

- a. The CLC Funding Committee Chair shall inform the CLC's Chair, Treasurer, and Advisor of when hearings will take place as the committee is formed.
  - b. The hearings shall be administered by the Chair of the CLC Funding Committee and shall require a minimum of three (3) members. The CLC Funding Committee will in good faith obtain quorum.
5. After hearings have taken place, the CLC Funding Committee will determine how much they will allocate to the CLCs from the Budget Committee block funding. Deliberations shall be completed by the third Friday of the spring semester.
  6. Two (2) Senators from the CLC Funding Committee shall draft a resolution to recommend approval or disapproval in whole or part. The resolution to recommend approval or disapproval in whole or part. The resolution must be submitted for Student Senate hearings no later than one (1) school week after hearing the proposed allocations.
  7. Approval of the allocation requires a two thirds (2/3) vote of the Budget Committee.
  8. Any amendment to the resolution on the Senate floor must specify which part of the resolution (line item) to amend. The amendment requires a two thirds (2/3) vote.
  9. All reasoning of the reapportionment of funds by the CLC Funding, Budget Committee, or Senate as a whole shall be made available to any student upon request.

## **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. Revised by the 72nd Senate Bills 14. Revised by 73rd Senate Bill 8. Revised by 73rd Senate Bill 18, 20, 42, 43, 55, 74, 77, 78, 79, 80, 82, 83, 84. Revised by the 74th Senate Bills 17, 31, 42, 43, 60, 73, 82, and 83. Revised by the 75th Senate Bills 3, 4, 45, and 81.*

### **Chapter 700 Restrictions on Altering and Enforcing the Election Code**

Once the date of elections has been announced, any further amendments to the election code shall not go into effect until after the announced election cycle.

### **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, or candidate for an

elected office of the Student Body. Campaigning shall begin the Wednesday at 12 a.m., one week prior to the day of the Election.

1. Solicitation of support shall be defined as publishing the name, image, or likeness of any candidate or political party to expressly advocate in favor of the election or defeat of a candidate that cannot be interpreted as something other than campaigning.
  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 – The 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 gifting 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, and/or calling for the action to vote. This shall include secondary costs for goods and services including, but not limited to setup or production fees, sales tax, or any other.
1. Discounted items that are available to all persons and political parties at the time of purchase shall be exempted from the fair market value criterion.
  2. This section shall not be construed to apply to 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 entity must obtain and submit an affidavit from the merchant in question disputing the candidate or party’s claim of fair market value, when such claim understates fair market value.
- E. Campaign Materials – any material including but not limited to paid social media content, electronic communication, videos, posters, placards, signs, signboards, stickers, leaflets, folders, handbills, fliers, campaign cards, QR codes, banners, clothing, buttons, paint, chalk, 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 who has legally filed a Declaration of Candidacy.
- G. Declaration of Candidacy – Legally filed intent to run for elected office with the Supervisor of Elections. Submission of a candidacy declaration form shall count as filing to run as a candidate in an election.
- H. Independent Candidate – Any candidate who is not running with a political party.
- I. Official Ballot – The ballot released by the Supervisor of Elections on which an individual casts their vote.
- J. Political Party – Any number of persons affiliated with an entity 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.
1. To be affiliated with a political party a student must be a leader of the political party, a member expected to pay dues of the political party, or a candidate running with a political party.
- K. Electorate – 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. Students who are academic Juniors or Seniors shall be the only students eligible to vote for candidates seeking the offices in the Senior Class Council. All students registered for classes during the election may vote for candidates for campus-wide elected offices, as well as for Constitutional Amendments and Referenda.

- L. General Election – Elections 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 semester.
- M. Special Election – Any election held at any time other than a General Election for any purpose.
- N. Division – Academic colleges and schools as reported by the Office of Institutional Research.
- O. Certificate of Election – A document certifying that a candidate has been duly elected.
- P. Final Expense Statement – A document listing all financial expenditures or contributions in regard to fees and/or donations during the election cycle. All receipts of expenditures, all bank 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. An itemized report containing the full name of each person who has made one or more contributions in any form to the campaign.
  - 4. 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 or party's final expense statement.
- Q. Complete Final Expense Statement – A Final Expense Statement if it is free of any false statements, a complete and accurate campaign contribution list, and all receipts are legible and can be understood by the Office of Elections.
- R. Incomplete Final Expense Statement – A statement that is missing receipts for expenses, having an incomplete campaign contribution statement, or containing receipts that are illegible or unintelligible.
- S. Fraudulent Final Expense Statement is defined as a statement that is intentionally misleading which includes false payment forms and receipts, as well as intentionally lying about the usage of donations, party dues, and/or other party or individual funds. Fraudulent Final Expense Statements also include the mislabeling of where donations originate.
- T. Unofficial Election Results – Election results that have not officially been verified by the Supervisor of Elections as outlined by Chapter 713 and 714 of the Student Body Election Code.
- U. Official Election Results – All votes of an election that have been verified by the Supervisor of Elections as outlined by Chapter 713 and 714 of the Student Body Election Code.
- V. Final Election Results – The election results after all final expense statements have been approved and there are not outstanding appeals and/or alleged violations.
- W. Campaign Contribution Statement – A copy of bank account statements, check stubs, deposit slips, receipts of both campaign expenses and campaign materials, 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.
- X. Election Cycle – When Title VII goes into effect for an election. The Election Cycle begins when Candidacy Declaration opens and ends the first Friday following an election.
  - Y. Advertisement – Notice or announcement in a public medium promoting a candidate of a political party in which a monetary transaction is made or considered a campaign material.
    - 1. Organic social media content 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. Organic Social Media – Social media content that has been circulated without cost that is shared amongst users.
  - AA. False or Malicious Charges – Allegations that knowingly, deliberately or recklessly mislead, or attempt to mislead a student regarding alleged violations of the Student Body Election Code.
  - BB. Fair Market Value – The retail (non-discounted) value of a single item, including 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.
    - 2. Discounted items that are available to all persons and parties at the time of purchase shall be exempted from fair market value criterion.
  - CC. Cash expenditures – All monies spent for the purpose of campaigning

