



**28<sup>th</sup> SESSION OF THE FIFTY-THIRD SENATE**  
**24 April 2024**

**BILL #5328**  
**Elections Code Amendment**

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**NOTICE:** *A signature to sponsor means that you only wish for the legislation to be heard, a signature to endorse means that you support the contents and/or actions of this legislation.*

**WRITTEN BY:** Kaitlyn Spencer (Elections Manager), Madeline Cummings (Vice Chair of the Elections Committee), Katelyn Brennan (Elections Committee Member), Melanie Brousseau (Elections Committee Member), Garrett Lopez (Elections Committee Member)

**COLLABORATED WITH:**

**SPONSORED BY:** The Accessibility Caucus, Enock Monanti (Senator...), Fiona Miller (Associate Senator of College of Veterinary Medicine and Biomedical Sciences), Graham Kelly (Senator of College of Natural Sciences, Chair of University Affairs Committee), Frankie Salazar (Senator of PRC), Lauren Davis (Senator of the Women and Gender Advocacy Center) Kay Dusharm (Senator of..)

**ENDORSED BY:** Evan Welch (Deputy Director of Housing Security, Elections Committee Member), Meagan Treadwell (Elections Committee Member), Sara Kiros (Elections Committee Member), Ben Isaacs (Elections Committee Member), Alejandra Campuzano (Elections Committee Member) Daniela Chavarro (Elections Committee Member), Patrick McCabe (Elections Committee Member) Jorja White (Director of Health)

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**ABSTRACT:** *This bill serves to amend the current Elections Code to reflect the changes that the 2024 Elections Committee finds important for the future success of all elections.*

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**WHEREAS**

Section 806, Subsection E of the ASCSU Constitution states, "The ASCSU Referenda and Elections Code may only be amended by a Senate bill specifically delineating all proposed Amendments,"

**WHEREAS**

BILL 5328

Section 806, Subsection J of the ASCSU Constitution states, "At the conclusion of the elections period, such a bill may be passed by a majority vote of the ASCSU Senate."

**WHEREAS**

Following a successful election, the Elections Committee has decided to suggest these changes for the prosperity of the future Elections Committees, the success of future general elections, and to benefit all candidates.

**WHEREAS**

These clauses may be amended at any time if information is incorrect or misleading. Amendments to these sections will be debated and voted on just as any other piece of the legislation; if at any point the wording of the legislation is not the same as the original intent was believed to have been by sponsors or endorsements, amendments can be made to have those names removed; so,

**THEREFORE, BE IT HEREBY RESOLVED/ENACTED**

That enacted and resolved causes formally express the opinion of the Senate (in the case of Resolutions), and formally calls for action or express the opinions and desires of the entire student body (in the case of Bills); and,

**THEREFORE, BE IT HEREBY FURTHER RESOLVED/ENACTED**

That the following shall be an example of an enacted clause that endorses a document presented to the Senate, such as: That the Fifty-Third (53<sup>rd</sup>) Senate of the Associated Students of Colorado State University officially endorse the Bylaws of the University Technology Fee Advisory Board; and,

**THEREFORE, BE IT HEREBY FURTHER RESOLVED/ENACTED**

That Section VI, Subsection 7 of the Associated Students of the Colorado State University Elections Code be amended to read as follows:

7. At the first official elections committee meeting a Vice Chair shall be elected either by a self-nomination or a nomination from another elections committee member or elections manager.
  - a) The vice chair is responsible for taking meeting minutes, handling the virtual meetings, helping oversee D&E and media reports, and any other task asked by the elections manager; and,

**THEREFORE, BE IT HEREBY FURTHER RESOLVED/ENACTED**

That the existing Section VI, Subsection 7-13 of the Associated Students of Colorado State University Elections Code shall be retained and become Subsection 8-14, respectively; and,

**THEREFORE, BE IT HEREBY FURTHER RESOLVED/ENACTED**

That Section X, subsection 4 of the Associated Students of the Colorado State University Elections Code, concerning university trademarked logos, be stricken from the document; and,

**THEREFORE, BE IT HEREBY FURTHER RESOLVED/ENACTED**

BILL 5328

That the existing Section X, Subsection 4-23 of the Associated Students of Colorado State University Elections Code shall be retained and become Subsection 3-22, respectively; and,

**THEREFORE, BE IT HEREBY FURTHER RESOLVED/ENACTED**

That Section X, Subsection 6 of the Associated Students of the Colorado State University Elections Code (expressed herein as Section IX, Subsection 6) be amended to read as follows:  
6. Candidates must not suggest that students should vote against candidates on the basis of religion, race, disability, ethnicity, gender, sex or sexual orientation, military status, national origin, age, pregnancy, veteran status, or any other protected class; and,

**THEREFORE, BE IT HEREBY FURTHER RESOLVED/ENACTED**

That the existing Section X, Subsection 6-14 of the Associated Students of Colorado State University Elections Code shall be retained and become Section IX, Subsection 7-15, respectively; and,

**THEREFORE, BE IT HEREBY FURTHER RESOLVED/ENACTED**

That Section X, subsection 7 of the Associated Students of the Colorado State University Elections Code be amended to read as follows:

7. The use of ASCSU materials (such as clothing, nametags, etc.) by any campaign shall be prohibited.

- a) The reposting of official ASCSU digital marketing materials is permissible.
- b) Any violation of this rule shall be considered a category 2 violation.
  - (1) Repeat violations will, at the discretion of the Elections Committee, be considered a category 3 violation.; and,

**THEREFORE, BE IT HEREBY FURTHER ENACTED**

That the existing Section X, Subsection 6, Subsection a) of the Associated Students of Colorado State University Elections Code shall be retained and become Subsection 6, Subsection b), respectively; and,

**THEREFORE, BE IT HEREBY FURTHER ENACTED**

That Section X, Subsection 8 of the Associated Students of the Colorado State University Elections Code be amended to read as follows:

- 8. Candidates and campaigns shall be prohibited from using items provided by student fee dollars in campaigning.
  - a) Candidates and campaigns shall be prohibited from attaching campaign-related material to items provided by student fee dollars.
    - (1) Reposting digital marketing materials from areas that use student fee dollars is exempt.
  - b) Using student fees for campaigning will be considered a category 2 violation.

