishing the name or likeness of any candidate or political party to expressly advocate the election or of defeat of a candidate; that cannot be interpreted as something other than an appeal to vote, through publishing, for or against a specific candidate.
 - 2. Nothing in this Election Code shall be construed as to prohibit a candidate who has been formally approved for candidacy from stating what office the candidate is running for.

- B. Electronic Communication – campaigning through any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, digital, radio, computer, cellular or wireless device.
- C. Campaign Contribution - The gift or furnishing of money, materials, supplies, professional services, or any in-kind contribution to any campaign in any form.
- D. Campaign Expenses - The fair market value of any goods or services paid for or received by the campaign for the purpose of advertising candidates, advertising political parties during campaigning, violation penalties accrued during an election, and/or calling for the action to vote. This shall include setup or production fees, sales tax, or any other secondary costs for goods and services.
 - 1. Discounted items that are available to all persons and political parties at the time of purchase shall be exempted from fair market value criterion.
 - 2. This section shall not be construed to apply to speakers, volunteers, and other campaign workers of a purely voluntary, unpaid nature.
 - 3. To question the “fair market value” of a good or service declared by a candidate or party, the questioning party must obtain and submit an affidavit from the contractor or merchant in question disputing the candidate or party’s claim of fair market value, when such claims understates fair market value.
- E. Campaign Materials - any material, including but not limited to social media, electronic communication, videos, posters, placards, signs, signboards, leaflets, folders, handbills, fliers, banners, t-shirts, buttons, paint, University owned walls that may be painted on, handwritten announcements or circulars of any size and consistency that publicize a political party or candidate for an elected office of the student body, and calling the action to vote.
- F. Candidate - Any student seeking to be elected as an officer of the Student Government Association.
- G. Declaration of Candidacy - Filing of intent to run for elected office with the Supervisor of Elections.
- H. Five Week Period – the three weeks prior to the date of elections and two weeks after the date of elections.
- I. Independent Candidate - Any candidate who is not running with a party.
- J. Official Ballot - The medium used by which a vote is recorded.
- K. Political Party - Any number of persons properly registered with the Supervisor of Elections, working together to establish, promote, or gain acceptance for some kind of government cause, opinion, etc., which they hold in common.
- L. Electorate - The electorate shall be the entire registered student body at FSU. The electorate shall be divided into divisions and special seats. Only those enrolled in a specific division may vote for Senate or COGS candidates seeking to represent that division. Only those enrolled in the Senior Class shall be eligible to vote for candidates seeking office in the Senior Class Council. All

students may vote for candidates for campus-wide elected offices, as well as for Constitutional Amendments and Referenda.

- M. General Election: Bi-annual election held for the purpose of determining the candidate who shall assume office. There shall be two General Elections per year, one in the fall semester and the other in the spring.
- N. Special Election - an election held at any time other than a General Election for any purpose.
- O. Division – shall be defined as academic colleges and schools as reported by institutional research.
- P. Certificate of Election - A document certifying that a candidate has been duly elected.
- Q. Final Expense Statement - A document listing all financial expenditures or contributions in regards to fees and/or donations. All receipts of expenditures, all banks statements and their proper relatives, deposit slips, and other documentation recording expenses and donations received are part of the Final Expense Statement. The following shall also be considered part of the Final Expense Statement:
 - 1. A statement of the cumulative campaign expenditures based on the fair market value, signed by the candidates and/or party chairman.
 - 2. An itemized list of all expenses.
 - 3. A signed statement provided by the Supervisor of Elections attesting to the validity of the total campaign expenses and contributions, and that all campaign contributions were collected in accordance with student body statutes.
 - 4. An itemized report containing the full name, residence or business address of each person who has made one or more contributions in any form to the campaign.
 - 5. Campaign Contribution Statement, a copy of all account statements, check stubs, deposit slips, and any other financial documents shall be submitted on the first Wednesday of campaigning by 12:00 p.m. as well as in the candidate for party's final expense statement.
- R. Filing shall be defined as completing the proper form or paperwork required by the specific statute. In the case of a requirement to file when the election office is closed, unoccupied, or otherwise unable to serve the students, the submission of an electronic mail copy with all required information may substitute for a paper form. The elections office shall work toward having an on-line filing form where data may be entered on the elections website. Should such a system be developed, submission shall count as filing. If some additional documentation cannot be submitted electronically, the Supervisor of Elections is empowered to request such documentation within a reasonable amount of time from the person who filed electronically.

- S. Unofficial election results – the election results announced in Senate and posted in the SGA offices and on the SGA website.
- T. Final election results – all votes of an election that have been verified by the Office of Elections as outlined by 711.4.
- U. Official election results – the final election results after all final expense statements have been approved and there are no outstanding appeals and/or alleged violations.
- V. Campaign Contribution Statement – Shall be defined as a copy of bank account statements, check stubs, deposit slips, receipts of both campaign expenses and campaign materials as defined in 701.1 D and 701.1 E, respectively, up to the date of submission and any other financial documents which shall be submitted by 12:00 p.m. on the first Wednesday of campaigning and in the candidate or party’s final expense statement. This shall be submitted on a form prescribed by the Supervisor of Elections.
- W. Internal Data System – Data collective by a candidate or political party used to contact their party officers, their candidates, or the electorate through electronic communication on an electronic form created by the Supervisor of Elections.
- X. A Business Day – Shall be defined as a day during which the SGA Advising and Accounting Office is open.
- X. Election Cycle – When Title VII goes into force for an election until the Supervisor of Elections’ deadline for filing violations according to 711.4J.
- Y. Advertisement – Shall be identified as notice or announcement in a public medium promoting a candidate of political party in which a monetary transaction is made or considered a campaign material.
 - 1. Organic social media engagement shall not be considered as a form of advertisement.
 - 2. Non-candidate or non-dues paying political party members’ posts shall not be considered advertisements.
- Z. Free equal time – Shall be defined as providing equivalent opportunity for advertising to any opposing political candidates who request it.

Chapter 702 Supervisor of Elections Office

702.1 Selection Process

- A. Supervisor of Elections
 - 1. A Supervisor of Elections shall be appointed by the Student Body President and confirmed by majority vote of the Student Senate in accordance with Chapter 405.2 A of Student Body Statutes.
 - 2. A Supervisor of Elections must be appointed no later than the last week of the Spring semester and confirmed no later than the first Student Senate meeting of the fall semester.

- a. If the Supervisor of Elections leaves office within three (3) weeks of an election, a Deputy Supervisor of Elections must be appointed by the Student Body President immediately subject to Senate confirmation. If this is not done, the Student Senate shall be empowered to interview and choose its own candidate for the position.
 3. The Internal Affairs Committee shall administer the same certification exam, created by the Judiciary Committee, used for the Elections Commission appointments; to the Supervisor of Elections, the Deputy Supervisor(s) of Elections, and the Election Assistants. This is done prior to confirmation.
 - a. The candidates above must pass the exam within two (2) attempts per semester, with an 80 percentile correct.
 4. No Supervisor of Elections shall be a candidate for any Student Government Association office or be associated in any way with political parties.
- B. Deputy Supervisor of Elections
 1. The Supervisor of Elections will coordinate with the Executive Branch when choosing Deputies and forward them to Senate to be confirmed.
 2. No Deputy Supervisor of Elections shall be a candidate for any Student Government Association office or be associate in any way with political parties.
- C. Election Assistants
 1. Election Assistants will be chosen at the discretion of the Supervisor of Elections.
 2. No Election Assistants shall be a candidate for any Student Government Association office or be associate in any way with political parties.

702.2 Duties of the Supervisor of Elections

- A. Ensures political parties in accordance with the Statutes.
- B. Ensure that the qualifications of candidates are within three academic days of the filing deadline.
- C. Employs at least two (2), not more than three (3) impartial Deputy Supervisors to serve an election. Appoint at least one (1), no more than two (2) Election Assistants, as necessary beginning two (2) weeks prior to the end of Election Day, to operate as impartial assistants with information sessions, polls from opening to closing time, and assist the Office of the Election. Employ election assistants, as necessary beginning three (3) days prior to the end of the Election Day, to operate the poll(s) from opening to closing time and assist the Office of Elections.

