

CHAPTER 700 STUDENT GOVERNMENT ELECTION CODE (75-122, 75-188, 76-177, 76-118, 76-119, 76-120, 76-121, 76-127, 76-160, 76-165, 76-174, 77-132, 78-122, 78-128, 78-170, 78-190, 79-129, 79-159, 79-180, 80-129, BOM Petition 100280, 81-131, 81-203, 81-108, 81-147, 81-157, BOM Petition 03582, 82-104, 82-146, 83-164, 83-172, 83-199, 84-101, 84-171, 85-159, 86-148, 87-153, 87-160, 88-129, 88-143, 89-103, 90-144, 90-163, 91-119, 91-126, 92-109, 92-113, 94-103, 94-123, 95-107, 95-119, 96-101, 96-124, 96-131, 96-134, 97-101, 98-100, 98-106, 98-110, 98-122, 99-125, 2000-116, 2000-117, 2000-120, 2000-137, 2000-141, 2001-110, 2002-144, 2004-116, 2005-138, Spring 2006 Ballot Initiative, 2006-123, 2006-124, 2006-129, 2007-103, 2007-109, 2009-101, 2010-100, 2011-100, 2011-115, 2011-116, 2012-101, 2012-107, 2013-SC: Students Party v. Swamp Party, 2013-111).

700.1 Sections 700.001 through 790.999 shall be known as the "Student Government Election Code".

700.2 The Student Government Election Code shall be arranged by subject matter in 11 parts, each composed of numerically designated sections, according to the following scheme:

Part I (Sections 700.001-709.999) General Provisions

Part II (Sections 710.001-719.999) Supervisor of Elections Act

Part III (Sections 720.001-729.999) Election Commission Act

Part IV (Sections 730.001-739.999) Election Qualification Act

Part V (Sections 740.001-749.999) Political Parties Act

Part VI (Sections 750.001-759.999) Election Finances Act

Part VII (Sections 760.001-769.999) Election Campaign Act

Part VIII (Sections 770.001-779.999) General Election Act

Part IX (Sections 780.001-789.999) Election Tabulation and Validation Act

Part X (Sections 790.001-790.999) Student Government Initiative and Referendum Act

700.3 Student Government shall make every effort to comply and follow standards set forth in Florida Law governing elections. This shall include, but not be limited to: the review of the rules governing standards and certification of voting systems, the adoption of rules to achieve and maintain the maximum degree of correctness, impartiality, and efficiency of the procedures of voting, including write-in voting, and of counting, tabulating, and recording votes by voting systems used in Student Government elections; the security standards for voting systems, and the authorization and approval of the registration process for voter identification.

700.4 The following words and phrases when used in 700.001 to 790.999 shall have the meaning as ascribed to them in this section:

(a) "Absent elector" means any qualified elector who applies for an absentee ballot pursuant to statutes 714.1 and 775.0 and casts a ballot prior to the tabulation of the election results, pursuant to statute 775.1. Every qualified elector has the right to be an absentee elector and vote by absentee ballot.

(b) "Ballot" means that printed sheet of paper or secure online database containing the names of candidates, or a statement of proposed constitutional amendments, initiatives or referendum questions or any other propositions submitted to the electorate at any election on which sheet of paper or in which secure online database an elector casts a vote. A "ballot" also means a Scantron computer card used for the same purposes.

(c) "Benefit" shall be defined as any material used for the purpose of campaigning that does not pertain to the election and is meant to sway or persuade individual voters. Examples of benefits shall include but are not limited to food, candy, and gifts.

(d) "Campaigning" means any intentional action in support of, or in opposition to, a candidate or political party for an elective student body office, including, but not limited

to the distribution of literature and posting of election specific materials. "Campaigning" does not include maintaining a website excluded to providing general information about the party and party members, or wearing campaign material, as defined in 700.4(f), a campaign shirt, a button, an emblem or similar paraphernalia, unless accompanied by the dissemination of campaign literature or the delivery of a campaign speech to solicit support for a candidate or political party.

(e) "Campaign Activity" will be interpreted as interchangeable with "Campaigning" and will be interpreted as having the full meaning ascribed in § 700.4(d) as per 2013-SC: Students Party v. Swamp Party decision.

(f) "Campaign Material" means any print or electronic material used for the purpose of supporting a candidate or political party for an elective Student Body office, an initiative, a referendum question or proposed constitutional amendment. "Campaign material" shall include, but not be limited to, fliers, banners, posters, placards, electronic mail internet posts, and clothing.

(g) "Candidate" means any person who has qualified to have his or her name placed on a ballot for elective office in a Student Government election, or any qualified person eligible for elective office seeking election to such office by write-in votes.

(h) "Days" means calendar days unless otherwise specified.

(i) "Disqualify" means:

(1) the Supervisor of Elections removes a candidate or political party from the ballot, or

(2) the Supervisor of Elections does not forward a candidate's name to the Senate for approval, or

(3) the Supreme Court declares a candidate or political party ineligible for elective office due to violations of the Student Government Election Code or other applicable law, or (4) the Supreme Court declares a candidate ineligible to qualify or ineligible on any other basis that would infringe on that person's ability to hold office.

(j) "Door-to-door Campaigning" means any campaigning which requires the attracting of a resident's attention by knocking on the door of a residence or non-University building or requesting entry into an apartment, house, residence hall, or similar residential building.

(k) "Election cycle" means the time from the beginning of the informational meeting held by the Supervisor of Elections pursuant to 713.0 until validation of the election by the Student Senate.

(l) "Election Official" or "Polling place supervisor" means those individuals designated by the Supervisor of Elections to supervise the poll workers and conduct the election at a polling place or precinct.

(m) "Elector" means any student in the current term at the University of Florida, as outlined in Article 2 Section 1 of the Student Government Constitution.

(n) "Electronic method of voter identification" shall be defined as any internet connected device verifying identity through the use of an electronically encrypted user identification system that is utilized by a majority of the University sanctioned electronic applications, including but not limited to GatorLink identification. Successful verification using the electronically encrypted user identification system must be followed by an additional method of electronic user verification, including but not limited to secret questions and responses which may be verified against private University Registrar records.

(o) "Electronic voting means a voting system that uses mechanical devices, including computers, to record, transfer and tally votes to determine voter intent. This system shall be limited to the use of devices under the direct control and supervision of the Elections Commission.

- (p) “Enactment” means formal approval by the appropriate University Administrative authority.
- (q) “Fall General Election” means the election held during the fall semester to fill Student Government offices and to vote on initiatives of law or referendum questions.
- (r) “Initiative” means a ballot vote proposing to revoke, amend, or adopt Student Body Law.
- (s) “Internet Online Voting” means a voting system that allows voters to cast ballots from any and all devices connected to the internet, with the exception of devices used for Secure Location Electronic Voting. Internet Online Voting is unconstitutional and may not be utilized in Student Government elections.
- (t) “Mode of transportation” shall include automobiles, bicycles, buses, scooters, or any other means of transportation.
- (u) “Notice” means oral or written contact by the Supervisor of Elections, any Elections Commissioner, the Student Senate or any other Student Body officer to any person intended to be subject to that notice. Telephone messages will not be considered “notice.”
- (v) “Official School Holiday” means any day the university administration recesses classes during any academic term.
- (w) “Polling Location” means a location under the direct supervision and control of the Elections Commission.
- (x) “Poll Worker” means an individual hired to assist in the duties of conducting the election at a particular precinct or polling place.
- (y) “Qualify” means the filing of a candidate affidavit, a certification of good standing and any other necessary papers with the Supervisor of Elections.
- (z) “Queue of voters” shall be defined as a physical line of electors waiting to enter a voting booth.
- (aa) “Referendum question” means an issue stated in the form of a question that shall be considered, when answered by the Student Body, to have the power of a resolution of Student Government.
- (bb) “Run-Off Election” means the election held on the first Tuesday and Wednesday after a Spring General Election involving only the top two vote recipients where no candidate for that office has received a majority of the votes cast for one of the campus-wide Student Government offices. Write-in ballots shall not be provided in run-off elections.
- (cc) “Secure Location Electronic Voting” means a voting system that allows voters to cast a ballot electronically from a fixed location on campus under the direct supervision and control of the Elections Commission and in accordance with
- (dd) “Sample Ballot” means an electronic copy of what the actual ballot will look like, including candidates, referendums, and instructions.
- (ee) “Spring General Elections” means the election held during the spring semester for the purpose of filling Student Government offices and voting on proposed constitutional amendments, initiatives of law, or referendum questions.
- (ff) “Unsecure Site Online Voting” means a voting system that allows voters to cast ballots from any computer connected to the internet. Unsecure Site Online Voting is illegal and may not be utilized in Student Government elections.
- (gg) “Validation” means the action taken by the Student Senate that formally acknowledges the vote totals as presented by the Supervisor of Elections or Elections Commission is accurate.
- (hh) “Verification” means the tabulation of the ballots by the persons referred to in 715.5 and following the process promulgated in 715.6
- (ii) “Voting Booth” means that booth or enclosure designed to protect the integrity and secrecy of the voter wherein an elector casts his or her ballot and shall be so arranged that

it will be impossible for one elector in one compartment to see an elector in another in the act of marking his or her ballot.

(jj) "Voting Machine" means the device used for the purpose of recording votes.

(kk) "Write-in ballot" means a sheet of paper or ballot frame on a voting machine provided for the purpose of an elector casting a vote for a write-in candidate by inscription. Electors shall be provided "write-in ballots" in all fall and spring general elections. "Write-in ballots" shall not be provided in any run-off elections.

(ll) "Write-in candidate" means any person who could have met the qualifications of the office before the deadline set by the Supervisor of Elections, yet who has not qualified as a candidate and whose name is neither printed on paper ballots or included on voting machines, but for whom a vote is cast on a write-in ballot.

(mm) "Campaign Websites" may include party roster, party contacts, a list of former accomplishments, and general, non-election-specific information.

