



The Student Senate

Texas A&M University

S.B. 64-63

The Student Senate
64th Session
Texas A&M University

Introduced By: Election Commissioner Kyle W. Jackson
Senator Scott A. Bowen, Engineering
Rules and Regulations Chair Paul A. Boehm, Off Campus
Special Advisor to the Student Body President, Robert J. Scoggins
~~Senator Cody Vasut, Off-Campus~~

Action Taken

PASSED
November 30, 2011

Certified By:

Tanner B. Wilson

Tanner B. Wilson
Speaker of the Senate

Duly Approved:

Jeff H. Pickering '12
Jeff H. Pickering 12-7-11
Student Body President

Election Regulations 2011 Update Act *Special Designation: Act of the Senate*

"An act updating the Election Regulations in advance of the Spring 2012 student body elections."

Whereas(1): Each year the Election Commission presents recommended updates to the election regulations contained in the Student Government Association Code; and,

Whereas(2): The November 30, 2011 Student Senate meeting is the last meeting at which those changes may be made in the fall semester; and,

Whereas(3): These amendments to the Election Regulations serve students with excellence by making the regulations easier to enforce and encouraging greater voter turnout.

Therefore

Let it be

Enacted(1): That the following amendments shall be made to Chapter 601 of the Student Government Association Code:



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SUBTITLE 6 – ELECTIONS, REFERENDUMS, PETITIONS, AND VOTING

Revised ~~October 5th~~ November 30, 2011

CHAPTER 601 – THE ELECTION REGULATIONS

Amended by S.B. 09(S)30, S.B. 09(F)18, S.B. 63-53, S.B. 64-13, S.B. 64-XX

Revised ~~October 5th~~ November 30, 2011

ARTICLE I. LEGISLATIVE INTENT AND PURPOSE

SECTION I. The Senate intends this Act to put in place fair and ethical regulations for Student Body Elections in accordance with the Aggie Honor Code.

SECTION II. The purpose of this Act shall be to codify regulations for the efficient, ethical, and fair conducting of Student Body Elections by the Election Commissioner of the Student Government Association.

ARTICLE II. DEFINITIONS

SECTION I. Unless otherwise provided for in the context of this Act, the following words shall be ascribed the following meanings:

- (a) “Election Commissioner” shall be defined as the individual appointed by the Student Body President and confirmed by the Student Senate for the purposes of overseeing the Election Commission of the Student Government Association and conducting Student Body Elections, or the Student Body President should the Election Commissioner not be confirmed, be incapacitated, or not be appointed.

ARTICLE III. ELECTION COMMISSION

SECTION I. Candidates for any election shall be responsible for these regulations provided herein. Ignorance of these regulations shall not be an acceptable defense in response to any offense in any election, either by the candidates themselves or by individuals campaigning on behalf of a candidate.

SECTION II. These regulations are subject to interpretation only by the Election Commissioner and are subject to review only by the Student Government Judicial Court. No other member of the Student Government Association or the Election Commission is authorized to interpret the Election Regulations.

ARTICLE IV. JURISDICTION



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SECTION I. Organizational Eligibility

- (a) Any recognized student organization wishing to have any or all of its elections conducted by the Election Commission must obtain majority approval of the Student Senate no later than five (5) class days before the first day of filing for that election unless the Election Commission conducted elections for that organization in the prior calendar year.
- (b) All organizations having elections conducted by the Election Commission must provide reasonable financial and/or other support for the elections as deemed necessary by the Election Commissioner.
- (c) All organizations having elections conducted by the Election Commission must file a current copy of their constitution and by-laws with the Department of Student Activities no later than fifteen (15) calendar days prior to the first day of filing, if not presently filed. The constitution and by-laws on file with the Department of Student Activities at that time shall be considered the official copy for election purposes. Changes made to organizational constitutions and by-laws after this time will not be applied to the current election but will apply to subsequent elections.
- (d) All organizations having elections conducted by the Election Commission must abide by the Election Regulations.
- (e) Any organization wishing to withdraw its elections from the jurisdiction of the Election Commission must submit a written request to the Election Commission stating its intent no later than fifteen (15) calendar days prior to the first day of filing. Requests to withdraw need not be approved by the Student Senate.
- (f) Any organization failing to comply ~~not complying~~ with these requirements will not have their election conducted by the Election Commission.

SECTION II. Referenda

- (a) [~~Any organization, group, petition, legislation or other such instrument of referenda proposition must be submitted to the Election Commission ten (10) days before the first day of voting in the general election. The submitting entity must include specific and impartial language for the ballot and sufficient choices for voters. The impartiality of such questions is subject to review by the Election Commissioner and other advisors. Persons or entities campaigning on behalf of a ballot proposal or referenda must abide by all voting day regulations on marketing and solicitation, and must agree to do so with submission of the referenda.~~]



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- (b) Entities, including commissions, organizations, and branches, that are a part of the Texas A&M University Student Government Association or are employees of Texas A&M University or the Texas A&M System may not involve themselves in Student Government Referenda. “Involvement” includes but is not limited to campaigning, endorsement, [~~biased~~] education, activism, monetary spending and internet use in support or against the referendum question. Individuals acting on their own merit or name recognition would never be subject to this restriction; however, they should not associate themselves with SGA entities or the University in any way while undertaking these activities. The chairmen of these entities and their superiors will be held responsible for violations of this rule. If an SGA entity does [~~actively involve themselves~~] become actively involved in an SGA referendum, [the referendum results shall be declared null and void] this involvement shall be considered grounds for a challenge to the results of the referendum in Judicial Court.

ARTICLE V. MEMBERS OF THE COMMISSION

- SECTION I.** The Election Commission is responsible for holding elections for Student Body Referendums, Student Government positions, and other organizations requesting the supervision of the Election Commission with the majority approval of the Student Senate.
- SECTION II.** No member of the Election Commission or any election official shall file in any election or campaign for any candidate during any such election that he or she helps conduct.
- SECTION III.** The Election Commission shall monitor ~~patrol~~ campaign areas to enforce the Election Regulations.
- SECTION IV.** The Election Commission shall consist of general members and officers selected by the Election Commissioner
- (a) Election Commissioner
- (1) The Election Commissioner shall be appointed by the Student Body President of Student Government with the approval of two-thirds (2/3) of the Student Senate. The Election Commissioner is charged with the following duties:
- (i) To enforce these regulations and render punishment up to disqualification for any violation.
- (ii) To select an Election Commission composed of all members deemed necessary for efficient administration and operation of all elections.



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- (iii) To supervise and coordinate all activities of the Election Commission and election officials.
 - (iv) To call and chair meetings of the Election Commission.
 - (v) To conduct a Mandatory Candidate meeting prior to any election for the purpose of explaining the Election Regulations and answering any questions prior to the campaigning of candidates.
 - (vi) To oversee registration of any campaign material to be distributed by the candidates prior to its distribution.
 - (vii) To ensure that at each polling place there shall be at all times during any election at least one appointed Election Commission Officer or Election Official.
 - (viii) To inspect and/or audit the expenditures of any candidate.
 - (ix) To effectively advertise and communicate the election process to the Student Body, both for candidate registration and the general election.
 - (x) To direct a candidate to take specific action.
 - (xi) To delegate and grant rights to Commission members to act temporarily on behalf of the Commissioner, and rescinded those powers in a definite time period.
 - (xii) To assess appropriate penalties for campaign infraction in violation of the Election Regulations based on the Tiered Violation System.
 - (xiii) To set the fair market value for all campaign materials.
 - (xiv) To maintain these Election Regulations and amend them as necessary, effective only with the majority approval of the Student Senate.
- (2) Election Commission Officers
- (i) The Election Commissioner shall appoint officers of the commission as appropriate. The Election Commissioner may delegate duties to the officers for the duration of their term.
- (3) Election Officials
- (i) An election official shall be present at each polling place throughout the official election time as defined by these regulations. The election official shall be defined as any person on the Election Commission or appointed by the Election Commissioner; however, no election official shall be a candidate for office or have campaigned for any candidate running for office in the election that he or she helps conduct.
 - (ii) The election official(s) shall be students appointed by the Election Commissioner to enforce these regulations and the Student Government Constitution. The election official shall be responsible



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for operating the polling place. The Election Commissioner is empowered to close a polling place for a defined period of time with the notification of the Student Government Advisor.

