

Article VI  
Election Code

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**Chapter 1: Elections Committee**  
**Article 1: Definitions**

**Section A.**

These bylaws, as accepted by the ASUCR Senate, shall be cited as the ASUCR Elections Code and shall govern all procedures for ASUCR elections. The Elections Committee is charged with the conduct of all elections within ASUCR and shall be the primary interpreter of these bylaws with the power to create any further regulations in clarification of any of the provisions herein contained, subject to Senate approval, and to generate any and all forms to use in any of the activities herein mentioned.

**Section B.**

For the purposes of this title, all amendments made hereto, all motions, and all resolutions made by the Senate pursuant to elections procedures, and all regulations and decisions made by the Elections Committee for implementation must be added to this article in detail.

**Section C.**

Composition

1. The Election Committee (hereafter referred to as the Committee) shall be a Standing Committee of the Senate;
2. The Committee shall be composed of at least seven undergraduate appointed by the Senate, including a designated Chair, Vice Chair, Appellate Officer, Investigations Officer, and Verification Deputy.

**Section D.**

There shall be four kinds of elections within ASUCR, which shall be categorized as follows:

1. General elections, which will be held during the third academic quarter, the term at which all elected offices of ASUCR shall be open for election;
2. Special election, which shall be called by the Senate in accordance with the ASUCR Constitution, to fill vacancies within the elected offices of ASUCR;
3. Initiative, referendum, and recall, which must be called by the Associated Students via a petition, or Chancellor directive or Senate approval by vote, as provided in the ASUCR Constitution and Bylaws;
4. Constitutional amendments and ASUCR Membership fee changes which shall be initiated and voted upon as provided for in the ASCUR Constitution and Bylaws.

Article 2: General (Senate) Election Timeline and Public Notification

**Section A.**

An annual election shall be called by the Senate and must be held no later than six weeks before the end of the academic year.

**Section B.**

The Committee shall prepare and present a timetable for a general election to the Senate by the end of the second academic quarter of each year, for approval. Any revisions of the timetable shall be made by Senate vote only.

**Section C.**

All timetables for elections must provide the following:

1. the date of the elections, for public notification, which shall appear in five issues of the student newspaper;
2. the date for posting election announcements in public areas on the campus,
3. the date on which filing for candidacy in the election shall begin, with said date to correspond to the date of the first public notification in all the registered campus newspapers;
4. the date on which filing for candidacy in the election shall close, no later than one week prior to the election;
5. the date on which the mandatory candidates meeting is to be held;
6. the date campaigning shall open (campaigning shall continue through the day of the election);
7. the dates of the general election, which must be, but not limited to, a Tuesday and Wednesday ;
8. the dates of any necessary run-off elections, which must be the next Tuesday and Wednesday immediately following the end of the general elections;
9. the date on which the results of the elections must be announced;
10. the hours and locations of all polling places.

**Section D.**

All official notifications and announcements of a general election must include:

1. a listing of all the offices open for election;
2. the requirements for each office open for election;
3. the election timetable as approved by the ASUCR Senate
4. the locations of polling places

Such information shall be contained in all advertisements, posters, public service announcements, and any other media used to notify the campus of the election.

**Article 3: Elections Work Force**

**Section A.**

The Committee shall be responsible for generating the work force necessary for manning the various polling places, for counting the ballots, and determining, subject to Senate approval, the rate of pay for such a work force.

**Section B.**

No candidate may be a member of the work force, nor shall any candidate be involved in manning of the polls, or the counting of the ballots.

**Section C.**

Anyone who has publicly declared their support for a candidate or a particular initiative before the voters will not be allowed to be a member of the elections committee or polling staff.

**Article 4: Certification of Results**

**Section A.**

After the general election and necessary run-off elections, the Chair shall send a certification of the results of an election to the Chair of the Senate along with a written report of all reported and observed campaign violations and any all disciplinary actions taken by the Committee as a result of such violations. Further, the Committee shall be responsible for assuring compliance by all candidates of the campaign expenditures filing requirements and for reporting all violations thereof to the Senate.

