

Fall 2018

F18RS SGB No. 7 (Spending and Discipline)

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STUDENT SENATE
F18RS
SGB No. 7
BY: SENATOR J. LANDRY

ENROLLED

A BILL

**TO AMEND THE ELECTION CODE REGARDING ELECTION SPENDING AND
DISCIPLINE**

- PARAGRAPH 1:** WHEREAS, THE ELECTION DOCUMENT REVIEW COMMITTEE (EDRC) WAS CHARGED WITH REVIEWING AND, IF NECESSARY, AMENDING PROVISIONS IN THE GOVERNING DOCUMENTS RELATING TO ELECTIONS IN ORDER TO IMPROVE THE ELECTIONS PROCESS; AND
- PARAGRAPH 2:** WHEREAS, PURSUANT TO THAT DUTY, THE EDRC HAS SEEN FIT TO PROPOSE CERTAIN AMENDMENTS RELATING TO ELECTION SPENDING AND DISCIPLINE; AND
- PARAGRAPH 3:** THEREFORE, BE IT ENACTED BY THE LOUISIANA STATE UNIVERSITY STUDENT SENATE THAT THE ELECTION CODE IS AMENDED AS DESCRIBED IN THE APPENDIX TO THIS BILL, AND
- PARAGRAPH 4:** BE IT RESOLVED THAT A COPY OF THIS RESOLUTION BE TRANSMITTED TO ERICA BORNE, COMMISSIONER OF ELECTIONS; ANDREW CHENEVERT, CHIEF JUSTICE; AND JONATHAN SANDERS, STUDENT GOVERNMENT ADVISOR, AND
- PARAGRAPH 5:** THIS BILL SHALL TAKE EFFECT UPON THE CALL TO ORDER OF THE SPRING 2019 REGULAR SESSION FOLLOWING PASSAGE BY A TWO-THIRDS ($\frac{2}{3}$) VOTE OF THE LSU STUDENT SENATE AND SIGNATURE BY THE PRESIDENT, LAPSE OF TIME FOR PRESIDENTIAL ACTION, OR, IF VETOED BY THE PRESIDENT, SUBSEQUENT APPROVAL BY THE SENATE.

Appendix: Election Code Amendments

ARTICLE VII: Spending Limits

§2. General Election Spending Limits for Tickets

- (A) *Section 2.A.* Three thousand dollars (\$3,000) shall be the total expenditure limit of any President/Vice President pair.
- (B) *Section 2.B.* Seventy-five dollars (\$75) shall be the expenditure limit for any candidate running for a Senate or College Council position.
- (C) *Section 2.C.* Expenditure limits for tickets shall be based on the total expenditures of individuals involved with a particular ticket, as stipulated in Section 6 of this Article.
 - **a. If a ticket with a President/Vice President pair would otherwise have a total expenditure limit of under \$4,000 based on its number of candidates, its expenditure limit shall be \$4,000.**
 - **b. If a ticket without a President/Vice President pair would otherwise have a total expenditure limit of under \$300 based on its number of candidates, its expenditure limit shall be \$300.**
- **(D) Section 2.D. If a portion of a ticket is suspended, that ticket's spending limit shall be recalculated to contain remaining official ticket candidates. The new spending limit shall go into effect once the decision has officially been sent to the affected ticket.**
 - **a. Should the affected ticket have already exceeded their new spending limit on the date of receiving a decision by the Election Board or University Court, then they shall not be found guilty of any financial violation unless there are further expenditures past twenty-four (24) hours of the decision.**

§4. Run-off Election Spending Limits

- *Section 4.* The expenditure limit for the Run-off Election of any candidate or ticket shall be one-half of the limits stated for the General Election **per candidate contesting the Run-off Election.**

§5. General Election and Run-off Financial and Monetary Contribution Reports

- (C) *Section 5.C.* All ticket representatives must submit the following:
 - a. Ticket financial report, **including contributions and expenditures for the ticket as a whole and individual candidates;**
 - b. All receipts and other proofs of purchase, including but not limited to invoices, for expenses incurred;
 - c. An inventory of all borrowed, which shall be expensed as having no cost;
 - d. **Candidates on a ticket shall not be required to submit separate financial reports.**

ARTICLE VIII: Appeals, Complaints, Petitions, and Referenda

§2. Procedure for Filing Complaints

- *Section 2.* A complaint concerning irregularities in the conduct of an election by the Election Board or a candidate may be brought by any LSU student.