ARTICLE VI. FILING

SECTION I. Candidate Eligibility

- (a) General Qualifications for Office
 - (1) All candidates must meet the qualifications for their respective offices as set forth in the Texas A&M University Student Rules and their respective organization's governing documents.
 - (2) Undergraduate Students may be classified as freshmen, sophomores, juniors, or seniors according to the starting date of their undergraduate studies or, if the candidate requests, according to the number of course hours they have completed if that places them ahead of their class year. Graduate Students are considered to be in their own classification. They may also be classified based on the dates of their entrance into the Corp of Cadets.

SECTION II. Filing Process

- (a) Commission Mandates
 - (1) The Election Commission shall make available provide to each candidate:
 - (i) The Election Regulations
 - (ii) Dates, times, and locations for Mandatory Candidate Meetings that will be available online at election.tamu.edu
 - (iii) Finance forms
 - a. Expense Report
 - b. Fair Market Value Database
 - (iv) Endorsement forms
 - (v) Co-candidacy forms
 - a. Candidates who register materials containing the names of more than one candidate must submit a Declaration of Co-Candidacy upon registration of the material. This form will include the names of all candidates with multiple names on registered materials, contact information for all candidates, and the registered materials that will fall under Co-Candidacy regulations. Upon submission of this form, candidates will be bound by the actions of the other candidates with regard to co-candidacy registered materials.



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and any fines, rulings, or directives relating to these materials will apply to all co-candidates.

- (vi) Declaration of Candidacy form
 - (vii) Any other information deemed necessary by the Election Commissioner.
- (b) Candidate Mandates
- (1) By filing, the candidate agrees to abide by these Election Regulations.
 - (2) All candidates for positions elected under the supervision of the Election Commission shall file their intention to run for office with the Election Commission. Filing shall be done in person or online through the Marketplace system at election.tamu.edu by each candidate, or online, and in accordance with the guidelines set forth within these regulations.
 - (3) A candidate must submit the following at the time of filing:
 - (i) A Declaration of Candidacy form containing at least the candidate's current address, phone number, email address, and the candidate's name as it shall appear on the ballot.
 - (ii) A signed grade release statement enabling the Department of Student Activities to check academic, classification, and conduct qualifications of candidates.
 - (iii) The appropriate filing fee for the position they are seeking, ~~as determined by the Election Commissioner.~~
 - a. [Student Body President and Yell Leader] Candidates in major races will be assessed a \$40 filing fee.
 - b. All other candidates will be assessed a \$20 filing fee.
 - (iv) Any other reasonable information required by the Election Commissioner.
 - (4) Students may not file for candidacy for more than one office in the same organization or association.
 - (5) Any candidate who files for election and fails to comply with all filing requirements shall not be qualified for election to any office.
 - (6) Any Student ~~[Government official]~~ Senator removed from office because of excessive absences will not be allowed to file for any Student Government office for ~~[one (1) calendar year after subsequent removal]~~ the session of the Student Senate following the session in which he or she was removed.

SECTION III. General Filing Information

- (a) For the spring general elections, filing for office shall begin on the first Monday of the first full week of February, and shall ~~last~~ conclude after five (5) class days.



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- (b) For the fall general elections, filing for office will begin no later than five (5) class days prior to the first day of the established campaign period and shall last up to five (5) class days.
- (c) Filing for Elections will occur between the hours of 10:00 a.m. and 3:00 p.m. The spring location where filing will take place will be in Koldus at the entrance of the student activities office. The location for fall filing will be up to the discretion of the incoming Election Commissioner.
- (d) By two (2) class days following the close of filing, the Student Government Advisor will provide the Election Commission with certification of each candidate's academic eligibility and good standing with the university.

SECTION IV. Write-In Candidates

- (a) If elected, write-in candidates ~~shall~~ will be accepted provided they meet the requirements for the office to which they have been elected. Upon election, write-in candidates must submit a declaration of candidacy form and be certified as eligible by the Student Government Advisor within forty-eight (48) hours. Also, if a write-in candidate is elected they must submit the same finance report submitted by candidates on the ballot within forty-eight (48) hours of their election, which will be audited by the election commission in the same manner as filed candidates. If a write-in candidate fails to submit these forms ~~this form~~ or exceeds the campaign expenditure limit for the position in which they are elected, then they will be disqualified.
- (b) Write-in candidates may file a Voluntary Compliance notice with the Election Commission. This notice will bind write-in candidates to these regulations and subject the candidate to disciplinary action in accordance with said regulations. This notice will also allow such a write-in candidate to participate in forums, debates, candidate guides, or other events or activities deemed appropriate by the Commissioner. Write-in candidates will not be able to participate in such activities without such a notice. The required content of the notice will be determined by the Commissioner, and once submitted may not be rescinded. A write-in candidate will never be placed on an official ballot by means of this notice.

SECTION V. Positions

- (a) Major and Minor Races
 - (1) ~~[A candidate may fall under the purview of]~~ "Major Races" shall be defined as races in which every student may vote, regardless of class,



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residency, college, or any other demographic information. These include[; including:]

- (i) Student Body President
 - (ii) Yell Leader
 - (iii) RHA President
 - (iv) Class President
- (2) A Minor Race[s-are] is [anything-]any race not classified as a Major Race.
- (b) Student Government Association
- (1) Student Body President
 - (i) At the time of filing the candidates for Student Body President must have a minimum overall G.P.R. of 2.50 and post at least a 2.0 for the preceding semester.
 - (ii) The Student Body President shall have been registered at and in good standing with Texas A&M University for at least three (3) consecutive fall/spring semesters preceding his/her election to office.
 - (2) Senate
 - (i) A candidate for a Senate seat must be a member of that constituency during the upcoming academic year. If a candidate is not in the caucus for which he/she seeks office, but does anticipate entering that caucus, he/she may run for that position. However, he/she must show proof to [~~the current Senate Internal Affairs Committee and~~]the Election Commission[er] at the time of filing that he/she intends in good faith to [will] have membership in the constituency in which they intend to serve during the semester of their potential service. If a senator changes academic colleges or living qualifications, he/she must resign their position.
 - a. “Proof” shall be defined as any statement by the student signed under penalty of the Aggie Honor Code and automatic disqualification from the election.
 - (ii) Students of freshman classification not on scholastic probation are eligible to run during the fall freshman elections. They must post a minimum G.P.R. of 2.0 at the end of the semester in which they are elected or they may face removal from office.
 - (iii) Newly elected Senators must have a minimum overall G.P.R. of 2.025, or a 3.0 if a Graduate Student, at the time of filing, and post at least a 2.0, or a 3.0 for Graduate Students, for the preceding regular semester or the two preceding summer sessions and during



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the term of office or he/she will be automatically removed from office.

- (3) Yell Leader
 - (i) Candidates for Junior and Senior Yell Leader must be rising Juniors and Seniors, respectively, by hours or by enrollment date as stated in General Qualifications for Office— [see II,A,i]
 - (4) Class Councils
 - (i) See Class Council Governing Documents for eligibility information
 - (5) Residence Hall Association
 - (i) See RHA Governing Documents for eligibility information
- (c) Mandatory Candidates Meeting
- (1) For spring elections, the mandatory candidates meeting will be held the Sunday of the second full week of February. For fall elections, the mandatory candidates meeting will be held no more than one (1) week following the close of filing. The mandatory candidate meeting must be held no more than one week following the close of filing.
 - (2) At the mandatory candidate meeting, the Election Commissioner will explain the Election Regulations, answer any questions, and announce any notable interpretations of the Election Regulations.
 - (3) The Election Commissioner will submit a list of Fair Market Values for generic and commonly used campaign items. A member of the Election Commission may only revise the items on this sheet if the price on the Fair Market value sheet is different than actual estimated aggregate market prices. If updated, the Commissioner will provide proper and timely notice to candidates and ensure grandfathering policies for candidates that made purchases under pre-revised costs are initiated. These Fair Market Values may be found online at election.tamu.edu.
 - (4) The Election Commissioner will announce the days and times that finance reports and receipts are due, and the location(s) at which they must be deposited.
 - (5) Any candidate who is unable to attend the Mandatory Candidate meeting must contact the Election Commission in writing at least twenty four (24) hours prior to the meeting to report a University excused reason for his/her absence as well as name an agent to attend the meeting in the candidate's place. The agent must show written verification from the candidate, identifying the person as an agent.
 - (6) To be excused from attending the Mandatory Candidate Meeting, a candidate must submit a university excused absence that would have also



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prevented them from appointing an agent to attend the meeting in their absence to the Election Commissioner within twenty four (24) hours of the meeting. All candidates failing to do this will be disqualified.