1. Hire, train, assign duties to, and supervise the Deputy Supervisor(s); obtain Senate confirmation for Deputy Supervisor(s).
 2. Hire, train, assign duties to, and supervise Election Assistants.
 3. Dismiss and promptly replace any Deputy Supervisor or Election Assistants due to malfeasance, misfeasance, or nonfeasance.
- D. Creates and implements marketing strategies to improve voter turnout for all SGA elections.
1. At least two (2) weeks prior to the Elections, the Supervisor of Elections must advertise available seats, deadlines, voting site(s), and election date.
 2. The ballot items must be posted on the website, as well as the Approved Final Expense Statements of the political parties and individuals prior to the certification of elections.
- E. Enforces the Election Code subject to approval of the Elections Commission when appropriate.
- F. Verifies the fair market value of each campaign expense, discount or donation through various means, including but not limited to job quotes and receipts.
- G. Verifies the Final Expense Statement.
- H. Refers questions of interpretation of the Election Code to the Student Supreme Court. The Student Supreme Court must render a written advisory opinion within twenty-four (24) hours of any submission of a request for an interpretation of the Election Code.
- I. Supervises the approval of campaign materials. The Supervisor of Elections shall keep records of all election results, financial information, and campaign materials. All records shall be kept for a minimum of three (3) years.
- J. Notifies all candidates via e-mail within 24 hours of the decision to hold a Special Election. At this time, the Supervisor of Elections will inform the candidates of the date, time, and circumstances of the election.
- K. Provides detailed descriptions and procedures for the filing of candidates in written forms for prospective candidates. Publish procedures and available offices at least one (1) week prior to the filing deadline on the SGA website, as well as make said documents readily available in the Office of Elections.
1. Ensure the publication of the election date, time, polling location(s), and appropriate procedures for voting on the SGA website. They must also have written copies of the unofficial ballot available and posted outside the SGA Accounting and Advising Office on Election Day.
 2. Ensure the publication of the official ballot, referenda, and constitutional amendments, a week before the elections on the Student Government Association Website necessary SGA-related platforms. They must also

have written copies available and posted outside the SGA Accounting and Advising Office and the polling stations on Election Day.

3. Ensure the publication of the unofficial elections results no later than 48 hours after the close of polls on the Student Government Association website and necessary SGA-related platforms.
 4. Ensure the publication of the dates and times of the deadlines for the declaration of candidacy for an elected office a week prior to the deadline for filing of intent to run for elected office on the Student Government Association Website and necessary SGA-related platforms.
- L. Disqualify candidates or political parties, who make false statements regarding qualifications for office, who forge signatures on applications, or who fail to follow campaign collections statutes as outlined in 710.4.
- M. Hosts an SGA sponsored executive debate every Spring semester that will include the Student Body President, Vice President, and Treasurer candidates. The debate must take place during campaigning on any of the seven days prior to the election date. In the event that there is no opposition, it shall be the Supervisor's responsibility to implement an executive question and answer event.
1. It shall be the Supervisor's responsibility to include questions specifically for each candidate and their respective position.
 2. It shall be the Supervisor's responsibility to notify all candidates for office of the event details in writing including the time, date, venue, and questions that will be asked, no less than five (5) school days prior to the event, as well as request their attendance and participation at the event.
 3. It shall be the Supervisor's responsibility to advertise the event to the student body no less than five (5) school days prior to the event. The debate advertisement must include the date, time, and place of the debate.
 4. The Supervisor of Elections shall allot a portion of the debate for questions from students in attendance to the candidates. The questions presented to each candidate shall be screened on-site by a committee comprised of the Supervisor of Elections, and one representative for each candidate participating in the debate. Questions shall only be asked once they have received unanimous support from said committee. The Supervisor of Elections shall ensure that decorum is upheld during questioning.
 5. An Executive Question and Answer Event occurs when the Spring Semester candidates are given the opportunity to address a set of questions. The set of questions shall be done by the Supervisor of Elections and shall be no more than six questions. Two days prior to the debate the Supervisor of Elections will open up a form for students to submit questions; The Supervisor of Elections and Deputies will review the submitted questions and choose no more than six to be asked at the question and answer event.

- N. Declares candidates or voting blocks of any election to be elected by acclamation if an election is uncontested at the deadline of declaration of candidacy filing, pending the resolution of any candidacy controversies to be resolved by the Elections Commission, Supervisor of Elections, or other pertinent authority. Candidates who fall under this provision may be excluded from the ballot at the discretion of the Supervisor of Elections.
- O. Invalidates ballots and parts thereof cast contrary to the Student Body Statutes.
- P. Maintains, as public record, in the Supervisor of Elections Office, the final result and ballots of all elections.
- Q. Declares results valid and certify an election.
- R. Declares an election invalid when they are unable to validate the unofficial and final results of an election based on the Rules of Procedure as outlined in Title VII.
- S. The Supervisor of Elections of the Deputy Supervisors must review and decide on the approval or denial of campaign materials within twenty-four (24) hours of submission, excluding non-business days. This review shall be in accordance with Chapter 702. L of the Student Body Statutes. The Supervisor of Elections shall record the description of each item used, the quantity used, and the prices based on receipts. (Both discounted and fair market value of each item and the total cost).
- T. The Supervisor of Elections shall have the authority to change the Declared Seat Number for Candidates to the Student Senate and Congress of Graduate Students if all of the following criteria is met:
 - 1. The number of candidates who filed for that division is equal to or less than the number of seats allocated for that semester's election.
 - 2. All filed candidates for that division have been properly contacted about the change by the Supervisor.
 - a. No earlier than three (3) days after filing closes
 - b. No later than twenty-four (24) hours before the starting time of the election day
 - 3. No candidates show disapproval to themselves of being moved to a different seat number than they originally filed for.
 - 4. There remains no outstanding appeals for qualifications of candidates in that division as outlined in 704.3 A.

702.3 Hours of Operation

- A. The Office of Elections shall be open for a minimum of fifteen (15) hours, not to exceed thirty (30) hours a week, during the five (5) week election period. During the operation weeks prior to and after this five (5) week period, the office shall be open a minimum of ten (10) hours and a maximum of fifteen (15) hours.

1. Two weeks prior to election day the Office of Elections shall be open for at least two (2) hours per business day.
- B. The Supervisor of Elections shall work no more than twenty (20) hours a week during the five (5) week election period. During the operational weeks prior to and after this five (5) week period, the Supervisor of Elections shall work no more than ten (10) hours a week.
- C. The Deputy Supervisors of Elections shall individually work no more than ten (10) hours a week during the five (5) week election period. During the operational weeks prior to and after this five (5) week period, the Deputy Supervisors of Elections shall work no more than five (5) hours a week.

702.4 Role in the Election Commission

- A. The Supervisor of Elections shall serve as chair of the Elections Commission.
- B. Convene the Elections Commission and assist in setting the agenda for its meetings.
- C. Publish meeting times twenty-four (24) hours prior to Elections Commission meetings. The Elections Commission shall attempt to notify candidates or political parties who are charged with alleged violations at least twenty-four (24) hours in advance of the meeting by phone, email, or in person.
- D. During campaigning the Supervisor of Elections shall review and rule on any alleged violations in the Elections Code. The Supervisor of Elections has the right, based on the Student Body Election Code, to decide whether an alleged violation shall be forwarded to the Elections Commission. Notice of such a decision must be given to the party, or individual filing the violations, within twenty-four (24) hours. This decision can be appealed to the Election Commission according to 703.2 of the Elections Code.

Chapter 703 Composition of the Elections Commission

703.1

- A. The Elections Commission shall be composed of the Supervisor of Elections and six (6) FSU students selected by the Chief Justice of the Student Supreme Court. Alternate(s) shall be selected by the Supreme Court Chief Justice to fill absences. The SGA Advisor and one Deputy Supervisor of Elections shall serve as ex-officio non-voting members. Quorum for meetings shall be no less than four (4) of the seven (7) voting members.
 1. The Supervisor of Elections shall serve as the chair of the Elections Commission. The Commission shall elect a vice-chair by a majority vote of no less than quorum. The Supervisor of Elections shall be responsible for convening this meeting.
 2. The Elections Commission must convene for the first time no later than three (3) weeks prior to any election.
- B. No member of the Elections Commission shall be a candidate for Student Government Association office. No member of the Elections Commission shall be affiliated in any way with a political party.

- C. Upon just cause and in a written and signed request to the Student Government Association Advisor, any candidate for office shall have the right to request a recusal of any member of the Elections Commission. The SGA Advisor shall investigate the complaint and upon finding merit, that member must recuse themselves.
- D. The Elections Commission shall serve as an appeals board before cases are brought to the Student Supreme Court. The Elections Commission shall also determine if alleged violations are upheld. The process by which the Commission shall undertake these duties outlined in Chapter 703.2 of the Student Body Statutes.
- E. The Senate President may create an ad-hoc Elections Oversight Committee to compose a written or multiple-choice certification exam to assess appointments to the Elections Commission. The test must fairly encompass the Election Code. The Judiciary Committee must approve this test prior to the start of campaign week every Fall and Spring semester. A previously used test may be re-approved. All voting members of the Election Commission shall take the Election Code test every Fall Semester. If any vacancy should occur, the new voting member shall take the Election Code Test prior to their first Election Commission meeting.
 - 1. A passing grade will consist of eighty (80) percentile with not more than two (2) attempts within a semester.
 - 2. The competency test will be administered and graded by the Supervisor of Elections.
 - a. Only the questions answered incorrectly may be revealed, but not the answer choices.
 - b. The test questions and scores may be made available upon demand to the Student Body President, Vice President, Chief of Staff, Supervisor of Elections, Senate President, Senate Pro Tempore, Senators, COGS Speaker of the House and the SGA Advisor.