CHAPTER 710 – THE SUPERVISOR OF ELECTIONS ACT (2000-141, 2002-144, 2004-116, 2005-137, 2005-138, 2006-103, 2006-108, Spring 2006 Ballot Initiative, 2006-113, 2006-117, 2006-123, 2006-129, 2007-109, 2009-100 2009-102, 2009-103, 2010-100, 2010-111, 2011-115, 2012-101, 2012-107, 2013- 102, 2014-119, 2016-104, 2017-113)

- 710.0 This subsection, from 710.0 to 719.999, shall be known as “The Supervisor of Elections Act.”
- 711.0 There is hereby created the position of Supervisor of Elections. The Supervisor of Elections shall be filled by nomination of the Student Body President, subject to the approval of a two-thirds vote of the Student Senate. The Supervisor of Elections shall have served for at least one campus-wide election as either an Elections Commissioner or as an Assistant Supervisor of Elections.
- 711.1 The Supervisor of Elections shall be appointed within the first twenty-eight (28) school days after the Student Body President assumes office in the Spring, and shall serve for a period of one academic year.
- 711.11 The Student Senate shall be notified of the Supervisor of Elections appointment no later than forty-eight (48) hours prior to the Student Senate meeting at which the nominee is to be presented for confirmation.
- 711.12 Should the Student Senate not confirm the candidate for Supervisor of Elections, the Student Body President shall, within a fourteen (14) day window, appoint a candidate for confirmation by the Student Senate. This procedure shall apply every time a confirmation is not attained. This window shall not apply during recognized University holidays and academic breaks.
- 711.2 The Supervisor of Elections shall conduct and supervise all elections of the Student Body and faithfully execute those duties and responsibilities as designated by the Student Government Election Code and other duties and responsibilities designated by law or that are deemed necessary to the proper conduct of an election.
- 711.3 The Supervisor of Elections shall not hold nor have held any position or affiliation with any Student Government political party or independent candidate during the previous election cycle.
- 711.31 The Supervisor of Elections shall not hold any other position or office in Student Government. The Supervisor of Elections shall not be an executive officer of any Student Government funded organization while serving as Supervisor of Elections.
- 711.4 In the event of a vacancy in the office of Supervisor of Elections after the completion of the election cycle, a new Supervisor shall be chosen pursuant to 711.0.
- 711.5 In the event of a vacancy in the office of Supervisor of Elections during an election cycle, the Supreme Court shall appoint by majority vote, one of the Assistant Supervisors of Elections to be the new Supervisor of Elections. That supervisor shall take office effective upon notification of his or her appointment.
- 712.0 The Supervisor of Elections shall appoint a minimum of four (4) Assistant Supervisors of Elections at least four (4) weeks prior to the fall general election. The Supervisor of Elections may appoint any additional Assistant Supervisors of Elections that he or she deems necessary. Any Assistant Supervisor of Elections must be approved by a two-thirds vote of the Student

Senate. The Assistant Supervisor's term shall end in conjunction with the expiration of the natural term of the Supervisor of Elections.

- 712.1 The Student Senate shall be notified of Assistant Supervisor of Elections appointees no later than forty-eight (48) hours prior to the Student Senate meeting at which the nominee is to be presented for confirmation.
- 712.11 Assistant Supervisors of Elections shall not hold any position or affiliation with any Student Government political party. The Assistant Supervisors of Elections shall not hold any other position or office in Student Government as listed in the Exclusionary Offices Act (Chapter 130 of the Student Body Statutes). The Assistant Supervisors of Elections shall not be an executive officer of any Student Government funded organization during their term as Assistant Supervisor of Elections.
- 712.12 Assistant Supervisors of Elections shall assist the Supervisor of Elections in the performance of his or her duties during the election cycle.
- 712.13 Assistant Supervisors of Elections are subject to removal of office for due cause by the Supervisor of Elections and with a two-thirds (2/3) vote of the Elections Commission. Any removal of an Assistant Supervisor may be appealed to the Supreme Court.
- 713.0 The Supervisor of Elections shall conduct a meeting on the fourth (4th) Tuesday immediately preceding the first day of elections. The purpose of this meeting shall be to inform all students wishing to participate in the upcoming elections of the rules, procedures and proper conduct required during the election cycle as stated in the Student Government Elections Code.
- 713.1 The Supervisor of Elections shall be responsible for receiving the qualifying papers of the various candidates and political parties. The Supervisor of Elections shall distribute all information concerning the Student Government Election Code including, but not limited to, all deadlines, campaign rules and campaign laws (including those email rules as promulgated under 764.0) during the qualifying process.
- 713.11 The Supervisor of Elections shall provide a complete list of his or her official Student Government contact information and the official contact information of all the members of the Elections Commission to each registered party president, independent candidate and any interested students.
- 713.2 The Supervisor of Elections shall be responsible for receiving a list of campaign contributions and expenditures from each political party and independent candidate. The Supervisor of Elections shall place any list he or she receives pursuant to this section on public record in the Student Government office and shall post it on the Student Government web site within twenty four (24) hours of receiving it.
- 713.3 The Supervisor of Elections shall submit a complete list of candidates who have qualified to the Office Manager of Student Government, who shall certify back to the Supervisor of Elections the names of those candidates who meet all of the requirements set out in the Student Body Constitution and Student Body Statutes.
- 713.31 The Supervisor of Elections shall strike from the certified list of names any person who fails to meet the requirements of the office for which they are candidates. Requirements are set forth in Article VI of the Student Body Constitution.

- 713.32 The Supervisor of Elections shall notify any candidate who was stricken from the certified list by posting their names at the entrance of the Student Government Office in the J. Wayne Reitz Union and at the mandatory meeting required by 713.5.
- 713.4 The Supervisor of Elections shall post a copy of the corrected list of candidates outside the Student Government office in the J. Wayne Reitz Union by noon on the first school day after the certified list is finalized as per 737.0. The Supervisor of Elections shall submit a corrected list of candidates to the Elections Commission.
- 713.5 The Supervisor of Elections shall conduct a mandatory meeting on the second school day after qualifying ends to notify all candidates of the requirements of the Student Government Election Code.
- 713.6 The Supervisor of Elections shall make available a current copy of the Student Government Election Code and other regulations on the Student Government website and provide directions on how to access the information to any student upon request.
- 713.7 The Supervisor of Elections, alongside Assistant Supervisors of Elections, shall plan and preside over the implementation of the Student Government Debate during the Spring election cycle. The attendance of each political party's properly qualified executive candidate(s) shall be required. Refusal to attend shall be grounds for disqualification.
- 713.71 In the event that only one party has a full qualified executive slate, the Supervisor of Elections will not be required to host the Student Government Debate.
- 713.72 The Student Government Debate shall take place no earlier than the day after the mandatory candidate meeting described in 713.5 and no later than the Friday immediately preceding the spring general election.
- 713.73 The Supervisor of Elections shall make all reasonable efforts to ensure that the Student Government Debate is made available to the public as audio and/or video within forty-eight (48) hours of the conclusion of the debate. Additionally, the Supervisor of Elections shall ensure that a debate transcript is made available to the public within forty-eight (48) hours of the conclusion of the debate.
- 713.74 The Supervisor of Elections shall ensure that the content of the Student Government Debate is created in conjunction with the Student Government Advising & Operations team or Student Government Advising & Operations designee.
- 714.0 The Supervisor of Elections shall be responsible for the preparation of the ballot and for the preparation of the absentee ballot. The ballot shall contain names of all candidates as defined in 713.4. The ballot shall also contain adequate provision for writing in the names of candidates not appearing thereon unless it is to be used in a run-off election as defined in 700.4 (bb).
- 714.1 The Supervisor of Elections shall supply an absentee ballot to every elector who requests an absentee ballot by the second Wednesday immediately preceding the elections by 5:00 P.M. Local Standard Time.

- 714.2 The Supervisor of Elections shall maintain a page on the official Student Government website containing an electronic form allowing any elector to instantly apply for an absentee ballot over the Internet.
- 714.3 The Supervisor of Elections shall make all reasonable efforts to notify every elector, including those enrolled at satellite campuses, of the absentee balloting process at least two weeks prior to the deadline stipulated by 714.1.
- 714.31 The Supervisor of Elections shall draft a social media post to inform every elector of their right to request and vote by an absentee ballot and encourage them to exercise this right if voting in person will be inconvenient for them. The Supervisor of Elections shall draft at least two such social media posts, with at least one social media post sent to the Action SG Chairperson for posting between five and six business days before the electronic form submission deadline and at least one social media post sent to the Action SG Chairperson for posting between two and three business days before the deadline. Each such post must be sent to the Action SG Chairperson between 8:00 A.M. and 6:00 P.M. Additionally, the posts shall include the following:
- (a) A direct link to the electronic form mandated in 714.2.
 - (b) The date and time by which the electronic form must be submitted for the request to be processed.
- 714.4 In the event of a runoff election, the Supervisor of Elections shall supply an absentee ballot automatically to every elector who requested one for the general election.
- 714.5 The Supervisor of Elections shall ensure that all candidates for a given office are listed in alphabetical order within party groups on the ballot. For the purpose of listing candidates, all independent candidates shall be grouped together in alphabetical order as if they were a party.
- 714.6 The order of political parties listed in 714.2 on the ballot shall be randomly determined at the mandatory candidates' meeting by the Supervisor of Elections drawing from a hat the names of the registered political parties and the label independent. The drawing shall be open to the public.
- 714.7 The Supervisor of Elections shall make available upon request a sample ballot to any interested individuals at every polling location and in the Student Government office, and on the Student Government website.
- 714.8 The Supervisor of Elections shall submit to the Chair of the Elections Commission a list of proposed polling locations at least 15 business days before the election. The proposed list shall be posted in a public place with the date, time and location of the meetings required in 723.21.
- 714.81 In the event that a polling location becomes unavailable due to an event or circumstance outside the control of the elections staff, the Supervisor of Elections, at his or her discretion, may add or change a polling location to the nearest available building so long as it is properly noticed at the original polling location.
- 714.9 If Secure Location Electronic Voting is implemented, the Supervisor of Elections shall ensure that a contingency plan with secondary polling locations is in place.
- 714.91 The Supervisor of Elections' contingency plan shall be presented before the Senate two weeks prior to the election cycle.
- 715.0 The Supervisor of Elections shall post signs the day prior to the election and days of the elections near the polling locations that shall read "Vote Here" in a type that is visible and legible from 30

feet indicating that such polling location is located nearby.