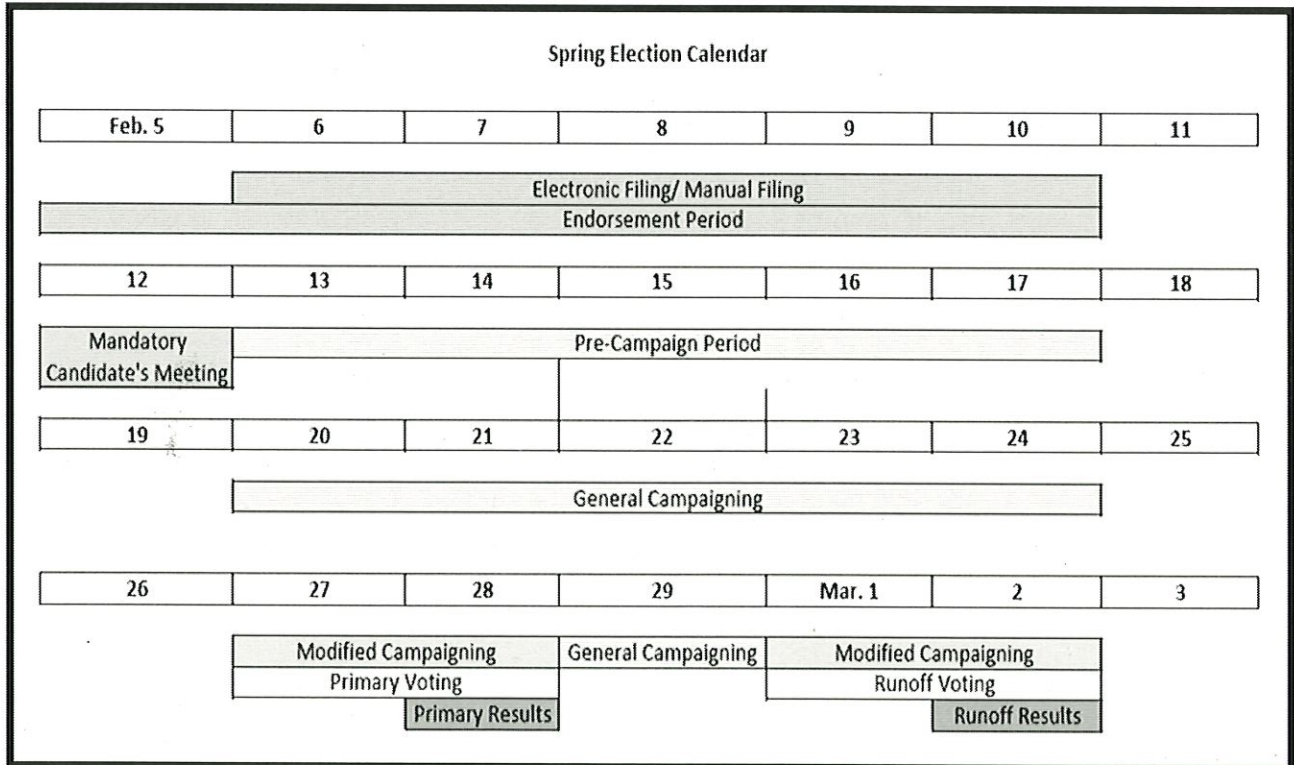
- (7) All candidates are responsible for all information covered at the Mandatory Candidate Meeting without exception.

ARTICLE VII. CAMPAIGNING

SECTION I. Process and Timeline

(a) Dates

- (1) A candidate may not campaign until the time and date specified by the Election Commission and these regulations.



(b) Pre-Election Period

- (1) The pre-election period shall be defined as the period of time prior to filing as a candidate in the election process.
- (2) A candidate may form a campaign staff during the pre-election period in order to research a platform and help the candidate prepare for the



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campaigning period. A candidate or a candidate's representative must as people to join his/her campaign staff on an individual basis.

(i) The candidate will be held responsible for the actions taken by his/her supporter. Any violation of the regulations by a supporter of a candidate could result in a fine for the candidate.

(c) Endorsement Period

- (1) The endorsement period shall be defined as the period of time before the pre-campaigning period during which candidates may seek endorsements from university recognized student organizations.
- (2) Endorsements from recognized student organizations may be solicited by candidates during an endorsement period that shall begin seven (7) days prior to the mandatory candidates meeting.
- (3) Candidates may continue to seek endorsements until the end of the election.
- (4) Candidates must strictly adhere to all regulations regarding endorsements.

(d) Pre-Campaigning Period

- (1) The pre-campaigning period shall be defined as the period of time after the filing period ends but before general campaigning begins, during which candidates and campaign staff have the ability to speak to any university-recognized student organization or group of students at locations on- or off-campus.
- (2) The first day of spring pre-campaigning shall begin immediately after the Mandatory Candidates' Meeting and shall end at 11:59:59 PM on the Friday of the second full week of February.
- (3) Speaking engagements shall be at the discretion of the organization being addressed.
- (4) Distribution of any flyers, passing out campaign materials, and holding campaign signs during this period is strictly prohibited.
 - (i) Candidates and campaign staff shall be allowed to wear any article of clothing that supports their candidate during the pre-campaigning period, as long as these materials are not distributed.
- (5) Candidates shall be allowed to speak to local or campus media outlets for quote or press concerning their candidacy during the pre-campaign period. Candidates are not permitted to submit or have published material that is written by the candidate or staff members for the purposes of campaigning. These prohibited publications include, but are not limited to, "Mail Calls" and opinion or editorial articles that are intended for publication. Candidates may only be included in articles or stories written by



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employees or freelance writers of a local or campus media outlet. Candidates appearing in local or campus media outlets for reasons not related to campaigning or their candidacy are exempt from this rule.

(e) General Campaigning

- (1) General campaigning shall be defined as the period of time after the pre-campaign period and before voting during which candidates may actively campaign (in addition to all activities permitted during the pre-election, endorsement and pre-campaigning periods) while following all campaign rules listed in these Election Regulations. The first day of spring general campaigning shall begin at 12:00 midnight on the Wednesday that is three weeks before Spring Break. General campaigning shall end at 11:59:59 pm on the Tuesday of the following week.
- (2) The first day of spring general campaigning shall begin at 12:00 AM on Monday of the third full week of February and shall end at 11:59:59 PM on the Friday of the same week.
- (3) The dates of fall general campaigning shall be set by the incoming ~~outgoing~~ Election Commissioner but may not begin prior to the conclusion of the Mandatory Candidates Meeting and shall end by 11:59:59 pm on the night before the first day of voting.