703.2 Powers and Duties of the Elections Commission

- A. All actions of the Elections Commission shall require the approval by a majority of present, voting members.
- B. The Supervisor of Elections shall abstain from voting when:
 - 1. The Supervisor and/or Deputy Supervisor(s) of Elections files an alleged violation against an independent candidate, individual candidate, and/or political party.
 - 2. An independent candidate, individual candidate, and/or political party files an appeal against the Supervisor and/or Deputy Supervisor(s) of Elections.
- C. Submit recommendations regarding the Elections Code to the Student Senate.

- D. Appoint a Secretary
1. Appointment:
The Elections Commission Secretary shall be selected by a majority vote of the Elections Commission.
 2. Duties:
Record the minutes of the Elections Commission.
- E. Decide and validate the agenda of the Elections Commission in conjunction with the Supervisor of Elections.
- F. Hear and act upon appeals against decisions of the Supervisor of Elections. They may overturn such decisions by majority vote. The Rules of Procedure for Elections Commission hearings for appeals or alleged violations shall be the following:
1. The Elections Commission shall notify all candidates and political parties involved at least 24 hours prior to a scheduled hearing.
 - a. The Elections Commission Chair shall be able to convene the Elections Commissions without 24 hour notice when all candidates and political parties involved agree to an earlier meeting time.
 2. The meeting time shall not conflict with Student Senate, therefore not allowing a candidate running for re-election to attend. If a conflict of schedule exists, the affected candidate has until five (5) hours prior to the Elections Commission meeting to notify the Supervisor of Elections. Candidates shall provide the Supervisor of Elections with documentation regarding the scheduling conflict and any excuse granted shall be in accordance with University Policy. If no such excuse is provided to the Supervisor of Elections, the Supervisor of Elections shall have the sole discretion to allow the Elections Commission to hear the case in question.
 3. Once convened for the first time, the Elections Commission will elect a Vice-Chair from the Commission to preside over meetings in the absence of the Chair.
 4. As the first order of business, the Elections Commission will confirm the minutes of the previous meeting.
 5. The second order of business will be to resolve any previous business left over from the last meeting.
 6. Once old business is completed, the chair will then read aloud each appeal or alleged violation that the Commission will hear during the said meeting.
 7. The Commission will then hear each appeal or alleged violation in the order that it was received. It is up to the Commission's discretion whether or not to combine or disjoin similar appeals or violations.

8. Each party shall be allotted fifteen (15) minutes to present their respective case.
 9. Following the presentation of the case each party shall be entitled to a five (5) minute closing.
 10. At any time during the hearing, the Commission shall be entitled to ask questions of either party. Questioning shall not penalize each party's respective time limits.
 11. If the case before the Elections Commission is an alleged violation, the Elections Commission shall then rule by majority vote on the following:
 - a. If the alleged violation at hand, when proved would constitute a violation at all.
 - b. Whether or not the alleged violation should be sustained.
 12. If the case before the Elections Commission is an appeal, the Elections Commission shall rule by majority vote on whether the decision of the Supervisor of Elections is sustained or overturned.
 13. If the case before the Elections Commission involves contesting the election as outlined in 708.1, the Elections Commission shall vote by a simple majority to validate or invalidate the election results.
 14. The Commission shall be entitled to extend the allotted time for both parties by up to thirty (30) minutes through a majority vote.
 15. The Commission shall post the results of the meeting within twenty-four (24) hours.
 16. Should a conflict in statutes, an emergency, or an otherwise unforeseen circumstance render it infeasible for someone to comply with the Election Code, or it be a miscarriage of justice to enforce the code, the Election Commission shall have the power to rule if a "good faith effort" was rendered by the specified party and adjust the ruling as necessary. Such a ruling may also be appealed to the Supreme Court.
- G. Investigate, note, and make findings of fact of violations of the Election Code.
- H. Decisions of the Elections Commission may be appealed to the Student Supreme Court. The Elections Commission must rule on a matter before it can be appealed to the Supreme Court. Under no circumstances may the Elections Commission defer ruling on a matter to a higher body without rendering a decision.
- I. Any decision made by the Elections Commission may be appealed to the Supreme Court no later than twenty-four (24) hours after said decision has been issued, sustained, dismissed or overturned at the Elections Commission meeting. No appeals of decisions made by the Elections Commission shall be accepted after this twenty-four (24) hour period.

704.1

- A. All candidates must qualify for the office as defined by the Student Body Constitution and Statutes.
- B. All senatorial candidates must be enrolled, by filing deadline, in the University division that they seek to represent. Senators who file in divisions in which they are not registered shall be removed from the ballot.
- C. If an upper-division candidate is enrolled in more than one division, that individual may represent the division of their choice.
 - 1. After submission of the Declaration of Candidacy and signing of the Memorandum outlined in 704.2 H, such students cannot change the division in which they run under in that given election, unless a special election is called in which candidates must resubmit Declarations of Candidacy.
- D. Candidates for the Senior Class Council must be enrolled in the Senior Class by the Fall academic semester following their election to office. Elected officials in the Senior Class Council who fail to meet the criteria by the time they enter the Fall academic semester following their election to office shall be subject to immediate impeachment proceedings by the Student Senate, no later than one week following the beginning of the fall semester in question.

704.2

Declaration of Candidacy

- A. No candidate shall be placed on the Official Ballot who has not filed declaration of candidacy or who has not met the specific qualifications for the office.
- B. The Supervisor of Elections shall provide the Declaration of Candidacy Form which shall be signed by the SGA Director of Student Affairs or SGA Assistant Director, to confirm the candidate's qualifications for office.
- C. A political party may remove its affiliation with any candidate with the consent of the party's officers. Otherwise, only a candidate for office may change their declaration.
- D. Only the candidate may withdraw their Declaration of Candidacy twenty-four (24) hours before the starting time of the election day.
- E. No student shall declare candidacy for more than one (1) major office at a given time.
- F. Each candidate shall show understanding and acceptance of all filing procedures, campaign restrictions, and the elections and ethics codes prior to filing. This will be shown by signing an affidavit provided by the Supervisor of Elections. In addition, candidates will also sign a statement that they shall be liable for all actions undertaken by their party.
 - 1. The Supervisor of Elections or the SGA Director of Student Affairs shall make all information pertaining to filing available at least one (1) week prior to the filing dates. At that time the Election Code shall be considered binding for the elections in question and shall not be changed by the Student Senate.

- G. There shall be Mandatory Candidate Seminars on Monday and Tuesday after the deadline of the declaration of candidacy organized by the Supervisor of Elections that will inform candidates about rules and procedures. Independent candidates and political party candidates are only required to attend one of the mandatory candidate seminars. Political Parties must send their candidates along with their Campaign Manager or Treasurer who falls under Chapter 710.3 A of the Student Body Statues. The Supervisor of Elections shall have the sole discretion to hold additional seminars. Candidates or parties who fail to attend one of the seminars held by the Supervisor of Elections shall lose their eligibility for office unless they show proof of class conflict or illness. This shall not apply to candidates seeking only seats in the Congress of Graduate Students.
- H. All candidates for office will sign a memorandum of understanding provided by the Supervisor of Elections discussing the penalties associated with, and specified by, Chapter 711 of the Student Body Statutes.
- I. Candidates for Oglesby Union board must also attend an Orientation Session to be held immediately after the Mandatory Candidate Seminars. Current members of the Oglesby Union Board shall organize the meeting.
 - 1. Candidates for the Oglesby Union Board who fail to attend one of the sessions and fail to schedule makeup appointment shall low their eligibility for office, unless they show proof of class conflict or illness.

704.3 Ruling on Candidates Qualifications

- A. The Supervisor of Elections shall rule on the qualifications of candidates within three (3) days after filing closes, subject to appeal to the Elections Commission in accordance with Chapter 703.2 of the Student Body Statutes.
- B. The Supervisor of Elections shall disqualify candidates who make false statements regarding qualifications for office or who forge signatures on applications.
- C. Candidates disqualified by the Supervisor of Elections shall be notified in writing by the Supervisor of Elections. This shall be delivered to the candidate and to the candidate's party, if applicable, no later than two (2) school days after the disqualification has been made.
- D. The Supervisor of Elections shall coordinate with the appropriate university offices to verify the qualifications of all candidates.

704.4 Political Parties

- A. Any group of students may organize as a student political party and nominate candidates.
- B. The Supervisor of Elections shall officially recognize a political party when the party does all of the following:
 - 1. Files with the Supervisor of Elections two (2) accurate copies of its constitution, and an accurate list of its officers.