BILL 5328

- (1) Repeat violations will, at the discretion of the Elections Committee, be considered a category 3 violation.

**THEREFORE, BE IT HEREBY FURTHER ENACTED**

That the existing Section X, Subsection 8 of the Associated Students of Colorado State University Elections Code shall be retained and become Section IX, Subsection 8, respectively; and,

**THEREFORE, BE IT HEREBY FURTHER ENACTED**

That the existing Section X, Subsection 11, now Section IX, Subsection 10 of the Associated Students of Colorado State University Elections Code shall be amended to read as follows:

10. Campaigning within the Lory Student Center, all University Housing (including Aggie Village, The International House, Graduate Student Buildings, etc.), Dining Centers, Student Recreation Center, and Morgan Library shall be prohibited.

- a) Any campaigning within these buildings constitutes a category 1 violation.
- b) "Campaigning" in this instance, shall be up to the discretion of the Elections Committee.
- c) This clause is excepted by the following clause, [Title IX. 1.]; and,

**THEREFORE, BE IT HEREBY FURTHER ENACTED**

That the existing Section X, Subsection 15 of the Associated Students of Colorado State University Elections Code shall be amended to read as follows:

15. Campaigns shall be prohibited from switching personal social media accounts to campaign accounts.

- a) "Switching" refers to changing the handle of a social media account from a personal handle to a campaign handle and using that account as the official campaign account.
- b) Violation of this rule will be considered a category 2 violation; and,

**THEREFORE, BE IT HEREBY FURTHER ENACTED**

That Section X, Subsection 16 of the Associated Students of Colorado State University elections Code be amended to read as follows:

16. Candidates cannot block any member of the election committee during the campaign period.

- a) Violation of this rule will be considered a category 2 violation; and,

**THEREFORE, BE IT HEREBY FURTHER ENACTED**

That the existing Section X, Subsection 16-23 of the Associated Students of Colorado State University Elections Code shall be retained and become Section IX, Subsection 17-24, respectively; and,

**THEREFORE, BE IT HEREBY FURTHER ENACTED**

That Section X, Subsection 24 of the Associated Students of Colorado State University Elections Code shall be amended to read as follows:

23. Drug/Alcohol policy:

- a) No active campaigning may take place in an establishment that is denying entrance to the establishment to patrons under the age of 21.
- b) There shall be no exchange of alcohol in the attempt to influence a vote or votes.
- c) There shall be no encouragement of alcohol consumption to those under the age of 21.
- d) Any emblem or logo from an establishment that produces distributes or serves alcoholic beverages that are included on any campaign material must be accompanied by an appropriate responsible drinking emblem or logo of equal or larger size.
- e) No illegal drug-related activities may be involved in fundraising or campaigning.
- f) Failure to follow the Drug/Alcohol policies will be considered a category 2 violation. Multiple violations will, at the discretion of the Elections Committee, be considered category 3 violations; and,

**THEREFORE, BE IT HEREBY FURTHER ENACTED**

That a copy of this legislation be forwarded to Amy Parsons, Colorado State University President; and Dr. Blanche Hughes, Vice President for Student Affairs; Nicholas DeSalvo, ASCSU President; etc; and,

**THEREFORE, BE IT HEREBY FURTHER ENACTED**

That the ASCSU Referenda and Elections Code be amended to read in full as follows:

## **ASCSU Referenda and Elections Code**

### **I. Purpose and Scope**

1. Article VIII, Section 806 of the Constitution of the Associated Students of Colorado State University outlines the operations of the ASCSU General Election.
2. The purpose of the policies contained in this document is to ensure that elections and referenda are executed in compliance with the ASCSU Constitution in a just and ethical manner.
3. The policies set forth in this document apply to all elections, referenda, petitions, and campaigns as authorized by the ASCSU Constitution and apply to any member of ASCSU conducting and/or participating in any such election, referenda, petition, or campaign.

### **II. Definitions**

1. When referred to in the ASCSU Constitution, in this document, or in all other ASCSU documents, the following definitions apply.
  - a) Associated Students of Colorado State University (ASCSU): As defined in Article I, Section 103 of the ASCSU Constitution, "Each individual taking at least one credit or is a candidate for a doctoral degree at Colorado State University shall be

considered a member of ASCSU, provided that all fees have been paid that are required by their level of enrollment”.

- b) **Official of ASCSU or ASCSU Official:** As defined by Section 104 of the ASCSU Constitution, “Any member of the three branches or Special Committees of ASCSU shall be considered officials of ASCSU.”
- c) **General Election:** A selection, by vote, of the ASCSU President and Vice President, Senators, and Speaker of the Senate, held annually on the CSU campus.
  - (1) The ASCSU Constitution authorizes only this election for these offices.
  - (2) Provisions for filling any vacancies that occur in these positions between General Elections are outlined in the ASCSU Constitution.
- d) **Elections Period:** The period of time starting with the beginning of the application period and ending at the conclusion of the voting period, as outlined in Article II, Section F.
- e) **Application Period:** The period of time in which applications for candidacy for elected office are available. Applications for candidacy shall be available in the ASCSU office no later than a month before applications close and are required to be sent to SDPS offices upon their initial release.
- f) **Orientation Period:** The period of time, occurring the two weeks immediately prior to the start of the official Campaigning Period, during which candidate orientation sessions shall be conducted by the Elections Committee and Manager.
- g) **Campaigning Period:** The period of time during which candidates may campaign for election. This period shall begin at the discretion of the Elections Manager and with approval from respective supervisors and conclude at the end of the three-day Voting Period which shall also be at the discretion of the Elections Manager.
- h) **Voting Period:** The period of time during which votes may be cast for candidates eligible to run for elected office. In the General Election, this period shall begin at 8:00 AM on Monday of the scheduled period and conclude on a day at the discretion of the Elections Manager no later than 4:00 PM.
- i) **Referendum:** Any matter, other than an election, to be acted upon by a direct vote of all members of ASCSU.
- j) **Petition:** A formal document signed by members of ASCSU to bring an issue to referendum, to call for or oppose an amendment to the ASCSU Constitution, to call for the impeachment of an ASCSU officer, or to bring a special bill to the floor of the ASCSU Senate.
  - (1) Petitions calling an issue, referendum, or an ASCSU Constitutional amendment should be submitted to the ASCSU Elections Manager.
  - (2) Petitions to call for the impeachment of an ASCSU Official, special Senate bill, or stating opposition to a Constitutional amendment passed by the Senate shall be submitted to the Speaker of the Senate.
  - (3) Each petition shall address only one issue.
- k) **Petitioner:** A member of ASCSU who circulates a petition for a signature among the members of ASCSU and is officially registered with the Elections Manager.
- l) **Campaigning:** Any political speech, media, or meeting and/or appeal for a vote or votes. m)
- m) **Passive Campaigning:** Any campaign-related use of Posters, Banners, and Social Media. n)