## Chapter 702 The Office of the Supervisor of Elections

### 702.1 Selection Process

- A. Supervisor of Elections The Supervisor of Elections shall be appointed by the Student Body President and confirmed by two-thirds (2/3) vote of the Student Senate.
  - 1. 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 be subject to Senate confirmation.
  - 2. The Senate Judiciary Committee shall create an exam on the elections code. This exam shall be taken by candidates for Supervisor of Elections and Deputy Supervisors of Elections. The Student Senate shall administer the exam.
    - a. The candidates above must pass the exam within two (2) attempts per semester, with at least eighty (80) percent or more of the questions answered correctly.
  - 3. No Supervisor of Elections shall be a candidate for any Student Government Association office or be affiliated with any SGA political party.
- B. Deputy Supervisor of Elections
  - 1. Deputy Supervisors of Elections shall be appointed by the Student Body in consultation with the Supervisor of Elections and are subject to confirmation

pursuant to Chapter 304.

2. No Deputy Supervisor of Elections shall be a candidate for any Student Government Association office or be affiliated with any SGA political party.

## 702.2 Duties and Powers of the Supervisor of Elections

The Supervisor of Elections shall perform the following duties:

- A. Ensure that SGA political parties follow the Student Body election code.
- B. Ensure that all candidates meet the qualifications of the office they are running for within three academic days following the filing deadline.
- C. Employ no more than three (3) impartial Deputy Supervisors to serve an election and assist the Office of Elections.
  1. Hire, train, assign duties to, and supervise any Deputy Supervisors of Elections.
  2. Dismiss any Deputy Supervisors due to malfeasance, misfeasance, or nonfeasance.
- D. Create and implement marketing strategies to improve voter turnout for all SGA elections.
  1. At least two (2) weeks prior to the Elections, the Supervisor of Elections shall advertise the available seats, deadlines, and election date.
- E. Enforce the Election Code subject to the approval of the Elections Commission, when appropriate.
- F. Verify the fair market value of each campaign expense, discount, or donation through various means including but not limited to job quotes and receipts.
- G. Verify the Final Expense Statements for all candidates and political parties.
- H. Refer questions of interpretation of the Election Code to the Student Supreme Court. The Student Supreme Court must render a written advisory opinion within forty-eight (48) hours of any submission of a request for an interpretation of the Election Code.
- I. Supervise 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. Notify all candidates via e-mail within twenty-four (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. Publish all offices up for election at least one (1) week prior to the filing deadline on the SGA website.
  1. Ensure the publication of the election date, time, and appropriate procedures for voting on the SGA website.
  2. Ensure the publication of the official ballot, referenda, and constitutional amendments one (1) week following the candidacy filing deadline, on the SGA Website.
  3. Ensure the publication of the unofficial elections results no later than forty-eight (48) hours after the close of polls on the SGA website.
  4. Ensure the publication of the dates and times of the deadlines for the declaration of candidacy for an elected office one (1) week prior to the opening of candidacy declaration on the SGA Website.
- L. Enforce all campaign rules.

- M. Host one SGA sponsored debate every Fall and Spring semester. The Fall debate will include candidates for the Campus Recreation Board and Student Senate, who shall be invited by the Supervisor of Elections. The Spring debate shall be between all Student Body President, Vice President, and Treasurer candidates. The debates must take place during the 7-day campaign period.
  - 1. The Supervisor shall include questions specifically for each candidate and their respective position.
  - 2. The Supervisor shall notify all candidates for office of the event details 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. The Supervisor shall 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 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, 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 shall ensure that decorum is upheld during questioning.
  - 5. An Executive Question and Answer Event occurs when the candidates are given the opportunity to address a set of questions. The set of questions shall be done by the Supervisor and shall be no more than six questions. These questions shall be specific to the positions the candidates are running for. Each candidate running for a particular office shall answer the question directed towards that office. Two days prior to the debate, the Supervisor shall open up a form for students to submit questions; The Supervisor and Deputies will review the submitted questions and choose no more than six (6) questions to be asked at the question-and-answer event. Candidates will receive questioning in order of positions. Candidates shall receive questioning in alternating order in each round of debate.
  - 6. The Supervisor shall maintain decorum among candidates and the public at events hosted by the Elections office. Anyone who fails to maintain decorum may be asked to leave by the Supervisor.
- N. Declare candidates or voting blocks of any election to be elected by acclamation if an election is uncontested upon 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.
- O. Invalidate illegally cast ballots.
  - 1. The Supervisor of Elections shall not hold the capability to change legally cast votes.
- P. Maintain, as public record, the final result and ballots of all elections.
- Q. Declare results valid and certify elections.
- R. Approve or deny campaign materials within twenty-four (24) hours of submission, excluding non-business days.
  - 1. The Supervisor shall inform all candidates of this process upon filing their candidacy.
- S. Change the Declared Seat Number for Candidates to the Student Senate, Congress of Graduate Students, Union Board, and Campus Recreation Board no earlier than three (3) days following filing deadline and no later than twenty-four (24) hours prior to the opening of polls 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.
3. No candidates show disapproval to themselves of being moved to a different seat number than they originally filed for.
4. There remain no outstanding appeals for qualifications of candidates in that division as outlined in 704.2.

702.3 Hours of Operation

- A. The Office of Elections shall be open for a minimum of fifteen (15) hours 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.
  - 2. Two weeks prior to the filing deadlines, the Supervisor of Elections shall inform all candidates and political parties of their office hours.
- 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.