2. The party chair or its equivalent signs an affidavit provided by the Supervisor of Elections stating that the party will abide by the Student Body Constitution and Statutes, as well as its own constitution and bylaws.
 3. Nominates at least one candidate for office per year.
 4. Files a party name, acronym, or logo that does not duplicate or blatantly resemble the name, acronym, or logo of any other existing FSU campus political party, copyrighted image or symbol, or any living individual. Party names may not be vulgar or offensive and the acceptance of names shall be at the discretion of the Supervisor of Elections.
 5. Political parties must be Recognized Student Organizations with the Student Activities Center.
 6. Political parties must be recognized by the Supervisor of Elections at least one day prior to the filing deadline of each semester.
 7. Every party's campaign manager and treasurer must sign a memorandum of understanding provided by the Supervisor of Elections discussing the penalties associated with, and specified by, Chapter 711 of the Student Body Statutes.
- C. Party recognition may be obtained only when these steps have been completed and accepted by the Supervisor of Elections.

704.5 Ballot Provisions

All questions of opinions, compulsory referenda, constitutional amendments, and other ballot provisions must be submitted to the Supervisor of Elections from the President of the Student Senate stating the Senate's approval, or with all petitions signed from the sponsor of the proposed ballot provision by the filing deadline for an election. Should the necessary number of signatures or Senate approval be received after the filing deadline, then the ballot provision will go onto the ballot for the next general/special/referenda election to be held. The Senate may withdraw its approval by the same majority needed to propose to ballot. However, the signatures for a petition provision may not be withdrawn by the petition sponsor. They may only be personally withdrawn individually by the petitioners e-mailing the Supervisor of Elections from their FSU account prior to the close of filing for the election in which the provision is put to the ballot. The Supervisor of Elections shall post online all provisions (both wording and statements of intent/understanding), their source (Senate or petition), and the number of remaining signatures needed, if applicable. The following rules on petitions shall be enforced:

- A. All ballot provision petition forms must include identification information for the student in the form of: Full Name, Major, FSU ID, date signed, and signature.
- B. All petitions must declare at the top of the form: what category of provision they are, what type of force they have, how many signatures are needed for the ballot, and what approval vote is necessary. The beginning of the petitions must follow the wording below:

1. For opinions questions, the following wording must appear: "This is a petition to add an Opinion Question to the FSU Student Body Election ballot. It has no legal force or action other than to ascertain the opinion of the Student Body on a particular issue. It needs two-hundred (200) signatures to reach the ballot and a majority to become the unofficial opinion of the FSU Student Body."
 2. For referendum elections, the following wording must appear: "This is a petition to add a referendum election to the FSU Student Body Election ballot". It has legal force to require SGA to take the actions required therein assuming the majority of the electorate voting on the referendum vote yes, it needs five-hundred (500) signatures to reach the ballot.
 3. For constitutional amendments, the following wording must appear: "This is a petition to add an amendment to the Student Body Constitution to the FSU Student Body Election ballot". It has legal force to require SGA to take the actions required therein assuming two-thirds (2/3) vote yes, and a least ten percent (10%) of the Student Body votes on the constitutional amendment. It needs fifteen hundred (1,500) signatures to reach the ballot.
- C. All petition forms must have the full text of the proposed provision and must begin their official ballot text with the statement "I, the undersigned, as a legally registered FSU student, aware that submitting false and/or duplicate information is a punishable offense, do hereby petition the Student Body Supervisor of Elections to add the following ballot provision to the Student Body election ballot."

Chapter 705 Fall Elections

- 705.1 Fall elections shall include elections for Student Senate, Campus Recreation Board, Congress of Graduate Students, and all referenda and constitutional amendments duly proposed pursuant to the Student Body Constitution and Statutes.
- 705.2 If the date of elections is a religious holiday, it shall be moved one (1) week by the Supervisor of Elections. This must be done prior to the filing deadline. If the Elections are moved, the Supervisor of Elections shall inform the Student Body President, the Senate President, and the Speaker of the Congress of Graduate Students no less than two weeks prior to the new date of the elections or the original date of elections, whichever is earliest.
- 705.3 All candidates for office shall file applications with the Supervisor of Elections no later than 4 p.m. on Wednesday, two weeks before the elections.
- 705.4 The elections shall take place on the seventh Wednesday of the fall semester. In the case of a date conflict the Student Senate shall determine the date of the elections between the sixth and eighth week of school by a resolution passed no later than the last Senate meeting of the spring semester. If no such resolution is passed the Supervisor of Elections shall select the date of elections no later than the Friday following the third Wednesday of the semester.
- A. The Student Body President and the Speaker of the Congress of Graduate Students shall be notified by the Senate Program Assistant within 24 hours of

the enrollment of any resolution to set the date of the fall elections in accordance with the above provision.

- B. If the Supervisor of Elections shall set the date of the election in accordance with the above provision they shall notify the Student Body President and Speaker of the Congress of Graduate Students within 24 (twenty-four) hours of determining the date of the election.
- C. Once the date of the elections is determined an announcement shall be sent by Senate to the SGA webmaster to be published on the Student Government Association website.
- D. The Rules and Calendar Committee shall set the date of the fall election by majority vote. The acting chair of the Rules and Calendar Committee shall sponsor the resolution setting the date of the election in accordance with statute 705.4 of the Student Body Statutes.

705.5 Student Senate

- A. Each division shall be entitled to at least one (1) representative in the Student Senate.
- B. The number of seats allocated to the Student Senate shall be eighty (80). Each elected member shall serve a one-year term.
- C. Using the Student Data Base, the seats shall be apportioned each fall based on the percentages of students in each representative division. All students will be classified by their division and will be eligible to vote and run for seats in their respective division. All graduate and professional students shall be eligible to be a candidate for as well as vote for all seats in the Graduate Studies division. All Special Students shall be eligible to be candidates for as well as vote for all seats in the Special Students division.
- D. The Student Senate shall, after consultation with the Supervisor of Elections Office, in the form of a resolution, establish which seats shall be designated as Fall and Spring seats, respectively.
 - 1. No division shall have a difference in allocated seats greater than one from one semester to another.
 - 2. In the event that a division contains an odd number of seats, the greater number of seats shall be up for election in the Fall.
 - 3. Fall seats shall be designated with odd numbers, and Spring seats shall be designated with even numbers.
- E. Panama City Campus
 - 1. The Panama City Branch Campus shall be entitled to at least one Senate seat, if so desired.
 - 2. The Senator or Senators from the Branch Campus shall not be bound by Senate attendance rules, and shall not count against quorum.

F. Loss of Senate Office due to Reapportionment

Once a Senate seat has been eliminated from a specific division because of the annual reapportionment resolution, it shall dissolve at the inauguration of the new Senate in the fall, unless the seat in question is a spring seat and is currently being held by a Senator. In such an event, the Senator in question shall be permitted to retain their seat until the spring inauguration ceremony. Furthermore, if the Senator in question is currently serving as the Senate President or President Pro Tempore, then the Senator in question shall be permitted to retain their seat until the inauguration of the new Senate in the following fall semester. If at any time during this period the Senator in question should resign or otherwise be removed from their seat, then the seat shall dissolve immediately.

705.6 Recreation Board

- A. There shall be eight (8) Recreation Board seats.
- B. The electorate of the Recreation Board shall be limited to students enrolled at the main campus, including the College of Engineering.
- C. Elections shall be carried out subject to the provisions of Chapter 609.
- D. Students employed by Campus Recreation shall be allowed to run for a seat on the Board.

705.7 The Congress of Graduate Students

- A. The electorate shall be limited to graduate, post-baccalaureate special and professional students.
- B. Elections shall be held pursuant to Chapter 607 of the Student Body Statutes and all pertinent Congress of Graduate Students rules.

705.8 Installation

Installation ceremonies for those elected shall be held no less than two (2) weeks after the fall elections.

Chapter 706 Spring Elections

706.1 Spring elections shall include elections for Student Senate, Student Body President and Vice President, Senior Class Council, Student Body Treasurer, Oglesby Union Board, and all referenda and constitutional amendments duly proposed pursuant to the Student Body Constitution and Statutes.

- A. Spring elections for Senate shall proceed as provided for in Chapter 705.5.
- B. If the current Senate President or President Pro Tempore is holding a Spring seat, that seat shall not be up for election during the Spring elections. Instead, it shall be advertised as a vacant seat in the fall at the end of the officer's term.

706.2 If the date of elections falls on a religious holiday it shall be moved one week by the Supervisor of Elections. This must be done prior to the filing deadline. If the elections

are moved, the Supervisor of Elections shall inform the Student Body President, the Student Senate President, and the Speaker of the Congress of Graduate Students no less than two weeks prior to the new date of elections or the original date of election, whichever is earliest.

