

89-UWB-07

A University Wide Bill to Amend Election Violation Penalties

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4 **Introduced by:** Senator Jessica Siemer
5 **Sponsor(s):** Atlanta Election Commission Logistics Chair Christopher Garcia-Velazquez & Atlanta Election
6 Commission Communications Chair Kalisha-Lourdy Lazare
7 **Submittal Date:** 01/25/2019 **Sent to:** Atlanta Election Commission
8 **First Reading:** 01/31/2019
9 **Date Voted On:** 01/31/2019
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11 **WHEREAS,** the penalties for campaign violations are listed below

<p>Class A Violations (Major Offenses) Any violation of the Student Code of Conduct and/or local, state, and/or federal laws; Election Fraud (knowingly participating in deceptive campaign activities, " defined as the unauthorized tampering, altering, or abuse of the voting process; falsified campaign documents; identity theft). Deliberately defacing, altering, or destroying the campaign material of another candidate without that candidate's explicit written permission.</p>	<p>Class A Penalties Disqualification and automatic referral to the appropriate Dean of Student's office.</p>
<p>Class B Violations The obstruction of the Election Commission in the discharge of their official duties; exceeding campaign spending limits; failure to appear before the Election Commission for trial and/or SJB for hearings. Using defamation (spoken or written) to disparage another candidate. Two Class B violations shall constitute a Class A violation, and is then subject to Class A penalties.</p>	<p>Class B Penalties Temporary suspension of active campaigning by the candidate, their party, and their endorsers. The candidate is responsible for notifying their party and endorsers, if applicable. Time period is at the discretion of the Election Commission.</p>
<p>Class C Violations Pre-campaigning, failure to submit required campaign documents to the Election Commission, failure to attend mandatory meetings. Attaching campaign materials directly or indirectly to glass surfaces, light poles, telephone poles, or building windows, walls, or on the exterior of any campus buildings. Use of chalk, ground signs or stickers of any kind on buildings. Placement of materials on vehicles without express permission of the owner. Improper posting of campaign materials inside buildings or campaigning in class without the permission of the faculty member. Three Class C violations shall constitute a Class B violation and are then subject to Class B penalties.</p>	<p>Class C Penalties Written warning and a 48-hour suspension of campaigning.</p>

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- 2 **WHEREAS**, current penalties do not significantly impact campaigns especially due to the lasting impact and
- 3 persistence of social media components of campaigns, and,
- 4 **WHEREAS**, other Student Government Associations use adjustments to the final vote count as an effective
- 5 enforcement tool, and,
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- 7 **THEREFORE, BE IT ENACTED BY THE UNIVERSITY-WIDE OF THE STUDENT GOVERNMENT ASSOCIATION OF**
- 8 **GEORGIA STATE UNIVERSITY THAT**
- 9 **Section 1:** The penalties be revised to reflect the following:

<p>Class A Violations (Major Offenses) Any violation of the Student Code of Conduct and/or local, state, and/or federal laws; Election Fraud (knowingly participating in deceptive campaign activities, " defined as the unauthorized tampering, altering, or abuse of the voting process; falsified campaign documents; identity theft). Deliberately defacing, altering, or destroying the campaign material of another candidate without that candidate's explicit written permission.</p>	<p>Class A Penalties Disqualification and automatic referral to the appropriate Dean of Student's office.</p>
<p>Class B Violations The obstruction of the Election Commission in the discharge of their official duties; exceeding campaign spending limits; failure to appear before the Election Commission for trial and/or SJB for hearings. Using defamation (spoken or written) to disparage another candidate. Two Class B violations shall constitute a Class A violation, and is then subject to Class A penalties.</p>	<p>Class B Penalties 5% of the candidate's final vote and a 48 hour suspension of active campaigning by the candidate, their party, and their endorsers. The candidate is responsible for notifying their party and endorsers, if applicable.</p>
<p>Class C Violations Pre-campaigning, failure to submit required campaign documents to the Election Commission, failure to attend mandatory meetings. Attaching campaign materials directly or indirectly to glass surfaces, light poles, telephone poles, or building windows, walls, or on the exterior of any campus buildings. Use of chalk, ground signs or stickers of any kind on buildings. Placement of materials on vehicles without express permission of the owner. Improper posting of campaign materials inside buildings or campaigning in class without the permission of the faculty member. Three Class C violations shall constitute a Class B violation and are then subject to Class B penalties.</p>	<p>Class C Penalties First offense: Written warning Further offenses: 2% of the candidate's final vote</p>

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2 **Section 2:** This legislation shall take effect immediately upon passage by the Student Government
3 Association, the welfare of the students requiring it.

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5 ACTION TAKEN BY THE STUDENT SENATE: VOTE for 5 against 9 abstentions 9

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7 ACTION TAKEN BY THE STUDENT GOVERNMENT ASSOCIATION PRESIDENT

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9 Signature _____ Date _____

Did Not Pass