(f) Modified Campaigning

- (1) ~~Modified Campaigning will be allowed on all voting days.~~
- (2) Modified Campaigning ~~is~~ shall be defined as and limited to holding signs and wearing campaign shirts. All campaign-specific signs used on ~~Modified Campaigning days~~ must “promote the vote.” ~~but may also promote a candidate’s specific campaign.~~
- (3) “Promote the vote” is shall be defined as explicitly stating the dates of voting or “vote today” on all signs used during Modified Campaigning days.
- (4) Modified Campaigning may only take place at the H₂O Fountain, Fish Pond, Harrington Plaza, and The Zone at Kyle Field.
- (5) Modified Campaigning ~~may only~~ shall take place from 8:00 AM to 5:00 PM on the first day of voting and from 8:00 AM to 3:00 PM on the second day of voting. ~~This applies to~~ for both primary general and runoff voting days elections.
- (6) ~~Candidates may speak to organizations on the first night of voting during the primary elections. This will not be permitted during runoffs.~~
- (7) ~~Campaign materials may not be distributed during the modified campaign period.~~



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- (8) Materials used to make campaign signs and shirts for modified campaigning must be included in the expense report that is to be submitted on the first day of voting by 5 PM. No expenses shall be made on voting days.
- (g) Runoff Campaigning
- (1) Runoff campaigning will begin no earlier than 10:00 pm on the last day of general voting or following the conclusion of the unofficial results announcements, whichever is later. Runoff campaigning must conclude by the following ~~Monday~~ next day at 11:59:59 pm.
- (h) Pre-campaign Period
- (1) ~~The pre-campaign period for the spring elections shall consist of the time following the mandatory candidates meeting and prior to the beginning of campaigning~~
- (2) ~~During the pre-campaign period, the candidate may speak about their platform to individual students. During this period, candidates are also given the Monday prior to the start of general campaigning to speak to student organizations.~~
- (3) ~~Any member of a candidate's campaign staff or other supporters may not campaign nor speak to any student organization on the candidate's behalf during the pre-campaign period.~~
- (4) ~~Campaign materials may not be used or distributed until the general campaign period has begun.~~
- (5) ~~At the discretion of the Commissioner, candidates may be allowed to speak to local or campus media outlets for quote or press concerning their candidacy and campaign during the pre-campaign period. Candidates are not permitted to submit or have published material that is written by the candidate or staff members for the purposes of campaigning including, but not limited to, "Mail Calls," op-ed articles, etc., that are intended for publication. Candidates may only be included in articles or stories written by employees or freelance writers of a local or campus media outlet. Candidates appearing in local or campus media outlets for reasons not related to campaigning or their candidacy are exempt from this rule~~

SECTION II. Commission-Sponsored Campaigning Debates

- (a) Debates
- (1) The Commissioner may set up to two ~~(2)~~ four (4) dates and times for candidates to participate in forums, debates or other public demonstrations or congregations. Registered candidates and write-in candidates that have



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submitted a Voluntary Compliance Notice [see II,D,2] are eligible to participate.

- (2) During such forums or debates, with the exception of the Town Hall Debate [see III, A, iii, 3], all general campaign practices in or around the area where these are taking place will be prohibited. This includes holding signs or banners, wearing t-shirts, distributing materials, etc. The Election Commissioner will notify candidates the starting point and ending points of the time frames when the use of campaign materials will be prohibited. During those times, verbal campaigning may be prohibited. Failure to adhere to this rule may result in sanctions and is a Tier 1 violation.

(b) Town Hall

- (1) At the discretion of the Election Commissioner, there may be an outdoor student driven debate. This debate will take place at a central, high traffic campus area on a regular school day during the general campaign period. The format for this debate will follow basic Town Hall format and these parameters will be communicated to the candidates and to the student body beforehand. In such debate, campaigning is allowed, as long as such campaigning does not impede on the debate. Sanctions for such an impediment is are at the discretion of the Election Commissioner.

(c) Candidates Guide

- (1) ~~At the discretion of the Commissioner,~~ a Commission-compiled candidate's guide may be posted online and/or sent to The Battalion for publication no sooner than one (1) week after the conclusion of the Mandatory Candidates Meeting, and may contain nothing more than a biography or resume, short platform synopsis and photograph.

SECTION III. Materials

- (a) Campaign materials are defined as anything distributed or displayed for the purpose of soliciting votes for a candidate. ~~However,~~
- (b) Recognized student organization communication will not be considered campaign materials as long as it is not distributed outside the organization. Types of such communication include standard practice memoranda, agendas, or other communication tools that would be part of the practice of the organization in the absence of elections. The Election Commissioner ~~may~~ shall decide what constitutes such organizational communication under this rule.



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- (c) All campaign materials must be registered with the Election Commissioner prior to distribution, display, or expensing. Failure to register materials may result in sanctions and is a Tier I violation.
- (d) No candidate shall use any trademarked or copyrighted material as a part of any campaign materials, even if proper consent from the trademark or copyright owner is given. ~~Texas A&M trademarks and copyrights may be used if the Election Commission has secured approval from the Office of Collegiate Licensing.~~
- (e) Flyers
 - (1) The term "flyer" is defined as a single piece of paper with a surface area no larger than 93.5 square inches (equal to that of an 8 1/2 inch by 11 inch piece of paper).
 - (2) Campaign materials may be distributed with a maximum of one flyer per bulletin board and three per kiosk for each candidate.
 - (3) The term "bulletin boards" shall be defined as the corkboard and the surrounding frame.
 - (4) The term "kiosk" shall be defined as an open public information board used to display such items as announcements, letters, engagements, etc.
 - (5) Candidates may need to obtain approval from a departmental office or building manager or proctor before posting flyers on bulletin boards in university buildings, including residence halls. It is the responsibility of the candidate to obtain any needed approval before posting flyers on campus bulletin boards. Bulletin boards reserved for departmental or organizational announcements or designated for official use only shall not be used for campaigning.
 - (i) The term "bulletin boards" shall be defined as the cork board and the surrounding frame.
 - (ii) The term "kiosk" shall be defined as an open public information board (there exist only three on campus) used to display items such as announcements, letters, engagements, etc.
- (f) No candidate may distribute any food or beverage; this includes the distribution of candy.
- (g) In the residence halls and Corps dormitories, campaign materials may be placed in accordance with that specific hall's rules and regulations according to the Department of Residence Life or Corps Dorm Policies set by Corps Staff. Campaigning activity regarding ballot proposals or referendums inside residence



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halls is subject to similar approval and regulations, while the two may not necessarily be congruent.

- (h) Out of respect for the residents, campaign materials being distributed to rooms in residence halls by candidates or campaign staff must be placed under the doors. ~~The Election Commission along with the Residence Hall Association members will do a walkthrough following in-hall campaigning to assess violations.~~
- (i) No materials may be placed in mailboxes except through the U.S. Postal Service.
- (j) The Election Commission has the power to remove or order the removal of any materials that are in violation of the Election Regulations. ~~On the days of voting, the Election Commission may remove any campaign materials or materials related to any ballot proposition or referendum within thirty (30) feet of the polls without penalty to the candidate.~~
- (k) A voter may bring to the polling place any flyer relating to a campaign in order to assist them while voting. However, those materials cannot in any way be distributed, made visible, or shared with anyone else. Any person violating this rule will have their ballot disqualified, and the materials involved will be confiscated.
- (l) Each candidate shall be responsible for the removal and disposal of all displayed campaign materials within seventy-two (72) hours of the announcement of primary election results. Those candidates who proceed to the run-off election are responsible for the removal and disposal of all displayed campaign materials within seventy-two (72) hours of the announcement of run-off election results.
- (m) ~~No candidate may distribute any food or beverage; this includes the distribution of candy.~~

ARTICLE VIII. RESTRICTIONS

SECTION I. Rulings of the Election Commission

- (a) Candidates must adhere immediately to all rulings and directives issued by the Election Commissioner. Failure to do so will place the candidate subject to disciplinary action by the Election Commission.
- (b) Anyone may help advertise the time, manner and place of elections.
- (c) Candidates wishing to appeal a ruling of the election commissioner on sufficient grounds may do so through proper Judicial Court processes.



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- (d) Anyone wishing to contact the Election Commissioner in regards to any election related violation must do so through the violation report that can be found at election.tamu.edu.