- 706.3 All candidates for office shall file applications with the Supervisor of Elections no later than 4:00 p.m. on Wednesday, two weeks before the elections.
- 706.4 Campaigning is prohibited prior to 12:00 a.m. on the Wednesday that is one week prior to the date of the elections.
- 705.5 The Spring Semester debate must take place during campaigning. In the event that there is no opposition, it shall be the Supervisor's responsibility to implement an Executive Question and Answer event.
- A. Each candidate will have prepared questions for their respective positions. The Supervisor of Elections shall notify all candidates (5) school days prior to the event, and request attendance and participation for the event.
 - B. A portion of the debate will be for questions from students in attendance, to the candidates. The questions presented to each candidate shall be screened on-site by a committee comprised of the Supervisor of Elections, and one representative for each candidate participating in the debate. Questions shall only be asked once they have received unanimous support from said committee. The supervisor of Elections shall ensure that decorum is upheld during questioning.
 - C. An Executive Question and Answer event occurs when the Spring Semester unopposed candidates are given the opportunity to address a set of questions. Two days prior to the event the Supervisor of Elections will open up a form for students to submit questions, the Supervisor of Elections and Deputies will review the submitted questions and choose no more than six to be asked at the Question and Answer event. The supervisor of Elections shall present the set of questions.
- 706.6 The elections shall take place on the seventh Wednesday of the Spring semester. In the case of a date conflict the Student Senate shall determine the date of elections between the sixth and eighth week of school by a resolution passed no later than the last Senate meeting of the fall semester. If no such resolution is passed the Supervisor of Elections shall select the date of elections no later than the Friday following the third Wednesday of the spring semester.
- A. The Rules and Calendar Committee shall set the date of the spring elections by majority vote. The acting chair of the Rules and Calendar Committee shall sponsor the resolution setting the date of the elections in accordance with 706.5.
- 706.7 Installation/Inauguration ceremonies for those elected shall be held no less than two weeks after the elections.
- 706.8 Senior Class Council
- A. Positions available in the Senior Class Council are President, Vice President, Treasurer and Secretary.

- B. The electorate of the Senior Class Council shall be as defined in Chapter 302.
- C. Senior Class Council elections shall be carried out according to the provisions of Chapter 604.

706.9 Union Board

- A. There shall be twelve (12) Union Board seats.
- B. The electorate of the Union Board is limited to those students enrolled at the main campus including the College of Engineering.
- C. Elections shall be carried out subject to the provisions of Chapter 605.
- D. Students employed by the Oglesby Union shall be allowed to run for a seat on the Board.

706.10 Black Student Union

- A. Elections shall be carried out subject to the provision of Chapter 1003.3.

Chapter 707 Special, Referendum, and Recall Elections

707.1 Special Elections

Any Special Election shall follow the same procedure for the semester in which it falls in. If a Special Election is called for during the Summer Session it shall follow the procedure of the Fall election. Senate shall provide the funds for conducting a special election by a majority vote, except in the cases of elections for Agency, Bureau, and Affiliated Project Directors, when required by statute.

- A. The Supervisor of Elections shall call a Special Election:
 1. When the winning candidate is disqualified in an election and the remaining candidates fail to meet the criteria for victory as outlined in 714.1 of the Student Body Statutes.
 2. When the results for an individual and/or an entire election are declared invalid by the Supervisor of Elections.

707.2 Referendum Elections

The Supervisor of Elections shall conduct Constitutional Amendment and referenda elections during the fall or spring General Elections. The admission of referenda shall be placed on the ballot in accordance with Article VI of the Student Body Constitution, unless a special election is called for in accordance with Chapter 707.1 of the Student Body Statutes.

- A. The official ballot for a referendum or proposed Constitutional amendment shall give a brief statement regarding the proposed changes prepared by the author. Voters shall be given the opportunity to vote "YES" or "NO" for the proposed changes.

707.3 Compulsory Opinion Polls

In addition to those Opinion Questions proposed pursuant to Section 4, Article VI, Student Body Constitution, and Student Body Statute 704.5B1, the following Opinion Questions shall automatically be submitted to the electors of the Student Body during the fall and spring general election as follows:

A, Please answer “Yes” or “No” to the following questions:

1. Do you approve of the work done by Student Government?
2. Do you approve of the work done by the Student Senate?
3. Do you approve of the work done by the Student Executive Branch (President, Vice President, etc)?
4. Do you approve of the work by SGA Agencies/Bureaus (identity student unions, Office of Governmental Affairs, Student Council for Undergraduate Research & Creativity, etc)?

707.4 The Supervisor of Elections shall conduct recall elections in accordance with Article VII of the Student Body Constitution.

707.5 The official ballot shall state the name of the office of the official in question, and two hundred (200) words or less, the reasons for demanding recall of the officer(s) as set forth in the recall petition(s), and in no more than two hundred (200) words of the officer's defense. The ballot must include the statement: “Shall the following officers retain their seats.” Voters shall vote "YES" or "NO" on the recall. A sample ballot shall be available at each polling site in accordance with Article VII of the Constitution.

707.6 If a two-thirds (2/3) vote of the students voting elect to recall the official, the official's term of office shall cease upon certification of the election results by the Elections Commission. The vacancy created shall be filled as provided by the Student Body Constitution and the Student Body Statutes, and may not be filled by the recalled officer.

707.7 The Supervisor of Elections shall publish the election date, time, and polling location(s) of the recall election on the SGA website a week prior to the recall election.

707.8 The Student Senate shall provide the funds for conducting a recall election.

Chapter 708 Contesting Elections

708.1 Standing

Students or political parties who show actual injury shall have standing to contest the results of any election on grounds within or outside the scope of the Election Code until 8 p.m. on the Friday following the election.

708.2 Filing and Appeals

Decisions of the Elections Commission may be appealed to the Student Supreme Court within twenty-four (24) hours of the decision of the Elections Commission. The Supreme Court rules of procedure shall govern any hearing before the Court.

708.3 Representation

The Student Body Attorney General shall represent the Supervisor of Elections in all proceedings.

Chapter 709 Campaigning Rules and Finances

709.1 Regulation of Campaign Material and Other Activities

- A. Campaign materials may be placed in University owned academic buildings in places provided for general information such as billboards. Any marking of other university property must be approved by the proper university authority or authorities.
 - 1. Campaign materials shall not exceed 11x17 inches in/on an academic buildings.
 - 2. No adhesive-backed material may be used in academic buildings, excluding tape.
- B. Location of Off-Campus Posters
 - 1. Campaign material is prohibited on any privately-owned property, except that candidates may post materials on private property should they obtain the consent of the property owner or manager. Campaign materials posted on private property must still be in compliance with all applicable provisions of this code, including the time in which campaigning is allowed. Privately owned vehicles shall be deemed the property of their owners for the purposes of this Election Code.
- C. All material and activity in the Union and on FSU campuses shall be in accordance with rules and regulations of Oglesby Union policy.
- D. There shall be no campaigning via email to the electorate, faculty, and staff employed by the Florida State University with the exceptions of:
 - 1. Independent candidates or political parties shall not be prohibited from contacting party officers, candidates, and members of the electorate who have opted into an internal data system used for electronic communication in an electronic form created by the Supervisor of Elections.
- E. There shall be no campaign materials posted within campus owned residence halls.
- F. Campaigning inside of university owned libraries, dining halls and the dining establishments located in the Union is strictly prohibited.

Chapter 710 Campaign Finances

710.1 Campaign Expenses

- A. Fair Market Value of a single item shall be defined as the retail (non-discounted) value of that single item, with applicable taxes.

1. All items posted prior to the beginning of campaigning that do not call for the action to vote shall not constitute a campaign expense. This shall include all campaign materials.
- B. Discounted items that are available to all persons and parties at the time of purchase shall be exempted from fair market value criterion.
- C. Cash expenditures are defined as all monies spent for the purpose of campaigning.
- D. Discounts and donations are defined as the receipt of anything of marketable value used for the purpose of campaigning and including but not limited to, campaign materials, professional service, or the donation of billboards or radio advertisements, or their equivalent.
- E. The Supervisor of Elections shall rule on all questions of value regarding campaign expense.
- F. Total campaign expenses shall not exceed \$12,000 for all candidates of a party in any one general or special election. Party expenses shall be attributed to each candidate of the party.
- G. Campaign expense limits of independent candidates shall be as follows:
 1. President and Vice President: \$7,000
 2. Senate Candidates: \$500
 3. Union Board or Recreation Board Candidates: \$1,000
 4. All other elected offices: \$500
 5. Student Body Treasurer Candidates: \$3,000
 6. Senior Class President and Vice President: \$3,500
 7. Senior Class Treasurer: \$1,000
 8. Senior Class Secretary: \$1,000
- H. All expenditures of any candidate shall be paid by the campaign (party or independent) manager and/or treasurer.
- I. Candidates shall not receive contributions of any kind from Student Government Association organizations.
- J. For the Black Student Union, the following expense limits shall be in effect during their campus-wide elections:
 1. Political parties: \$3,500.
 2. Independent Presidential and Vice-Presidential candidates on the same ticket: \$2,000.