702.4 Role in the Election Commission

The Supervisor of Elections shall have the following responsibilities and duties in the Election Commission:

- A. 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 at least twenty-four (24) hours prior to the commencement of Elections Commission meetings. The Elections Commission shall 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. Receive and review complaints which allege violations of the Elections Code per Chapter 710 of the Student Body Statutes.
- E. Upon receipt of a complaint alleging a violation of the Elections Code, notify the accused of the alleged violation within twenty-four (24) hours of receipt of the violation. The Supervisor of Elections shall have the authority to dismiss alleged violations which have insufficient evidence, lack clarity, or do not cite the proper statute. If the Supervisor of Elections dismisses a violation, the Supervisor of Elections shall notify the petitioner(s) and respondent(s) of the complaint's dismissal within twenty-four hours of the receipt of the initial complaint and provide the reasoning of dismissal. If the petitioner(s) resubmit the same violation within twenty-four (24) hours of the dismissal or there is no dismissal, the Supervisor of Elections shall forward the complaint to the Elections Commission.

**Chapter 703 The Elections Commission**

703.1 Composition of the Elections Commission.

- 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, as chosen by the Supervisor of Elections, shall serve as ex-officio non-voting members. Quorum for meetings shall be constituted as a majority of 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 an elected office within SGA, nor shall they be affiliated with an SGA political party.

- C. In a written and signed request to the SGA Attorney General, any student running for an elected office or associated with a political party shall have the right to request a recusal of any member of the Elections Commission. The SGA Attorney General shall investigate the complaint and upon finding merit, that member must recuse themselves.
- D. The Elections Commission shall serve as an administrative review board of original jurisdiction and will hear only those cases which are forwarded by the Supervisor of Elections pursuant to Chapter 702.4(E) of the Student Body Statutes. The burden of proof to be met by an entity alleging a violation in order to prove that violation shall be by “clear and convincing evidence.”
- E. All voting members of the Election Commission shall take the Election Code Exam upon their appointment, and shall retake the Exam prior to the beginning of the Fall Election Cycle every year.
  - 1. The candidates above must pass the exam within two (2) attempts per semester, with at least eighty (80) percent or more of the questions answered correctly.
  - 2. The Election Code Exam 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

The Elections Commission shall have the following Powers and Duties:

- A. All actions of the Elections Commission shall require the approval by a majority present of voting members.
- B. The Supervisor of Elections shall preside over Elections Commission hearings as chair and must abstain from voting unless to break a tie. In the event that the Supervisor of Elections recuses themselves or is otherwise unavailable, the Vice Chair of the Elections Commission will chair the hearing, in which case the Vice Chair must abstain from voting unless to break a tie.
- C. Submit recommendations regarding the Elections Code to the Student Senate.
- D. Appoint a Secretary selected by majority vote of the Elections Commission, who shall record the minutes of the Elections Commission.
- E. Decide and validate the agenda of the Elections Commission.
- F. Upon the receipt of a complaint from the Supervisor of Elections pursuant to Chapter 702(E)(2), the Elections Commission will schedule a hearing to take place within five (5) business days. The Rules of Procedure for Elections Commission hearings for appeals or alleged violations shall be the following:
  - 1. The Elections Commission shall notify all concerned entities involved at least 24 hours prior to a scheduled hearing.
  - 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 alleged violation shall be dismissed and cannot be resubmitted.
3. Once convened the presiding officer of the Elections Commission shall then read aloud each appeal or alleged violation that the Commission will hear during the meeting.
  4. The Elections Commission shall hear each appeal or alleged violation in the order that it was received.
  5. Beginning with the entity who alleged an Elections Code violation, the Elections Commission shall hear each entity's opening oral arguments for a maximum of five (5) minutes.
  6. Once opening oral arguments are concluded, the Elections Commission shall direct each concerned entity, beginning with the entity who alleged a violation of the Elections Code, to present their cases in chief by way of oral arguments not exceeding ten (10) minutes.
  7. After the first three (3) minutes of an entity's case in chief have expired, any currently empaneled member of the Elections Commission is entitled to ask questions of the entity making oral arguments. Questioning shall not penalize any entity's respective time limit.
  8. Following the presentation of each entity's case in chief, each shall be entitled to a five (5) minute closing, beginning with the entity who alleged an Elections Code violation.
  9. After closing arguments have commenced, the Elections Commission shall adjourn to deliberate for no more than one (1) hour per violation, at which time a final majority vote must be taken to determine if the alleged violation shall be sustained, and the respondent found responsible for violating the Elections Code.
  10. The Elections Commission shall immediately notify all relevant entities of the case's disposition and shall submit to the SGA Webmaster for posting to the SGA website, including any concurring or dissenting opinions, within five (5) business days of the final vote in any given case.
- 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 by a concerned entity to the hearing to the Student Supreme Court no later than thirty-six (36) hours after said decision and all accompanying opinions have posted to the SGA website pursuant to Chapter 703.2(F)(10) of the Student Body Statutes. No appeals of decisions made by the Elections Commission shall be accepted after this thirty-six (36) hour period.
- J. Any appeal of a decision by the Elections Commission to the Supreme Court cannot be remanded or sent back to the Elections Commission by the Supreme Court to rule on a case.

## Chapter 704 Qualifying for Office

### 704.1 Qualifications

- A. All candidates must qualify for the office as defined by the Student Body Constitution and Statutes.
- B. All candidates for Student Senate must be enrolled, by filing deadline, in the College that they seek to represent. Senators who file in divisions in which they are not registered shall

be removed from the ballot.

- C. If a candidate has been admitted into one or more Colleges, that individual may represent any College that they are admitted to.
  - 1. After submission of candidacy, 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 such that they will at least have seventy-two (72) academic credits at the end of the semester that they run.