## BILL 5328

- n) Active Campaigning: Any campaigning not defined as passive.
- o) Posters: Any placard, wherever placed, on the Colorado State University campus.
- p) Banner: Any piece of cloth or paper bearing an emblem, motto, or slogan, which can be hung from or affixed to any building, or which could be freestanding.
- q) Handbill: Any campaign literature not attached to a physical structure and available for distribution to members of ASCSU.
- r) Official Polling Place: Any on-campus public computer lab, as well as any ASCSU office, the RamRide Office, and any computer location administered by ASCSU for the express purpose of voting, or any area deemed a polling place by the Elections Manager and Elections Committee no later than one week before polling begins.
- s) ASCSU Complex: The ASCSU Office and Senate Chambers during ASCSU official business.
- t) Fair Market Value: The price at which an otherwise donated or discounted good would be available to all other candidates on the open market.
- u) Campaign Materials: Any physical, digital, or other types of content produced by any campaign.
- v) Social Media: Websites and applications that enable users to create and share content or to participate in social networking.
  - (1) Static Media Material: Non-animated content in the form of pictures, logos, advertisements, unique color schemes, GIF (.gif) formatted content (or similar), or digital posters on Social Media platforms that include a campaign's recognizable unique branding clearly identifying the content with the campaign.
  - (2) Temporary Media Material: Animated or timed Social Media material that is displayed, by the nature of the platform and not the discretion of the campaign, only temporarily; including but not limited to "story" or "story" like features on Social Media applications.
  - (3) Feature Media Material: Longer animated or timed Social Media material (approximately 3 minutes plus, length definition is not static) intended for longer-term consumption; content includes campaign videos or Social Media material that requires significantly more digital editing before public consumption.

### III. Referenda

1. The term referenda shall include any and all issues on which a direct vote of ASCSU is taken.
  - a) The issue may be either referred to the Associated Students of Colorado State University by the ASCSU Senate or initiated by petition of the required number of members of ASCSU.
  - b) Referenda issues may deal with student opinion, questions of policy, or constitutional amendments.
  - c) Referenda issues may not deal with any aspect of student fees.
2. The results of all referenda have the same effect as legislation that has already been passed by the Senate and has already been signed by the President.

- a) The enactment of referenda issues, not involving Constitutional amendments, shall not supersede any provisions of the ASCSU Constitution.
3. Only members of ASCSU may vote on referenda questions or sign petitions calling for referenda.
4. The signatures of ten percent of the total membership of ASCSU are required on a petition calling for a referendum.
  - a) Unless opposition to a constitutional amendment is raised in the Senate, in the form of a Resolution, in which case, the Senate must approve the constitutional amendment referendum by two consecutive 2/3 votes in the same way the Senate normally passes constitutional amendments.
5. The exact title and wording appearing on a petition calling for a referendum or in the ASCSU Senate legislation mandating a referendum issue shall be placed on the ballot only after being approved for bias (Article VII, A) and presentation is made to the ASCSU Senate.
6. The ASCSU Elections Manager and the Elections Committee shall call a referendum within 48 hours after receipt of a petition.

#### **IV. Petitions**

##### **1. The Petition Process**

- a) This process shall only be available after the ASCSU Senate has heard a referendum proposal. The policies and procedures of a petition are as follows:
  - (1) Before any member of ASCSU signs a petition, an original draft of the petition must be submitted to the ASCSU Elections Manager.
  - (2) Each original draft shall contain a brief title, which correctly and fairly expresses the true intent and meaning of the proposed measure and the exact question or statement to be placed on the petition.
  - (3) A committee consisting of the ASCSU Chief Justice, the ASCSU Speaker of the Senate, and the ASCSU Elections Manager shall review each proposed original draft and determine if the wording correctly, factually, and fairly express the true intent and meaning of the proposed measure and make corrections, additions, and/or deletions as necessary.
  - (4) The ASCSU Elections Manager, upon receipt of the approved draft, will type the title and exact wording onto an "ASCSU Petition Form" and will sign the "Received by" statement on the form and the time and date.
  - (5) Immediately upon receipt of the original draft of the petition, the ASCSU Elections Manager shall obtain the total membership of ASCSU from the CSU Registrar's Office.
    - o The ASCSU Elections Manager will then inform the petitioner of the necessary number of signatures required for the type of measure covered by their petition and will type this figure into the "ASCSU Petition Form" in the "Number of Signatures Needed" line.
  - (6) The ASCSU Elections Manager will keep the original completed form and one completed copy will be returned to the petitioner along with a copy of the "ASCSU Receipt of Petition" form.



BILL 5328

- (7) It is the responsibility of the petitioner to reproduce the necessary number of copies for the signature of the "ASCSU Petition Form" and the other two forms.
- (8) When the original draft is submitted and the "ASCSU Petition Forms" prepared, the petitioner must also supply in writing to the ASCSU Elections Manager the names and contact information of at least three and not more than five members of ASCSU who shall serve as representatives of the signers of the petition in all matters related to the petition.
- (9) The ASCSU Elections Manager & ASCSU Speaker of the Senate shall not accept any petition that does not have attached the required executed affidavit attached.
  - o Any person who is not a member of ASCSU and has not registered with the ASCSU Elections Manager shall circulate no petition.
- (10) Upon the collection of the required number of signatures, petitioners shall bind the executed "ASCSU Petition Forms" and signed "ASCSU Affidavit of Petitioner" into convenient volumes.
  - o These volumes shall be submitted to the appropriate ASCSU Officials, the ASCSU Elections Manager, and the Speaker of the Senate, before the end of two calendar months from the date of the filing of the original draft.
  - o The ASCSU Elections Manager and the Speaker of the Senate must sign two "Receipt of Petition" forms in the presence of the petitioner, a notary public, and an additional witness who shall be members of ASCSU.
  - o The ASCSU Officials shall attach one copy of the "ASCSU Receipt of Petition" form to the petition and the petitioner shall receive the second.

