

**ASSOCIATED STUDENTS OF COLORADO STATE UNIVERSITY
FORTY-SEVENTH SENATE
FOURTEENTH SESSION
JANUARY 24, 2018**

Bill #4722

ELECTIONS CODE CHANGES

SPONSORED BY: Liam D. Aubrey, Senator, College of Business; Josh Williams, Chair of Budgetary Affairs Committee, Senator Multi-Faith and Belief Council; Kevin Sullivan, Officer of Recruitment and Retention; Michael Well, ASCSU President; Isabel Brown, Speaker of the Senate; Connor Cheadle, Chair of Internal Committee, Senator, College of Liberal Arts; Isaiah Martin, Chair of External Committee, Senator, BA/ACC

WRITTEN BY: Tyler Siri, ASCSU Elections Manager

COLLABORATED WITH: Jason Huitt, LSC IT Coordinator

ENDORSED BY:

ABSTRACT: This bill aims to establish an updated and comprehensive Elections Code that will help facilitate fair and successful elections for years to come.

WHEREAS

It is important every year to update the ASCSU Elections Code to reflect developments in the elections process; and,

WHEREAS

The Elections Code as it stands currently requires a revamp to reflect campus-wide and ASCSU-related changes; and,

WHEREAS

There are certain aspects of the ASCSU Elections Code that should be changed in order to better facilitate the elections process and to ensure fair and successful elections for years to come; and,

WHEREAS

All articles, sections, and subsections are numbered as they currently exist without taking into account added or deleted clauses; so,

THEREFORE BE IT HEREBY ENACTED

That Article II Section A of the ASCSU Referenda and Elections Code is amended as follows:

- A. Associated Students of Colorado State University (ASCSU): As defined in Article I, Section 102 of the ASCSU Constitution, "Every student of Colorado State shall be a member of ASCSU and considered a full-time student for each semester that the student is enrolled with a minimum of one (1) credit hours and payment of full activity fees have been paid."

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article II Section E of the ASCSU Referenda and Elections Code is amended as follows:

- E. Orientation Period: The period of time, occurring the two weeks immediately prior to Spring Break, during which candidate orientation sessions shall be conducted by the Elections Committee.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article V Section H Subsection a of the ASCSU Referenda and Elections Code is amended as follows:

- a. The chair shall provide the defendant with all pertinent information about the violation, including the specific rule in question and the unedited text of the complaint. The plaintiff shall not be required to attend a violation hearing, and shall not be provided with any speaking time during the hearing ~~unless a member of the Elections Committee yields to the plaintiff during discussion and debate.~~

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article V Section H Subsection c of the ASCSU Referenda and Elections Code is amended as follows:

- c. The Elections Committee shall then have an unlimited amount of time for discussion and debate on the issue. ~~Members of the committee may yield to the defendant to answer any questions that arise.~~ During discussion and debate, the chair shall serve only as a facilitator and shall not participate in any discussion except to answer questions regarding rules and policies, and to provide information as to the violation itself. If, during discussion and debate, the Elections Committee requires clarification by the defendant to reach an informed final decision, the Chair may seek a unanimous vote of the Committee to yield to the defendant. If yielded to, the defendant must answer the Committee's question in as clear of terms as possible, and the Chair has the discretion to end yielded time once the defendant answers the question or discusses anything not germane to the question at hand.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article V Section H Subsection f of the ASCSU Referenda and Elections Code is amended as follows:

- f. If the committee by majority vote finds that the defendant is guilty of the violation in question, the committee shall immediately enter discussion and debate on whether the violation was major or minor, ~~and on the scale factor for the violation penalty,~~ as per Article XI of this document. If the fine for the violation is not specified by the Elections Code, the Elections Committee has the discretion to decide the if the violation is a major or minor offense. The fine will be decided by a majority vote of the Elections Committee, the method of which is to be determined by the Chair.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article V Section I of the ASCSU Referenda and Elections Code is amended as follows:

- I. The Elections Manager shall appoint one member of the Elections Committee to each campaign running for President and Vice President and for each campaign running for Speaker of the Senate to act as a liaison and primary point of contact between the campaign and the Elections Committee. The Elections Manager may assign responsibilities to campaign liaisons as necessary. If there are not enough Elections Committee members to act as liaisons to all the above-mentioned campaigns, more than one Speaker of the Senate campaign may be assigned to one liaison.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article V Section J of the ASCSU Referenda and Elections Code is amended as follows:

- J. Members of the Elections Committee that have not been appointed to work as liaisons with tickets running for President and Vice President shall equally share the responsibility of acting as liaisons between the Elections Committee and candidates running for Senator, ~~and Speaker of the Senate.~~

