

UNIVERSITY of
HOUSTON

STUDENT GOVERNMENT ASSOCIATION

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Committee: Internal Affairs

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Election Code Reform Act

Whereas, the current election code bylaws removed term limits;

Whereas, the campaign spending cap was raised to \$10,000;

Whereas, switched the electoral process to “First past the post” from “Ranked Choice”;

Whereas, the ballots of 1,154 students were thrown out;

Whereas, several of the students of the University of Houston voiced their discontent with the most recent version of the election code bylaws;

Whereas, students believe the most recent changes of the election bylaws conflict with the values of the University of Houston which champion equitability for students of all economic backgrounds;

Whereas, The 60th Administration prioritizes ensuring fair elections and ensuring that the voice of all students are heard;

Whereas, the Election Code can be updated to better suit the University of Houston;

Therefore, be it enacted by the Senate of the Student Government Association of the University of Houston:

The following statement of SGA Election Code rules will serve as the controlling interpretation. In the event of a conflict between the below rules, and any previously enacted rules, within or outside of the Election code, whether they be in direct or implied conflict with any provisions of the Election Code Reform Act, the Election Code Reform act will control and govern any disputes. The Election Code Reform Act must be interpreted under its plain text meaning.

Be it further enacted, that the UH SGA shall incorporate all of the below changes into the Election Code and promulgate an updated version of the Election Code within one (1) month of the passage of this Bill.

Be it further enacted, that where any sections or provisions of the Election Code Reform Act conflict with the existing Election Code, the provisions of the Election Code Reform Act shall replace any conflicting provisions.

Article 2, Section 5, Clause 9: The Election Commissioner must test the election system 24 hours after a sample ballot is approved to ensure they are operating properly prior to the start of voting. The test ballot will be sent to 3 candidates of each party, selected by the president candidate or party leader or the respective party. All independent candidates will receive a test ballot. The test ballot will also be sent to all senators of the current administration.

Article 2, Section 5, Clause 10: If a system error is found that prohibits voters from casting a ballot, the Election Commissioner shall delay the voting process until the error is rectified.

Article 2, Section 5, Clause 11: The Election Commission shall attach QR codes to vote on any and all advertisements they may send out during the

election period. In addition to the QR code, a link to the online ballot page as well as step by step instructions on how to vote must also be attached to any advertisement or email from the Election Commission.

Article 2, Section 5, Clause 12: The Election Commission shall send a school wide email notifying students of the beginning of voting at the start of the election period. This email shall include a link to the online ballot, as well as specific, step-by-step instructions on how to vote.

Article 2, Section 5, Clause 13: The Election Commission shall send a school wide email notifying students of the beginning of voting at the start of the election period. This email must include a link to the online ballot, as well as specific, step-by-step instructions on how to vote.

Article 3, Section 2, Clause 2: Past or present Presidents who serve more than half of their term shall be ineligible to run or serve as President.

Article 3, Section 2, Clause 3: Past or present Vice Presidents who serve more than half of their term shall be ineligible to run or serve as VP.

Article 3, Section 2, Clause 4: Half of their term is defined as 180 calendar days after taking office.

Article 3, Section 6, Clause 10: A party will become official after being successfully registered to the election Commission. After the election period concludes, once the incoming administration takes office in accordance with the provisions of SGA's bylaws, party pages are barred from posting further. These existing party pages and groups may not continue to be utilized in any form once the incoming administration takes office.

Article 4, Section 1, Clause 8: Parties and/or candidates shall not contact registered student organizations (RSOs) leadership privately for the purpose of requesting endorsements prior to the beginning of the campaigning period.

Article 4, Section 2, Clause 8: No candidate will utilize any materials or resources provided by the University (excluding sanctioned university postings and resources provided by the Election Commission) or Student

Organization for the purposes of campaigning or housing materials, with permission from the organization or not. This prohibition includes the SGA office. No university sponsored department, division, office, etc. or social media shall be used for the purposes of campaigning. This includes tagging parties involved in the election in social media posts.

Article 4, Section 2, Clause 12: Campaigning within the walls or within fifteen (15) feet from the entrances of UH libraries, student centers, recreation and wellness centers, dining halls and/or within any dining establishment owned/operated by the University of Houston is prohibited. This does not protect non-active campaigning once it becomes active campaigning. Non-active campaigning will be classified as active campaigning if a candidate, volunteer, or campaign staff member approaches someone with the intention to solicit votes, draws attention to one's self with the intention to solicit votes, draws attention to other material within the building that is intended to solicit votes, or engages in manners that are not respectful to the people or building and out of the norm to solicit votes.

Article 4, Section 2, Clause 14: Campaigning is limited to 7 A.M. Monday through 10 P.M. Friday during the election period. Social media postings are exempt from this prohibition.

Art 4, Section 3, Clause 7: Parties and candidates shall not accept, post, or otherwise utilize endorsements from individuals or organizations who are not enrolled students at the University of Houston.