- 715.1 Polling locations located more than 50 feet inside a building shall be marked with signs noting the location at exterior entrances, and within 15 feet of the polling location inside.
- 715.2 Signs created by the Supervisor shall include the dates of the election or runoff, the times polling locations will be open and any and all requirements for voting.
- 715.3 The Supervisor of Elections shall post a list of polling locations on the Student Government website and through at least two additional forms of notification. A link to the official UF campus map shall be included along with the list of polling locations on the Student Government website.
- 715.4 The Supervisor of Elections shall draft a social media post to inform every elector, including those enrolled at satellite campuses, their right to vote in Student Government elections. The Supervisor of Elections shall draft at least two such posts, with at least one social media post sent to the Action SG Chairperson sent when the dates, times, and polling locations of the upcoming election are finalized and at least one post sent when polls open on the first day of the election. Each such post must be sent to the Action SG Chairperson between 8:00 A.M. and 6:00 P.M. Additionally, the posts shall include the following:
- (a) The candidates students may vote for as they appear on the ballot, additionally including any declared write-in candidate(s).
 - (b) The dates, times, and polling locations of the upcoming election.
- 715.5 Every official Student Government social media account shall post to its social media platform the content provided by the Supervisor of Elections to the Action SG Chairperson as mandated by 714.31 and 715.4, within one business day. These social media posts may exclude content only to satisfy social media platform limitations.
- 716.0 The Supervisor of Elections shall be responsible for instructing poll workers in the proper use and operation of voting machines and shall prepare guidelines and regulations, in accordance with the laws of the State of Florida, to be followed in the preparation, sealing, opening, and reading of such machines.
- 716.1 The Supervisor of Elections shall provide the poll workers with written instructions on how to assist students with disabilities. The instructions shall read as follows: "Students with sight, vision or physical impairments may request a companion or poll worker to read and mark their ballot. You are to help any student that requests this service."
- 716.2 All polling locations for Student Government elections shall remain open from 8:30 A.M. to 8:30 P.M. on each designated day of the election.
- 716.21 The Supervisor of Elections shall ensure that all students in line at 8:30 p.m. are allowed to vote.
- 716.3 Only the Supervisor of Elections, a representative of each political party, an independent candidate or their designee, a member of the Supreme Court, a university administrator identified as the Election's Advisor, a university administrator selected by the Student Body President, the Student Government IT Manager, the Action SG Chairperson or their designee and any other person deemed necessary and approved by the Elections Commission may be present at the tabulation of the ballots. Representatives of political parties, independent candidates or their designees, and the Action SG Chairperson or their designee may not manipulate or touch the

tabulation system in the counting room.

- 716.4 If the set of returns indicates that a candidate for any office was defeated or eliminated by one-quarter of a percent or less of the votes cast for such office or that a measure appearing on the ballot was approved or rejected by one-quarter of a percent or less of the votes cast on such measure, the Supervisor of Elections shall order a recount of the ballots cast for that office to be conducted within 24 hours of the announcement of the results.
- 716.5 If the set of returns indicates that a candidate for any office was defeated or eliminated by between one-quarter and one-half of a percent of the votes cast for such office or that a measure appearing on the ballot was approved or rejected by between one-quarter and one-half of a percent of the votes cast on such measure, the political party of such candidate or the candidate may request in writing that the Supervisor of Elections and the Elections Commission conduct a recount of the ballots cast for that office, provided that such request is made by noon on the second day after the election.
- 716.6 The Supervisor of Elections shall announce at the J. Wayne Reitz Union, the election results no earlier than one (1) hour after the closing of the polls. If the J. Wayne Reitz Union is unavailable, the Student Government Executive Committee in conjunction with the Supervisor of Elections, the Chair of the Elections Commission, and the Chief Justice of the Supreme Court shall by two-thirds vote select a new location no later than one calendar week prior to the closing of the polls on the last day of the election in question.
- 717.0 If any statutory mandated meeting, event, deadline, or like occurrences, not including general or Run-off elections, occurs on a religious holiday or school holiday, the Supervisor of Elections shall select another date within a reasonable time period, before the mandated date as a replacement. Any replacement date set by the Supervisor of Elections must be confirmed by a two-thirds majority of the Elections Commission.
- 718.0 The Supervisor of Elections shall ensure all ballots are stored until all complaints are resolved and the Student Senate validates the election.
- 719.0 The Supervisor of Elections, alongside Assistant Supervisors of Elections, shall plan and preside over the implementation of the Student Government Debate during the Spring election cycle. The attendance of each political party's properly qualified executive candidate(s) shall be required. Refusal to attend shall be grounds for disqualification.
- 719.01 In the event that only one party has a full qualified executive slate, the Supervisor of Elections will not be required to host the Student Government Debate.
- 719.1 The Student Government Debate shall take place no earlier than the day after the mandatory candidate meeting described in 713.5 and no later than the Friday immediately preceding the spring general election.
- 719.2 The Supervisor of Elections shall make all reasonable efforts to ensure that the Student Government Debate is made available to the public as audio and/or video within forty-eight (48)

hours of the conclusion of the debate. Additionally, the Supervisor of Elections shall ensure that a debate transcript is made available to the public within forty-eight (48) hours of the conclusion of the debate.

719.3 The Supervisor of Elections shall ensure that the content of the Student Government Debate is created in conjunction with the Student Government Advising & Operations team or Student Government Advising & Operations designee.

CHAPTER 720 – THE ELECTION COMMISSION ACT (2000-141, 2002-144, 2002-155, 2004-116, 2005-138, 2006-108, 2006-129, 2007-109, 2007-131, 2009-104, 2010-100, 2010-101, 2012-101, 2013-100)

720.001 This subsection, from 720.001 to 729.999, shall be known as “The Election Commission Act.”

720.002 The following words and phrases when used in 720.001 to 729.999 shall have the following meaning:

- (a) “Commissioner” shall refer to any member, including the chair, of the Elections Commission.
- (b) “Defendant” means any person, persons, or political party against whom a violation has been filed.
- (c) “Hearings” means any assembly of the Elections Commission to adjudicate the merits of an election complaint.
- (d) “Meetings” means any assembly of the Elections Commission where the official business of the Elections Commission, other than adjudication, takes place.
- (e) “Plaintiff” means any person, persons or political party alleging a violation of the Election Code.

721.0 There is hereby created the Student Elections Commission that shall be an independent agency of Student Government overseeing the conduct and complaints and recommending validation or

invalidation of Student Government elections.

- 721.1 The Elections Commission shall consist of six (6) members. The Student Body President shall nominate two (2) law students. The Student Senate President shall nominate two (2) law students. The Chief Justice of the Supreme Court shall nominate two (2) law students. The student senate shall be notified of nominations no later than forty-eight (48) hours prior to the senate meeting at which the nominee will be presented for confirmation. The nominations will be presented to the Student Senate for approval by a 2/3 vote. Members shall serve staggered one-year terms, so that one (1) of the nominees of each branch ends his or her term after each election. Commissioners shall not hold nor have held any position or affiliation with any Student Government political party during the previous election cycle. Commissioners shall not hold any other position or office in Student Government. Commissioners shall not be an executive officer of any Student Government funded organization.
- 721.2 The Chair of the Elections Commission shall be chosen from the 6 members and shall vote only in case of a tie. The Chair of the Elections Commission shall preside over all meetings and hearings of the Elections Commission.
- 721.3 Vacancies on the Elections Commission, occurring prior to the end of qualifying, shall be immediately filled for the duration of that specific term by appointment by a majority vote of the Supreme Court, subject to 2/3 approval of the Student Senate. Vacancies occurring after qualifying and before the election shall remain unfilled until after the end of the election cycle.
- 722.0 The Elections Commission may create rules, by a majority vote of the Elections Commission at an Elections Commission meeting, to ensure a fair and efficient election, provided that any and all rules must complete the rule making process by no later than one week prior to the start of the affected election cycle. Any rule created by the Elections Commission must comply with the Student Body Constitution and the Student Body Statutes and be supported by Student Government statutory authority.
- 722.05 No rule may be promulgated by the Elections Commission for more than two consecutive elections.
- 722.051 Legislative intent: In following the guiding principles of separation of powers, the Student Senate does not wish to grant unrestrained power to the Elections Commission. Any rule created by the Elections Commission should be deliberated by the Student Senate and therefore, it shall be assumed that any rule not placed into law by the Student Senate shall be a purposeful act by the Senate, and one that shall not be overruled by the Elections Commission.
- 722.1 At least 10 calendar days prior to enacting any rule, the Elections Commission shall post a Notice of Proposed Rulemaking in the Student Government Office. The Chair of the Elections Commission shall ensure that any Notice of Proposed Rulemaking contains the general subject matter of the proposed rulemaking, the place of the meeting to collect information about the proposed area of rulemaking, the time of the meeting and that any student is welcome to offer comment on the general subject matter. The Chair of the Elections Commission shall ensure that any student who wishes to offer information to the Elections Commission shall be given the opportunity to do so.
- 722.2 At least 3 days prior to enacting any rule, the Elections Commission shall publish the proposed rule and post it at the Student Government Office. The Elections Commission shall provide for a way to obtain public comment for the proposed rule. Prior to enacting a rule, the Elections

Commission shall consider any public comment submitted.