3. Independent Secretary and treasurer candidates: \$1,000 each.

710.2 Expense Statements

- A. In all elections, sample(s) of all campaign materials must be submitted to the Supervisor of Elections no later than twenty-four (24) hours after distribution. Said sample campaign material shall become public information upon submission. All sample campaign materials are defined in 701.1E. Any time someone purchases campaign materials it must be accompanied by the purchase receipt, and, if applicable, a written statement listing any gifts received – including discounts in procurement of materials.
- B. Final expense statements shall be submitted to the Supervisor of Elections no later than 12:00 p.m. on the Friday following any election, and shall include:
 1. A statement of the cumulative campaign expenditures based on the fair market value, signed by the candidates and/or party chairman.
 2. An itemized list of all expenses.
 3. A signed statement provided by the Supervisor of Elections attesting to the validity of the total campaign expenses and contributions, and that all campaign contributions were collected in accordance with Student Body Statutes.
 4. An itemized report containing the full name, residence, or business address of each person who has made one or more contributions in any form to the campaign.
 5. Campaign Contribution Statement, A copy of all account statements, check stubs, deposit slips, and any other financial documents shall be submitted on the first Wednesday of active campaigning as well as in the candidate or party's final expense statement.
 6. Final Expense Statements shall be matched to financial records kept by the Supervisor of Elections to verify accuracy.
- C. Expense statements shall be submitted only on the official forms as prescribed by the Supervisor of Elections.
- D. Social media, radio, or television advertisements shall be considered a campaign expense only if free equal time is not made available for each candidate for a particular office.
- E. A final expense statement must be filed by candidates/political parties that have no expenditures.
 1. If a candidate or political party spends no money on campaigning, a sworn statement to that effect, made available by the Supervisor of Elections, shall be accepted as an official final expense statement. This documentation must be submitted in the same manner as a traditional final expense statement.

- F. A Complete Final Expense Statement will be defined as a Final Expense Statement that includes every point listed in Student Body Statutes 710.2 B, or the provisions as outlined in 710.3 E. (1).
- G. An Incomplete Final Expense Statement will be defined as inconsistent, or not including every point listed in Student Body Statutes 710.3 B (1) through 710.3 B (6). Failure to submit a complete Final Expense Statement by 12 p.m. the Friday following the elections, will be considered incomplete. Failure to submit a verifiably complete final expense statement by 12 p.m. the Friday following the election will constitute a Schedule I Violation, consistent with 711.6 B11. The Supervisor of Elections must notify by email and publicly post online whether the final expense statement is complete or incomplete by 5 p.m. Friday.
 - 1. Upon notice of a final expense statement being incomplete, the political party or independent candidate has until 4 p.m. the following Monday. Failure to rectify a verifiably incomplete financial statement by 4 p.m. the following Monday will constitute a Schedule 4 Violation, consistent with 711.6E.
 - 2. If the individual or political party has not rectified a verifiably Incomplete Final Expense Statement by 4 p.m. the following Tuesday the individual or political party will be immediately disqualified.
- H. If the Supervisor of Elections fails to notify an individual political party or candidate, and the notice of Incompleteness is not posted online, this offense is grounds for immediate termination as decided by the Student Body President.

710.3 Campaign Treasuries

- A. All political parties as well as independent candidates shall have a designated campaign treasurer, if money is spent on their campaign. Candidates running individually, without the aid of a political party are exempt from this rule.
- B. Campaign treasuries shall be placed in a non-personal bank account; this bank account must be used only for party and campaign treasuries. Independent candidates are exempt from this non-personal bank account provision.
- C. The Campaign Contribution Statement and any other financial documents shall be submitted on the first Wednesday of campaigning and in the independent candidate or political party's final expense statement. This shall be submitted on a form produced by the Supervisor of Elections.

710.4 Campaign Contributions

- A. Political parties and candidates must be able to account for all contributions. The contribution shall be a part of the campaign contribution statement and final expense statement, and must detail which individual donated the campaign contribution.
- B. Campaign contributions may not be collected from individuals seeking an A&S Fee contract with SGA within the next calendar year. This provision shall not be construed to prohibit current students holding or seeking an OPS position from contributing to campaigns.

- C. In cases where campaign materials are sold (i.e. shirts, cups, etc.) to raise funds for a political party or candidate, individual records in accordance with 710.4 A, must be kept when the profit per unit equals or exceeds five (5) dollars. Regardless of profit or involvement of campaign goods, anytime "Membership" is extended in return for dues or fees, the donating individual must be recorded.
- D. No money may be accepted by a campus political party or candidate from any SGA entity or other A&S funded RSO of any sort, regardless of whether the funds are Activity and Service Fee-based or self-generated.

Chapter 711 Violations and Penalties

711.1 Scope of this Act

- A. All students are bound by and may be prosecuted under this Code.
- B. Conviction of any person for a violation under this Code shall not preclude subsequent prosecution or violation of the Ethics Codes or the Student Conduct Code.

711.2 The Attorney General shall have the power to prosecute all violations of the Election Code, if the parties alleging the violations so desire in their particular case, although the Attorney General shall represent the Supervisor of Elections in all proceedings.

711.3 Enforcement

- A. The Supervisor of Elections, Deputy Supervisors, and all members of the Elections Commission shall enforce the Election Code. Failure to enforce the Election Code shall be an impeachable offense.

711.4 Procedures

- A. All alleged violations and appeals shall be brought to the Supervisor of Elections in accordance with Chapter 702.4D of the Student Body Statutes.
- B. When an alleged violation is filed against an individual candidate, independent candidate or political party, the Office of Elections must notify the individual candidate, independent candidate or political party within twenty-four (24) hours. The individual candidate, independent candidate, or political party will have twenty-four (24) hours to review and decide to accept responsibility of the alleged violation and penalties in accordance to Chapter 711 of the Student Body Statutes or decline to accept the alleged violation. If the alleged violation is declined, the parties shall present their case directly to the Election Commission in accordance to 703.2 and 711.4 A of the Student Body Statutes.
- C. Any candidate or political party shall present their case directly to the elections commission, or a Florida State University law student shall be appointed by the Supreme Court to represent their case.
- D. The Supervisor of Elections shall request the Student Body President to order the Attorney General to investigate the complaint.
- E. The Attorney General shall report all findings to the Elections Commission in a written memorandum or an oral report.

- F. Upon finding that an alleged violation has merit, the Elections Commission shall sustain the violation against the offending candidate or political party.
- G. Beginning three (3) weeks prior to the day of an election, the Supervisor of Elections and the Deputy Supervisor(s) shall have the power to issue alleged violations. The time, place, and manner of such violations shall be recorded and submitted to the Elections Commission to verify, through a hearing whether the alleged violations shall be sustained unless the individual candidate, independent candidate, and political party accept the alleged violation in accordance to 711.4 B.
- H. All candidates may appeal the assigning of sustained violations to the Student Supreme Court within twenty-four (24) hours of the issuance of a sustained violation at the Elections Commission meeting.
- I. All alleged violations and appeals must be presented to the Supervisor of Elections electronically by the end of two (2) business days from their discovery. The final deadline for all alleged violations and appeals to be filed by an individual or political party for a particular election, is forty-eight (48) consecutive hours after the close of polls.
 - 1. If for any reason an electronic failure on the part of the Supervisor of Elections occurs with the electronic form, candidates or political parties will be able to submit appeals and violations on forms prescribed by the Supervisor of Elections, available at the Office of Elections.
- J. The Supervisor of Elections will have until 5:00 p.m. on the second (2nd) Thursday after elections (six (6) business days) to submit any alleged violations and appeals.
- K. The burden that a party alleging a violation of the Student Body Election Code must meet in order to prove a violation shall be by "clear and convincing evidence." This shall apply only to hearings before the Elections Commission.
- L. Students shall not be prohibited from wearing clothing related to political parties, candidates or ballot items in SGA offices, academic buildings and classrooms, campus-owned residence halls, university-owned libraries, dining halls, or on-campus dining establishments. Incumbent candidates shall be allowed to wear their official badge of office on political party related clothing as well. "SGA offices" shall not include the Senate Chamber for the purposes of this section.
 - 1. Clothing related to political parties, candidates, or ballot items must be submitted to and approved by the Supervisor of Elections. The Supervisor of Elections must approve clothing within one (1) business day of submission.

711.5 Violations

- A. Each occurrence, event, or time that allegedly violates the Election Code shall constitute a violation. Violations do not count against a candidate or political party until sustained by the Elections Commission or the acceptance of responsibility of an alleged violation(s) in accordance with 711.4 B.

B. Disqualification shall be defined as:

1. Party disqualification:
 - a. In the event that there is not a special election subsequent to a political party's disqualification all candidates registered under the political party become ineligible for office.
 - b. If there is a special election:
 - i. Inability to use the political party's name or logo on ballots and campaign materials.
 - ii. Inability to use the party funds.
 - iii. A political party cannot endorse an individual candidate.
2. Individual disqualification
 - a. The candidate is rendered ineligible to run for office the current semester.