SECTION II. Campaigning

- (a) The Election Commissioner is the judge of what constitutes campaigning.
- (b) No candidate or his/her supporters may remove, deface, destroy, or obscure any campaign material of any candidate.
- (c) Off-campus campaigning will be prohibited. No campaign materials shall be distributed, posted, or held off campus.
- (d) All candidates shall conduct themselves according to the Aggie Code of Honor.
- (e) Any candidate or member of the candidate's staff who violates departmental or university regulations, and Texas A&M University Student Rules in an action related to campaigning shall be subject to disciplinary action by the Election Commission.
- (f) ~~The Election Commissioner is the judge of what constitutes campaigning.~~
- (g) Before a candidate embarks on an activity not expressly mentioned in these regulations, he/she must obtain approval from the Election Commissioner prior to the start of that activity. The candidate is restricted from proceeding with the activity until such time as approval has been obtained. The Election Commissioner will have a maximum time of two (2) class days to rule on the activity in question and notify the candidate of the ruling.
- (h) Candidates may only actively campaign—specifically by distributing materials—in areas designated and named for that campaign period. The Election Commission must secure proper concessions permits through the University for specific locations whereby candidates may distribute materials, and those locations must be set by the Commission no later than one (1) week subsequent the conclusion of the Mandatory Candidates Meeting. Other forms of campaigning—specifically those that do not involve distribution of materials or would not normally fall under the purview of concessions regulations—may occur anywhere on campus if that location or activity is not in conflict with any other regulation or restriction.
- (i) Areas inside the [the] Rudder Complex, classrooms, the Rec Center including Time Out Deli, and the John J. Koldus Building are off limits to campaigning during the campaigning period, except when a group or organization allows candidates to speak at their meetings. In these cases, the candidate may only



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campaign in the immediate room in which the meeting is being held. The only exception to this rule is that articles of clothing may be worn any time anywhere during the campaign period.

- (j) No demonstrations, gatherings, or other form of campaigning, which interfere with the natural flow of either pedestrian or vehicular traffic, shall be permitted. Riding in the bed of a truck, pulling trailers, or offering rides in order to solicit votes or promote a candidate are not to be permitted.
- (k) Dining hall public address systems may not be used for campaigning purposes. While campaigning in dining facilities, candidates must adhere to standards of conduct established by Dining Services. Campaigning within dining facilities may be further restricted by the appropriate facility director.
- (l) ~~No candidate or his/her supporters may remove, deface, destroy, or obscure any campaign material of any candidate.~~
- (m) Door-to-door campaigning hours and rules will be established by the Residence Hall Association and Corps Staff. No one may campaign door-to-door on campus at any other time. This restriction will not affect campaigning at organizational meetings or campaigning outside the residence halls and Corps of Cadets dormitories.
- (n) Candidates are not permitted to display campaign slogans or other campaign related messages by marking them on university sidewalks or buildings in chalk.
- (o) Only signs ~~no larger than a flyer-size or smaller~~ may be posted on campus, regardless of whether it is attended by a campaign member. Residents of campus housing may affix materials inside their respective dorm room, but materials may not be affixed facing out of windows or on the hallway or balcony side of doors.
- (p) ~~Electronic paid advertising may not be used at any time. Examples of such advertising include Facebook fliers, ad banners, paid search results, etc. The Commissioner may decide the finality of what constitutes electronic paid advertising under this rule. Websites paid for and created by a candidate are exempt from this restriction.~~
- (q) ~~Websites created for the purpose of campaigning may not be accessible online prior to the campaigning period unless otherwise authorized by the Commissioner. Video or audio podcasts may be posted online at Texas A&M's iTunesU store by the Commissioner or a representative of iTunesU before the campaign period has begun, but no sooner than one week following the end of the Mandatory Candidates Meeting may be made accessible at the start of the pre-campaign period.~~



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- (r) ~~Each candidate shall be responsible for the removal and disposal of all displayed campaign materials within seventy-two (72) hours of the announcement of run-off election results.~~
- (s) ~~Only four (4) people working for one candidate or any mutually supportive group of candidates may campaign in one place at a time. This does not include the candidate or group of candidates themselves.~~
- (t) ~~Live animals, including Reveille, may not be used for campaigning and cannot be present at campaigning locations. Exceptions will be granted for service animals.~~
- (u) ~~Anyone may help advertise the time, manner, and place of elections.~~
- (v) ~~A candidate may form a campaign staff prior to the campaign period in order to research a platform, and help the candidate prepare for the campaigning period. A candidate or a candidate's representative must ask people to join his/her campaign staff on an individual basis.~~
- (w) ~~The candidate will be held responsible for the actions taken by his/her agents or campaign staff. Any violation of the regulations by agents or campaign staff of a candidate could result in a fine for the candidate.~~
- (x) ~~The Election Commissioner may be contacted anytime via e-mail, and will make pertinent attempts to respond to queries within one (1) business day.~~

SECTION III. Endorsements

- (a) ~~A candidate may obtain the endorsement from an organization during an endorsement period seven (7) days prior to the start of the pre-campaign period of recognized student organizations only. The candidate may [only] approach only the organization's governing body during this time to obtain appropriate paperwork from said organization. The candidate may not appear before the organization's general assembly before the speaking period begins. Signatures of two members of the organization's governing body must be on the endorsement form to verify the organization's endorsement and to serve as proof that the proper steps were taken to endorse a candidate in accordance with that organization's bylaws or standard operating procedures. [In order to obtain an endorsement, a candidate must make an appointment with the student organization's executive officer (the president, chair, director, etc.) to give them an endorsement form provided by the Election Commission before campaigning begins. The organization must then confirm their support of the candidate through a 2/3rds majority vote of all members present at a general meeting. Signatures of both the organizations chief student leader and advisor must be on the~~



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~~endorsement form to verify the organizations endorsement and to serve as proof that the proper steps were taken to endorse a candidate.]~~

- (b) ~~Should an organization endorse a candidate and fails to properly file the necessary paperwork or breaks any other Election Regulation, that organization will be barred from endorsing any candidate the following academic school year.~~
- (c) ~~[Group meeting will be defined as a publicized open meeting that allows for all organization members to vote in order to endorse candidates for student elections.]~~
- (d) Organizations that contain at least one (1) member of the Election Commission in their governing body shall be forbidden to endorse a candidate. Any candidate endorsed by an organization found to meet this criterion shall be fined a violation as determined by the Election Commissioner. If a member of the Election Commission is a general member of an organization that wishes to endorse a candidate, [the] any vote to confirm the endorsement must take place when the Election Commission member is not present.
- (e) ~~[Only recognized student organizations that do not have any or all of its their elections conducted by the Election Commission may endorse a candidate. If an organization that does have an election conducted by the Election Commission endorses or supports a candidate, the Election Commission may remove the organization from their jurisdiction and will not conduct that organization's elections the following academic school year.]~~
- (f) ~~Candidates may accept endorsements from recognized student organizations that do not involve financial inputs. However, nNo candidate may accept from any recognized student organization its assistance to obtain any university resource to which that candidate would not have access as an individual student. No candidate may accept from any recognized student organization financial contributions of any type.~~
- (g) ~~No individual student acting on their own behalf will ever be subject to organizational endorsement regulations. [However should a student use the name, logo, letterhead, etc. of a student organization to communicate their support of a candidate, this would be considered an organizational endorsement. A student may only use the merit of his or her own name recognition to support a candidate, not his or her role, title, or affiliation with a recognized student organization.]~~
- (h) ~~Business in the Bryan College Station area may, at their discretion, place candidates signs on or in their private property. In order for a candidate to invoke this right, the Election Commissioner must be notified of these signs within~~



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twelve (12) hours of the sign being placed, and the business owner(s) must write an endorsement letter to the Election Commissioner stating the following:

“I hereby allow (candidate’s name)’s sign to be on my private property. This candidate has followed the proper procedures and understands my endorsement.”

This statement shall be signed and dated by the business owner(s) who is allowing the sign(s) on his property. The candidate will report the signs on their expense reports with specific notation as to the business allowing the signs, as well as attach the letter endorsement from the business owner(s).

- (i) No endorsements can be publicly announced before the general campaigning period begins.
- (j) The Election Commission shall not be responsible for making any candidate endorsements known public.

SECTION IV. Electronic Correspondence

- (a) All electronic correspondence advertising a specific candidate during the campaign period must include a disclaimer at the bottom of the email that reads

“Please reply to sender if you do not wish to receive further email from this candidate. If you still receive email please contact the Election Commission at tamuelection@gmail.com.”

The candidate or the candidate’s staff will not send electronic correspondence to any recipient who chooses to be removed from the candidate’s mailing list until the election has concluded.

SECTION V. Mass Messaging

- (a) Mass messaging may not be utilized in any form, including automated sending or creation of unsolicited emails, messages, phone calls or text messages, manual mass messaging to a list or group (except as defined under [III-F]), or other unsolicited means of electronic communication. The Commissioner may decide what constitutes mass messaging under this rule.