**Section B.**

The Senate may review election results and decisions of the Elections committee and shall have the right to determine the validity of an election. If no matters regarding the election are to be considered by the Senate, the Committee chair's certification of results shall be sufficient to install the winner(s) into office and to determine approval or disapproval of a ballot measure. If there are matters to be considered by the Senate, final certification of results and installation of the winner(s) into office shall be delayed until all matters are settled. This delay must not last longer than fifteen (15) working days from the end of the election.

**Section C.**

Matters concerning newly elected officials in a general election shall be decided by the newly elected Senate, in regard to election violations and Committee actions.

**Chapter 2: Procedures**  
**Article 5: Polling Procedures**

**Section A.**

The opening of an election shall be subject to the following regulations:

1. prior to, or on the morning of the first day of election, the Chair must assemble all ballot boxes to be used (in the ASUCR office), must inspect each to its per-assigned polling place;
2. only the Chair shall keep the keys of these boxes during the days of the election;
3. in the case of on-line elections, regulations will be to the discretion of the Chair and the Committee, with Senate approval.

**Section B.**

The polls shall be open no later than 9 a.m. and close no earlier than 4 p.m., for all ASUCR elections. The Senate can alter polling hours by a 2/3 vote, but the polls must be open for at least five (5) hours each day which must span the hours of 10 a.m. to 2 p.m.

**Section C.**

The procedures for manning the polls shall be as follows:

1. before being allowed to vote, a student must present a valid UCR student photo identification card or appropriate voucher from the ASUCR office, to a poll sitter;
2. the student must sign the voter register next to their name;
3. the poll sitter will then hand the student the appropriate ballot (s) for the election in accordance with the student's academic college or major. The poll sitter must also hand the student any objective material that has been authorized by the Committee for distribution at polling sites;
4. after voting, the student must place all marked ballots in the locked ballot box. A poll sitter must not under any circumstances handle a marked ballot;
5. in case of on-line elections, students must enter their student ID number and the permanent pin numbers to access the election ballots.

**Section D.**

Voter Solicitation

1. no poll sitter shall solicit votes for a candidate, nor impact in any manner whatsoever personal opinion or choice for any candidate or issue in any election contest;

2. any poll sitter observed soliciting voters by a member of the Committee shall be immediately excused from duty and forfeit any and all remuneration to be received for working the polling place;
3. if a Committee member relieves a poll sitter from duty for the above violation, must, if need be, sit at the poll until a substitute is found;
4. if it may be ascertained by the Investigations Officer for which candidate the poll sitter solicited votes, such offense will be considered a campaign violation by that candidate and must be disciplined according to the rules or Article 8 or these bylaws.

**Section E.**

No declared candidate, no declared supporter of a group or declared member of a pro or con candidate or initiative may solicit votes within 50 feet of any polling place, nor shall such person post any campaign material within 50 feet of any polling place. Such actions(s) will be defined as a violation of this Elections Code.

1. solicitation shall be defined as verbal or physical actions taken intentionally to sway a voter;
2. posting shall be defined as affixing tape or other adhesive, or using staples or other such hanging materials, to campaign material and intentionally placing such material in a purposeful manner.

**Section F.**

Prior to the opening of the polls, all campaign material within 50 feet of any polling place shall be removed by the poll sitter or Committee member who shall then act as observer and police the area.

**Section G.**

The following provisions will regulate closing of the polls:

1. at the designated time for the closing of the polls, the poll sitter shall allow those students in process of voting to finish. Any student who enters the line after closing of the polls shall not be eligible to vote;
2. the poll sitter shall then place the register of voters in the ballot box along with all blank register sheets and all unmarked and unused ballots, and then will prevent any other material from being placed into the ballot box;
3. the Elections chair or a designated Committee member shall then take the ballot box to the pre-designated counting area.