711.6 Violations of the Code

- A. No violations will contest or come in contradiction with Section 711.4L.
- B. Schedule 1 Violations of this Code shall be assigned as follows:
 1. Removing, obscuring, or damaging another candidate's or political party's campaign materials within a given space such as a bulletin board or general flyer area.
 2. Campaigning within a polling site perimeter. Such a violation may only be alleged by the Supervisor of Elections, who must ensure that polling site perimeters are clearly marked on the day of an election.
 3. Using band or audio amplification within one hundred (100) feet of a polling site.
 4. Using materials larger than 11" X 17" in academic classrooms.
 5. Using adhesive-backed material in an academic building, excluding tape.
 6. Having any posted campaign flyers in a classroom.
 7. Using Residence Halls for campaigning purposes and being within fifteen (15) feet of entrances or exits for campaigning purposes.
 8. Using chalk in any form for campaigning as defined in Section 701.1 A.
 9. Engaging in any action against Chapter 709 and Chapter 710 of the Student Body Statutes, including but not limited to violations of posting policies.
 10. Failing to remove campaign materials within twenty-four (24) hours of the closing of the polls.

11. Submitting an incomplete financial statement, consistent with 710.2 G.

C. Schedule 2 Violations of this Code shall be assigned as follows:

1. Bringing false or malicious charges against another candidate or political party.
2. The issuing or utilization of any newspaper article, social media posting, video, posters, placards, signs, signboards, leaflets, folders, handbills, flyers, banners, t-shirts, buttons, pain, handwritten announcements, audio announcements, or circulars of any size and consistency that is publicly libelous against a candidate for an elected office of the student body.
 - a. This shall apply to political party's executive board members, candidates, and/or dues-paying members in the current semester.
3. Defacing or damaging poll booths or University election related material.
4. Campaigning prior to one (1) week before the election.
5. Performing an activity that would place another party in violation.
6. Offering goods or services in exchange for votes, not including campaign materials as specified in Chapter 701.1 E of the Student Body Statutes.
7. Using the past and/or present SGA logo on campaign items.
8. Utilizing any Student Government equipment or resources for endorsement or support for or against any candidate, platform, political party, or ballot item.
9. Vandalism or any unauthorized marking of university or private property for campaign purposes, other than poll booths or election related materials.
10. Exceeding the number of votes cast on a single non-University owned computer as specified by Chapter 713.4 H.
11. Students will not be able to install a de-facto polling site with multiple computers not supervised by SGA for the purpose of garnering votes on or off campus.

D. Schedule 3 Violations of this Code shall be assigned as follows:

1. Submitting a falsified or fraudulent individual or final expense statements. This includes political parties or individuals failing to submit a complete final expense statement by the Friday following the election at 4pm.

E. Schedule 4 Violations of this Code shall be assigned as follows:

1. Candidates are responsibility for all authorized campaign expenses made on their behalf. All candidates of a political party are responsible for the political party's expenses. Any candidate or political party that exceeds the campaign limits established in this title shall be held responsible for the commission of a Schedule 4 Violation.
2. Depriving poll sites of ballots or destroying ballots. This shall include electronic voting materials of ballots as well as tampering with hard drives, computer terminals, disks, CDs, or ballot boxes.
3. Any attempt, other than tampering with election machinery, to perpetrate a fraudulent election. This shall include, but is not limited to, providing false information regarding filing or elections procedures, voting more than once, or attempting to vote with another person's student identification card.
4. Providing another individual or group with, or receiving personal login information (FSUID and password) in which they use to cast fraudulent votes.

711.7 The Elections Commission shall tabulate violations as follows:

- A. Violations shall be adjudicated by the appropriate body as they arise as much as reasonable efficiency will allow, but decision to expel or disqualify a candidate from the ballot shall not be executed until after the final closing of the polls during a general election.
- B. Fines must be paid within two (2) business days of the appropriate body's decision. If the member or political party does not pay the fines within the allotted time then the individual or the political party shall be disqualified for candidacy.
- C. Any work hour penalties shall be assigned by the Supervisor of Elections and the Director of Student Affairs in conjunction with a University Department. The violator shall not be permitted to perform a project not assigned by the Supervisor of Elections and SGA Director of Student Affairs.
 1. The violator shall coordinate a day by which the work hours shall be completed by with the Director of Student Affairs and the Supervisor of Elections. Work hours do have to be consecutively completed.
- D. Assigned work hours must be completed and certified prior to installation. Any penalties as a result from violations shall not be eligible for ServScript.
- E. Any subsequent violations shall be served consecutively and not concurrently.
- F. Political parties as specified in Section 710.4 of the Student Body Statutes shall not be eligible for work hour penalties unless the political party has spent less than two-hundred (\$200) dollars in campaign expense.

711.8 Penalty Point System

- A. Penalty Points shall be assigned with each sustained violation.

1. If an individual or political party exceeds fifty (50) penalty points in a single election cycle, they will be disqualified by the Supervisor of Elections and the Election Commission.

711.9 Schedule 1 Violation Penalties

- A. The following penalties shall be levied against those who have been found responsible for committing a Schedule 1 violation.
 1. For the first instance of sustained Schedule 1 violation, a one (1) point penalty and a ten (\$10.00) fee or two (2) approved work hours shall be levied against an individual. For a political party, a one (1) point penalty and a twenty-five (\$25.00) dollar fee, or two (2) approved work hours shall be levied.
 2. For the second and additional instances of a sustained Schedule 1 Violation, a two (2) point penalty and a twenty (\$20.00) dollar fee or 4 approved work hours shall be levied against an individual. For a political party, a two (2) point penalty and a fifty (\$50.00) dollar fee or four (4) approved work hours shall be levied.

711.10 Schedule 2 Violations Penalties

- A. The following penalties shall be levied against those who have been found responsible for committing a Schedule 2 violation.
 1. For the first instance of a sustained Schedule 2 Violation, a three (3) point penalty and a forty (\$40.00) dollar fee or seven (7) approved work hours shall be levied against an individual. For a political party, a three (3) point penalty and a one hundred (\$100.00) dollar fee or seven (7) approved work hours shall be levied.
 2. For the second and additional instances of a sustained Schedule 2 Violation, a four (4) point penalty and an eighty-four (\$84.00) dollar fee or ten (10) approved work hours shall be levied against an individual. For a political party, a four (4) point penalty and a two hundred (\$200.00) dollar fee or ten (10) approved work hours shall be levied.

711.13 Schedule 3 Violation Penalties

1. Any individual found responsible for a Scheduled 3 Violation shall be liable for ten (10) points and a one hundred (\$100.00) dollar penalty.
2. Any political party found responsible for a Schedule 3 Violation shall be held liable for ten (10) points and a fine based on the number of students running with that party.
 - a. 1 candidate: \$100 Penalty
 - b. 2-4 candidates: \$80 per candidate
 - c. 5-9 candidates: \$70 per candidate
 - d. 10-14 candidates: \$60 per candidate
 - e. 15-20 candidates: \$50 per candidate
 - f. 21+ candidates: \$40 per candidate

711.14 Schedule 4 Violation Penalties

Any person or political party found responsible for a Schedule 4 Violation shall be disqualified from running candidates or running individually on the ballot in the current and the following election cycle.

711.15 Conviction of any person for violations under this Code shall not preclude subsequent persecution of that person for violation of the Ethics Code, the Student Honor Code, or the Student Conduct Code.

Chapter 712 The Official Ballot

712.1 Ballot Form

- A. An electronic ballot shall be defined as the official format chosen by the Supervisor of Elections that shall include the official rules, instructions, candidates and other information pertinent to elections.
- B. The official ballot contains the list of all vacant offices to be filled, referendum questions, and constitutional amendments.
 - 1. No colors shall be used to designate or accentuate any choices on the official ballot, including, but not limited to: candidates for office, political party affiliation or lack thereof, referendum questions, and constitutional amendments.
- C. Candidates shall be listed by seat in alphabetical order of their last names and the name shall be printed in the same form as requested at the time of filing. Each candidate's last name shall appear on the ballot, and the name must be the same as it appears on the candidate's FSU identification card. No affiliation other than those specified in 712.1 G shall be printed with any candidate's name.
 - 1. For the election of Student Body President and Vice President, the names of the candidate for President and Vice President within the same party (if applicable) must appear on the ballot as one voting bloc.
 - 2. For elections for the Black Student Union, the names of the candidates for the Director and Assistant Director position within the same party (if applicable) must appear on the ballot as one voting bloc.
- D. For elections to office, the ballot of a general or special election shall only contain the names of candidates who:
 - 1. Properly filed a declaration of candidacy in accordance with Chapter 704.2, of the Student Body Statutes.
 - 2. Are qualified to hold the office they seek as specified in Chapter 704.3, of the Student Body Statutes.
- E. Candidates omitted from the sample ballot may petition to be reinstated by the Elections Commission and may be reinstated, provided such order is issued to

the Supervisor of Elections no later than three (3) school days prior to any election.

- F. Party designation for candidates of recognized political parties who run in an election shall be placed on the official ballot.
- G. The ballot may not be changed or altered within the twenty-four (24) hours preceding any election.