#### 704.2 Declaration of Candidacy

- A. All candidates for election to Student Body Office must submit a declaration of candidacy form. No student may declare candidacy for more than one office at a time. Submission of a declaration of candidacy form shall indicate an understanding and acceptance of all filing procedures, campaign restrictions, and the elections code and ethics code.
- B. A political party may remove affiliation with any candidate for any reason prior to the starting time of any scheduled election.
- C. A candidate may withdraw their candidacy until twenty-four hours before the starting time of any scheduled election.
- D. There shall be Mandatory Candidate Seminars on the 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. Candidates, Campaign Managers, and Campaign Treasurers 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 709.3(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 seats in the Congress of Graduate Students.
  - 1. Candidates for Union board must also attend an Orientation Session to be held immediately after the Mandatory Candidate Seminars. Current members of the Union Board shall organize the meeting. Failure to attend one of these sessions without proof of class conflict or illness will result in losing eligibility for office.
- E. If the Supervisor of Elections, in collaboration with the SGA Advisor or University Administrator, finds that any candidate does not qualify for office, the Supervisor of Elections shall remove the candidate from the ballot and notify the candidate within twenty-four (24) hours.

#### 704.3 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 no later than one (1) day prior to the filing deadline of an election when the party does all of the following:
  - 1. Files with the Supervisor of Elections an accurate copy of its Constitution and an up-to-date list of Officers.
  - 2. Nominates at least one candidate for office per year.

3. 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, nor utilizes the copyrighted image or symbol not authorized for use by the individual using the image or symbol, or any individual without their consent. Party names may not be vulgar or offensive and the acceptance of names shall be at the discretion of the Supervisor of Elections, who shall inform the individual(s) who filed for the political party with the discarded name. If a political party would like to appeal the decision of the Supervisor of Elections, they may file an appeal to the Elections Commission within three (3) business days of being informed of the decision.
4. Is a Registered Student Organization with Student Organizations and Involvement.
5. Has not been disqualified in a past election within the previous four (4) years due to violations of the Election Code.

#### 704.4 Ballot Provisions

All questions of opinions, compulsory referenda, constitutional amendments, and other ballot provisions must be submitted to the Supervisor of Elections from the Student Senate President 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 ballot provision achieve all requirements, it shall go on the ballot for the next election. The Senate may withdraw its approval by the same margin needed to propose to ballot. The sponsor of a petition may withdraw a petition for a ballot provision, or individual petitioners may withdraw their signature for a ballot provision. 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 Supervisor of Elections shall have the discretion to choose whether or not a petition follows the following guidelines. If the Supervisor ascertains that a petition is not valid, they must inform the sponsor of the petition within twenty-four (24) hours of receipt of the petition, excluding business days, with an explanation why. 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, FSU ID, date signed, and signature.
  1. An E-Signature shall suffice, and may be constituted by an additional text-box for a name on an online form.
- B. Petitions must follow the below provisions:
  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 shall become a legally binding part of the Constitution upon ratification by two-thirds (2/3) vote of the Student Body. 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 Election Procedures

### 705.1 General Elections

- A. All candidates in a general election shall declare their candidacy with the Supervisor of Elections no later than 4 p.m. Eastern Time on Wednesday, three (3) weeks before election day.
- B. General Elections shall take place on the eighth Wednesday of the semester in which they take place. In the case of a conflict or a religious holiday, the Supervisor of Elections shall determine the date of election day to be on a Wednesday between the sixth and eighth week of the semester. The Supervisor of Elections shall announce the date of election day no later than the third Wednesday of the semester.
1. The Supervisor of Elections shall notify the relevant SGA governing bodies for each General Election.
    - a. For the Fall General Election, the Supervisor of Elections shall notify the Student Body President, Student Senate President, COGS Speaker, the Chair of the Campus Recreation Board, and the SGA Advising Office of the date and seats up for election no later than twenty-four (24) hours after deciding the date of the Fall General Election.
    - b. For the Spring General Election, the Supervisor of Elections shall notify the Student Body President, the Student Senate President, the Senior Class President, the Chair of the Union Board, and the SGA Advising Office of the date and seats up for election no later than twenty-four (24) hours after deciding the date of the Spring General Election.
  2. Once the date of the election is determined, the Supervisor of Elections shall send the elections calendar to the SGA Webmaster to be published on the SGA website.
- C. Campaigning is prohibited prior to 12:00 a.m. Eastern Time on the Wednesday one week prior to the date of the elections.

### 705.2 Special Elections

Any Special Election shall follow the same procedure for the General Election of the semester in which the Special Election falls in. The Senate shall provide the funds for conducting a special election by a majority vote. The date and timeline of any Special election shall be determined at the discretion of the Supervisor of Elections within a three (3) week period.

- A. The Supervisor of Elections shall call a Special Election for any race or seat in which one or multiple of the following have occurred:
1. The winning candidate is disqualified in an election.
  2. A campus political party is disqualified in an election where they have won seats.

3. The results for an individual and/or an entire election are declared invalid by the Supervisor of Elections.

#### 705.3 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 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.

#### 705.4 Compulsory Opinion Polls

In addition to those Opinion Questions proposed pursuant to Section 4, Article VI, Student Body Constitution, and Student Body Statute 704.5(B)(1), 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 the Student Government Association?
  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 the SGA identity-based Agencies (Black Student Union, Hispanic/Latinx Student Union, etc.)?
  5. Do you approve of the work by the SGA Bureaus (Office of Governmental Affairs, Inter-Residence Hall Council, etc.)?

#### 705.5 Recall Elections

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

- A. 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.
- B. 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.
- C. The Supervisor of Elections shall publish the election date and time of the recall election on the SGA website one (1) week prior to the recall election.