**Article 6: Posting Procedures**

**Section A.**

All campaign materials are subject to UCR posting policies & must be stamped in the office of Student Life & Leadership.

**Section B.**

No campaign posting shall be within 50 feet of a polling site per Chapter 2, Article 5, Section E of this Elections Code.

**Section C.**

1. All postings are confined to the brick area in the commons. Candidates and Pro/Con Groups are allowed one posting per every 10 feet;

2. amendments and additions to this regulation (Article 6, section C) are left to the discretion of the Elections Chair and the Committee with Senate approval

**Section D.**

1. All campaign materials must be 8 \_ by 11 inches or smaller, per UCR posting policy Section 42.20, Article 4;

2. amendments and additions to this regulation (Article 6, section D) are left to the discretion of the Elections Chair and the Committee with Senate approval

**Section E.**

No reference to the Associated Students of the University of California, Riverside (ASUCR) shall be made in candidate campaign materials.

**Section F.**

Any violation to these rules shall be subject to investigation and may result in expulsion from the election.

**Article 7: Procedures for Counting Ballots**

**Section A.**

The designation of the counting area will be governed by the following regulations:

1. the committee shall designate a counting area no later than two business days before the election. The Committee shall inform all candidates and all campus media of the location of the counting area;
2. prior to the closing of the polls, this area shall be cordoned off and only members of the counting teams shall be allowed inside the area until the counting of the ballots has completed;
3. amendments and additions to this regulation (Article 7, Section A) are left to the discretion of the Elections Chair and the Committee with Senate approval

**Section B.**

The procedures for counting ballots shall be as followed:

1. the work force participating in the counting of the ballots must consist solely of staffed teams;
2. during the counting procedures, it shall be the responsibility of the Vice-Chair to supervise the counting teams and the responsibility of the Chair to collect and tabulate all results from the counting teams.
3. no counting shall begin until all ballot boxes have been secured and unlocked within the counting area by the Chair. In the event of multiple-day elections, ballot boxes must be secured overnight with the campus police;
4. after adjudication, the ballots shall be separated into appropriate colleges or ballots measures;
5. the Committee shall record during each count all candidates voted for and the number of votes for each candidate. This shall include listed and write-in candidates and real candidates;
6. the same ballots shall be counted by all counters. No member of the first team shall be a member of the second term;
7. in the event of machine/computer tabulated results, the question of the validity of the ballots is the responsibility of the majority of the Committee who is granted sole authority to examine and rule improper and invalid ballots after non-binding consultation with the Chair;
8. reasons for withholding a ballot from machine tabulations include: stray pencil marks on ballot, folded or torn ballot, improperly marked ballot, or ballot not countable by the machine;
9. the Committee upon completion of the first counting must individually vote upon all ballots withheld from counting. The choices are either to hand count the ballot or to void the ballot. There shall be no appeals for voided ballots;
10. if the ballots in question are hand counted, the results shall be given to the Chair;
11. if the two counts do not agree, either a third team shall count the ballots or the first two teams shall both recount the ballots, to be determined by the Committee;
12. no results shall be announced to the Chair until they have been counted and verified by at least two teams;

13. in the event that the chair approves to utilize an outside election service, the chair and committee shall approve the accuracy of the machine and then oversee the counting of the ballots by machine;
14. in the event that the Chair approves to utilize on-line elections, the Chair and the Committee shall approve the accuracy of the tabulated results.

**Section C.**

When the Chair has received all ballot counts, the Chair will tabulate the totals for all election contests and announce the results. The Chair must list in written form all persons voted for in each race and the number of votes each candidate received. The list shall indicate which person are elected and which shall be involved in a run-off election (if applicable).

**Section D.**

In an election where only one position is open for election (or one ballot), the number of votes necessary for election (or approval) shall be a simple majority.