- 722.3 If the Elections Commission enacts any rule, the enacted rule must conform exactly to the proposed rule.
- 722.4 If a rule takes effect prior to the beginning of an election cycle, the Elections Commission shall provide any promulgated rules to the Supervisor of Elections for the Supervisor of Elections to provide to candidates at the meeting held pursuant to 713.5.
- 722.5 If a rule takes effect during an election cycle, the Chair of the Elections Commission shall provide notice to all parties and independent candidates of the newly promulgated rule.
- 722.6 Any rule enforced by the Elections Commission may be appealed to the Supreme Court by any member of the Student Body or any other individual affected by it. The standard of review of the Supreme Court shall comply with 729.1. The Supreme Court shall, upon successful petition, void any rule that does not comply with Student Government Law or has no Student Government statutory authority.
- 722.7 LEGISLATIVE INTENT – It is the intent of this legislature that this subsection (722 et seq.) will allow the Elections Commission to provide rules of general application prior to, or during the elections cycle, to deal with any unforeseen circumstances. It is the intent of this legislature that any rule that does not ensure a fair and efficient election be considered ultra vires. It is the further intent of this legislature that any rule enacted by the Elections Commission be considered by the Student Senate to improve the Elections Code. It is the intent of this legislature that all rules of the Elections Commission eventually will either be codified into these statutes or nullified prior to an election so that all candidates may look to a central location to ascertain the legality of any action.

- 723.0 The Elections Commission is empowered to penalize violations of 700.001 to 790.999 or any other rules properly promulgated by the Elections Commission, under 722 et seq. The Elections Commission shall issue penalties in accordance with 728.2. Remedies of the Elections Commission are exclusive of any additional remedy provided by federal or state law, whether administrative, civil, or criminal.
- 723.1 The Elections Commission may formally recommend to the Supreme Court that the candidate or political party be disqualified. Only the Supreme Court shall have the power to remove a candidate's name from the ballot, except as provided in section 713.4.
- 723.2 The Elections Commission, by majority vote, shall determine and list polling locations along with the respective colleges or living areas for which these polling locations are established. No later than the second Friday immediately prior to an election, the Chair of the Elections Commission must submit copies of these lists to the Supervisor of Elections and all campus-wide newspapers, and notify all party presidents and independent candidates of the polling locations. The Chair of the Elections Commission, with the aid of the Supervisor of Elections, shall post a copy of the list at the entrance of the Student Government Office in the J. Wayne Reitz Union and on the Student Government web site as soon as possible and request that the campus-wide newspapers publish the list on the day before and days of the election. 723.21 The Elections Commission shall meet no later than the third Tuesday prior to the first day of the election to consider the location of polling locations. A list shall be submitted at this time by the Supervisor of Election for consideration and review. The Elections Commission shall consider any public comment submitted in writing prior to the meeting or in person at the meeting, before taking a vote on the polling locations. In a meeting no later than the second Tuesday prior to the first day of elections the Elections Commission shall meet to certify the list of polling locations.
- 723.3 If ballot boxes are used, at the close of voting each day, a poll worker shall sign, seal, and deliver the ballot box and associated equipment to such central place as previously designated by the Elections Commission. The Supervisor of Elections shall sign the ballot boxes once delivered. Delivery of the ballots shall be supervised by the Supervisor of Elections, the Chair of the Elections Commission or another Elections Commissioner designated by the Chair of the Elections Commission, and a University Administrator. The ballot boxes may then be opened and the votes tabulated as provided in the Student Government Election Code.
- 723.4 The Chair of the Elections Commission may grant a preliminary order that a political party or candidate cease and desist from the distribution of campaign material where the Chair of the Elections Commission deems that a preponderance of available evidence leads to a conclusion that both,
- (a) there is a strong likelihood of a violation on a complaint brought by the offended party and
 - (b) where the material is so offensive that it may irreparably harm the offended party or candidate. A preliminary cease and desist order shall remain in effect pending a hearing by the Elections Commission.
- 724.0 Any student or student organization registered with the Department of Student Activities and Involvement shall have standing to bring a complaint before the Elections Commission alleging a violation of the Student Government Election Code. Any complaint must identify all of the following:

- (a) The plaintiff individual, organization or political party;
- (b) The defendant individual, organization or political party;
- (c) The specific section of the Student Body Laws that the plaintiff alleges the defendant violated.
- (d) A detailed statement of the facts surrounding the alleged violation.
- (e) The date and time that the complaint was filed with the Supervisor of Elections or the Elections Commission.

- 724.05 An elections complaints must be filed with the Elections Commission before the election results are read. Filing a complaint with the Elections Commission means that the aggrieved party delivers their complaint to either the Chair of the Elections Commission or his or her designee in compliance with 729.6.
- 724.1 The Elections Commission shall dismiss without prejudice any complaint failing to comply with 724.0.
- 724.11 The Elections Commission may dismiss with prejudice any complaint that is any of the following:
 - (a) The complaint is presented or maintained for any frivolous or improper purpose, such as to harass or to cause unnecessary delay;
 - (b) The allegations and other factual contentions in the complaint are without a scintilla of evidentiary support.
- 724.12 If warranted, the Elections Commission may assess a reasonable penalty under 728.2 for a violation of 724.11.
- 724.2 Upon receipt of a complaint that meets all of the requirements of 724.0, the Elections Commission shall determine whether probable cause exists to believe that a violation has occurred.
- 724.3 The Elections Commission shall provide the plaintiff and defendant with notice at least 24 hours before the hearing at which the complaint involving them is to be conducted.
- 725.0 The Chair of the Elections Commission shall ensure that agendas for the Elections Commission meetings and hearings are posted in a conspicuous location outside the Student Government Administrative Offices at least 12 hours before the beginning of the meeting or hearing.
- 725.1 Hearings before the Election Commission shall be adjudicatory. At any time prior to the final determination of any adjudicatory matter before the Elections Commission, members of the Elections Commission may not make any comment or statement, public or private, verbal or written, direct or indirect, concerning an adjudicatory matter before or likely to come before the Elections Commission.
- 725.2 The Chair of the Elections Commission or his or her designee may administer oaths to any person testifying at an Elections Commission meeting or hearing.
- 725.3 A majority vote of Elections Commissioners present for all testimony and discussion of a specific case shall be required to establish a violation and to assign a penalty. Unless otherwise specified,

the plaintiff bears the burden of proof by a preponderance of the evidence.

725.4

The procedure for Elections Commission Hearings shall be:

- (1) The plaintiff must be present at the time the Elections Commission convenes or the alleged violation may be dismissed or postponed at the discretion of the Elections Commission. Legal counsel may represent the plaintiff, if the plaintiff desires and retains such counsel. The legal counsel will be limited to no more than two students.
- (2) The defendant shall be present at the time that the Elections Commission convenes. If the defendant is not present, the Elections Commission shall make a determination pursuant to 727.1. Legal counsel may represent the defendant, if the defendant desires and retains such counsel. Legal counsel will be limited to no more than two students.
- (3) The plaintiff shall initially be granted 3 minutes for an opening statement. The Chair of the Elections Commission may grant more time as necessary.
- (4) The defendant shall be granted equal time as the plaintiff to present an opening statement.
- (5) The plaintiff shall be granted 5 minutes to present the complaint. During the presentation of the complaint the plaintiff may call witnesses and present testimony and other evidence. The Chair of the Elections Commission may grant more time as necessary.
- (6) The defendant shall be granted five minutes to rebut the allegations of the plaintiff. During the refutation of the complaint the defendant may call witnesses and present testimony and other evidence. The Chair of the Elections Commission may grant more time as necessary.
- (7) The plaintiff shall be granted 3 minutes for a closing argument. The Chair of the Elections Commission may grant more time as necessary.
- (8) The defendant shall be granted the same amount of time as the plaintiff for closing argument.
- (9) Elections Commissioners may ask any questions of anyone at any point during the presentation of evidence. Such questions shall not count in the allotted time of the party.
- (10) If more time is needed the Chair of the Elections Commission may allow it provided equal time is given to both the plaintiff and defendant.
- (11) After the closing statements, the Elections Commission will enter deliberations. The deliberations will be open to the public and for the record. Only Elections Commissioners will be allowed to speak during deliberations.
- (12) After deliberations, the Elections Commission will vote on whether there was a violation of the Student Government Election Code. If the Elections Commission finds a violation, the plaintiff, then the defendant, will be allotted 3 minutes each for statements on the appropriate penalty including, but not limited to, any aggravating or mitigating circumstances surrounding the violation. After penalty statements, the Elections Commission will publicly deliberate and vote on the appropriate penalty in accordance with 728.1.

725.5

Testimony before the Elections Commission shall be limited to a designated representative of each political party or candidate, student legal counsels for any political party or candidate, and those persons offering testimony or evidence concerning the events that led to the complaint.

725.6

In all hearings before the Elections Commission, the Supervisor of Elections or an Assistant Supervisor of Elections shall report to the Elections Commission concerning any investigation that the Supervisor of Elections may have conducted into the matter. The Supervisor of Elections

may only discuss facts material to the case. The Supervisor of Elections' testimony may not include any recommendation of the guilt or recommendation of penalty to be imposed unless the Supervisor of Elections or an Assistant Supervisor of Elections filed the complaint. The plaintiff may withdraw the complaint at any time before the Elections Commission issues a sentence.