2. Petition Protest Procedures

- a) All petitions which have attached thereto a signed "ASCSU Affidavit of Petitioner" shall be the fundamental evidence of validity unless a protest in writing is filed by an ASCSU member with the Chief Justice of the ASCSU Supreme Court, ASCSU Elections Manager, ASCSU Speaker of the Senate or with the CSU Vice President for Student Affairs.
- b) The Chief Justice or the CSU Vice President for Student Affairs or their designees shall forthwith deliver a formal copy of the protest to the persons named as representatives of the signers of the petition to their contact points, together with a notice fixing a time and place for a hearing to occur, which shall be not less than five nor more than fifteen days after such notice is delivered unless a mutual agreement is made for an extension of time.
- c) All hearings shall be held before the ASCSU Supreme Court unless the petition involves students acting as agents of the CSU administration or the Board of Governors, in which case a hearing shall be held as directed by CSU's Vice President for Student Affairs.
- d) All hearings shall be public, and both proponents and opponents of the petition may present oral or documentary evidence.

- e) A decision shall be rendered no later than ten days after the conclusion of the hearing.
- f) No vote by the members of ASCSU may be taken on any petition measure until a decision upholding the validity of a petition is made unless the petition is declared insufficient with respect to the number of valid signatures in which case the petition may be withdrawn by a majority of the signatory representatives of persons signing the petition, and, within ten days thereafter, may be re-filed as an original petition with additional names signed thereto.
- g) All time requirements shall be negotiated between designated representatives of signatories, protestors, and the Supreme Court or CSU Vice President for Student Affairs if a protest is made at a time involving campus holidays, breaks, interim, or summer sessions.

#### **V. Elections Committee**

1. The Elections Manager and members of the Elections Committee shall be appointed according to the provisions set forth in the ASCSU Constitution
2. The Elections Manager shall serve as the chair of the Elections Committee.
  - a) The Elections Committee shall meet no less than twice a week during the Campaigning Period.
  - b) The Elections Manager is required to post a schedule of all regularly scheduled meetings of the committee no later than one week prior to the start of campaigning.
  - c) All meetings of the Elections Committee shall be open to the public at all times.
3. At the first official elections committee meeting a Vice Chair shall be elected by majority vote and become an eligible candidate either by self-nomination or a nomination from another elections committee member or elections manager.
  - a) The Vice Chair is responsible for taking meeting minutes, handling online calls/meetings, helping oversee D&E and media reports, and any other task asked of them by the elections manager.
4. Quorum for meetings of the Elections Committee shall be five members.
  - a) The member of the committee that is chairing the meeting shall not count towards the quorum.
5. Each member of the Elections Committee shall have an equal vote in all decisions placed before the committee, and each member shall retain the right to abstain from a vote.
  - a) The member serving as chair shall not have a vote except in the case of a tie.
6. All decisions made by the committee shall have a binding effect on all parties involved, and all members of the committee shall be empowered to actively seek the enforcement of decisions made by the committee.
7. The Elections Manager and members of the Elections Committee may only be removed from their positions by the ASCSU Supreme Court.
  - a) In the event that the Elections Manager resigns or is removed from office, the vice-chair shall assume the role and duties of the Elections Manager.
  - b) If no vice-chair has been selected, the ASCSU Chief Justice must present a nominee for Elections Manager to the ASCSU Senate for majority-vote ratification at its next meeting.

- c) In the event that a member of the Elections Committee resigns or is removed from office, the ASCSU Elections Manager must present a nominee to fill that position to the ASCSU Senate for majority-vote ratification at its next meeting.
- 8. The Elections Committee shall abide by the most recent version of Robert's Rules of Order where appropriate or necessary.
- 9. The Elections Committee may pass any additional rules of order at its first meeting by a majority vote, and any such rules will remain in effect for the duration of that General Election.
  - a) The committee's adopted rules of order, and all other standing ASCSU documents shall overrule Robert's Rules of Order in the case of any conflict, as is standard practice.
  - 10. All violation hearings performed by the Elections Committee shall be carried out as follows:
    - b) 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.
    - c) The defendant will be allowed to enter a plea to the violation.
      - (1) If the defendant pleads guilty, then the committee will immediately move to subsection i) and enter into discussion and debate on whether the violation is a category 1 or category 2.
      - (2) If the defendant pleads not guilty then the violation hearing will proceed as outlined.
    - d) The plaintiff shall have five minutes to speak on the charges.
      - (1) The Elections Committee shall have an unlimited amount of time to ask the plaintiff questions following the plaintiff's presentation.
      - (2) The Chair of the hearing can end the questioning period when questions start exhibiting redundancy.
    - e) The defendant shall have five minutes to speak on the charges.
      - (1) The Elections Committee shall have an unlimited amount of time to ask the defendant questions following the defendant's presentation.
      - (2) The Chair of the hearing can end the questioning period when questions start exhibiting redundancy.
    - f) The Elections Committee shall then have an unlimited amount of time for discussion and debate on the issue.
      - (1) During discussion and debate, the chair shall serve only as a facilitator, answer questions regarding rules and policies, and provide information about the accused violation.
      - (2) If during discussion and debate, the Elections Committee requires clarification by the defendant to reach an informed final decision, the Chair may permit the member of the committee to yield.
      - (3) If yielded to, the defendant or plaintiff 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.
    - g) The defendant will be presumed innocent until a preponderance of evidence indicates they are guilty of a violation of the ASCSU Constitution, ASCSU