SECTION VI. Listserves

- (a) Listservs may be created by a campaign for the purpose of campaigning or informing a campaign staff and/or supporters. Electronic correspondence may be sent to preexisting listservs, groups or mailing lists registered to a recognized student organization at Texas A&M. Correspondence to such groups must be



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from either the creator of the list or group or the chair or chief executive of the organization. The Election Commissioner must be copied on all electronic correspondence for proper record keeping. All emails copied to the Election Commissioner must be sent to the email address listed on the election.tamu.edu website.

SECTION VII. Electronic Correspondence

- (a) ~~All electronic correspondence advertising a specific candidate during the campaign period must include a disclaimer at the bottom of the email that reads "Please reply to sender if you do not wish to receive further email from this candidate. If you still receive email please contact the Election Commission at tamuelection@gmail.com." The candidate or the candidate's staff will not send electronic correspondence to any recipient who chooses to be removed from the candidate's mailing list until the election has concluded.~~

SECTION VIII. Mass Messaging

- (a) Mass messaging may not be utilized in any form, including automated sending or creation of unsolicited emails, messages, phone calls or text messages, manual mass-messaging to a list or group (except as defined under [III-F]), or other unsolicited means of electronic communication.
- (b) The Commissioner may decide what constitutes mass messaging under this rule.

SECTION IX. Social Media

- (a) ~~Social media networks such as: Facebook, Twitter, and other Internet related outlets will not be regulated by the Election Commission. The Election Commission will not regulate social media.~~

ARTICLE IX. VIOLATIONS

SECTION I. Compliance

- (a) Failure to comply with the aforementioned and subsequent regulations may result in a violation as determined by the Election Commission.

SECTION II. Reporting

- (a) A student who wishes to report an alleged violation of the Election Regulations may do so by filing a written account or online report of the alleged violation with the Election Commission within seventy-two (72) hours of the alleged violation. The violation report can be found at election.tamu.edu.

SECTION III. Election Board



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- (a) ~~The Commissioner will appoint a five (5) member Board to supervise and approve sanctions on Tier 2 and 3 violations (below).~~
- (1) ~~Makeup of the Board~~
- (i) ~~The Commissioner chairs the board, and is a non-voting member. The Commissioner will appoint five members from the current makeup of the Commission's officers.~~
- (2) ~~Operations of the Board~~
- (i) ~~In Tiers 2 and 3, the Election Board would have to review sanctions and actions by the Commissioner, before Commissioner-chosen sanctions are carried out. This review is non-binding.~~
- (ii) ~~The Board will cast non-binding votes, on the record, with regard to the decisions of the Commissioner after proper investigation if the Board agrees with the decision of the Commissioner. An "approval" by the board constitutes a majority vote of the entire Board. This vote will be cast on the record within forty-eight (48) hours of the Commissioner's decision.~~
- (iii) ~~Members of The Board may submit non-binding dissenting opinions with respect to any decision of the Commissioner, which could be forwarded to the Judicial Court, candidate, or other concerned parties.~~
- (iv) ~~The Board will create a case file for each Tier 2 and 3 sanction, regardless of votes, that will contain at least:~~
- a. ~~A document citing all evidence gathered in the case, including a brief summary of charges, evidence, and possible sanctions.~~
- b. ~~Applicable (if available) emails or other correspondence relating to the case~~
- c. ~~The final voting document, certified by the Commissioner.~~
- d. ~~All case documents must be kept for a period no less than one (1) calendar year.~~

SECTION IV. Tiered Violations

- (a) Violations of these Regulations will be divided into three tiers according to severity, intent and impact on the campaigning process. These tiers should act as a guideline for candidates and the Commissioner, and decisions of the Commissioner may bridge these tiers if found necessary. The amount a certain tier suggests for a violation is only a guideline, and final sanction amounts and degrees are at the discretion of the Commissioner. The tiers will be as follows:



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- (1) Tier 1
 - (i) ~~Minor~~ Major offenses. Normally infractions resulting in a fine between \$.25 and \$2.00. Examples of such infractions include minor pre-campaigning, minor electronic violations, minor financing violations, etc. Major violations include, but are not limited to: offenses against local, state or federal law to any degree; sabotage of opposing campaigns; voting fraud, falsified documents (including finance reports); withheld finance reports and ethics/Honor Code violations.
- (2) Tier 2
 - (i) ~~Moderate~~ Minor offenses. Normally resulting in a fine between \$5.00 and \$25.00. Examples of such infractions include late finance reports, unintentional campaign sabotage (such as a candidate's supporter tearing down an opponent's signs unbeknownst to the candidate), moderate pre-campaigning, moderate electronic violations, etc. Minor violations include, but are not limited to: pre-campaigning, finance violations, and offenses not included within the major violations criteria as determined by the Election Commission and these regulations.
- (3) Tier 3
 - (i) ~~Serious~~ offenses. Normally resulting in a fine between \$25 and the maximum finable amount per offense, or disqualification. Examples of such infractions include falsified documents, intentional campaign sabotage, voting fraud or coercion, serious ethics and/or Honor Code violations, etc. Repeated Tier 2 violations may also be classified as Tier 3.

SECTION V. Fines

- (a) ~~Any individual fine may not exceed 15% of the candidate's total budget per occurrence, unless specified otherwise by the Regulations. Major violations shall be assessed by the entire Election Commission. Meetings will be called at the discretion of the Election Commissioner to address potential major violations. During these meetings, the Election Commissioner shall direct the Election Commission to discuss the violations at hand, take into account all evidence presented, and vote on one of two reasonable actions:~~
 - (1) A maximum fine of 15% of the candidate's allotted budget
 - (2) Disqualification
- (b) Decisions must be the result of a majority of the Election Commission members present. The Election Commissioner shall be a non-voting member unless he/she is required to achieve a majority. The Election Commissioner will notify the



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candidate of the decision through the “Major Violation Report” within seventy-two (72) hours of the Election Commission meeting.

- (b) Minor violations will be assessed within twenty-four (24) hours of the report by the Election Commission.
- (1) Candidates filing under a Major Race will be subject to a base \$20 fine. Each subsequent related offense will result in an additional fine, with a \$5 increase to the amount of the last fine.
 - (2) Candidates filing under a Minor Race will be subject to a base \$5 fine. Each subsequent related offense will result in an additional fine, with a \$2 increase to the amount of the last fine.
- (c) One-half (1/2) of all fines shall be deducted from the budget allotment for each respective candidate.
- (1) Additionally, the remaining one-half (1/2) of all fines shall be paid by the respective candidate to the Election Commission. This payment shall also be deducted from the budget allotment for each respective candidate.
 - (i) All such payments must be made within ten (10) days after the final day of voting.
 - a. Should a candidate fail to pay his or her fines, the candidate may not be appointed, selected, or elected to any office in the Student Government Association until such time as his or her fines are paid in full.
 - b. Any elected candidate who fails to pay his or her fines within ten (10) days after the final day of voting shall be disqualified from taking office.
 - (ii) The Election Commission shall collect all fines in its Student Organization Financing Center account.
 - (iii) All fines collected by the Election Commission shall be transferred between ten (10) and thirty (30) days after the final day of voting to the Student Government Association Endowment Account (# 57687, or such equivalent account number) by payment from the Election Commission.
 - (d) All candidates must pay fines within ten (10) days of the final day of voting. Should a candidate fail to pay fines, his/her name will be forwarded to the registrar’s office and subsequently blocked from class registration until the fines



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~~are paid. Any elected candidate who fails to pay his/her fines within ten (10) class days of the time he/she is elected will be removed from office.~~

- (e) ~~Budgetary Fines do not have to be paid to the Commission. These fines will be clearly marked as such, and all fines not receiving this delineation must be paid to the commission.~~