- 726.0 The Elections Commission may dismiss a complaint by a majority vote if any of the following apply:
- (a) Plaintiff is unable to demonstrate probable cause of a violation;
 - (b) The facts alleged on the face of the complaint, if true, do not violate the section of the student body statutes specified in the complaint;
 - (c) At the close of the plaintiff's evidence, the plaintiff has not established by a preponderance of the evidence that there was a violation.
- 727.0 The Chief Justice of the Supreme Court shall subpoena any student on request of the Elections Commission.
- 727.01 The Chair of the Elections Commission, or his or her designee, shall, upon receipt of a request from a plaintiff or defendant, request that the Supreme Court subpoena a student to testify before the Elections Commission at the appropriate hearing. To be valid and carried out, a request shall be made at least 24 hours before the Elections Commission hearing in which the subpoenaed student would be required to testify.
- 727.1 In all cases where the Elections Commission determines by clear and convincing evidence that the defendant refuses to appear before the Elections Commission after proper notice of the Elections Commission hearing has been given, the Elections Commission may conduct a hearing without the defendant being present. Notice to a political party shall be given to the individual designated as party chair or party representative.
- 728.0 If a candidate slated with a political party or an individual with a position or affiliation with a political party is found in violation of any portion of the Student Government Election Code, it will be within the reasonable discretion of the Elections Commission to determine whether the candidate acted on his or her own or with the consent of his or her political party.
- 728.01 The Election Commission has the authority to determine the party affiliation of any individual during the election cycle
- 728.1 All votes for determining guilt or innocence and for the imposition of punishments shall be by roll call. All votes shall be recorded.
- 728.11 After determining that a violation has occurred, the Elections Commission shall determine a penalty by majority vote.
- 728.2 Any candidate or political party who does not comply with the Student Government Election Code or the rules and regulations of the Elections Commission shall be subject to any or all of the following penalties:
- (a) Warning;
 - (b) Public reprimand;
 - (c) Nominal fine;

- (d) Formal recommendation to the Supreme Court of disqualification;
- (e) Suspension of a political party from fielding a candidate or candidates for offices in an election cycle; or
- (f) Any penalty deemed appropriate by the Elections Commission allowed under Florida Election Codes and within the powers granted to Student Government.

- 728.3 Any alleged violations of the Student Body Constitution, Student Body Statutes, or state or federal law by the Supervisor of Elections shall be adjudicated pursuant to chapters 305 or 306 of the Student Body Statutes and will not be considered by the Elections Commission.
- 728.4 If any political party representative or individual candidate commits perjury before the Elections Commission, the Elections Commission may penalize the individual or political party with any of the sanctions available under section 728.2.
- 728.41 Money collected in payment for levied campaign fines shall be made payable to the Treasurer's Office. The Treasurer's Office shall place any levied campaign fine in a special fund to defray the costs of future elections.
- 728.42 Whenever the Elections Commission properly levies a fine against a defendant pursuant to 728.2, the Supervisor of Elections working in conjunction with the Elections Commission and the Student Government professional staff shall take any necessary steps to collect the fine.
- 728.43 If a defendant fails to fully comply with a properly adjudicated penalty pursuant to 728.2 within two (2) weeks, the Supervisor of Elections shall refer the defendant to University Student Judicial Affairs for prosecution.
- 729.0 All final determinations of the Election Commission may be appealed to the Supreme Court.
- 729.1 The Supreme Court shall review questions of fact from the Elections Commission and shall affirm those findings if they are not clearly erroneous. The Supreme Court shall review mixed questions of law and fact and shall affirm those findings if they are supported by substantial evidence. The Supreme Court shall review questions of law de novo.
- 729.2 If after an election has occurred, a candidate or political party feels that the vote totals are fraudulent or erroneous, the candidate or party president or his or her designee may file a petition requesting an investigation into the procedures of the election and/or the vote totals with the Supervisor of Elections before the beginning of the reading of the vote totals.
- 729.3 Within 24 hours but not less than 4 hours after the official announcement of the vote totals, the Elections Commission shall meet to hear any complaint brought against the technical accuracy of the vote totals. The Elections Commission may hear any other complaints at the meeting required by this section.
- 729.5 After taking any relevant evidence, the Elections Commission shall recommend validation or invalidation of the vote totals presented by the Supervisor of Elections. Should the Elections Commission recommend rejection of the vote totals, a complete report from the Elections Commission, including any relevant findings of fact shall be filed with the Supervisor of Elections and presented to the Student Senate by the Chair of the Elections Commission. After the Chair of the Elections Commission makes a report to the Senate, if appropriate, the Supervisor of Elections

shall then present the vote totals to the Student Senate for validation.

729.6 STATUTE OF REPOSE ON ELECTIONS COMPLAINTS – All complaints shall be submitted to the Election Commission or their designee by 9:29:59 PM on the last day of elections, or be forever barred excepting the provisions of 717.4.

729.7 The Elections Commission shall keep a written record of all of its meetings and hearings, including the evidence and testimony heard, the findings of the Election Commission, and the rulings made. Within forty-eight (48) hours of a meeting or hearing of the Elections Commission, the Chair of the Elections Commission, or his or her designee, shall submit the record to the Student Government Office Manager.

CHAPTER 730 – THE ELECTION QUALIFICATION ACT (2000-141, 2001-111, 2001-112, 2001-141, 2002-144, 2004-127, 2005-137, 2006-113, 2006-124, 2006-129, 2007-141, 2008-111, 2009-107, Board of Trustees ruling, 2010-100, 2010-103, 2011-100, 2011-107, 2012-101, 2012-107, 2014-114, 2014-120)

- 730.1 This subsection, from 730.001 to 739.999, shall be known as “The Election Qualification Act”
- 731.0 Any group or individual who wish to qualify as candidate(s) for Student Government office(s) must comply with the provisions of the Student Government Election Code and must adhere to the policies set forth by the Supervisor of Elections and the Elections Commission.
- 732.0 Candidates for President, Vice President, and Treasurer of the Student Body shall each meet the following qualifications:
- (a) Registered as a full-time student;
 - (b) Undergraduate students will retain a minimum overall 2.5 Overall Grade Point Average;
 - (c) Graduate students will retain a minimum 3.0 Overall Grade Point Average or at least the minimum Overall Grade Point Average required to remain in good standing with the graduate or professional program in which they are enrolled, and otherwise be in good academic standing;
 - (d) Free of conduct probation;
 - (e) Free from any delinquent financial obligations to the University, unless excused through the University’s appeal process, by 5:00 PM on the second Friday preceding the Spring and Fall General Elections;
 - (f) Successfully completed at least 3 semesters, excluding summers, at the University of Florida;
 - (g) Not have been removed from a Student Government office through impeachment.
- 732.1 In the event a candidate for President, Vice President, or Treasurer is scheduled to graduate during the term of office sought, they shall be allowed on the ballot as long as they fully meet all of the requirements of 732.0
- 732.11 Candidates for President and Vice President shall run on a joint ticket and shall submit a single supporting petition as described in 732.12 in order to sustain their candidacy. Candidates for Treasurer shall also submit a supporting petition in order to sustain his or her candidacy.
- 732.12 A supporting petition shall bear the names, student identification numbers, and signatures of currently registered University of Florida students totaling not less than 15% of the number of votes cast for the singular candidate who received the most votes in the last presidential election, excluding run-offs, or 300 signatures, whichever is less. The text of the supporting petition shall be to the effect that:
- "We the undersigned students at the University of Florida, do hereby approve the candidacy of _____ for President of the Student Body and of _____ for Vice President of the Student Body, as (candidates of the _____ party)(independent candidates)." The petition for Treasurer candidates shall be to the effect that: "We the undersigned students at the University of Florida, do hereby approve the candidacy of _____ for Treasurer of the Student Body and as (candidate of the _____ party) (independent candidate)." The text of the supporting petition shall accurately reflect the party affiliation of the candidates.

- 732.13 The supporting petition must be submitted to the Supervisor of Elections no later than 5:00 P.M. on the last day of qualifying or the Supervisor of Elections shall disqualify the candidates.
- 732.13 Candidates for President and Vice President are considered as one candidate under a joint candidacy.
- 732.141 A political party may replace a candidate for President or Vice President with another candidate if the replacement candidate qualified for the position in question and has complied with the requirements and deadlines of 745.0.
- 732.2 Candidates for Student Senate shall meet the following qualifications:
- (a) Registered as a full-time student;
 - (b) Undergraduate students will retain a minimum overall 2.5 Overall Grade Point Average;
 - (c) Graduate students will retain a minimum 3.0 Overall Grade Point Average or at least the minimum Overall Grade Point Average required to remain in good standing with the graduate or professional program in which they are enrolled, and otherwise be in good academic standing;
 - (d) Free of conduct probation;
 - (e) Free from any delinquent financial obligations to the University, unless excused through the University's appeal process, by 5:00 PM on the second Friday preceding the Spring and Fall General Elections;
 - (f) Resident of their living area or enrolled in the college which they seek to represent;
 - (g) Not previously removed from any Student Government office through the impeachment process.
- 732.3 Candidates for Student Senate district seats must provide one of the following to qualify for the district they seek to represent:
- (a) Certified Mail delivered by postal service
 - (b) Alachua County voter registration card
 - (c) Original copy of lease
 - (d) Original copy of utility bill or cable bill prior to qualifying
 - (e) Original copy of promissory note or lease from fraternity or sorority house
 - (f) Original copy of homeowner's insurance
 - (g) Original copy of warranty deed
- 732.31 Candidates for the Student Senate District E seat that live outside of Alachua County must provide additional proof that they physically reside the majority of their time within the district they seek to represent at the time of qualification.
- 732.32 Candidates for Student Senate district seats must sign a statement attesting to the occupancy of their physical residence for the district they seek to represent.
- 732.4 All candidates for the offices of President, Vice President, and Treasurer of the Student Body shall upon qualifying with the Supervisor of Elections certify all of the following information:
- (a) Name;
 - (b) Occupancy of physical residence;
 - (c) Candidate possesses all qualifications required to be a candidate for the office sought;

- (d) Candidate has been enrolled as a student at the University of Florida for at least 3 semesters, excluding summers;
- (e) Candidate is not under disqualification from serving that office;
- (f) Whether the candidate is an independent candidate or is affiliated with a political party;
- (g) If candidate is affiliated with a political party, the name of the political party;
- (h) The name of the campaign manager or party president, if any;
- (i) The name of the campaign treasurer;
- (j) The candidate is aware of the provisions of the Student Government Election Code and agrees to be bound by them.

