



Article I -The Election Commission

A. Powers and Duties

The Election Commission will comply with all requirements stated in the SGA Code of Laws. In the event that a situation arises which has not been explicitly provided for in the Code or in this Election Code, the Election Commission will determine its validity and enforce any decision the Commission might make in acting upon such a situation. The Election Commission shall have the power to enforce any and all of the following provisions by any disciplinary action it deems appropriate and reasonable.

B. Removal

If any member of the Commission is charged with dereliction of duty by a petition signed by seven (7) or more senators, he/she shall appear before the Senate to determine whether impeachment from the Commission is in order. Any such hearing shall be held within three (3) university working days from the date the petition is filed with the SGA President. The member of the commission shall be put on suspension until the Senate has reached the decision. The Judicial Council, as per the impeachment procedures set forth in the SGA Constitution, will review the decision of the Senate.

Article II –Filing

A. The process of filing shall be conducted in the office of the Student Government Association.

1. Filing for the Spring General Election shall begin on the first class day of March at 8:00 a.m. and end at 5:00 p.m. on the fifteenth class day after filing began.
2. Filing for the Fall Special Election (if necessary) shall begin at a time so designated by the SGA President. This period will always begin on a Monday and last for ten (10) class days.
3. There shall be two scheduled elections held per year, not including any runoffs, or new elections held as a result of a valid protest.
4. To be considered an official candidate for an SGA office, the filer must meet all of the following requirements:
 - a. Be certified through the Student Life office.
 - b. Sign a release form which states the candidate has read and understood the rules and regulations of the SGA Election Code.
5. A Presidential or Vice-Presidential candidate must choose a running mate prior to elections. Running mates will be placed on the same ticket.

Article III – Campaigning and Publicity Rules

A. Publicity Materials

1. A candidate must comply with the posting rules as directed by the Election Commission before posting publicity materials on the ASU campus, and gain approval of an authorized Election Commission Official before posting any campaign material.
2. All publicity materials must comply with University posting rules and regulations.
3. Each candidate shall be responsible for the removal and disposal of all campaign paraphernalia bearing his/her name. Failure to comply with this provision will result in either:
 - a. Payment for clean-up as determined by the Election Commission; or
 - b. Disqualification of the candidate who violates this provision in extreme cases.



**Angelo State University
Student Government Association
*Election Code***

4. Vandalism (the extreme re-posting, removal, or altering) towards correctly posted campaign Materials shall be a direct violation of the Election Code. The majority of evidence, as determined by the Election Commission must prove that the offending candidate had knowledge of, or participated in the alleged incident.
5. Failure or refusal to comply with any provisions listed in this section shall be deemed a violation of the Code of Student Conduct for which disciplinary action may be taken.

B. Campaigning

1. No one shall campaign within fifty (50) feet of any polling place during election hours. No candidate may verbally address any individual who is within the polling area marked by the Election Commissioner. Election officials must remove all publicity material within fifty (50) feet of the polling places before polling places open.
2. No campaign material shall be placed in the ASU library, University Center, or Food Service Center.
3. Public address systems shall not be used for campaign purposes within one thousand (1,000) feet of any polling place during election hours. Use of public address systems of any type on campus shall be limited to the time between classes.
4. Candidates are responsible for the actions and conduct of individuals knowingly associated with a candidate's campaign.
5. No candidate or organization may utilize any facilities, equipment, and/or services that receive university funding and are not available to the general student body for the purposes of campaigning.

Article IV -Campaign Spending

A. Limitations

1. Presidential and Vice Presidential candidates may spend no more than \$500.00 per candidate on their respective campaigns.
2. Senatorial candidates may spend no more than \$150.00 on their respective campaign.
3. In case of run-off, limitations shall be as follows for elections:
 - a. President/Vice President..... \$150.00
 - b. Senator..... \$50.00
4. In the course of the election, SGA will allot a maximum of \$500.00 for the promotion of the elections. This money will be used for unbiased publications, debates, or other activities.
5. The maximum amount of funding allotted towards conducting the election itself, excluding promotion, will be determined by the acting president by and with the advice of the Senate for the election during his/her term.