- Referenda and Elections Code, or any other rules governing the ASCSU Elections.
- h) Once the committee has finished discussion and debate, a secret ballot vote shall be taken as to whether the defendant is guilty or not guilty.
  - i) 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 category 2 or category 1 as per Article XII of this document.
    - (1) If the fine for the violation is not specified by the Elections Code, the Elections Committee has the discretion to decide if the violation is a category 2 or category 1 offense.
    - (2) The fine will be decided by a majority vote of the Elections Committee, the method of which is to be determined by the Chair.
10. 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.
- a) The Elections Manager may assign responsibilities to campaign liaisons as necessary.
  - b) 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.
11. 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.
12. Any document request made by the Elections Committee must be submitted to the Elections Manager in writing, must specify which documents are being requested, and must give the reasoning for the request.
- a) Campaigns shall be notified that their documents have been requested, and the requestor shall remain anonymous in this notification.
  - b) Any person(s) may request documents, including but not limited to, current and past D&E reports and media approval requests or grants.
13. Issues pertaining to elections, petitions, or referenda that are not addressed in either the ASCSU Constitution or the ASCSU Referenda and Elections Code shall be determined by the Elections Committee.
14. The purpose of the Elections Committee is to facilitate the elections process, investigate reported violations of the Elections Code, and decide on violations brought forward to the Committee.

## VI. Orientation

- 1. The Elections Manager shall be in charge of holding no fewer than three Senator orientation sessions for all potential Senate candidates and one-on-one orientations with each President/Vice President and Speaker of the Senate campaign.

- a) These sessions shall be held to familiarize each candidate with the ASCSU Referenda and Elections Code and the process and timeline of the General Election.
2. The Elections Manager shall post a list of all certified candidates and campaigns after the Orientation Period, by no later than 5:00 PM on the Friday prior to the start of the Campaign period.

## **VII. Candidate Certification and Eligibility**

1. To be certified as a candidate eligible to run in the General Election, the following criteria must be met:
  - a) The candidate's application must have been received by the Elections Manager no later than 5:00 PM at the end of the application period.
  - b) The candidate must have attended an orientation session by the beginning of the approved campaign period.
  - c) The candidate must meet the eligibility requirements state in Article VIII of the ASCSU Constitution.
2. Candidates meeting all of the above eligibility requirements shall be certified to run for elected office in the General Election and shall be eligible to take office if elected.
  - a) Only those candidates that have met all three of the above requirements shall have their names included on the ballot in the General Election.
3. Write-in candidates will be eligible to run for office if they: file a Declaration of Candidacy with the Elections Manager before the voting period opens; attend a one-on-one election orientation session with the Elections Manager before the end of the voting period; meet the eligibility requirements stated in Article VIII of the ASCSU Constitution; and submit all required campaign finance related materials to the Elections Manager by noon on the last day of voting.
4. Members of the ASCSU Supreme Court shall have no participation in any election campaign while in service of their term.
5. Presidential and Vice-Presidential candidates must have 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.
6. 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.
7. Speaker of the Senate candidates must meet the eligibility requirements stated in Article VIII of the ASCSU Constitution.
8. Graduate Students need not meet the credit requirements but need to have completed one semester as a full-time student at Colorado State University.
9. Candidates cannot be paid by a third party to run for office in ASCSU.

## **VIII. Campaign Finance**

1. All candidates will be required to submit a detailed Donation and Expenditure report of all materials used for campaign purposes to the Campaign's Election Committee liaison by 3:00 PM on each Friday of the Campaigning Period.

BILL 5328

- a) Each document shall contain all expenses used up to the point of submission, with each period's expenses added to the total list.
  - b) This report should include copies of all receipts and invoices.
  - c) This report shall also include the sources of all donated funds to the campaign.
  - d) The first failure to submit a Donation and Expenditure report by the required deadline will result in a warning, the second failure will result in a category 3 violation.
  - e) These violations will be at the discretion of the Committee who will take into account any extenuating circumstances.
  - f) A final and complete report must be submitted no later than 12:00 PM on the final day of the Voting Period.
  - g) The Elections Committee may request report submissions from a specific candidate or campaign at any time and/or on a more frequent basis.
2. Campaigns must use the Donation and Expenditure Report provided by the Elections Manager during candidate orientation.
- a) Use of any other form of D&E Report will be, at the discretion of the Elections Committee, considered a category 2 violation.
  - b) The D&E Report will be in the format of an Excel spreadsheet unless exigent circumstances apply as determined by the Elections Manager.
  - c) It is the responsibility of the campaign to maintain these records, and to provide this documentation if requested, at all times.
    - (1) If the Elections Manager, Elections Committee, or Campaign Liaison requests a D&E Report from a campaign, the campaign has twenty-four (24) hours to send the report. Saturday and Sunday will not count toward the twenty-four (24) hours.
3. Campaigns may privately raise funds no more than 2 weeks prior to the campaign period.
- a) Any fundraising done through electronic means (e.g., GoFundMe) shall be switched to private mode and not be shared publicly on social media until the beginning of the campaigning period.
4. All campaign materials and shipping costs, including donated and discounted goods and services, must be reported and counted towards total expenses on the Donation and Expenditure Report. 5. All invoices must be verified to be from a legitimate source; it is the duty of the respective campaign to verify the sources legitimacy.
- a) Determination of the sources' legitimacy is within the prerogative of the Elections Manager, and any illegitimate invoice constitutes a category 2 violation.
5. Any group or individual campaigning on behalf of a candidate will be considered part of the campaign, and therefore any items that they use for campaigning must be declared on that campaign's D&E report; any violations committed by the group will be applied to the campaign.
6. Any dollars spent by a campaign, running for any position in the General Election, shall be utilized to benefit that particular campaign or candidate.
- a) Any campaign materials used to sponsor another campaign or candidate must be reported as a donation on the Donation and Expense report of the campaign benefitting from that sponsorship.
7. The total amount spent on or by any campaign running for President and Vice President, whether personal, donated, contributed, or imposed, shall not exceed \$1,250.