Article 4, Section 4, Clause 7: No student accused of perpetrating sexual misconduct or a violent offense by any university or criminal investigation may run for any SGA position. This includes, but is not limited to physically abusive behavior, emotionally abusive behavior, sexual abuse, sexual harassment, etc. brought to the attention of the University Hearing Board or part of a university investigation open or previously.

Article 4, Section 4, Clause 9: No candidate or campaign staff member shall request proof that an individual voted for a candidate or party that they claim to have voted for.

Article 4, Section 4, Clause 10: No candidate or campaign staff member shall encourage or require campaign team-members to campaign in lieu of fulfilling academic obligations.

Article 5, Section 3, Clause 2: The Election Commission shall host an in person voting option on the University of Houston main campus, Sugarland location, and Katy location.

Article 5, Section 4, Clause 11: No candidate shall assist a voter in the use of an online voting system other than providing instructions on how to access the online ballot page. Once the potential voter has received instructions and pulled up the online ballot, candidates shall not be involved any further in the individual's voting process.

Article 5, Section 5, Clause 2: Voters shall vote via a ranked choice system for each set or set of seats. Each voter may rank their candidate choice in descending order from most (1) to least preferred (equal to the number of candidates). Voters will have the option to rank as many candidates as offered on the ballot, without a mandate to rank all candidates offered or rank any candidates on the ballot.

Article 5, Section 5, Clause 3: Students shall rank candidates for President and Vice President in order of preference. If no candidate receives a majority in the first round, the candidate with the lowest number of votes will be eliminated, and their votes will be distributed based on their voters' subsequent preference. This will happen until a candidate receives a majority of preferences.

Article 5, Section 6, Clause 1: For electoral races in which only one seat is available, the candidate in the given electoral race who receives over 50% of the "first choice" votes will win. If a situation arises at any stage of this determination in this section where more/less candidates surpass a given threshold than there are seats available, the remaining seats will be won by the respective candidates with the largest percentage of the vote.

Article 5, Section 6, Clause 3: Regardless of complaints or appeals, the unofficial results and voter demographics will be released by the Chief Election Commissioner on the day after the General Election no later than

5pm. After all complaints and appeals are processed and resolved through the process of the courts, the official results will be posted publicly the day after the final complaint or appeal is closed no later than 5pm.

Article 6, Section 1, Clause 1: Candidates running for a Student Government

Association Senator as an independent candidate for a specific college shall be limited to campaign expenditures totaling no more than the present equivalent of five hundred (\$500) dollars in January of 2020 determined by the US Government CPI Inflation Calculator (https://www.bls.gov/data/inflation_calculator.htm). Confirmed and announced by the Attorney General.

Article 6, Section 1, Clause 2: Candidates running for a Student Government Association At-Large seat as an independent candidate shall be limited to campaign expenditures totaling no more than the present equivalent of seven-hundred-fifty (\$750) dollars in January of 2020 determined by the US Government CPI Inflation Calculator (https://www.bls.gov/data/inflation_calculator.htm). Confirmed and announced by the Attorney General.

Article 6, Section 1, Clause 3: Political parties and Independent Presidential candidates shall be limited to campaign expenditures totaling no more than the present equivalent to one-thousand-two hundred (\$1,200) dollars in January of 2020 determined by the US Government CPI Inflation Calculator (https://www.bls.gov/data/inflation_calculator.htm) for the entire party. Confirmed and announced by the Attorney General.

Article 6, Section 2, Clause 2: Any good or service actually purchased or paid for by the candidate for their campaign will be reported at the actual value expended by the candidate for the given good or service. All goods or services purchased by a candidate or party must have a reported value reasonably close to a market value (i.e. if a candidate is offered to buy one-hundred thousand fliers for \$1, they still need to apply a reasonable market value to the fliers, and reporting \$1 on their campaign finance expenditure form would be a violation. If items were bought on discount or sale, the discount/sale must be proven to be 1) reasonably well advertised to the

public and 2) universally available to all that might wish to participate. Candidates must provide receipts in person or via email to prove the actual value of each good or service purchased or paid for. If the Election Commission requests such, the candidate must provide the original receipt(s) in person.

Article 6, Section 2, Clause 12: Financial disclosures of both independent candidates and parties must submit and provide with their expense report, the invoice or receipt of the transaction. ~~and may not use online cash exchange accounts (Such as but not limited to Venmo, Cashapp, Zelle, etc.) to be able to suffice this criterion.~~

Art 6, Section 2, Clause 13: Donations to parties or candidates must be earmarked for specific expenditures at the time they are given.

Article 7, Section 1, Clause 16: No one outside of current UH students may play any role in the adjudication process of any election related complaints. This includes but is not limited to serving as representation for a party, candidate, or campaign staffer, or drafting a party's complaint.

~~Election Code Addendum 2023: 2.9 e. Allow faculty and administrators to endorse candidates, provided the officials indicate that their views do not represent those of the component university~~

APPROVED

Benjamin Rizk

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Student Government President

Date of President's Approval: July 21st 2023

Sophia Wilson

Sophia Wilson

Speaker of the Senate

Date of Senate Approval: July 19th, 2023

