

UNIVERSITY of  
**HOUSTON**

STUDENT GOVERNMENT ASSOCIATION

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Author(s): President Barrett

Sponsor(s): President-Elect Lawrence, V.P.-Elect Kazia, Chief Justice Dentler, Chief Election Commissioner Harricharran, Attorney General Desabhotla, Associate Election Commissioner Aguilar, Associate Election Commissioner Sutterby, Pro-Temp Bryan, Chair Mehra, Legislative Chief of Staff Pham, Vice-Chair Syed, Vice-Chair LaCourt, Senator Campbell, Senator Pen, Senator Jeffrey, Senator Chang, Senator Do, Senator Potts, Senator White, Senator Berger, Senator Akil, Senator Joslin, Senator Caceres

Committee: Internal Affairs

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Further Bylaw and Election Adjustments

Whereas, certain provisions of the Bylaws either need clarification or prove overly cumbersome or unnecessary;

Whereas, certain provisions of the Election Code need adjustments and/or further clarification to ensure fairness and equitable opportunity, given the current University information technology framework.

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

That the Bylaws of the Student Government Adopt the following changes:

- (1) Title I, Article 7, Section 1, Clause 5 be amended to read: "Each member of the Senate, excluding those representing exclusively Graduate or Professional students, will serve on one of the aforementioned Standing Committees but may serve on no more than two (2) of the aforementioned Standing Committees, with voting rights guaranteed to all primary and secondary members of each committee. ;
- (2) Title I, Article 9, Section 6 add the following clause: "Clause 10: Anything which requires a Senate vote may only officially be sponsored by a sitting senator (not including the Speaker). Other individuals may cosponsor legislation if they desire. However, only sitting senator cosponsors will be counted when

determining whether or not the proper number of cosponsors is met (should such a case arise).<sup>9</sup>;

- (3) Title III, Article 1, Section 2, add the following clause: “Clause 15: The Senate will have the right to request a full list of staff from the Executive Branch, including all stipend/compensated members. The Senate also has the right to know the exact function and job duties of all stipend/compensated members of the Executive Branch.<sup>9</sup>;
- (4) The following will be struck from the Bylaws:
  - a. Title III, Article 1, Section 1;
  - b. Title III, Article 1, Section 7;
  - c. Title III, Article 2;
  - d. Title III, Article 3;
  - e. Title III, Article 4;
  - f. Title III, Article 5, Section 3.

Be it further enacted, That the Student Government Election Code implement the following changes:

- (1) Article 3, Section 6, add the following clauses:
  - a) “Clause 11: Independent candidates may switch their independent status to being party affiliated so long as the party leadership and the candidate confirm this in writing to the Chief Election Commissioner before the ballot is finalized and so long as the party has not reached the limit on candidates.<sup>9</sup>;
  - b) “Clause 12: Party-affiliated candidates may switch their status to “independent<sup>9</sup> at any point so long as they confirm this in writing with the Chief Election Commissioner and before the ballot is finalized.<sup>9</sup>;
  - c) “Clause 13: Candidates will be prohibited from switching from one party to another after the registration period has passed, but parties may move candidates from one position to another internally (for example, a person may not switch from “party A<sup>9</sup> to “party B<sup>9</sup>, but “party A<sup>9</sup> may move this person from an undergraduate at-large candidate to a business candidate) so long as the party leadership and the effected candidate(s) confirms this in writing to the Chief Election Commissioner in writing, before the ballot has been finalized.<sup>9</sup>;
  - d) “Clause 14: Independent candidates may switch their position registration before the ballot is finalized so long as they confirm this in writing to the Chief Election Commissioner (for example, an independent Technology Senator candidate may switch to running for President).<sup>9</sup>
- (2) Article 5, Section 6 add the following Clause 7: “Candidates running for Senate within the Undergraduate At-Large or Graduate At-Large categories will run in individually numbered seats which are elected separately (for example, if there are six Undergraduate At-Large Senator seats, there will be six individual elections for each of the six seats):