732.6 All Candidates for election under the Constitution and laws of the Student Body shall be members of the constituencies, classes, or residence areas from which they seek to represent, and qualified to vote in such constituencies, classes, or residence areas. A candidate's classification shall be determined by the records of the University Registrar's Office, or supported by a sworn affidavit of the candidate. If the Elections Commission discovers that a winning candidate was not qualified because of an error in the Registrar's records then the Elections Commission may, by majority vote, declare the office vacant. The office shall be filled by a majority vote of the Student Senate, unless the office is that of the Student Body President, Vice President, Treasurer, whereas the office shall be subject to general elections.

733.0 No candidate's name shall appear on the ballot when that candidate fails to qualify as a candidate with the Supervisor of Elections prior to the time of the closing of the qualifying period, as specified in 700.4 (y) at 5 p.m. on the third Tuesday preceding the spring and fall general elections. After this time a person may change his or her registration with a political party or change to independent status only if he or she is not included on the political party's list of candidates listed in 742.1. In all cases, only those persons who are not listed on a political party slate as described in 742.1 may be reclassified as independent. Political parties may not fill originally vacant candidate slots from those candidates originally classified (before 5:00 PM on the second Friday preceding the Spring and Fall General Elections) as independent or non-slated candidates from a different political party.

733.01 In order for a candidate who originally qualifies as an independent candidate or who was reclassified by the Supervisor of Elections as an independent candidate under Section 713.4 to become a candidate of a political party, the candidate must change his or her qualifications in writing with the Supervisor of Elections or the Supervisor of Elections' designated Assistant Supervisor of Elections before the end of qualifying. Candidates who have not been slated by a political party may not change their classification to anything other than independent

733.1 All candidates shall qualify under the name with which they are registered at the University of Florida or under a reasonable variation of that name, subject to the approval of the Supervisor of Elections. No candidate may have an assumed name, or a nickname not derived from the name with which they are registered at the University of Florida, appear on the ballot. Any attempt to qualify an assumed name is punishable as a violation of the Student Government Election Code.

733.11 Anyone wishing to appeal a decision of the Supervisor of Elections under 733.1 may appeal to the Elections Commission.

733.2 No candidate shall qualify for more than one office. If a person qualifies for an additional office

or change of party, the previous qualifying shall be deemed void.

- 733.3 Upon qualifying, each candidate shall sign a waiver allowing Student Government to ascertain that each elected person continues to fulfill eligibility requirement for such office during his or her term of office.
- 733.4 Falsification of information certified as correct to the Supervisor of Elections required in 732.6 may result in disqualification. Each candidate shall determine that all information regarding his or her qualifications is correct prior to his or her qualifying for election.
- 733.41 Political parties are not liable or punishable for an individual candidate's intentional or grossly negligent falsification of information during the qualifying stages of the election if they did not encourage the individual's behavior. The Supervisor of Elections shall allot the political party 24 hours to replace a candidate who intentionally or with gross negligence falsified information during qualifying. The party must choose a replacement for the disqualified candidate from those candidates who have already qualified.
- 733.5 All candidates must sign the following statement upon qualifying: "I understand that failure to comply with any portion of the Student Government Election Code is subject to penalty."
- 733.6 If campaign material in violation of Student Government Election Code is observed for fifteen (15) minutes or greater, the Supervisor of Elections or one of the Assistant Supervisors of Elections shall attempt to contact the offending candidate, the president of the offending political party or his or her designee. If the Supervisor of Elections or an Assistant Supervisor of Elections is unable to make contact, the Supervisor of Elections or his or her designee, shall remove the offending material.
- 733.7 No candidate, group of candidates, political party personnel, staff member, faculty member, administrator, or any other University of Florida student or visitor may use the Office of Student Government's copy machines, computer or other materials in the Student Government offices at any time for any type of partisan political purpose or use in any type of election. The Supervisor of Elections, the Assistant Supervisors of Elections, and the Elections Commissioners may use the Office of Student Government's copy machines, computers or other materials in Student Government for any nonpartisan elections related purpose.
- 735.0 If a candidate who has qualified for office and has been placed on the ballot by the Supervisor of Elections wishes to withdraw from the election, the candidate may withdraw if the candidate informs the Supervisor of Elections in writing that the candidate no longer wishes to remain on the ballot no later than the second Friday immediately preceding the first day of the election by 5:00 P.M. If a political party slated a candidate, that political party may replace that withdrawn candidate with a candidate who has already been qualified as an independent, up until two hours prior to the finalization of the ballot as dictated by the Supervisor of Elections at the mandatory meeting described in 713.5.
- 736.0 Candidates may be excused from the mandatory candidate meeting listed in 713.5 by submitting a written excuse for their absence no later than noon on the day of the meeting, or by receiving special permission from the Supervisor of Elections and/or the Elections Commission. All candidates who do not attend and who have not been excused by the Supervisor of Elections or the Elections Commission shall be disqualified.

- 737.0 Any candidate stricken from the certified list may appeal to the Division of Student Affairs for issues of academic qualifications or the Elections Commission for issues of Student Government qualifications if the person believes he or she is qualified for office. Any error corrected by the Division of Student Affairs or the Elections Commission must be certified to the Supervisor of Elections no later than 5:00 P.M. on the second Friday preceding the election or the candidate will not be eligible for office.
- 738.0 The Supervisor of Elections shall automatically reclassify any person originally qualifying as a party candidate who is not included on the list described in Section 742.0 as an independent candidate. In order for any candidate who was reclassified by the Supervisor of Elections to remain on the ballot as an independent candidate, that candidate shall notify the Supervisor of Elections, in writing, by the end of the meeting specified in 713.5 of their intent to remain an independent candidate. If an independent candidate does not notify the Supervisor of Elections of their intent to remain on the ballot within one (1) hour of the end of the meeting specified in 713.5, the Supervisor of Elections shall remove the candidate's name from the ballot. This section does not apply to candidates who originally qualified as independent candidates and did not qualify as a candidate of a party before the deadline as stated in 742.1
- 739.0 Any student attempting a write-in campaign must email the Supervisor of Elections his or her intent to seek office prior to the close of polls on the second day of elections in order to be eligible for office.

CHAPTER 740 – THE POLITICAL PARTIES ACT (2000-141, 2001-112, 2001-141, 2002-144, 2004-116, 2005-137, 2006-113, 2006-129, 2007-120, 2008-142, 2009-105, Board of Trustees ruling, 2010-100, 2010-102, 2011-100, 2011-107, 2012-101, 2014-121)

- 740.1 This subsection, from 740.001 to 749.999, shall be known as “The Political Parties Act.”
- 741.0 The official registration of a political party shall be fulfilled by the procedures herein defined. All prospective political parties and political parties shall physically file conditions (a) through (e) with the Supervisor of Elections or his/her designee at the Student Government office no sooner than 9:00 AM seven (7) calendar days prior to the first day of qualifying and no later than noon of the day immediately prior to the first day of qualifications as specified in 733.0 all of the following information which shall be certified as correct by the party president:
- (a) Name of party;
 - (b) Name, address, classification, student number, email address, and telephone number of the party president;
 - (c) Name, address, classification, student number, email address, and telephone number of the party treasurer;
 - (d) Address and telephone number of any party headquarters;
 - (e) Name, address, classification, student number, email address, and telephone number of a designated party representative if different than the named party president.
- 741.1 When registering political parties the name of the party may be retained by the students who used that name in the previous election. The president (and only the president) of the party from the previous semester has the right of first refusal to the party name if the party ran one (1) campaign in the last three (3) election cycles. If the president does not want to use the name again, the name may be used by the group that submits the first complete registration. The registration includes a hard copy of the political party registration.
- 741.2 The Supervisor of Elections shall submit a copy of each political party’s registration information to the Director of the Department of Student Activities and Involvement for registration as a student organization. Registration shall be valid through the tenth day after the results of the election are announced.
- 742.0 To qualify as a political party a prospective political party must fulfill one or more of the following:
- (a) Have candidates for the office of President, Vice President, and Treasurer of the Student Body;
 - (b) Have at least 6 candidates for the Student Senate.
- 742.01 Any prospective political party that fails to meet 742.0 shall be disqualified.
- 742.1 A political party shall submit a list of all Senate and Executive candidates and the respective offices those candidates are seeking to the Supervisor of Elections no later than 11:59 A.M. on the next calendar day after qualifying ends. The political party shall certify that all persons included on the list have agreed to be candidates with only their political party. The list shall be alphabetized by last name in order of the respective offices the candidates are seeking and shall include each candidate's student number. A group of candidates may not run as a political party

unless they have complied with this section. It is the responsibility of each political party/independent candidate to provide the Supervisor of Elections with all necessary information, compiled properly, by the deadline. The Supervisor of Elections shall submit a copy of this list to the Student Government office manager, pursuant to 713.3.