ARTICLE X. FINANCE

SECTION I. General Expenditures

- (a) Each candidate for any office shall be required to keep accurate, up-to-date records of all campaign receipts and expenditures.
- (1) The term "expenditure" is defined as the fair market value or actual cost, depending on the appropriate circumstance, of all campaign materials used or obtained by any candidate in his/her campaign and any fines incurred by the candidate. Actual cost is defined as the cost as enumerated on an official sales receipt including the cost of tax at 8.25%. Fair market value is defined as the cost available locally to any given student within the Bryan/College Station area. Possible prices available over the internet to a student within Bryan/College Station are not considerable when determining fair market value. When calculating fair market value, tax must be included at a rate of 8.25%.
 - (2) The term "campaign materials" shall be defined as any items, services or materials used or intended to be used in the course of campaigning or preparing for a campaign.
- (b) Candidates must follow a system of Fair Market Value when determining the expensed cost of materials:
- (1) Campaign materials purchased in Bryan/College Station must be expensed at actual cost under most circumstances.
 - (2) Campaign materials purchased outside Bryan/College Station exceeding fair market value listed costs are also expensed at actual cost. Materials purchased outside Bryan/College Station not exceeding fair market value listed costs are to be expensed at fair market value. Any purchases made over the internet from companies not based in Bryan/College Station are considered outside purchases and should be treated as such with regard to the application of fair market values.
 - (3) When a candidate is capable of obtaining campaign materials within Bryan/College Station at a cost other than what is available to any given student within the Bryan/College Station area (the fair market value),



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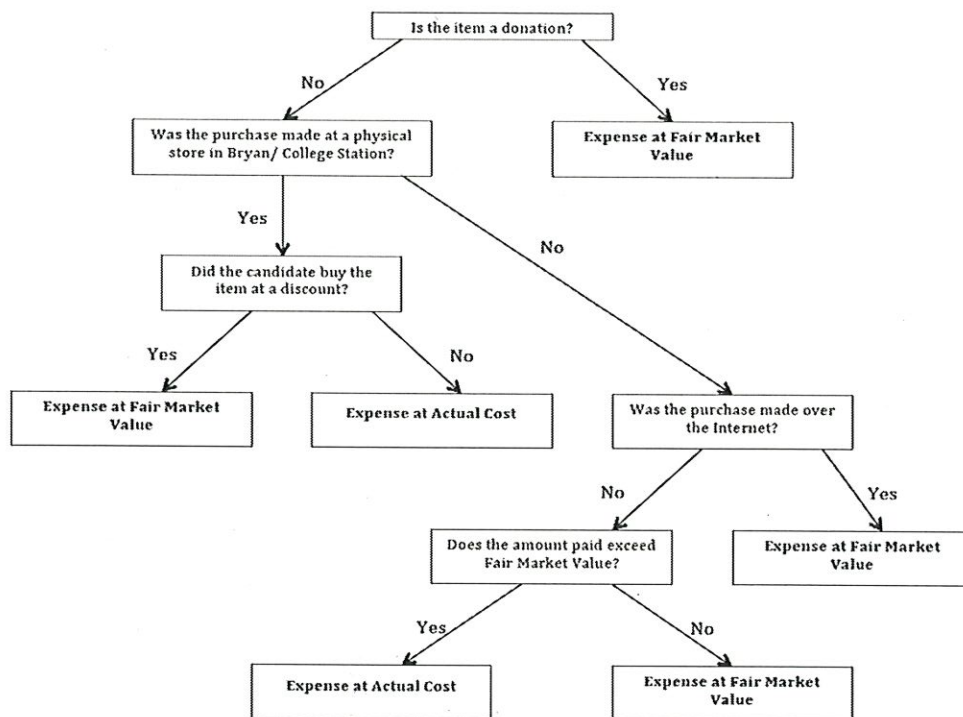
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candidates must expense the materials at fair market value. This rule does not take supply of a good into consideration.

- (4) All donated materials are to be expensed at fair market value, regardless of quality.



- (c) It is the responsibility of the candidate to obtain from the Election Commission a fair market value for any campaign materials not appearing on the list provided at the mandatory candidate meeting.
- (d) ~~When the actual cost of an item is reported it must include the cost of tax.~~
- (e) Candidates must list the entire cost of each individual expense that results in campaign material that in any way suggests support for their candidacy. There shall be no prorating of costs to account for unused campaign items which that were purchased.
- (f) Budgets from two or more candidates may not be combined in any way. Any campaign material bearing the name of more than one candidate must be expensed in full at actual cost or fair market value, depending on the appropriate circumstance, by each candidate named. Receipts for such expenditures must be submitted by each candidate separately. For final expense reports, candidates may



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not submit photocopied receipts without the prior consent of the Election Commissioner.

- (g) ~~Candidates that register materials containing the names of more than one candidate must submit a Declaration of Co-Candidacy upon registration of the material. This form will include the names of all candidates with multiple names on registered materials, contact information for all candidates, and the registered materials that will fall under Co-Candidacy regulations. Upon submission of this form, candidates will be bound by the actions of the other candidates with regard to co-candidacy registered materials, and any fines, rulings, or directives relating to these materials will apply to all co-candidates.~~
- (h) No candidate shall be held responsible for any expense of an unused campaign item purchased before the mandatory candidates meeting.

SECTION II. Budgets

- (a) Each candidate for the office of Student Body President may expend a maximum of \$1800.00.
- (b) Each candidate for the office of Senator may expend a maximum of \$150.00.
- (c) Each candidate for the positions of Yell Leader may expend a maximum of \$1800.00
- (d) Each candidate for the office of RHA President may expend a maximum of \$300.00.
- (e) Each candidate for the office of RHA Executive Vice President may expend a maximum of \$250.00.
- (f) Each candidate for the office of Class President may expend a maximum of \$400.00.
- (g) Each candidate for any other office may expend a maximum of \$150.00.

SECTION III. Campaign Reporting

- (a) All candidates must submit a finance report and all receipts from campaigning on the first day of voting by 5:00 PM for both general elections and, when applicable, run-off elections. Candidates failing to comply will be disqualified the first day of voting at 5:00 PM.
- (b) The Election Commission shall notify the candidates forty-eight (48) hours prior to the expense report deadline.



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- (c) All candidates shall ~~must~~ submit the finance report provided online regardless of whether or not campaign spending has occurred.

SECTION IV. Auditing

- (a) The Commission shall ~~will~~ audit all expense reports to determine compliance with necessary and applicable regulations. The materials registration database will be the basis for comparison between items used in campaigning and items expensed or budgeted.
- (b) Items that have been used in campaigning in any way, or have been purchased with the intent to use in any way, will be considered necessary for expensing and such items will be included in audit procedures.
- (c) Items to be expensed shall include, but not be limited to, items that fit both of the following criteria:
- (1) The item would not be purchased but for the candidate's running for election.
 - (2) The item cannot be accessed for free by the regular student.
- (d) Transparency
- (1) The Election Commission shall make all candidates' expense reports publically available [~~All candidates continuing in a run-off election will~~ shall have their expense reports made publically available] at election.tamu.edu within twenty-four (24) hours after the general election results announcement and within twelve (12) hours after the run-off election results announcement.
 - (2) Inaccuracies or omissions suspected in campaign budgets may be reported to the Election Commission in the same way that violations are reported. The complainant must include material or photographic clear and convincing evidence of the error in order for it to be considered by the Election Commission. All such complaints about a posted budget must be made within twenty-four (24) hours of the time that budget is made available online.

ARTICLE XI. VOTING

SECTION I. General



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- (a) Elections will be conducted online using a secure and private method. Ballots shall be organized and marked in a manner designated by the Election Commission. Students may vote only once and only with their own student ID number NetID and password. Duplicate ballots and those not complying with these requirements will be voided.
- (b) Students voting fraudulently may be subject to sanctions by the Election Commission, and the University, and state or federal law.
- (c) The Election Commission shall ~~must~~ make every attempt to conduct voting in a way free from coercion or pressure. Those obstructing the free and fair nature of the voting process, by which voters may cast a ballot by free choice, are in violation of these regulations and the Aggie Honor Code, and they will be reported to the Aggie Honor System Office for possible reprimand.

SECTION II. Voter Qualifications

- (a) A voter must be an enrolled student at Texas A&M University.
- (b) A voter must have a valid Texas A&M University ID number for the current year.