705.6 Senate Apportionments Process

- 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 until their resignation or the same-semester inauguration one year following their installation.
- C. Using the Student Database, the seats shall be apportioned each fall based on the percentages of students classified by their division and will be eligible to vote and run for seats in their respective divisions. All Special and Graduate Studies Students shall be eligible to be candidates for, as well as vote for, all seats in the Special Students division which shall be apportioned seats based on the number of students enrolled in the Graduate Studies and Special Student divisions.
  1. For the purposes of Senate apportionment, graduate and professional students will be considered members of the collegiate division that offers their course of study and not the Graduate School. Seats apportioned to any division aside from undergraduate studies shall be apportioned to reflect the percentage of the student body engaged in an upper-division undergraduate, graduate, or professional course of study in that college.
    - a. Colleges that do not have students enrolled in undergraduate courses of study shall be apportioned seats in the same way as any other normal division.
    - b. Undergraduate Senators serving in an upper division seat when they graduate shall be allowed to retain their seat so long as they are enrolled in graduate courses in the same college that their seat represents the first semester following their graduation.
    - c. Notwithstanding the requirements of 705.6(C) students who have completed under 60 credit hours within the College of Fine Arts, the College of Motion Picture Arts, and the College of Music shall be counted within their respective division regardless of their classification.
- D. Undergraduate Senators who graduate in the Spring shall be allowed to take a leave of absence through the summer semester as defined in section 100.6.
- E. The Supervisor of Elections shall, after consultation with the SGA Advising Office, establish which seats shall be designated as Fall and Spring Seats by the third Wednesday of the Fall Academic Semester. New seat apportionments shall be released in the form of an official memorandum signed and published by the Supervisor of Elections on the SGA Website.
  1. Apportionments shall be released by the Supervisor of Elections at least one (1) week prior to the opening of the Candidacy Declaration form.
  2. No division shall have a difference in allocated seats greater than one (1) from one semester to the next.
  3. 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 Elections.
  4. Fall Seats shall be designated with odd numbers, Spring seats shall be designated with even numbers.

- F. Loss of Senate Office due to Reapportionment
  - 1. Once a Senate Seat has been eliminated from a specific division because of yearly apportionment, it shall dissolve upon the inauguration in the semester (fall or spring) that the seat was originally apportioned to.
  - 2. If a Spring seat has been eliminated due to the yearly apportionment, and that seat is held by the Senate President or Senate President Pro-Tempore, that individual may stay in their seat until the individual's term as President or President Pro-Tempore expires.
  - 3. 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.

### **Chapter 706 Fall Elections**

- 706.1 The Fall Election cycle shall include the races for odd-numbered Senate seats, the Campus Recreation Board, the Congress of Graduate Students, and shall include any applicable constitutional amendments, referenda items, and opinion questions.
- 706.2 Campus Recreation Board
  - A. There shall be eight (8) elected Campus Recreation Board Seats. Each seat on the Board shall be elected individually.
  - B. The electorate of the Campus Recreation Board shall be limited to students enrolled at the Tallahassee campus.
  - C. Beyond the provisions listed here, elections shall proceed pursuant to 609.4.
- 706.3 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 COGS Code Chapter 111.

### **Chapter 707 Spring Elections**

- 707.1 The Spring Election cycle shall include the races for even-numbered Senate seats, the Student Union Board, Student Body President and Vice President, Student Body Treasurer, Senior Class Council President, Vice President, Treasurer, and Secretary, and shall include any applicable constitutional amendments, referenda items, and opinion questions.
  - A. If the current Senate President or Senate 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, or upon resignation of the official from either President or Pro Tempore.
- 707.2 Senior Class Council
  - A. There shall be four elected positions in the Senior Class Council, which shall be elected individually as the Senior Class Council President, Vice President, Treasurer, and Secretary.
  - B. The electorate of the Senior Class Council shall be defined in Chapter 701.1 L.

707.3 Union Board

- A. There shall be twelve (12) elected Union Board Seats. Each Union Board seat shall be elected individually.
- 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 Student Union shall be allowed to run for a seat on the Board.

**Chapter 708 Campaigning Rules and Campaign Materials**

708.1 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 or community posting boards. Any marking of university property must be approved by the proper university authority or authorities.
- B. Active campaigning by soliciting support from students is forbidden inside university academic buildings and residence halls.
  - 1. Campaign materials shall not exceed 11x17 inches in/on an academic building or residence hall.
  - 2. No adhesive-backed materials may be used in academic buildings or residential halls, excluding tape or sticky tack.
- C. All material and activity located on FSU campuses shall be in accordance with rules and regulation of Campus Event Services, Union Posting Guidelines, University Housing Guidelines, the Student Conduct Code and any other relevant entities.
- D. There shall be no campaigning through the campus email system.
  - 1. A student may not use FSU email servers to campaign for political office. This includes sending emails from their own FSU email or to another student's FSU email.
- E. Campaigning inside of university owned libraries, dining halls, and the Student Union is prohibited.

**Chapter 709 Campaigning Finances**

709.1 Campaign Expenses

- A. The Supervisor shall rule on all questions of value regarding campaign expense.
- B. 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.
- C. Campaign expense limits of independent candidates shall be as follows:
  - 1. Student Body President and Vice President Candidates: \$7,000
  - 2. Student Body Treasurer Candidates: \$3,000

3. Senate Candidates: \$500
  4. Union Board or Recreation Board Candidates: \$500
  5. Senior Class President: \$3,500
  6. Senior Class Vice-President: \$3,000
  7. Senior Class Treasurer: \$2,000
  8. Senior Class Secretary: \$2,000
- D. All expenditures of any candidate shall be paid by the campaign (party or independent) manager and/or treasurer.
- E. Candidates shall not receive contributions of any kind from Student Government Association organizations.

709.2 Final 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. 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.
1. 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 only be considered a campaign expense if each candidate for a particular office who has requested advertisement is not given equal opportunity and time for their advertisement.
- E. 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. 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. 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 710.6E.
  2. If the individual or political party has not rectified a verifiably Incomplete Final Expense Statement by 4 p.m. the following Monday, the individual or political party

will be immediately disqualified.

- G. If the Supervisor of Elections fails to notify an individual political party or candidate of an incomplete Final Expense Statement, and the notice of Incompleteness is not posted online, this offense is grounds for impeachment as decided by the Student Senate.
- H. The Supervisor of Elections shall post the Approved Final Expense Statements of the political parties and individuals prior to the certification of elections.