- 742.2 Any group of candidates that fail to submit their list of candidates in the appropriate format by the deadline pursuant to 742.1 shall be considered independent candidates. Independent candidates may only promote their own campaign, and may not issue any campaign material that suggests any notion of a political party or coalition.
- 744.0 A political party may not select, and the Supervisor of Elections may not approve, a name that is so similar to any of the following so that it would confuse a reasonable voter:
- (a) A previously registered political party that has run one (1) campaign in the last three (3) election cycles and is running in the present election;
 - (b) Any student organization registered with the Center for Student Activities and Involvement.
 - (c) Any other party name previously registered and running in the present election that the Supervisor of Elections determines is likely to cause confusion. Registered names lapse after three (3) election cycles. Any decision of the Supervisor of Elections under this section may be appealed to the Elections Commission.
- 744.1 A political party may be held liable for the actions of individuals or organizations supporting it. If a complainant can demonstrate by clear and convincing evidence that the candidate or political party solicited the individual, or organization to violate any provision of the Student Government Election Code in support of a candidate, the Elections Commission may hold the candidate or political party responsible. If the Elections Commission determines by preponderance of the evidence that an individual or organization deliberately violated this chapter in an attempt to penalize a candidate, the Elections Commission may refer the individual or organization to the Supreme Court for prosecution, or, if the Supreme Court cannot accept jurisdiction for any reason, the Elections Commission may refer the individual or organization to Student Judicial Affairs for prosecution.
- 745.0 A political party may replace a candidate who was disqualified under 713.4 with another candidate for that office if the new candidate (1) has qualified for the office, (2) is not already running for office with another recognized party, and (3) has submitted written approval of his or her qualification. Written approval must be submitted to the Supervisor of Elections no later than 5:00 P.M. on the second Friday immediately preceding the election.
- 746.0 All political parties must comply with all rules and regulations governing student organizations set forth by the Department of Student Activities and Involvement.

CHAPTER 750 – THE ELECTION FINANCE ACT (2000-141, 2006-129, 2010-103, 2012-101)

- 750.1 This subsection, from 750.001 to 759.999 shall be known as “The Election Finance Act.”
- 751.0 Each political party, or candidate, if running as an independent, shall submit to the Supervisor of Elections each Monday by 5:00 P.M. starting after the mandatory meeting referenced in 713.5 until the Monday following the election, as well as the Tuesday, Wednesday, and Thursday of election week, a statement of all contributions and expenditures. A copy of all bills received or paid by the political party or on the political party’s behalf as of noon on that same day shall accompany this statement. The political party or candidate shall submit a letter signed by all individuals or businesses with which the political party or individual acting on the political party's or candidate’s behalf has done business. Such letter shall read as follows: "These bills which are attached are to the best of my knowledge a true, accurate, and total account of all business transacted by this concern with ___ party (or candidate’s name) or individuals acting in its/his/her behalf. To the best of my knowledge, the total fair market value of the transaction(s) is _____dollars. I understand that the purpose of this letter is to appraise the proper authorities of the level of campaign expenditures."
- 751.1 All political parties and independent candidates must submit financial reports on time even if no funds were raised or spent during that reporting period.
- 751.2 If a political party or independent candidate fails to submit a financial report pursuant to 751.0 on time and in full, the Supervisor of Elections shall file a complaint against that party or candidate with the Elections Commission within 24 hours.
- 751.3 If the Elections Commission finds that a political party or independent candidate failed to file a financial report pursuant to 751.0, or filed a late financial report, the party or candidate shall be guilty of a violation of these Election Codes and be subject to penalty pursuant to 728.2.

CHAPTER 760 – THE ELECTION CAMPAIGN ACT (2000-141, 2002-144, 2002-155, Spring 2006 Ballot Initiative, 2006-129, 2007-131, 2008-107, 2009-101, 2011-100, 2012-101, 2012-107, 2012-SC: Students Party v. Swamp Party, 2013-SC: Students Party v. Swamp Party, 2016-104)

- 760.1 This subsection, from 760.001 to 769.999, shall be known as “The Election Campaign Act.”
- 761.1 Campaign Activities begin on the first day of the active election cycle and ends immediately after the close of polls on the final day of elections.
- 761.2 Removed by 2013-Supreme Court: Students Party, Appellant vs. Swamp Party, Appellee.
- 761.3 The maintenance of a campaign website shall be permitted four weeks prior to the first date of Fall and Spring election and shall conclude at the end of both the Fall and Spring General election.
- 761.4 No candidate shall give, offer, or promise to any student or student organization any benefit not authorized by student body law in order to influence the votes of that student or members of that organization.
- 762.0 Candidates shall ensure that all “campaign material” as defined in Section 700.4(f) shall be labeled with the phrase "Registered Political Advertisement" or a phrase of similar import approved by the Supervisor of Elections. The phrase shall be followed by the name of the individual who authorized the creation of, disbursement of, or payment for, a piece of campaign material. In addition, all campaign material must be registered with the Supervisor of Elections or his or her Assistant Supervisors of Elections prior to the time of distribution. Procedures for distribution and posting of campaign material not provided for by the Student Government Election Code may be established by the Supervisor of Elections or by the Elections Commission. However, such procedures shall not be inconsistent with the Student Government Election Code and they shall not be effective unless presented in writing to the candidates and registered political parties twenty-four (24) hours prior to the time that any such procedures take effect.
- 762.11 No candidate or representative of a political party shall misrepresent any material fact in campaign material or in campaigning in any form.
- 762.12 No candidate or representative of a political party may misrepresent any campaign material as being the material of any other candidate or political party.
- 762.13 No candidate or representative of a political party may misrepresent any material as being the material of the Supervisor of Elections.
- 762.14 The Supervisor of Elections and his/her designees have the exclusive right to distribute any material that indicates a student has already voted during the Student Government election cycle.
- 762.15 Any impersonation of another political party/independent candidate by a candidate, representative, or campaign material of another political party/independent candidate shall be considered an Election Violation.
- 762.3 Campaign material may only be posted on off-campus property in compliance with the laws and

regulations applicable to Alachua County elections.

- 762.4 No unauthorized person may post or remove any campaign material of any candidate or political party. The Supervisor of Elections or Assistant Supervisors of Elections may remove any and all campaign material posted, displayed, or distributed in unauthorized locations pursuant to 733.6.
- 762.41 No candidate or political party shall destroy, remove or steal any campaign material of another candidate or political party.
- 762.5 No candidate or representative of a political party shall attach campaign material to any road surface or walkway on University property.
- 762.51 Candidates and representatives of political parties shall only hang cloth, plastic, or paper banners in areas designated by the University and the Supervisor of Elections.
- 762.65 No candidate or representative of a political party shall distribute or place campaign material on any mode of transportation without the permission of the owner.
- 762.7 No candidate or representative of a political party shall place any campaign material in message boxes in residence halls, unless the campaign material conforms to University regulations, Department of Housing and Residence Education policies, and the Student Body Statutes.
- 763.0 Candidates may not campaign in classrooms.
- 763.1 No candidate or representative of a political party may engage in door-to-door campaigning on University property.
- 763.11 No candidate or representative of a political party may knock on any door or attempt to enter any room if there appears in plain view, a written notice stating, "No Solicitors", "No Campaigning", "Do Not Disturb with Campaigning", or words substantially similar import.
- 763.2 No candidate for Student Senate may campaign during the time of or in any regular or special meeting of the Student Senate. Any candidate failing to comply with this provision may be disqualified from the election.
- 763.3 No candidate or representative of a political party shall campaign at any time when to do so would necessitate a violation of University regulations relating to visitation or solicitation on residence hall floors by members of the opposite sex.
- 763.4 Candidates may not campaign or distribute campaign materials in any library or designated study area.
- 763.5 No campaigning shall take place within fifty (50) feet of the door of any polling location or within 50 feet of any queue of voters defined in 700.4 (z) waiting to vote, with the exception of the designated outdoor tabling space at the J. Wayne Reitz Union.
- 764.0 All email sent regarding Student Government elections by candidates, parties, students, faculty, and administrators shall comply with the email usage regulations as promulgated by the Chief Information Officer in the "Acceptable Use of University Computing Resources Policy". Any candidate, party, Student Government Official, or Officer of a Student Government Funded

Organization who violates the rules herein defined shall be referred to the Elections Commission.

765.0 Each political party shall be entitled to maintain no more than four (4) tables on campus at any one time, exclusive of the Levin College of Law and the J. Hillis Miller Health Center, for a total of no more than six (6).

765.1 Campaign materials accompanying tables permitted pursuant to 765.0 may include a banner not to exceed 4' X 4'. Any banner under this section may be displayed in a manner that the total height does not exceed 12'. The supporting mechanism for such banner may not exceed 2" X 2" in girth. Campaign materials may be displayed on or around any table permitted pursuant to 765.0 in any manner subject to University guidelines and the other provisions of this chapter.

CHAPTER 770 – THE GENERAL ELECTION ACT (2000-141, 2001-113, 2002-144, 2004-116, 2005-138, Spring 2006 Ballot Initiative, 2006-123, 2006-129, 2007-103, 2007-109, 2007-111, 2007-112, 2008-104, 2009-104, Board of Trustees ruling, 2010-100, 2011-115, 2012-101, 2012-107)

- 770.1 This subsection, from 770.001 to 779.999 shall be known as “The General Election Act.”
- 771.0 No qualified elector may vote or be admitted to a voting booth unless the elector presents to a poll worker, as referred to in 700.4(x), his or her University identification card or an official picture ID which matches his or her name to the University registrar’s list as evidence of the elector’s eligibility to vote as a student or verifies their identity through an electronic method of voter verification as defined in 700.4 (n).
- 771.4 Secure location online voting is legal and may be utilized in Student Government elections
- 771.5 No voting process shall be allowed that is contrary to the provisions provided in 771.0.
- 771.7 Unsecured Site Online Voting as defined under 700.4(ff) shall not be allowed.
- 771.8 Secure Location Electronic Voting as defined under 700.4(cc) shall be allowed.
- 771.9 LEGISLATIVE INTENT – The Student Senate expressly affirms the importance of ballot integrity and prohibits any voting method that does not guarantee an elector the privacy of an insulated voting booth as defined in 700.4(ii).
- 771.10 LEGISLATIVE INTENT – In order to protect the integrity of the electoral process, this Legislature designates Secure Location Electronic Voting, as defined under 700.4(cc), as the preferable method by which elections shall be conducted. As such, Secure Location Electronic Voting shall be utilized in any Student Body Election in which feasibility is determined by the Supervisor of Elections.
- 771.11 For the purpose of determining an elector’s eligibility to vote, the Registrar's Office records shall be conclusive and binding. The Supervisor of Elections or the Elections Commission may establish procedures for the Registrar's Office to certify a corrected address or classification, such as a procedure for the elector to vote contrary to Registrar’s Office records by sworn affidavit.
- 772.0 In order for any amendments to the Student Body Constitution proposed by the Student Senate in accordance with Article VIII, Section 1 of the Student Body Constitution to be placed on the ballot, they must have been finally approved by the Student Senate no later than twenty-eight (28) days prior to the spring general election and must be presented to the Supervisor of Elections no later than twenty-four (24) hours after final Student Senate approval.
- 772.1 For a referendum question to be placed on the ballot of a general election, it must pass final reading by a 2/3 vote of the Student Senate no later than 28 calendar days before the first day of the election and must be presented to the Supervisor of Elections no later than 24 hours after passing final reading.
- 773.0 Amendments to the Student Body Constitution proposed by petition in accordance with Article VIII, Section 2 of the Student Body Constitution in accordance with Student Body Statute 773.1 shall be

filed with the Supreme Court no later than 28 calendar days before the beginning of a general election. If all constitutional and other requirements established by law are satisfied, the Supreme Court shall certify the petition to the Supervisor of Elections for inclusion on the ballot.