- a) No member from the same party will run against each other within the same numbered at-large seat;
  - b) Multiple independents in the same numbered at-large seat is permissible only if there are more independent candidates than there are seats available (for example, if there are seven independent candidates registered for a undergraduate at-large with six seats, randomly, there will be one numbered seat with two independents, and five numbered seats with one independent);
  - c) When able, the Election Commission will attempt to eliminate the possibility of a candidate running unopposed for Undergraduate At-Large and Graduate At-Large (for instance, if undergraduate at-large has six seats, and Party A has six undergraduate at-large candidates, Party B has four undergraduate at-large candidates, and there are two independent undergraduate at-large candidates, the election commission will place these candidates in such a way that all six seats are contested);
  - d) It is permissible, and required, to have an individual run unopposed in the case, and only in the case, that there are less, or an equal amount of, candidates filed in a category than there are available seats (i.e. if there are only two people running for a college with only two seats, they will both run unopposed. If there are three people running for a college with two seats, it will be random that two of the three will compete for one seat and one of the three will run unopposed for the second seat);
  - e) Parties will not have discretion which candidates they place in which specific seats (i.e. whether to place candidate "A" as an undergraduate at-large seat #1 or #2). Independents will not have this discretion either. Candidates will only indicate the generic position they are registering within ("undergraduate at-large" or graduate at-large), and the exact people running within each numbered at-large seat will be randomly chosen in a process determined by the Chief Election Commissioner. Candidates have the right to know the exact process of how the candidates were randomly assigned seats.;
- (3) Article 5, Section 4, inserts the following new clause 5, re-numbering, not removing, the subsequent clauses accordingly: "Clause 5: Any withdrawn or disqualified candidates' voters' votes will be automatically, and before all redistributions/elimination, distributed to their second choice preference, as determined by the ranked-choice voting system, and should a voter decide to only rank a, now, withdrawn or disqualified candidate first, without indicating any subsequent preferences, their vote will be taken out of the pool. This will occur after the completion of the election.;"
- (4) Article 5, Section 4, Clause 6 be amended to read: "Candidates' ballot positions will be randomly ordered and pre-set for each voter. If ballot position can be randomized for each voter's ballot, the Election Commission will completely randomize the ballot. Candidates have the right to know the process for how the ballot was randomly ordered.;"

- (5) Article 4, Section 2, Clause 9, be amended to read: “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 Organizations for the purposes of campaigning or housing campaign materials, despite receiving prior permission or not:
- a) This does not include student organization social media for the purposes of a single instance social media platform of endorsement. Any campaign activities on Student Organization social media outside of a single endorsement post per-platform is prohibited (for instance, if an organization has a Facebook and an Instagram, they may post the same endorsement post on both platforms, but no more);
  - b) No university-sponsored (department, division, office, etc.) social media will be used for the purposes of campaigning. ;
- (6) Article 4, Section 3, inserts the following new clause 4, re-numbering, not removing, the subsequent clauses accordingly: “Clause 4: Parties and individual candidates have a right to their likeness, and any attempt to copy a party or individual’s likeness is prohibited. A complaint regarding this clause must prove opposition marketing materials are too close to be easily distinguished. This includes party names. ;
- (7) Article 5, Section 6, Clause 6 be amended to read: “Candidates running for Undergraduate At-Large and Graduate At-Large will run in individual elections for each seat. Candidates for College Senate seats will run in conjunction with all other candidates running for the same seats. ;
- (8) Article 5, Section 6, Clause 1, subsection b be amended to read: Races for multiple seats:
- i. For electoral races in which multiple seats are available, the “first choice” votes will be counted first. A winning percentage of the vote for a candidate to win a seat will be defined by  $(N/(x+1))+1$ , where  $x$  is the number of seats available in an election and  $N$  is the total number of votes within a specific constituency’s election (the “Droop” method). If any candidate passes this percentage threshold in “first choice votes”, they will immediately win a seat, and promptly be taken out of consideration;
  - ii. Following this removal of victorious candidates, the surplus votes of the victorious candidates will be distributed to their second-choice preference. If any candidate(s) surpasses the given percentage threshold for the race, they are then awarded a seat;
  - iii. If, following the process of (b)(2) (above), no candidate surpasses the given threshold defined in (b)(1)(above), then the candidate with the lowest number of votes will be taken out of consideration, and their votes reassigned to their respective next “choice”;
  - iv. The process of taking out candidates surpassing the given percentage threshold, and appropriate reassignment, then removal of candidates with lowest vote totals will repeat in that order until