8. The total amount spent on or by any candidate running for Speaker of the Senate, whether personal, donated, contributed, or imposed, shall not exceed \$1,250.
9. The total amount spent on or by any candidate running for Senator, whether personal, donated, contributed, or imposed, shall not exceed \$300.
10. Fair market value of events shall be determined by the Elections Committee based on the market value of compensation of all performances or appearances made by the individual or group at any location within the last nine months.
  - a) Documentation of performances must be submitted to the elections manager 72 hours prior to the scheduled appearance for verification purposes.
  - b) The burden is on the candidate to provide appropriate documentation to prove the past compensation of the individual or group in order to create the nine-month average.
11. All donated or discounted goods and services shall be recorded at their fair market value and must be recorded in the Campaign's biweekly Donation and Expenditures report.
  - a) The Elections Committee shall make determinations as to the fair market value of a good or service if it has been established that it was donated or discounted below fair market value.
12. Any candidate or campaign that exceeds a set spending limit by \$1.00 shall be immediately expelled from the General Election.

## **IX. Campaigning**

1. Candidates running for any elected position in ASCSU and their respective campaigns must, at all times, abide by the ASCSU Code of Ethics.
  - a) The first violation of the ASCSU Code of Ethics will be considered a category 2 violation, any repeat offense will be considered a category 3 violation.
2. All campaign material of any kind must be approved by an Elections Committee member prior to use.
  - a) Candidates and campaigns must provide copies and/or photos of all materials submitted for approval, and the Elections Committee shall retain submitted copies and photos for the duration of the election to prevent confusion as to the approval status of submitted materials.
  - b) Static Media Material shall require approval.
  - c) Temporary media does not need to be approved.
    - (1) Temporary Media must have a copy provided to the campaigns assigned liaison and can be subject to penalties.
  - d) Feature Media Material shall require approval.
  - e) The first through fourth failures to get campaign material approved will be considered a category 1 violation, the fifth through ninth failures will be considered a category 2 violation, and the tenth failure will be considered a category 3 violation.
  - f) The respective Elections Committee liaison will have one business day to approve the use of media.

BILL 5328

- g) At the invitation of the Elections Manager the Director of Marketing may create generic advertisements that can be filled in by a campaign with the name of the candidate(s), a picture of the candidate(s), the campaign slogan, and one (1) policy or initiative the campaign wants to pursue.
  - (1) Any use of foul language or gestures in generic advertisements will be considered a category 2 violation.
  - (2) Any use of derogatory language or gestures in generic advertisements will be considered a category 3 violation.
- 3. All campaign material shall follow ASCSU accessibility standards, including but not limited to, captions and alternative text.
  - a) Requirement for alternative text shall be satisfied by a description of any photographic material.
  - b) Failure to provide accessible campaign material shall be considered a category 1 violation. Repeat offenses will, at the discretion of the Elections Committee, be considered a category 2 or category 3 violation.
- 4. Student groups, such as club sports or student organizations, are permitted to endorse a campaign if they wish.
- 5. Candidates must not defame other candidates.
  - a) Defamation is defined as the act of disparaging the personal reputation of another by making a false statement or communication: written, oral, or otherwise to a third person.
  - b) Violating this rule will constitute a category 2 violation.
    - (1) Repeat violations will, at the discretion of the Elections Committee, be considered a category 3 violation.
- 6. The use of ASCSU materials (such as clothing, nametags, etc.) by any campaign shall be prohibited.
  - a) The reposting of official ASCSU digital marketing materials is permissible.
  - b) Any violation of this rule shall be considered a category 2 violation.
    - (1) Repeat violations will, at the discretion of the Elections Committee, be considered a category 3 violation.
- 7. Candidates must not suggest that students should vote against candidates on the basis of religion, race, disability, ethnicity, gender, sex or sexual orientation, military status, national origin, age, pregnancy, veteran status, or any other protected class.
- 8. Candidates and campaigns shall be prohibited from using items provided by student fee dollars in campaigning.
  - a) Candidates and campaigns shall be prohibited from attaching campaign-related material to items provided by student fee dollars.
    - (1) Reposting digital marketing materials from areas that use student fee dollars is exempt.
  - b) Using student fees for campaigning will be considered a category 2 violation.
    - (1) Repeat violations will, at the discretion of the Elections Committee, be considered a category 3 violation.
- 9. No campaign material may be attached to Collegian distribution boxes, other newspaper or recycling bins, or any Transport busses or depots.



BILL 5328

- a) Attaching campaign materials to the aforementioned areas will be considered a category 1 violation. Repeat violations will be, at the discretion of the Elections Committee, considered a category 2 or category 3 violation.
- 10. Campaigning within the Lory Student Center, all University Housing (including Aggie Village, The International House, Graduate Student Buildings, etc.), Dining Centers, Student Recreation Center, and Morgan Library shall be prohibited.
  - a) Any campaigning within these buildings constitutes a category 1 violation.
  - b) "Campaigning" in this instance, shall be up to the discretion of the Elections Committee.
  - c) This clause is excepted by the following clause, [Title IX. 1.].
- 11. Campaigns may speak to student organizations in Residence Halls, Dining Centers, Student Recreation Centers, Morgan Library, and the Lory Student Center (LSC) if the private meeting was arranged beforehand and no campaigning materials are left in the building.
- 12. The appropriate parties must approve the placement of campaign material inside any campus building. Failure to follow University building guidelines will be considered a category 1 violation. Multiple violations will be, at the discretion of the Elections Committee, considered a category 2 or category 3 violation.
- 13. Campaigns shall be prohibited from harassing individuals in the form of multiple and/or repeated messages (text, social media, etc.) that have been clearly and reasonably indicated as unwanted by the receiving individual.
  - a) Violation of this rule will constitute a category 1 violation. Repeated violations, at the discretion of the Elections Committee, will be considered a category 2 or category 3 violation.
- 14. Campaigns shall be prohibited from harassing individuals in the form of multiple and/or repeated social media interactions including, but not limited to, comments or mentions that have been clearly and reasonably indicated as unwanted from the receiving individual.
  - a) Violation of this rule will constitute a category 1 violation. Repeated violations, at the discretion of the Elections Committee, will be considered a category 2 or category 3 violation.
- 15. Campaigns shall be prohibited from switching personal social media accounts to campaign accounts.
  - a) The term "switching" describes the process of utilizing a social media account that was previously used for personal purposes as the official campaign by changing its handle to that of the campaign.
    - (1) Violation of this rule will be considered a category 2 violation.
- 16. Candidates cannot block any member of the election committee during the campaign period.
  - a) Violation of this rule will be considered a category 2 violation.
- 17. Campaigns shall be prohibited from rewarding students who have voted for them.
  - a) Violations of this rule will be considered a category 3 violation.
- 18. The use of paint for campaigning on any Colorado State University-owned property is prohibited.
  - a) Violation of this rule will be considered a category 2 violation.