712.2 Statement of Intent

- A. All ballot questions proposing constitutional amendments and referenda shall display a "Statement of Intent" to be placed above the amendment or referenda text.
 - 1. The Statement of Intent shall be no longer than one-hundred (100) words.
 - 2. The Statement of Intent shall be written by the primary sponsor of the produced constitutional amendment and/or the sponsor's designee.
 - 3. The Statement of Intent shall be presented to the Student Senate when the amendment is put up for Student Senate approval. The Statement of Intent shall be considered part of the piece of legislation being voted on for approval by the Senate, and shall pass or fail jointly with its accompanying legislation.
- B. The provisions of Chapter 712.2 apply to both measures proposed by the Senate and by the petition process as enumerated in Article VI of the Student Body Constitution.
- C. The provisions of Chapter 712.2 shall not apply to any proposed constitutional amendment pending the ballot at the time of its enactment.

712.3 Counting of Ballots - Vote Tabulation

- A. The method of counting shall be done electronically.
- B. The Supervisor of Elections shall announce the complete "unofficial" results on the night of elections in the Senate Chamber during the New Business portion of the Senate Calendar if the election is held on a day during which there is a regularly scheduled Senate meeting. If there is no regularly scheduled Senate meeting the results shall be announced in the Senate Chambers upon completion of tabulation.
 - 1. In the event of an extended election as a result of an electronic failure, the Student Senate President may call a special Senate meeting the day of the extended election.
- C. The Supervisor of Elections shall permit observers to be present during the entire vote tabulation upon request, although the Supervisor of Elections shall have the power to remove any observer for disruptive or unprofessional behavior.

Chapter 713 Polls

713.1 Placement

- A. Polls shall be any computer terminal on the FSU Campus Intranet - ICP network, where the Supervisor of Elections can ensure and enforce voter privacy and identify verification, excluding any Fraternity or Sorority houses or private establishments. There shall be a minimum of one (1) said poll designated at the discretion of the Supervisor of Elections. In the case that there are more candidates than there are seats for election to the Campus Recreation Board or Oglesby Union Board the total number of seats up for election shall be considered as contested.
- B. Political parties and individuals shall be prohibited from campaigning within the designated "no campaign zone" at each polling site.
- C. "No campaign zone" shall be defined as the area twenty-five (25) feet away from the voting terminal, or as otherwise reasonably specified by the Supervisor of Elections. The Supervisor of Elections shall mark with RED duct tape or with chalk the words, "No Campaign Zone" in front of the official polling site. This shall include the entirety of any dedicated computer laboratory used for elections.
- D. The Supervisor of Elections will have the authoritative jurisdiction to disqualify or authorize a respective polling site as such.
 - 1. The polling site shall be located in the Oglesby Student Union. The polling site and terminals shall be located sufficiently far from Legacy Walk, so that Legacy Walk is not included in the "No Campaign Zone."
- E. The Supervisor shall post the sites on the SGA Website, SGA Bulletin Board, and on the Supervisor of Elections Office door.
- F. However, not a polling site, no campaigning shall occur within Robert Manning Strozier Library or within twenty-five (25) feet of its doors. Further, the Supervisor of Elections shall mark with either "red" duct tape or with chalk the Strozier Library area as a "no campaign zone."
- G. In the event of an electronic failure of longer than two (2) hours total, the Supervisor of Elections shall extend the election time from 9 a.m. to 2:30 p.m. the next day. The Student Senate shall appropriate the necessary funds on the election day in question.
- H. "Voting terminal" shall be defined as any immediate area on campus in which there are publicly use of computers.

713.2 Recall Elections

- A. A minimum of one (1) poll shall be open in the event of a recall election of the following officials:
 - Student Body President
 - Student Body Vice President
 - Student Body Treasurer

Oglesby Union Board Members
 Senior Class Council Officers
 Campus Recreation Board Members
 Black Student Union President, Vice President, Treasurer, and Secretary

- B. There shall be at least one (1) polling place for the recall of the division specific elected officers placed in or near that Division's main classroom building(s). If the recall election is for an Undergraduate Studies division, there shall be a poll in the Strozier Library or the Oglesby Union at a minimum.

713.3 Hours

- A. Online polls and polling sites on the main campus shall be open from 8:00 a.m. to 7:00 p.m. on the day of election.
- B. The Supervisor of Elections may extend poll hours for a period not to exceed two (2) hours.

713.4 Polling Site Procedures

- A. The Supervisor of Elections shall ensure that there shall be no electioneering or campaign materials within the "No Campaign Zone" as specified in Chapter 713.1 C of the Student Body Statutes. The Supervisor of Elections shall be authorized to remove any campaign materials posted in violation of this rule.
- B. Bands, loud speakers, and any other use of audio amplification for campaigning shall be prohibited within one hundred (100) feet of any polling place.
- C. Voters shall be entitled to vote in privacy. No person may vote on behalf of another (except to assist a willing disabled voter, in which case the intent of the voter must be followed, subject to the supervision of the election staff) or require login information for anyone, force anyone to vote, not vote, cast a specific vote, or force anyone to campaign against their will.
 - 1. The Student Disability Resource Center shall offer special needs ballots if requested by a special needs student. The ballot must be submitted to the Supervisor of Elections, in a sealed envelope, by the end of the voting period.
- D. One (1) Deputy Supervisor or two (2) election assistants shall run the poll at each polling site. Polls must be attended at all times by two (2) or more election assistants or a Deputy Supervisor.
- E. No candidate or person closely affiliated with a political party shall serve as an election official.
- F. There shall be no "roving precincts" or polling places on moving vehicles.
- G. When voting at an official polling site, voters shall use a valid FSU Card as a student voter registration card. The photograph depicted on the card must match the student using it.
- H. The maximum amount of votes to be cast on any one personally owned computer is four (4). This excludes University owned and operated computers.

Chapter 714 Conditions for Victory

- 714.1 The candidate who receives the most votes in any election shall be declared the winner of that election.
- A. If an independent candidate or political party becomes disqualified, the candidate with the second highest number of votes will be declared the winner.
 - 1. Unless their portion of votes is less than thirty percent (30%), this would mandate a special election for the seats in question.
 - B. If a candidate or political party becomes disqualified, after the election, the candidate with the second highest number of votes will be declared the winner.
 - 1. In the case of three or more candidates, the decision will be decided by a majority vote by the Student Senate.
- 714.2 In the event of a tie between two or more candidates, all candidates involved will go before the Senate to determine a winner, at the next scheduled regular session of the Senate prior to inauguration.
- A. The Student Senate shall conduct the election via paper ballot, and the candidate receiving the most votes shall be declared the winner. The Student Senate President shall ensure equal time for all candidates to speak, and equal time for Senators to speak in favor of each candidate. At no time shall any negative or “con” debate be allowed.
 - 1. If in the event that a candidate has an excused absence, based on the University’s Attendance Policy, the tie-breaking vote may be rescheduled by the Senate President, and heard on the Senate floor via a majority vote.
 - B. The Senate President shall vote only to break a tie.
- 714.3 In the event of candidates or voting blocs running unopposed in any election at the deadline of declaration of candidacy filing, the candidates or voting blocs shall be declared the winner of the election, in accordance with Chapter 702 Q.

Chapter 715 Winners - Assuming Office

- 715.1 Announcement
- A. After the results have been verified by the Supervisor of Elections as outlined in 711.4, the Supervisor of Elections shall release the final election results.
 - B. All announcements of the unofficial and/or final election results shall include a statement that the results may be challenged to the Elections Commission as specified in Chapter 703.2 of the Student Body Statutes.
 - C. The Supervisor of Elections shall prepare and distribute a press release announcing the official election results, campaign expenditures, and type and

quantity of violations no later than the Tuesday following the certification of the election.

715.2 Certification of Election

- A. No Certificate of Election shall be issued to a candidate whose election is being contested.
- B. No candidates shall be installed, given the oath of office or take elective office unless a Certificate of Election has been authorized for that candidate by the Supervisor of Elections. This shall not apply to those candidates appointed to fill vacancies in accordance with the Student Body Constitution and Student Body Statutes.

Certificates of Election shall be given to a candidate when 701.1 R, S, and T, have been fulfilled in a form presented by the Supervisor of Elections.

715.3 Transition of Student Body Officers

- A. Following the election, all elected officials shall be expected to have at least one (1) transition meeting their successor.
- B. The purpose of this meeting is to review details regarding how best to navigate the responsibilities associated with the position and any other pertinent information that the current official sees fit for their successor to know.
- C. This shall not be misconstrued as a requirement for election certification, but rather as an expectation of all elected student body officers.

715.4 Installation

- A. The Supervisor of Elections shall provide for appropriate installation ceremonies for duly elected candidates.
- B. Any duly elected officers who miss the formal installation ceremonies shall be installed separately by the Supervisor of Elections or the Student Senate within ten (10) school days after the formal installation ceremonies. No elected official shall be sworn in before the formal ceremony.
- C. Newly elected officers shall assume office immediately upon installation by the Supervisor of Elections.