B. Regulations

1. All candidates for President, Vice President, and Senate shall submit to the Election Commission a report containing their total campaign expenditures verified by receipts within 72 hours of the posting of the results.
2. The cost of any donated item must be included in calculations of total campaign expenditures. This shall include discounts not available to the general public.
3. No university funds maybe used for campaigns or issues involved with the campaign; this does not include paychecks.

Article V -Election Process

A. Elections

1. The General Election and Fall Special Election (if necessary) will be held on two consecutive days beginning on the second Tuesday following the close of the filing period, barring extenuating circumstances such as Spring Break. A minimum of one week for campaigning shall be allocated directly preceding the election.
2. Special Elections for referendums or amendments may be approved by a two- thirds vote of the Senate.



Angelo State University
Student Government Association
Election Code

3. The online voting will take place in a manner which will make best use of current technologies and softwares available to Angelo State University. The method by which voting will be carried out is to be determined by the Election Commissioner after council with a representative from the Department of Information Technology. The online voting procedure will be valid only if specified 15 days in advance of the poll date and approved by the Senate. If 15 days notice is not made, online voting will be conducted in the same manner as the previous election.
4. All students of Angelo State University are eligible to vote.
5. Poll Workers:
 - a. The Election Commissioner shall designate specific students as election officials to work at polling places by and with the advice and consent of the Election Commission. No person shall work at a polling place unless he/she has been designated an election official.
 - b. Election officials shall convene with the Election Commission prior to the election to discuss their responsibilities.
 - c. Restrictions on election officials:
 - i. No election official shall influence the vote of another person in any way while working at the polling place.
 - ii. No election official shall leave his/her polling place unattended during the time assigned to work at the polling place.
 - iii. No election official shall be a candidate or a worker for a candidate's campaign in a contested election or for an executive position.
6. Ballots:
 - a. There will be a separate ballot for each electorate.
 - b. The ballot will contain each of the candidates for President, Vice President, and Senators for that particular school, as well as, spaces for write-in candidates for each available position. Also included will be a statement quoting Article V, Sec. C, Clause 3 of this election code
 - c. The name of the electorate shall be in larger type than that used to list candidates.
 - d. All ballots will be kept until all appeals are exhausted.
7. Ballot Counting:
 - a. Ballots shall be counted at the end of each day of voting, without interruption, and the Election Commissioner shall hold the results until all votes have been counted.
 - b. The Election Commissioner shall be responsible for the security and counting of all ballots.
 - c. The Election Commissioner and an SGA Advisor will secure a place for the safe keeping of the ballots while the polls are closed.
 - d. All counting procedures shall be recorded and conducted in the presence of an SGA Advisor.
 - e. All candidates who receive at least five votes or who officially filed and the number of votes they receive will be posted immediately upon completion of counting.
9. The President and Vice President of the Student Government Association shall be elected by a majority vote.
10. Senators shall be elected by a plurality vote, with a minimum of five (5) votes to qualify.

B. Run-off Election

1. All run-off elections will be held on two consecutive days and will be completed within fourteen (14) days from the night the initial election results are posted, barring extenuating circumstances as determined by the Election Commissioner, such as protests.
2. The Election Commissioner shall supervise all run-off elections.
3. Run-offs for Executive Office shall be between the two (2) candidates having the greatest number of votes cast for that office. In the event a run-off candidate withdraws from the election, the candidate from the General Election with the next greatest number of votes will enter the run-off election.
4. Run-offs for offices consisting of more than one position, such as Senate Seats, in which there is a tie in the last position, will be held only if there is a need for a run-off for an Executive office. In case there is a tie for a senate seat and



Angelo State University
Student Government Association
Election Code

there is not a need for a run-off election for an Executive position, the deciding vote will be cast by the current senate by secret ballot.

C. Write-in Candidate:

1. Write-in candidates shall be eligible only if they meet the qualifications for the position they seek and receive the required amount of votes necessary.
2. Write-in candidates must receive a minimum of five (5) votes from eligible voters.
3. No write-in candidate shall be considered elected until certified through the Registrar's Office by an SGA Advisor.
4. Elected write-in candidates must report to the SGA office to submit a current address, phone number, and social security number. Failure to comply by the first class day of the fall semester with this clause automatically disqualifies a Write-In candidate.
5. Elected write-in candidates will be contacted by a member of the election commission, and be notified of their election, as soon as possible.