19. No campaign material may be taped to the ground, walkways, or parking areas.
  - a) Taping campaign materials to the ground, walkways, or parking areas will be considered a category 1 violation. Repeated violations will, at the discretion of the Elections Committee, be considered a category 2 or category 3 violation.
20. No campaign material, campaign supporter, or campaigning of any kind shall be permitted within 25 feet of any official polling place administered by ASCSU.
  - a) Campaigning within the restricted zones during the days of elections will be considered a category 2 violation. A repeated violation will be considered a category 3 violation.
21. T-shirts, stickers, buttons, and all other campaign material must be covered when entering an official polling place.
  - a) Candidates and campaigns shall be responsible for ensuring compliance with this rule.
  - b) The Elections Committee shall be responsible for periodically monitoring official polling places to verify compliance with this rule.
22. Candidates cannot promise cabinet positions to individuals during the campaign.
  - a) Violation of this rule will be considered a category 3 violation.
23. 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.
24. Drug/Alcohol policy:
  - a) No active campaigning may take place in an establishment that is denying entrance to the establishment to patrons under the age of 21.
  - b) There shall be no exchange of alcohol in the attempt to influence a vote or votes.
  - c) There shall be no encouraging alcohol consumption for those under the age of 21.
  - d) Any emblem or logo from an establishment that produces, distributes or serves alcoholic beverages that are included on any campaign material must be accompanied by an appropriate responsible drinking emblem or logo of equal or larger size.
  - e) No illegal drug-related activities may be involved in fundraising or campaigning.
  - f) Failure to follow the Drug/Alcohol policies will be considered a category 2 violation. Multiple violations will, at the discretion of the Elections Committee, be considered category 3 violations.

## **X. Voting**

1. Voting in all ASCSU elections shall be conducted on RamWeb.
2. The Elections Manager shall work with all parties necessary to ensure that a secure and fair voting mechanism is implemented for conducting the General Election and any referenda questions.
3. Each member of ASCSU may rank as many tickets running for President and Vice President as the member wishes.
  - a) If the capability for ranked choice voting is not available, each member of ASCSU will only vote for one Presidential/Vice Presidential ticket.
4. Each member of ASCSU may rank as many candidates running for Speaker of the Senate as the member wishes.

BILL 5328

- a) If the capability for ranked choice voting is not available, each member of ASCSU will only vote for one Speaker of the Senate ticket.
5. Each member of ASCSU may vote in the election of Senators and shall have the same number of votes as the number of available Senate seats for the college of which their primary category 2 is declared.
6. Students enrolled in the Graduate School may vote only for Senators from the Graduate School, and not from their academic college.
7. After each ballot is cast, the voting mechanism used to conduct an election must send a confirmation e-mail message to the eID e-mail address of the student whose eID was used to cast that ballot.
  - a) The purpose of this confirmation e-mail message shall be to inform the student that a ballot has been cast in that student's name and to provide the student with information that may be used to contact the Elections Manager in the event that a ballot was improperly cast using that student's eID.
8. Any candidate or campaign found to have been involved in any way with the casting of a ballot in the General Election using any eID that is not the eID of the individual in question shall be immediately expelled from the General Election by the Elections Manager.
  - a) If such an infraction occurs, the Elections Manager shall report to the Elections Committee as soon as possible, via electronic means if necessary, with the proper documentation of the occurrence.
  - b) The decision to expel a campaign of this infraction may only be overturned by the ASCSU Supreme Court if, and only if, the Court finds that the campaign is innocent of violating the eID rule.
9. Any candidate or campaign found to have been involved in any way with an attempt to tamper with any and all voting mechanisms shall be immediately expelled from the General Election.
10. Any on-campus public computer lab that is supported by student fees, as well as any ASCSU office, the Morgan Library, and any computer location administered by ASCSU for the expressed purpose of voting, shall be considered an official polling place.
  - a) The Elections Committee may specify other venues as official polling places, and the Elections Manager shall post a list of all specified polling places no later than 5:00 PM on the Monday of the week immediately prior to the first day of voting.
11. Candidates and campaigns shall not be allowed to establish any computer voting terminals.
  - a) Doing so will be grounds for being expelled from the general election.
12. Candidates and campaigns will be immediately expelled from the General Election if the Elections Committee determines that votes have been gained through hazing or duress to voters.
13. In the event of a tie between two or more candidates listed on the ballot, eligible write-in candidates, or non-eligible write-in candidates, the tie shall be resolved;
  - a) In the case of a Senator, by a vote of the relevant College Council
  - b) In the case of a Presidential/Vice Presidential ticket, by a vote of the ASCSU Senate, first by a vote on all tickets, and in the case that no candidate gets a majority, a runoff election consisting of the two campaigns that received the most votes in the Senate.

- c) In the case of a Speaker of the Senate, by a vote of the ASCSU Senate in the same fashion as the Presidential/Vice Presidential scenario.