**Section E.**

Vote requirements for multiple-position elections shall be regulated as follow:

1. in an election where there is more than one position open, a plurality of votes cast shall elect. If there is a tie vote for the final seat, a run off election must be held between those candidates who are tied, and a plurality shall elect;
2. if the number of person elected in such an election fails to fill the number of seats, a special election shall be held to fill the seats during the subsequent fall quarter.

**Article 8: Filing Procedures**

**Section A.**

Filing for candidacy for an ASUCR elective position shall be regulated as follows:

1. candidacy is hereby defined as one individual seeking election to one office;
2. no more than one person may file for office under any given candidacy;
3. any member of ASUCR who is qualified has the right to run for any office;
4. no person shall be denied the right to file for candidacy. However, the committee has the explicit right to review any and all candidates in order to ascertain that they are qualified for office, and to disqualify any person from candidacy. If the Committee determines that a candidate is not qualified according to these bylaws, the candidate may appeal to the Senate. The Senate may overrule the Committee decision of disqualification by a 2/3-majority vote;
5. no person shall be allowed to file for more than one elected office, nor shall any person currently in an elected office run for another elected office unless the terms of the current office ends prior to the start of the new office;
6. at the same time he/she files, the prospective candidate from the College of Humanities and Social Sciences and the College of Natural and Agricultural Sciences must submit a petition for candidacy with no fewer than fifty (50) signatures from students or prospective candidates within their college. The prospective candidate from the College of Engineering must submit a petition for candidacy with no fewer than twenty-five (25) signatures from students or prospective candidates within their college; and all prospective candidates shall pay a refundable \$10.00, which shall be held by the ASUCR accountant until the election is completed and all campaign materials of the candidate have been removed from campus;
7. any person who has valid to submit the necessary signatures on their petition for candidacy, and/or pay the refundable filing fee at the time of filing shall not be certified as a candidate. Further a person who paid the fee via personal check shall be disqualified as a candidate if his/her check is not honored by the bank on which it is drawn, provided that such an event becomes known to the committee before the opening of the polls on election day, and, if after proper notification by the

Committee of this fact, the candidate fails to deliver to ASUCR ten dollars in cash before the opening of the polls on election day;

8. no other fee, except duplicating services, can be charged to any candidate as a prerequisite to certification of candidacy;
9. the filing fee shall be hold for one week past the certification of the election results at which time the Committee shall determine whether a candidate's campaign material had been removed from campus. If it has not, the filing fee will be used to pay for the removal from the campaign material. Otherwise, the fee shall be returned to the candidate;
10. if there is an insufficient number of candidates to fill the required number of seats on the Senate at the time when filing is scheduled to end, filing shall remain open for an additional week, defined as five (5) business days. If there is still an insufficient number of candidates, any unfilled position must be filled in a special election to be held in during subsequent fall quarter, pursuant to other requirements of these bylaws;
11. until a seat is closed formally, or until a special election is held to fill it, it shall be considered vacant.

## **Section B.**

Mandatory Candidate's Meeting:

1. there shall be a mandatory candidate's meeting, which all Candidates must either attend or send a representative;
2. any candidate who is not present or represented at this meeting shall be disqualified from the election, and their filing fee shall not be refunded. The Chair may waive this requirement if the candidate makes adequate arrangements prior to the meeting, at the discretion of the Chair;
3. all candidates shall be informed, in writing, of the time, date, and locations of the meeting, at the discretion of the Chair;
4. the Chair shall direct the meeting, and the following information must be given to each candidate in writing during the course of said meeting:
  - a. all forms pertinent to the election and information regarding their usage;
  - b. all procedures pertinent to the election, including the appeals process;
  - c. the dates for opening and closing of campaigning;
  - d. provisions for publication of candidate statements in the Highlander, broadcasting of similar statements at the campus radio station, and broadcasting of similar statements on the ASUCR Elections Web page;
  - e. a copy of the elections code;
5. the candidates' declaration form shall be collected at the time of filing and the Verification Deputy shall review each application to ensure that all appropriate information has been given. This information must include, but is not limited to:
  - a. the name, majors, college, and class level of each candidate;
  - b. the Social Security number (or student identification number) of each candidate;
  - c. the office to which each candidate seeks election;
  - d. the exact wording and spelling of the candidate's name as he/she wishes it to appear on the ballot;
  - e. a signed perjury and disqualified clause for falsifying information.