#### 709.3 Campaign Treasuries

- A. All political parties shall have a designated campaign treasurer if money is spent on their campaign. Candidates running independently, 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 nonpersonal 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.

#### 709.4 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 or organization donated the campaign contribution. Registered Student Organizations (RSO), excluding SGA political parties, and SGA entities are prohibited from donating to SGA political parties or candidates in any SGA election.
- B. 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 709.4 A. Regardless of profit or involvement of campaign goods, anytime "Membership" is extended in return for dues or fees, the donating individual or organization must be recorded.
- C. No money may be accepted by a campus political party or candidate from a 501(c)(4) organization as defined by Title 26 of the U.S. Internal Revenue Code.
- D. The campaign contribution limit of individual or organizational donors to a candidate or party shall be established as \$200 per election cycle.
  - 1. Party-candidate membership dues submitted by an individual shall not exceed a total of \$200.
  - 2. The maximum amount of money that can be donated to a candidate or political party is \$200 in a donation and a maximum of \$200 in party membership dues.
- E. If an individual is donating as a proxy for someone who donated via a money transfer service such as Venmo, Zelle, CashApp, etc., receipts must be provided of the entire exchange.
- F. If an individual is donating as a proxy for an organization, the entirety of the exchange should be documented.

## Chapter 710 Violations and Penalties

- 710.1 Scope and Prosecution of Alleged Violations
- 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.
  - C. The Attorney General shall represent the Supervisor of Elections in all proceedings of the Elections Commission and Supreme Court.
- 710.2 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.
- 710.3 Standing
- A. 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 forty-eight (48) hours following the close of the polls.
- 710.4 Reporting Procedures
- A. All alleged violations shall be brought to the Supervisor of Elections in accordance with Chapter 703.2 of the Student Body Election Code, and must include:
    1. The name of the party or individual alleging the violation;
    2. The name of the party or individual who allegedly violated the Elections Code;
    3. The specific statute(s) in the Elections Code which was allegedly violated;
    4. Any and all evidence to support the claim of an alleged violation; and
    5. A short and plain statement describing the occurrence of the alleged violation.
  - B. When an alleged violation is filed against an individual candidate, independent candidate, political party, or a member of a political party, the Supervisor of Elections shall notify the recipient(s) of the alleged violation within twenty-four (24) hours after receiving the alleged violation.
  - C. All students will have the option to present their case directly to the elections commission, choose a third-party to represent them, or be appointed a law student by the Supreme Court to represent their case before the Elections Commission.
  - D. The Supervisor of Elections and Deputy Supervisor(s) shall have the power to receive and review alleged violations. The time, place, and manner of such violations shall be recorded and submitted to the Elections Commission.
  - E. 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.
    1. Any complaint that lists an alleged violation after two (2) business days from its original discovery shall be dismissed by the Supervisor of Elections.

- F. 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) hours following the close of polls from an election.
  - 1. If an alleged violation is submitted less than twenty-four (24) hours before the deadline to submit alleged violations, the Supervisor of Elections shall be allowed to notify individuals of an alleged violation after the close of the filing deadline.
- G. 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”.
- H. 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.
  - 1. Wearing clothing related to political parties, candidates, or ballot items is strictly prohibited in the Student Senate Chambers. The only exception to this rule is when the results of an election are read aloud to the Senate by the Supervisor of Elections on the day of an election.
  - 2. 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 render a decision within one (1) business day of submission.

#### 710.5 Implementation of Violations

- A. Each occurrence, event, or time that violates the Election Code shall constitute an alleged Election violation that must be heard by the Elections Commission. Violations do not count against a candidate or political party until ruled upon by the Elections Commission.
  - 1. In the event that a party found to be responsible by the Elections Commission appeals to the Student Supreme Court, the violation will not be counted until the Supreme Court issues their ruling.
- B. Disqualification shall occur according to the following provisions:
  - 1. Party Disqualification:
    - a. A political party, candidate, or individual that has either been found guilty of a schedule 4 violation or has accumulated fifty (50) or more penalty points during a single election cycle shall be disqualified.
    - b. In the case that a political party is disqualified, all candidates running in that election with that party shall become disqualified. Any candidate disqualified shall be barred from running for an elected office or being a member of a political party for one (1) election cycle following their disqualification.
    - c. The disqualified political party is barred from participating in future elections for a period of four (4) years.
    - d. All party officers and members of the party leadership board shall be barred from participating in student government elections as members of political parties or running for office for one (1) election cycle following their disqualification.

2. Winning Candidate Disqualification:
  - a. If a candidate who won an election is then disqualified, the Supervisor of Elections shall call a Special Election pursuant to Student Body Statute 705.2 for the office won by the disqualified candidate.
3. Individual Disqualification:
  - a. In the event the candidate or individual is barred from running in an election, participating in any political party, or advocating/campaigning for individual candidates, political parties, or ballot items for one (1) election cycle following their disqualification.
4. Special Election after Disqualification:
  - a. If there is a special election following disqualification of a candidate or political party, the following rules will be obeyed:
    - i. Inability to use the political party's name or logo on campaign materials and during campaigning.
    - ii. Inability to use the party funds.
    - iii. A disqualified political party cannot endorse a candidate or candidates.

710.6 Violations of the Code

- A. No violations will contest or come into contradiction with Section 710.4.
- B. If a candidate or political party is accused of any election violation and they do not challenge the validity of the allegation made, they will be allowed to take a reduced punishment in exchange for an admission of guilt to the Elections Commission.
  1. This section shall not apply if a candidate or political party is accused of a Schedule 4 Violation.
  2. Any admission of guilt by the political party will still carry the maximum number of penalty points, however, the fine associated with that penalty will be waived by the Supervisor of Elections.
  3. After admitting guilt to the Elections Commission, a respondent or petitioner cannot appeal the alleged violation to the Supreme Court.
- C. Schedule one (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. Using instruments or audio amplification within fifty (50) feet of a university library, dining hall, or the student union.
  3. Engaging in any action against Chapter 709 of the Student Body Election code, including but not limited to violations of university posting guidelines.