## **XI. Penalties**

1. Failure to follow any rule contained in this document will result in penalties to levied by the Election Manager in concurrence with the Elections Committee.
  - a) The Elections Committee shall have discretion in the assessment of penalties unless an explicit penalty is specified for the rule in question.
  - b) If a penalty is specified, then that penalty shall be considered the minimum penalty.
  - c) The Elections Committee may increase the severity of the penalty as they see fit.
2. Witness statements concerning alleged violations that occurred before the beginning of the campaign period must be submitted in the first week of campaigning.
3. Witness statements concerning alleged violations that occurred after the beginning of the campaign period must be submitted within 72 hours of the alleged violation occurring.
4. Documentation of all penalties levied by the Elections Committee must be submitted in writing to the ASCSU Supreme Court and the ASCSU President within 24 hours of the ruling by the Elections Committee.
5. Reports of violations of the Elections Code must be given to the Elections Manager 3 hours prior to an Elections Committee meeting during the non-voting period and 1 hour prior to an Elections Committee meeting during the voting period to be heard in that Committee meeting.
6. All fines levied against candidates and campaigns by the Elections Committee shall be counted on that candidate or campaign's next Donation and Expenditure report form.
7. Violation Degrees shall be defined as follows for the Presidential/Vice Presidential and Speaker of the Senate campaigns:
  - a) category 1 violations shall reduce the individual campaign's spending limit by \$100.00.
  - b) category 2 violations shall reduce the individual campaign's spending limit by \$200.00.
  - c) category 3 violations shall suspend the individual campaign and shall reduce the individual campaign's spending limit by \$300.00.
8. Violation Degrees shall be defined as follows for the Senate ticket:
  - a) category 1 violations shall reduce the individual campaign's spending limit by \$25.00.
  - b) category 2 violations shall reduce the individual campaign's spending limit by \$30.00.
  - c) category 3 violations shall suspend the individual campaign and shall reduce the individual campaign's spending limit by \$50.00.
9. Candidates or campaigns shall be suspended from campaigning at the discretion of the Elections Committee when candidates or campaigns have committed a category 3 violation.
  - a) Suspensions shall be no shorter than one 24-hour period, and no longer than one 72-hour period.
  - b) Saturdays and Sundays shall not be counted toward the time of the suspension.

10. Category 1 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.
  - a) 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.
11. Candidates or campaigns shall be expelled from the General Election if the candidate or campaign meets one or more of the following criteria: has exceeded their expenditure amount; has been suspended more than twice in the General Election; has been found to be in violation of a rule that explicitly states expulsion as a penalty; or has been violating a category 2 local, state, or federal law.
12. Any candidate or campaign wishing to appeal a penalty must do so in writing and submit it within 24 hours of the ruling to the ASCSU Supreme Court and the ASCSU Elections Manager.
  - a) The Supreme Court shall retain the sole authority to overturn a ruling of the Elections Committee, however, the Supreme Court shall not have the authority to modify in any way a fine or penalty assessed by the Elections Committee.
13. All decisions made by the Elections Committee on penalties shall be a final barring appeal, and therefore the same violation cannot be heard more than once.
  - a) Any appeals of penalties will be heard by the ASCSU Supreme Court.

## **XII. Appeal of the General Election**

1. The results of the General Election shall be considered valid unless an 'ASCSU Elections Appeal Filing Form' is filed by an ASCSU member with the Chief Justice of the ASCSU Supreme Court and an Advisor of ASCSU within ten days after the last day of voting.
  - a) Any appeal must state exactly the grounds for such a protest as outlined by the 'ASCSU Elections Appeal Filing Form'.
  - b) The Chief Justice or their designee shall forthwith deliver a copy of the appeal to the persons named as representatives of the signers of the appeal at their appropriate points of contact, together with a notice fixing a time and place for a hearing to occur, which shall be not less than five nor more than fifteen days after such notice is mailed unless a mutual agreement is made for an extension of time.
  - c) All hearings shall be held before the ASCSU Supreme Court.
2. All hearings shall be public, and both appellants and respondents of the appeal may present oral or documentary evidence.
3. A decision shall be rendered no later than ten days after the conclusion of the hearing.
4. All time requirements shall be negotiated between designated representatives of signatories, protestors, and the Supreme Court if an appeal is made at a time involving campus holidays, breaks, interim, or summer sessions.

## **XIII. Diversity and Inclusion**

1. All individuals participating in any capacity within the Elections are expected to promote and adhere to the principles of community. This includes but is not limited to:
  1. Inclusion
  2. Integrity
  3. Respect

BILL 5328

- 4. Service
- 5. Social Justice
- 2. The Elections Committee is committed to upholding the University's Diversity Statement in all aspects of the elections. Members of the Committee are expected to treat each campaign fairly through the inclusion of individuals and through embracing diversity in every interaction. The Elections Committee will prioritize equity at an individual, organizational, and structural level.
  - 1. The Elections Manager will actively support the recruitment and retention of all students and make an effort to support historically marginalized and excluded populations.
  - 2. Build and foster an environment of inclusion,
  - 3. Increase outreach and engagement with external communities.
- 3. Campaigns and Candidates are expected to uphold these principles of community and embody diversity, equity, inclusion, and social justice in all interactions.

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**PASSAGE AND ENACTMENT OF RESOLUTION/BILL/LEX 52XX  
SESSION OF PASSAGE**

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**Yays-Nays-Abstentions                      Expedited                      Unanimous**

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**SENATE PASSAGE: 28th**

**DATE: 4/25/2024**

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**ASCSU PRESIDENT NICK DESALVO**

*Nicholas Desalvo*

**DATE** *5-1-24*

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**RESOURCES**

Use this section to place any relevant citations and/or resources used in the producing of this legislation.

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**THAT THIS LEGISLATION SHALL BE FORWARDED TO**

**Amy Parsons**, President of Colorado State University  
**Tony Frank**, Chancellor of the CSU System  
**Blanche Hughes**, CSU Vice President for Student Affairs  
**Ben Schrader**, ASCSU Advisor  
**Evan Welch**, ASCSU Advisor  
**JoAnn Cornell**, Director of the Asian Pacific American Cultural Center  
**Duan Ruff**, Director of the Black/African American Cultural Center  
**Dora S. Frias**, Director of El Centro  
**Maggie Hendrickson**, Director of the Pride Resource Center  
**Tyrone Smith**, Director of the Native American Cultural Center  
**Justin Dove**, Director of the Student Disability Center

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**ARCHIVE INFO [Parliamentarian Use Only]**

**INTRODUCTION DATE/SESSION:**

**ARCHIVE DATE:**

**COMMITTEE'S REVIEWED:**

**MONETARY? Y/N**