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article V Section L of the ASCSU Referenda and Elections Code is amended as follows:

- L. The purpose of the Elections Committee is to facilitate the elections process, ~~watch for violations by campaigns~~ investigate reported violations of the Elections Code, and decide on violations brought forward to the Committee.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article VI Section A of the ASCSU Referenda and Elections Code is amended as follows:

- A. The Elections Manager shall be in charge of holding no fewer than three Senator orientation sessions for all potential Senate candidates and ~~two President/Vice President orientation sessions for all potential Presidential/Vice Presidential candidates and two~~

~~Speaker of the Senate sessions for all potential Speaker of the Senate candidates one-on-one orientations with each President/Vice President and Speaker of the Senate campaign. These sessions shall be held for the purpose of familiarizing each candidate with the ASCSU Referenda and Elections Code, and the process and timeline of the General Election. The Elections Manager has the option of holding orientation sessions with individual candidates or campaigns.~~¹

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article VII Section E of the ASCSU Referenda and Elections Code is amended as follows:

- E. Presidential and Vice Presidential candidates must have 48 ~~60~~ cumulative credits and one completed semester per each candidate as a full-time student at Colorado State University by the beginning of their term. Speaker of the Senate candidates must have 24 credits completed and one completed semester as a full-time student at Colorado State University by the beginning of their term. Graduate Students need not meet the credit requirements but need to have completed one semester as a full-time student at Colorado State University.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That a new Article VII Section F of the ASCSU Referenda and Elections Code read as follows;

- F: Candidates cannot be paid by a third party to run for office in ASCSU.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That a new Article VIII Section B of the ASCSU Referenda and Elections Code read as follows;

- B: “Campaigns must use the Donation and Expenditure Report provided by the Elections Manager during candidate orientation. Use of any other form of D&E Report will be considered a major violation.”

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article VIII Sections H and I are reversed so that the current Section H becomes Section I and vice versa; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article IX Section A of the ASCSU Referenda and Elections Code is amended as follows:

- A. Candidates running for any elected position in ASCSU and their respective campaigns must at all times abide by the ASCSU Code of Ethics. Failure to abide by the ASCSU Code of Ethics will be considered a major violation

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article IX Section B of the ASCSU Referenda and Elections Code, which reads as follows:

- B. ASCSU Proper within the LSC West and lounge area extending to the Trivial Pursuit meeting room, along with all non-election ASCSU sponsored events shall be off limits for campaigning and campaign planning of any kind at all times due to the close proximity of previously off limit offices.

be deleted; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That a new Article IX Section E be added to the ASCSU Referenda and Elections Code and read as follows:

- E: Candidates must not defame other candidates. Defamation is defined as the act of disparaging the reputation of another by making a false statement or communication-written, oral, or otherwise-to a third person. Violating this rule will constitute a major violation.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article IX Section F of the ASCSU Referenda and Elections Code be rewritten from:

- F. The use of the ASCSU logo, or any ASCSU material granted by the power of office, or any utility granted by the power of office shall be prohibited from use in any campaigning and from inclusion in any campaign material. (Material such as clothing, nametags, etc) This rule shall not prevent a candidate or campaign from utilizing the ASCSU name in campaign materials. The purpose of this rule shall be to prevent confusion on the part of the student body as to whether a candidate is campaigning, or performing the duties of any office the candidate currently holds in ASCSU. The use of the ASCSU logo, or any ASCSU material will be considered a major violation.

to;

- F. The use of ASCSU materials (such as clothing, nametags, etc.) by any campaign shall be prohibited. Any violation of this rule shall be considered a major violation.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That a new Article IX Section G be added to the ASCSU Referenda and Elections Code and read as follows:

- G: Campaigning at non-election related ASCSU Events shall be prohibited. Any violation of this rule shall be considered a minor violation.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That a new Article IX Section J be added to the ASCSU Referenda and Elections Code and read as follows:

J: All passive campaign materials must include the following disclaimer: “If you feel this material is unsolicited or unwarranted, please email elections@ASCSU.colostate.edu to report your complaint”

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article IX Section J of the ASCSU Referenda and Elections Code is amended as follows:

J. Campaigning within the *Lory Student Center, Residence Halls, Student Recreation Center and Morgan Library* shall be prohibited. Any campaigning within these buildings constitutes a ~~major~~ *minor* violation with the exception of campaigning under the guidelines of Article IX Section K.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article IX Section K of the ASCSU Referenda and Elections Code is amended as follows:

K. Campaigns may speak to student organizations in the Behavioral Sciences' Building (BSB), *Residence Halls, Student Recreation Center, Morgan Library and the Lory Student Center (LSC)* if the private meeting was arranged beforehand and no campaigning materials are left in the building.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article IX Section L of the ASCSU Referenda and Elections Code is amended as follows:

L. The appropriate parties must approve the placement of campaign material inside any campus building. ~~Approval to place campaign materials within the Lory Student Center must be obtained from the Campus Activities Information Desk and be placed according to Lory Student Center Governing Board guidelines.~~ Failure to follow University building guidelines will be considered a minor violation.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article IX Section M of the ASCSU Referenda and Elections Code is amended as follows:

M. Campaigns shall be prohibited from sending direct private messages (*texts, social media messages, etc.*) to individuals without the express consent of that individual or administrator of the group. Any violation of this rule shall be considered ~~to be~~ a major violation.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article IX Section N of the ASCSU Referenda and Elections Code, which reads as follows:

- N. Candidates and campaigns shall be permitted to chalk only within the east plaza of the Lory Student Center. Chalking anywhere other than the permitted zone will be considered a minor violation.

be deleted; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article IX Section O of the ASCSU Referenda and Elections Code, which reads as follows:

- O. Approval to campaign or to place campaign materials within the Residence Halls must be obtained from the Office of Housing and Residence Life. Campaign materials may only be posted on the doors of Residence Hall rooms only with the expressed permission of the residents occupying the room. Any mailings to residents of the Residence Halls must be done in accordance with the policies of the Residence Hall Association and the Office of Housing and Residence Life. Failure to follow the Office of Housing and Residence Life guidelines to place campaign materials will be considered a minor violation. Failure to follow Residence Hall Association and the Office of Housing and Residence Life guidelines to mail to Residence Hall rooms will result in an assessment of fair market value.

be deleted; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article IX Section P of the ASCSU Referenda and Elections Code, which reads as follows:

- P. Campaign materials may be posted in campus buildings only on recognized campus bulletin boards and kiosks. The stairwells of campus structures shall not be available for the posting of campaign materials. Failure to post campaign materials in campus building on recognized campus bulletin boards and kiosks will be considered a minor violation. Posting campaign materials in the stairwells of campus structures will be considered a minor violation.

be deleted; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article IX Section T of the ASCSU Referenda and Elections Code, which reads as follows:

- T. Candidates and campaigns shall be permitted to chalk only within the recognized free speech zone on the east plaza of the Lory Student Center. Chalking anywhere other than the permitted zone will be considered a minor violation.

be deleted; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article IX Section U of the ASCSU Referenda and Elections Code is amended as follows:

- U. No campaign material, campaign supporter, or campaigning of any kind shall be permitted within 25 feet of any official polling place administered by ASCSU.

Campaigning within the restricted zones during the days of elections and referenda will be considered a major violation.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That a new Article IX Section W be added to the ASCSU Referenda and Elections Code and read as follows:

W: Candidates cannot promise cabinet positions to individuals during the campaign.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That a new Article IX Section X be added to the ASCSU Referenda and Elections Code and read as follows:

X: Campaigns are liable for the actions of their supporters on the candidate's behalf, and as such must take appropriate actions to prevent code violations by supporters.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article XI Section E of the ASCSU Referenda and Elections Code is amended as follows:

E. Minor offenses shall count as \$10.00 toward the spending limit reduce the individual campaign's spending limit by \$50.00. Major offenses shall count as \$35.00 toward the spending limit reduce the individual campaign's spending limit by \$100.00. The Elections Committee shall have the ability to multiply the fine by a factor of 2, 3, 4, or 5, depending on the degree of severity of the offense.

; and,

THEREFORE BE IT HEREBY FURTHER ENACTED

That a new Article XI Section F be added to the ASCSU Referenda and Elections Code and read as follows:

F: Minor violations that occur in multiples (ex: several of the same poster distributed in the same code-violating way) shall be grouped in multiples of five for the sake of fines. As such, violations that fall into this category shall follow the pattern of: 1-5 instances:1 report, 6-10:2, 11-15:3, etc.

; and,

THEREFORE BE IT HEREBY FURTHER RESOLVED

That all sections mentioned in this document and in the ASCSU Referenda and Elections Code are renumbered to account for added and deleted sections, and the formatting be changed as needed to match the existing document; and,

THEREFORE BE IT HEREBY FURTHER RESOLVED

That a copy of this legislation be forwarded to Dr. Tony Frank, Colorado State University President; Jason Huitt, LSC IT Coordinator; Michael Wells, ASCSU President; Britney Anderson, ASCSU Chief Justice; Isabel Brown, ASCSU Speaker of the Senate.



PRESIDENT MICHAEL WELLS

01-31-18

DATE

25-0-0

PASSAGE

01/31/2018

DATE