4. Using adhesive-backed material in an academic building, excluding tape and sticky tack.
  5. Using materials larger than 11" X 17" in academic classrooms or failing to comply with University or building regulations in any academic classrooms.
  6. Having posted campaign flyers in an academic building or classroom.
  7. Failing to remove campaign materials within forty-eight (48) hours of the closing of the polls.
  8. Submitting an incomplete Final Expense Statement, consistent with 709.2(G).
    - a. If an allegation of an incomplete final expense statement is made, the recipient shall have until the following Monday by 5 p.m. Eastern Time to correct any issues with the document. If all issues are not corrected by the following Monday at 5.p.m. Eastern Time this violation will turn into a Schedule 4 Violation.
  9. Posting, either electronically or physically, or utilizing campaign materials that have not been approved by the Supervisor of Elections.
- D. Schedule two (2) Violations of this Code shall be assigned as follows:
1. Bringing false or malicious charges against another candidate, political party, or political member.
  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 official election materials created and distributed by the Supervisor or Elections.
  4. Campaigning prior to one (1) week before the election.
  5. Performing an activity that would intentionally place another party or candidate in violation of the election code.
  6. Using the past and/or present SGA logo on campaign items.
  7. Utilizing any Student Government owned equipment for express endorsement or support for or against any candidate, platform, political party, or ballot item.
  8. Failing to appear at any elections commission hearing if listed as a petitioner without giving prior notice to the Supervisor of Elections, five (5) hours prior to the Elections Commission hearing, of inability to appear.
  9. Utilizing campaign materials that were altered or changed after approved by the Supervisor of Elections without gaining re- approval since the most recent change.

- E. Schedule three (3) Violations of this Code shall be assigned as follows:
  - 1. Vandalism or any unauthorized marking of university or private property for campaign purposes.
  - 2. Offering goods or services in exchange votes, not including campaign materials as specified in Chapter 701 of the Election Code.
  - 3. Falsely representing oneself on behalf of the Supervisor of Elections or the SGA Office of Elections.
  - 4. Engaging in any action against Chapter 709 of the Election Code.
- F. Schedule four (4) Violations of this Code shall be assigned as follows:
  - 1. Submitting a fraudulent final expense statement. This includes parties or individuals failing to submit a complete final expense statement by the Monday following the election at 5 p.m. Eastern Time.
    - a. This is an allegation that can only be made by the Supervisor of Elections and/or the Deputy Supervisors of Elections.
  - 2. Providing another individual or group with or receiving personal login information (FSU ID and password) in which they use to cast votes for another person. These votes shall be considered fraudulent.
  - 3. Any attempt 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 (FSU ID)
  - 4. Offering money, gift cards, or other forms of payment in exchange for votes in any election.

#### 710.7 Tabulation of Election Violations

- A. Violations shall be adjudicated by the appropriate body as they arise as much as reasonable efficiency will allow, but a 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 three (3) 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 pursuant to Student Body Statute 710.5(B).

#### 710.8 Penalty Point System

- A. Penalty Points shall be assigned with each 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 Elections Commission.

710.9 Schedule One (1) Violation Penalties

- A. The following penalties shall be levied against those who have been found responsible for committing a Schedule One (1) violation:
  - 1. For the first instance of finding a Schedule One (1) Violation pursuant to the Elections Code, a one (1) point penalty and a ten (\$10.00) dollar fee shall be levied against an individual. For a political party, a one (1) point penalty and a twenty-five (\$25.00) dollar fee shall be levied.
  - 2. For the second and any additional findings of a Schedule One (1) Violation, a two (2) point penalty and a (\$25.00) dollar fee shall be levied against an individual. For a political party, a two (2) point penalty and a (\$50.00) dollar fee shall be levied.

710.10 Schedule Two (2) Violation Penalties

- A. The following penalties shall be levied against those who have been found responsible for committing a Schedule Two (2) violation:
  - 1. For the first instance of finding a Schedule Two (2) Violation, a three (3) point penalty and a forty (\$40.00) dollar fee shall be levied against an individual. For a political party, a three (3) point penalty and a one hundred (\$100.00) dollar fee shall be levied.
  - 2. For the second and any additional findings of a Schedule Two (2) Violation, a four (4) point penalty and an eighty-four (\$84.00) dollar fee levied against an individual. For a political party, a four (4) point penalty and a two hundred (\$200.00) dollar fee shall be levied.

710.11 Schedule Three (2) Violation Penalties

- A. For all instances of finding a Schedule Three (3) Violation, a ten (10) point penalty and a one hundred and fifty (\$150.00) dollar fee shall be levied against an individual. For a political party, a ten (10) point penalty and a three hundred (\$300.00) dollar fee shall be levied.

710.12 Schedule Four (4) Violation Penalties

- A. Any person or political party found responsible for a Schedule Four (4) Violation shall be disqualified pursuant to Student Body Statute 710.5(B).

710.13 Additional Prosecution

- A. 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 711 The Official Ballot**

711.1 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 offices to be elected, 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 myFSU account.
  - 1. Candidates can request to have a different preferred first name on the ballot and can request to change their name up until twenty-four (24) hours before the election.
  - 2. For the election of the Student Body President and Vice President, the names of the candidates for President and Vice President 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 candidate who:
  - 1. Properly filed a Declaration of Candidacy with the Supervisor or Elections 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 ballot may petition to be reinstated by the Elections Commission and may be reinstated following an Elections Commission hearing no later than (3) business 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.

#### 711.2 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 711.2 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 711.2 shall not apply to any proposed constitutional amendment pending the ballot at the time of its enactment.