- (A) Complaints regarding violations of Election Code provisions must be submitted in writing to the Commissioner of Elections.
- (B) No complaint **related to the conduct of the General Election** shall be filed after 4:30 P.M. on the Wednesday after the General **Election**.
- **(C) No complaint related to the conduct of the Runoff Election shall be filed after 4:30 P.M. on the Wednesday after the Runoff Election.**
- **(D)** The Election Board may also file complaints concerning irregularities in the conduct of an election.

§4. Procedure for Processing a Complaint

- *Section 4.* A complaint brought to the Election Board, will follow this procedure:
 - (A) A Student filing a complaint will fill out a complaint form issued by the Commissioner of Elections detailing the time, place and nature of the alleged violation.
 - a. A signature of the student filing the complaint must be included in order for the complaint document to be considered valid.
 - b. No anonymous complaints will be viewed.
 - (B) The respondent to the complaint will be notified immediately upon receipt of said complaint by the Commissioner of Elections. The subject will then have **forty-eight (48)** hours to submit a response.
 - (C) All complaints pertaining solely to the Election Code will be reviewed by the Election Board. Any complaint citing further governing documents shall be immediately forwarded to the Clerk of Court of the University Court by the Commissioner of Elections.
 - (D) The Election Board will review complaints based solely on what is included in the documents presented in letters A and B of this section.
 - (E) The Commissioner of Elections is responsible for accepting all complaints.
 - **(F) Should the Commissioner of Elections and/or the Election Board depart from proper procedures, the University Court shall, upon appeal vacate the decision of the Commissioner/Board and remand it to the Commissioner/Board with instructions to re-hear the case following proper procedures.**

§16. Deadline for Inclusion on Ballot

- **Section 16. Recalls, petitions, and referenda whose campaigns are subject to the timetable set in Article III, Section 1 of the Election Code must be verified (for questions submitted via collection of signatures) or officially transmitted to the Election Board (for questions submitted via Student Senate legislation) no later than the deadline set for the submission of ticket rosters.**

ARTICLE IX: Penalties for Violations

§1. Penalties for Candidates and Tickets

- *Section 1.* **The Election Board and/or University Court shall be limited to the following penalties:**
 - (A) Minor infractions, resulting in private censure and/or self-imposed sanctions made by the defendant and agreed upon by the Board, for actions that shall include but not be limited to:
 - a. Littering;
 - (B) Infractions, resulting in spending limit and/or other sanctions, for actions that shall include but not be limited to:
 - a. Actively campaigning within twenty (20) feet of an Election Board Polling Station or entrance of a University Building;
 - b. Utilizing the Student Government logo or any logo of an organization that has not explicitly endorsed a candidate or ticket;
 - c. Utilizing any past or present LSU logo
 - (C) Major infractions, resulting in the suspension of campaign activities and/or public censure, for actions that shall include but not be limited to:

- a. Failure to submit financial documents on time but by 4:30 P.M. on the day after the Election;
 - b. Any actions intended to interfere with the campaign activities of any other candidate or ticket;
 - c. Decorating any car without the express consent of the owner.
 - **d. Incorrect/improper registration of a ticket, including, but not limited to, registering more candidates than seats available or registering ineligible candidates for certain Senate or College Council seats.**
- (D) Infractions that merit disqualification, for actions that shall include but not be limited to:
 - a. Failure to fully disclose financial activities of a campaign;
 - b. Any method that violates university or state policy;
 - c. Any actions that violate the Student Code of Conduct and require action on the part of the Dean of Students;
 - d. Any actions that may be considered electioneering or voter fraud;
 - e. Any expenditures that exceed specified spending limits by five percent (5%) of total spending limit or fifty dollars (\$50), whichever is lower;
 - f. Failure to complete filing process, including unexcused absence for a mandatory candidate meeting;
 - g. Failure to comply with a penalty.
- **(E) Any violation of an election rule not specifically listed in (A) through (D) above shall have a penalty applied that is analogous to those for violations of a similar magnitude.**
- (F) Candidates penalized for infractions committed after the General Election shall have those penalties applied during the Runoff Election or Runoff election campaigning period when applicable.
- **(G) Repeated or especially egregious violations may be penalized by a higher category than what they would usually merit according to (A) through (D) above.**

Approved:

 Christina Black
 Speaker of the Senate

 Stewart Lockett
 Student Body President

Date:_____

Date:_____