SECTION III. Ballots Process and Timeline

- (a) Ballots The Election Commission will post the sample ballot for the purpose of correcting errors on or before the Friday following the mandatory candidates meeting by 9:00 AM. If a candidate does not appeal any error on the sample ballot by 5:00 PM that day, he/she loses his/her right to appeal on this issue.
- (b) (1) —The sample ballot will not be used for any voting. It will only be used for a candidate to verify that their name has been properly recorded for the election process, and for other administrative purposes as needed by the Election Commission.
- (c) The Election Commission will post the final sample ballot for any election at least four (4) class days prior to the election and shall also submit a copy of the final sample ballot to The Battalion at that time.
- (d) (2) —Ballot positions shall be randomized by the online voting system each time they are accessed. If a candidate withdraws from an election or is disqualified following the establishment of the online ballot, but no sooner than four (4) days prior to the start of voting, their name will be replaced by "withdrawn" on all ballots.



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- (e) (4) — No phrases or slogans may be attached to a candidate's name on the ballot. The name that will appear on the ballot must be the name for which the candidate is normally known.
- (f) An employee of the Division of Student Affairs will maintain the online ballot.
 - (1) — ~~If a candidate withdraws from an election or is disqualified following the establishment of the online ballot, but no sooner than four days prior to the start of voting, their name will be replaced by "withdrawn" on all ballots.~~
 - (2) — ~~The Election Commission will post the sample ballot for the purpose of correcting errors on or before the Friday following the mandatory candidates meeting by 9:00 AM. If a candidate does not appeal any error on the sample ballot by 5:00 PM that day, he/she loses his/her right to appeal on this issue.~~
 - (3) — ~~The online ballot will be maintained by an employee of the Division of Student Affairs.~~
 - (4) — ~~The online ballot will be available beginning at 9:00 AM on the first day of voting until such time on the final day of voting determined by the commissioner barring any technical difficulties.~~

SECTION IV. Election Dates

- (a) General Elections
 - (1) ~~Voting days of the spring general elections shall be on the fourth Monday of February and the following day~~ begin on the Monday before the first full week of March at 9:00 AM and end on the following Tuesday at 5:00 PM.
 - (2) The dates of the fall general elections shall ~~will~~ be set by the outgoing Election Commissioner.
- (b) Run-off Elections
 - (1) ~~Voting for run-off elections shall will occur the Thursday and Friday of the same week of the general elections~~ begin on the Thursday following the general election voting dates at 9:00 AM and end on the following Friday at 5:00 PM.
 - (2) The dates of the fall run-off elections shall be set by the incoming Election Commissioner.
- (c) Changes
 - (1) The Election Commissioner has the authority to change the dates of an election if unforeseen circumstances arise that would warrant such a



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change with notification of the Student Government Advisor and all candidates.

(d) (2) — Run-Off Election Procedures

(1) (i) — Run-off elections shall begin by 10:00 p.m. on the last day of general election voting or immediately following the conclusion of the unofficial preliminary election results – whichever is later – and shall be conducted in the same manner as general elections with the following exceptions:

(i) a. — Candidates participating in a run-off election shall have a budget that consists of their entire remaining general election budget.

(ii) b. — Candidates that have entered a run-off race as a result of being written into the ballot in the primary election will be required to file a Notice of Compliance identical to that in rule [II,D,2], and all such referenced regulations will apply. Candidates not doing so within forty- eight (48) hours of the announcement of primary results will be disqualified.

(iii) e. — No write-in votes shall be accepted in a run-off election.

a. — ~~In the event of an exact tie in a run-off election or a race with two (2) candidates running, the election shall then proceed to the current session of the Student Senate. The candidate receiving the highest amount of votes from the Student Senate shall be named the winner, with the Speaker of the Student Senate casting the tie-breaking vote should the need arise.~~

(iv) e. — In run-off elections, those names to be placed on the ballot shall be those of the two (2) candidates having the greatest number of votes in the general election. Exceptions to this shall be the following:

a. 1. — If a tie for the first place occurs, only the candidates tied for first place shall run, with the winner having a majority vote of those voting for at least one candidate for that position. If more than two candidates are tied for first place, the winner will be decided by a plurality vote in the run-off election.

b. 2. — If a tie for the second place occurs, the first place candidate and all those candidates tied for second place shall run with a plurality deciding the winner.



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- (v) In the event of an exact tie in a run-off election or a race with two (2) candidates running, the election shall then proceed to the incoming session of the Student Senate. The candidate receiving the highest amount of votes from the Student Senate shall be named the winner, with the Speaker of the Student Senate casting the tie-breaking vote should the need arise.
- (2) Yell Leader Run-Off
 - (i) A majority of the vote shall be calculated so that the total number of votes for the candidate divided by the total number of voters (those voters voting for at least one candidate for that position) is greater than 50%.
 - (ii) In the Yell Leader elections, the first election shall be held in conjunction with the general student body elections, whereby if no candidate receives a majority of the vote of those voting for at least one candidate for that position, the top five (5) senior candidates and the top four (4) junior candidates shall proceed to the run-off elections held in conjunction with the student body run-offs after the conclusion of the general election.
 - (iii) A run-off election will not be held for Senior Yell Leader if there are five or less eligible candidates and will not be held for Junior Yell Leader if there are four or less eligible candidates and will be decided by a plurality vote.
 - (iv) Any candidate receiving a majority of the vote by appearing on a majority of the ballots cast in the general election will not go to a run-off, but will assume office following the run-off. The number of run-off candidates will be decreased proportionally as follows:
 - a. For Junior Yell Leader—If only one (1) individual receives a majority of the vote, the two (2) individuals receiving the next highest vote count will proceed into the run-offs for the remaining position.
 - b. For Senior Yell Leader—If only one (1) individual receives a majority of the vote, the four (4) individuals receiving the next highest vote count will proceed into the run-offs for the remaining two (2) positions. If two (2) individuals receive a majority of the vote, the two (2) individuals receiving the next highest vote count will proceed into the runoffs for the remaining position.
 - c. If more candidates than there are positions receive a majority of the vote, then those candidates receiving the highest number of votes will assume office.



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- (e) (3) — Locations
- (1) (v) — The official polling place for elections will be online at vote.tamu.edu for the fall and spring general and run-off elections.
 - (2) (vi) — Physical polling locations may be added at the discretion of the Election Commissioner. These locations shall ~~may~~ remain open for a maximum of two (2) class days for an election. The physical polling places shall be declared open no later than 9:00 a.m. and closed at the discretion of the Election Commission no earlier than 5:00 p.m. on each election day, general and run-off. The online ballot will remain available according to [VI,C,i,8]. The Election Official's watch will be the official timepiece for opening and closing of each polling place.
- (f) (4) — Results
- (1) (v) — Results of all elections must be certified by a majority of the Chief Justice of the Judicial Court in order to be valid. This certification must occur within twenty-four (24) hours of the [conclusion of voting]time after which either no appeals to the election results may be filed or all outstanding appeals for any given race to the Judicial Court have been dealt with, whichever comes later. This certification shall signify that no further challenges to the results of an election may be filed. The Chief Justice may certify all races at once or any combination of races at his discretion, so long as all certifications are completed according to the above timeline. ~~may occur no earlier than 72 hours after the election results are announced.~~
 - (2) (vi) — The Election Commission shall announce uncertified results of all elections no earlier than 7:00 pm on the last day of voting, and the results shall be posted immediately thereafter. Results are not official until certified by the Chief Justice of the Judicial Court. Results shall also be submitted to The Battalion for publication.
 - (i) d. — Votes Required to Win
 - a. 1. — The winners in elections are determined by a majority vote (greater than 50%) of those voting for at least one candidate for that position and a run-off election shall be held if necessary.
 - b. 2. — In the Student Senate elections, the winners shall be decided by a plurality vote. If there is a tie for the last remaining seat in a Senate constituency, all those



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candidates having tied for that seat shall proceed to a run-off.

(g) ~~(5)~~—Judicial Court Appeal

(1) ~~(v)~~—A candidate may contest an election no later than forty-eight (48) hours after the unofficial results are posted by filing an appeal with the Judicial Court stating the basis on which the election is contested.

(h) ~~(6)~~—Administrative Error

(1) ~~(v)~~—If prior to Judicial Court certification, it is discovered that the winning candidate was not qualified because of an error in the certification provided by the Student Government Advisor, the Student Body President will declare the post vacant.