711.3 Counting of Ballots and 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.

**Chapter 712 Polls**

*History: Revised by the 73<sup>rd</sup> Senate Bill 18 & 55. Revised by the 74<sup>th</sup> Senate Bill 42. Revised by the 75<sup>th</sup> Senate Bill 81.*

712.1 Voting Process

- A. Voting shall take place entirely on an electronic poll accessible to the student body through the Student Government Elections Website on election day. The link to the poll shall be sent in an email to the entire student body the day of the election when polls open at 8 a.m. Eastern Time.
- B. 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.

712.2 Recall Elections

- A. An online electronic poll shall be open in the event of a recall election of the following officials:
  - 1. Student Body President
  - 2. Student Body Vice President
  - 3. Student Body Treasurer
  - 4. Student Union Board Members
  - 5. Campus Recreation Board Members
  - 6. Senior Class Council Officers
  - 7. Student Senators

712.3 Hours

- A. Online polls shall be open from 8:00 a.m. Eastern Time to 7:00 p.m. Eastern Time on the day of the election.
- B. The Supervisor of Elections may extend poll hours for a period not to exceed two (2) hours.
  - 1. The Supervisor of Elections shall notify all parties, candidates, and individuals of the extension.

712.4 Polling Rules

- A. No candidate nor person affiliated with a political party shall serve as an election official.
- B. When voting on the online poll, the student shall login using their FSU ID and password.

**Chapter 713 Conditions for Victory**

713.1 Votes Required for Victory

- A. All elected offices will be won by whoever attains a plurality of the vote.
- B. In the event of a tie between two or more candidates, all candidates involved will go before the Student Senate to determine a winner at the next scheduled regular session of the Senate prior to Inauguration.
  - 1. The Student Senate shall conduct the election through secret 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. The process shall include both pro and con debate for each candidate.
  - 2. If in the event that a candidate has an excused absence, based on the University's Attendance Policy, the tie-breaking vote shall be rescheduled by the Senate President.
- C. The presiding officer of the Senate shall only vote to break a tie in the Senate.

713.2 Victory by Acclamation

- A. 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.

**Chapter 714 Winners – Assuming Office**

714.1 Announcement

- A. After the results have been verified by the Supervisor of Elections, the Supervisor of Elections shall release the final election results.
- B. All results and announcements of the unofficial and/or final election results may be challenged to the Elections Commission as specified in Chapter 703.2 of the Student Body Statutes.

714.2 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.
- C. 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.

714.3 Transition of Student Body Officers

- A. Following the election, all elected officials shall be expected to have at least one (1) transition meeting with 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.

714.4 Installation

- A. The Supervisor of Elections shall provide for appropriate installation ceremonies for duly elected candidates.
- B. Any duly elected officers that are not in attendance of the formal installation ceremony shall be installed separately by the Student Senate within three (3) Senate meetings after the formal installation ceremonies. No elected official shall be sworn in before the formal ceremony.
  - 1. If a duly elected officer misses the formal installation ceremony and is not sworn in by the Student Senate, the duly elected officer shall immediately vacate the office in question.
- C. Newly elected officers shall assume office immediately upon installation by the Supervisor of Elections.
- D. Installation ceremonies for those elected shall be held between two (2) and five (5) weeks after the conclusion of an election.
- E. Unless there are enough election violations filed to disqualify a candidate or political party, the date and time of Inauguration for the Spring and Fall General Elections shall not be impacted by election violations or appeals.

**TITLE VIII FINANCE CODE**

*History: Revised by the 44<sup>th</sup> Senate Bill 171. Revised by the 45<sup>th</sup> Senate Bills 109, 111 and 134. Revised by the 46<sup>th</sup> Senate Bills 41, 101 and 113. Revised by the 47<sup>th</sup> Senate Bills 17, 28, 51, 152, 153, 155 and 156. Revised by the 48<sup>th</sup> Senate Bill 18, 23, 79, 92, 126 and 178. Revised by the 49<sup>th</sup> Senate Bills 14, 19, 50, 142, 144, 146 and 171. Revised by the 50<sup>th</sup> Senate Bills 9, 113, 114, 116, 118 and 144. Revised by the 51<sup>st</sup> Senate Bills 3, 28, 44 and 65. Revised by the 53<sup>rd</sup> Senate Bill 58. Revised by the 54<sup>th</sup> Senate Bills 16, 64 and 124. Revised by the 56<sup>th</sup> Senate Bill 35. Revised by the 57<sup>th</sup> Senate Bill 48. Revised by the 58<sup>th</sup> Senate Bills 13, 49 and 67. Revised by the 59<sup>th</sup> Senate Bills 16, 23, 24, 37, 54, 55, 78, 93, 94, 98, 103, 105 and 106. Revised by the 60<sup>th</sup> Senate Bill 23. Revised by the 61<sup>st</sup> Senate Bills 12, 21, 49, 68 and 83. Revised by the 62<sup>nd</sup> Senate Bill 14. Revised by the 65<sup>th</sup> Senate Bill 28, 95, and 97. Revised by the 66<sup>th</sup> Senate Bill 28. Revised by the 67<sup>th</sup> Senate Bill 29. Revised by the 68<sup>th</sup> Senate Bill 69. Revised 69<sup>th</sup> Senate Bills 18 and 54. Revised by the 70<sup>th</sup> Senate Bill 34. Revised by the 70<sup>th</sup> Senate Bill 34. Revised by the 71<sup>st</sup> Student Senate Bill 10, 78.*

**Chapter 800 Purpose, Scope, & Definitions**

- 800.1 The Finance Code defines the standards of financial accountability and fiscal management that the Student Government Association (SGA) has established as objectives of self-governance.
- 800.2 The Finance Code governs the budgeting and expenditure of all of the following:
  - A. A&S funds allocated to SGA branches, offices, agencies, bureaus, affiliated projects, and Recognized Student Organizations, including those cases where money was distributed through the fund distribution committees.