D. Recounts and Protests

1. Any person intending to contest the election must give the Election Commission, a sealed written statement of the grounds on which such contestant relies, which may include any and all supporting evidence to sustain such contest within three (3) university working days after the last day of the election. All protests will be opened and read upon reception, by the Election Commissioner in the presence of an SGA Advisor or the Dean of Student Life. Discussion of the protests shall remain between the Election Commission and the individuals involved until all protests have been filed.
2. The Election Commission shall consider all requests for recounts and protests. The Election Commission shall, upon reviewing the contestant's written statement, research the grounds on which the contestant relies, and they shall submit a written report to the Dean of Students within 48 hours of the protest filing deadline.
 - a. Any additional evidence or violations that are uncovered in the process of research shall be included in the protest. The Election Commission shall consider violations by a candidate other than the defendant that are uncovered in the process of research as separate protests.
 - b. If the Election Commission deems a hearing necessary it shall be held within seven (7) university working days after the last day of the election. The Election Commission shall give at least one (1) days notice of the date, time, and place of the hearing to all the parties involved.

Procedures for Hearing:

- i. All hearings should be open to the public.
- ii. Each candidate shall be allowed ten (10) minutes to present his/her case. At this time, evidence may be presented to the Commission (photographs, written statements, etc.). The contesting candidate shall be allowed to speak first.
- iii. Each candidate or his /her representative shall be allowed one, five (5) minute rebuttal, with the defending party speaking last.
- iv. The Election Commission will then, if necessary, question each candidate. Each party will be allowed one, three (3) minute closing statement.
- v. Minutes of the Hearing will be made public once the decision has been made.

The Election Commission shall meet in private to deliberate on the hearings and the written evidence provided, determine the validity of the protest and inform the parties of the decision. Within one (1) university working day thereafter, the commission shall submit to the parties a written report including the grounds for the decision.

3. In determining the validity of a protest, the Election Commission shall:
 - a. Determine that a violation of the Election Code did not occur; or



Angelo State University Student Government Association *Election Code*

- b. Determine that a violation of the Election Code did occur but was not of a serious nature. In this event the Election Commission shall determine that a punishment or penalty is deemed unnecessary;
or
 - c. Determine that a violation of the Election Code did occur and was of a serious nature. In this event the Election Commission shall determine a punishment or penalty as deemed appropriate by them;
or
 - d. Determine that a violation of the Election Code did occur and was of the most serious nature. In this event, the candidate in question shall then be disqualified:
 - i. If a candidate is disqualified and he/she is one of the two (2) candidates with the highest number of votes, and no one, has a majority, the two (2) candidates other than the disqualified candidate, with the greatest combined number of votes shall be certified as the candidates for a run-off.
 - ii. If the disqualified candidate received a majority of the votes cast in the election, a new election between all other candidates shall be held.
 - iii. If a candidate other than the disqualified candidate receives a majority of the votes counted, including those votes for the disqualified candidate, the election results shall stand.
 - iv. If a candidate is disqualified during a run-off election, refer to Article V; Section B; Sub-Section 3.
4. If the Election Commission rules that a protest is not valid, the contestant may within two (2) class days, submit a written appeal to the Chief Councilor of the SGA Judicial Council. New evidence not available at the time of the initial hearing may be submitted.
 5. Any disqualified candidate shall lose the right to hold any SGA office for a year.

Article VI - Enforcement and Penalties

1. Any violation of the election code shall come under the jurisdiction of the Election Commission.
2. Penalties for said violations shall be determined by a special session of the Election Commission called by the Election Commission within one week of the violation.
3. Appeals may be heard by the Judicial Council.

Article VII – Ratification and Amendments

1. This Election Code shall constitute valid law upon majority approval of the Angelo State University Student Senate and signature of the Angelo State University Student Body President.
2. Amendments to this code shall be made by a majority vote of the student senate.
3. Minor housekeeping work and corrections (spelling, punctuation, etc.) may be made to the code by the Judiciary and Rules Committee without legislative action as long as such an action does not change the meaning or intent of the Election Code.

Amended on 3/6/07- Article II, Section 5