all seats are filled with candidates that surpassed the given threshold;

- v. If a situation arises at any stage of determination in this section where more 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.
- (9) Article 2, Section 2, Clause 4 be amended to read: "If, at the time of appointment, a member of the Election Commission is already an officer within the Student Government, they will automatically resign their position at the time of confirmation to the Election Commission. If their confirmation fails, they have the right to remain in their current position." ;
  - (10) Article 4, Section 2, add the following clause: "Clause 13: Campaigners cannot offer anything of value to a voter on the condition the voter casts a vote for said campaigner, anything given to voters must be unconditional in nature." ;
  - (11) Article 2, Section 2, Clause 1 be amended to read: "The Election Commission must be composed of a Chief Election Commissioner and Deputy-Chief Election Commissioner." ;
  - (12) Article 1 add the following section with the following: "Section 3: Compensation"
    - a) "Clause 1: The Chief Election Commissioner, the Deputy-Chief Election Commissioner, the Attorney General, and the Chief Justice, have a right to monetary compensation at the time surrounding the Student Government Elections." ;
  - (13) Article 4, Section 2, add the following clause: "Clause 14: Campaigning within the walls of the library, student centers (north, south, and satellite), recreation and wellness center, dining halls, and/or within any dining establishment owned/operated by the University of Houston is prohibited. The Chief Election Commissioner may make exceptions to this at their discretion." ;
  - (14) Article 4, Section 2, Clause 1 be amended to read: "All campaigning is subject to the authority of entities or individuals that have jurisdiction over the location in which campaigning is occurring. If any complaint is filed concerning whether campaigning in a certain building is permissible, the filer must prove a prohibition on campaigning within said building is (1) in writing and (2) well-communicated to students/candidates before the alleged violation took place." ;
  - (15) Article 7, Section 2, Clause 3 be amended to read: "Class A violations include but are not limited to: select violations of the Student Code of Conduct and/or local, state, and/or federal laws; Election Fraud; falsified campaign documents; identity theft." ;
  - (16) Article 7, Section 2, inserts the following new clause 4, re-numbering, not removing, the subsequent clauses accordingly: "Clause 4: Violations of the Student Code of Conduct and University Policies may be classified as Class A, B, or C, at the discretion of the Attorney General. Only the most egregious Student Code of Conduct or University Policy violations will merit a class A classification, worthy of potential disqualification." ;

- (17) Article 5, Section 6, Clause 3 be amended to read: "In the case of an exact tie in number of votes at any point in the ranked-choice process, the candidate with the lower number of first-choice preferences will be eliminated. If there is a tie in the first-choice preferences, the candidate with the lower number of second-choice preferences will be eliminated. This process will continue until the tie is resolved."
- (18) The following provisions in the Election Code will be struck:
- a) Article 2, Section 5, Clause 3;
  - b) Article 2, Section 5, Clause 5;
  - c) Article 2, Section 5, Clause 6;
  - d) Article 2, Section 7.
- (19) The election code will strike all references to "Associate Election Commissioners", "Election Commissioners", and "Associate Election Commissioner", and be replaced with some form of "Deputy-Chief Election Commissioner" or "the Election Commission."



Cameron Barrett  
Student Government President

Date of President's Approval: 3/20/19

**APPROVED**



Kim Lorine  
Speaker of Senate

Date of Senate Approval: 3/20/19