- 773.1 All petitions filed with the Supreme Court as provided in Section 773.0 shall satisfy all of the following requirements:
- (a) All names must be accompanied by the signature of the individual who allegedly signed the petition;
 - (b) All signatures must be in non-erasable ink;
 - (c) All names must be signed exactly as the person's name is recorded with the Registrar's Office;
 - (d) All names must be followed by student number.
 - (e) Each page containing signatures shall have the proposed initiative statement of intent or referendum question stated in full at the top of the page;
 - (f) Each page containing signatures shall include the identity and signature of the person responsible for securing signatures for that page and that person shall certify all of the following:
 - (1) All signatures were made by different individuals;
 - (2) No threats or coercive statements were made to induce a person to sign the petition;
 - (3) The signature of the person responsible for securing the signatures may only be counted once.
 - (g) Each page containing signatures shall include the statement: "Upon request, the full text of the amendment shall be made immediately available to any signatories."
- 773.2 The full text of the amendment shall be available to all signatories at the time of signing.
- 773.3 The Supreme Court shall not certify any petition failing to meet the requirements of section 773.1.
- 773.4 Certification of a petition pursuant to 773.0 will be by majority vote of the Supreme Court. Any certification must take place no later than 11 days before an election in order for a referendum to appear on the ballot for that election.
- 774.0 Each qualified elector shall be responsible for ensuring that his or her registration and address are current and correct on the Registrar's Office records.
- 775.0 Every elector that requests an absentee ballot from the Supervisor of by the second Wednesday immediately preceding the election by 5:00 PM Local Standard Time may cast an absentee ballot in lieu of an election ballot. The Supervisor of Elections shall deliver an absentee ballot to an absent elector making a timely request for an absentee ballot no later than 5 business days before the election. The Supervisor of Elections shall ensure that a stamped, self-addressed envelope and instructions on the use of an absentee ballot accompanies each absentee ballot.
- 775.1 An absentee elector shall return the absentee ballot they have been issued pursuant to 775.0 to the Chief Justice of the Supreme Court by mail or any other means that the absentee elector deems proper. An absentee ballot may not be counted unless received by the Chief Justice of the Supreme Court before the closing of polls of the election.

- 775.11 The Chief Justice of the Supreme Court or the Chief Justice's designee from the Supreme Court, as provided in the Student Body Constitution, shall count the votes cast by absentee ballot, and the absentee voter's right to a secret ballot shall be preserved. Before an absentee ballot is counted, the Chief Justice shall determine from the rolls of electors used at the regular polling places, that the elector has cast no other ballot.
- 775.2 The Supervisor of Elections shall determine the form of the application for absentee ballot and the form of the ballot pursuant to 714.0. The ballot shall contain names of all candidates that appear on the corresponding ballots, and shall contain adequate provision for writing in the names of candidates not appearing thereon, unless the ballot is to be used in a run-off election. The Supervisor of Elections shall ensure that the ballot clearly indicates each office for which the voter is eligible to vote. Student Government is hereby authorized to purchase, lease, or make use of mechanical voting machines or computerized voting equipment for the purpose of Student Body elections otherwise as provided in Section 776.1.
- 776.0 Any registered student organization may use the voting machine at its own expense, with the approval of the Supervisor of Elections.
- 776.3 The Student Senate may by law or resolution require a fee for an organization to use a voting machine or voting machines.
- 777.0 The Supervisor of Elections shall ensure that all polling locations:
- (a) are on the ground floor of any building, room, or area that is not equipped with an Americans with Disabilities Act accessible passenger elevator;
 - (b) are not in a building or room that does not have an ADA accessible doorway;
 - (c) have a readily accessible table that can accommodate a person using a wheelchair. Any such table shall be equipped with a privacy booth;
 - (d) have adequate space for a person using a wheelchair or a walker to access the location; and
 - (e) are equipped with any other materials that may be necessary for compliance with the ADA.
- 778.0 Any elector who casts or attempts to cast more than one ballot, or tampers with an election system, in any election shall be guilty of a violation of the Student Government Election Code.
- 778.1 Any voter who casts, or attempts to cast, more than one ballot, tampers with an election system, or attempts to register to vote at a regular polling location more than once in any election or attempts to vote at a regular polling location after submitting an absentee ballot, or submits an absentee ballot after voting at a regular polling location shall be guilty of an offense against the Student Body.
- 778.2 The Supervisor of Elections shall investigate any alleged violation of 778.1.
- 778.3 The Supreme Court of the Student Body may obtain jurisdiction over any alleged violation of 778.1 and may punish any violation of 778.1 by any of the range of sanctions available to the Supreme Court of the Student Body.

778.32

If the Supreme Court of the Student Body cannot provide a remedy under 778.31 or is otherwise unable to accept jurisdiction over alleged violations of 778.1, the Supervisor of Elections shall refer any alleged violations of 778.1 to the office of Student Conduct and Conflict Resolution.

CHAPTER 780 – THE ELECTION TABULATION AND VALIDATION ACT (2000-141, 2002-144, 2006-129, 2014-114)

- 780.0 This subsection, from 780.001 to 789.999, shall be titled “The Election Tabulation and Validation Act” and shall be concerned with the election procedures of validation.
- 781.0 The Supervisor of Elections shall present the vote totals to the Student Senate.
- 782.0 The Supervisor of Elections shall present the vote totals to the Student Senate. The Chair of the Elections Commission may present the Elections Commission’s recommendation of validation of the vote totals to the Student Senate. If the Elections Commission recommends invalidation, then the Chair of the Elections Commission shall present the report created pursuant to 729.5 to the Student Senate.
- 783.0 The Student Senate shall have sole responsibility for validation of elections by a majority vote provided any decision to invalidate is based upon fraud or gross unfairness as supported by the findings of fact from the Elections Commission. The Student Senate may obtain a recommendation to validate or not to validate from the Elections Commission based solely upon findings of fact pursuant to 729.5.

CHAPTER 790 STUDENT GOVERNMENT INITIATIVE AND REFERENDUM ACT (2000-141, 2001-114, 2002-144, 2004-116, 2006-129, 2007-109, 2008-128)

- 790.0 This chapter shall be titled the “Student Government Initiative and Referendum Act.”
- 790.1 Initiatives purporting to be law and their explanations of intent shall be placed on the ballot of any general election or authorized campus-wide election, if the initiative is supported by a petition containing an explanation of intent and the signatures of not less than two percent (2%) of the Student Body enrolled at the time of submission. Any initiative purporting to be law must be submitted to the Supreme Court not less than twenty-eight (28) calendar days prior to the election that the petitioner intends to place the initiative on the ballot.
- 790.11 In order for an initiative to become law an initiative must be approved by a majority of those students voting upon the question. If approved, an initiative shall be considered a Student Body law, as if passed by the Student Senate, and properly codified. The Student Senate shall not amend an initiative until sixty (60) days following enactment. An initiative is never a “bill of law” and the Student Body President and Student Body Treasurer may not veto a law passed pursuant to this section. A law passed pursuant to 790.1 may be challenged as unconstitutional before the Supreme Court by any means in the Student Body Constitution or Student Body Statutes.
- 790.2 Referendum questions may be proposed by a two-thirds (2/3) vote of the Student Senate or by a petition containing the signatures of not less than one percent (1%) of the Student Body enrolled at the time of submission. Any petition created under this section must be filed with the Supreme Court no later than 28 calendar days before the election that the petitioner intends to place the referendum questions on the ballot.
- 790.21 Referendum questions approved by a majority of the students voting on the question shall be considered enacted and shall be treated in the same manner as resolutions adopted by the Student Senate.
- 790.3 All petitions filed with the Supreme Court, as provided in Sections 790.1 et seq. and 790.2 et seq. shall satisfy all of the requirements of Student Body Statute 773.1
- 790.4 The Supreme Court shall review and amend the initiative or referendum to ensure that it effectively conveys its legislative intent and fulfills all of the requirements of 773.1.
- 790.5 Failure to meet the requirements of Student Body Statutes 773.1 may result in particular signatures or the entire petition being disqualified by the Supreme Court. The Supreme Court may, at their discretion, use a random sampling technique to verify signatures.
- 790.6 The Supreme Court shall deliver all referendum questions and initiatives to the Supervisor of Elections no later than the second Friday immediately preceding the election by 5:00 P.M. Local Standard Time if the referendum questions or initiatives conform to the Student Body Constitution and Student Body Statutes. The Supreme Court shall not approve any initiative legislating Student Senate budgeting or fiscal allocation.

790.7

LEGISLATIVE INTENT – The legislative intent of this act is to recognize that the Student Body retains sovereignty over its Student Government and the right to alter the laws by which it is governed, and to establish its opinion on certain issues. This act intends to establish procedures by which students can promote referendum and initiative questions.