## **Article 9: Verification Procedures**

### **Section A**

The verification Deputy is responsible for verifying that all candidates are eligible, through the ASUCR advisor, the Assistant Vice Chancellor of Student Services. The advisor should only inform the Verification Deputy that the candidate is eligible or ineligible, based on the qualifications provisions provided for in the ASUCR Constitution and bylaws.

1. The Verification Deputy must inform all ineligible candidates immediately in writing and provide them with the appropriate Appellate Form;
2. following all appeals, the Verification Deputy must inform the Committee under conditions of confidentiality which candidate(s) are ineligible, and therefore unable to appear on the ballot. If appeals are still pending after campaigning officially begins, then the candidate(s) who are appealing shall remain on the ballot and if found ineligible, will be subject to Article 9 of the Elections Code for disqualification.

## **Article 10: Campaign Violations**

### **Section A.**

All campaigning must, at all times, be conducted within the limitations given to the candidate at the mandatory candidate's meeting, according to the following provisions for policing and enforcement:

1. the Committee shall police the campaign area to ensure that all regulations are being observed;
2. in the event of a campaign violation, the Committee member or poll sitter who is witness to said violations must immediately submit a Campaign Violations form to the Investigations Officer, who will make a determination regarding the alleged violation. The Investigations Officer is then directed to notify the candidate immediately of the decision made in writing. Such notification must include a warning that continued violations will result in disqualification from the election. The candidate shall also be notified of the appeal procedures;
3. if, after a written warning is presented to the candidate, violations continue and the candidate commits more than three violations in any one day or more than eight total violations over the course of campaign and election, the Investigations Officer is directed to make a determination of disqualification of that candidate, and then follow disqualification procedures, as set forth in these bylaws (Article 9). The candidate's name can only be stricken from the ballot when all appeals are exhausted. If said disqualification occurs after votes are tallied, then those votes shall be voided. The return of the candidate's campaign filing fee shall be contingent upon the removal of the candidate's campaign material from the campus.

### **Section B.**

Any candidate alleging to have been the subject of campaign violations of an opponent of his/her supporters may file a written protest with the committee. The Committee shall in turn inform the accused candidate, in writing, that an investigation is being conducted. If the accusation is proven to the Committee's satisfaction, the Committee shall proceed in assigning those violations to the accused candidate.

### **Section C.**

All Pro/Con Groups and promoters of initiatives & referenda shall be treated as candidates when assessing campaign violations. If such a group receives violations in excess of three in one day or eight total violations over the course of the campaign and election, and the side advocated by the group receives a majority of votes, the Election Committee shall by majority vote determine if the results of that ballot measure shall be declared null and void.

### **Section D.**

The Investigations Officer is responsible for proving, on appeal by the candidate, wrongful intent on the part of the candidate, in regards to punished campaign violations.

## **Article 11: Disqualification Procedures**

### **Section A.**

All disqualification proceedings shall be held in an open forum, and all candidates shall be instructed regarding their right to appeal decisions.

1. in the event that a Violation Complaint Form (Article 11, Section B, Number 9) is submitted to the Investigation Officer, the Officer must make a determination regarding alleged violation(s) within 24 hours;
2. once a decision is rendered, the candidate must be notified immediately in writing, using the Violation Assessment Form (Article 11, Section B, Number 2);
3. if found guilty of a campaign violation, the candidate may then file an Appeal Form (Article 11, Section B, Number 3) with Appellate Officer;
4. the Appellate Officer shall chair the hearing of appeal, and the Investigations Officer must be present in order to justify hi/her actions. The Committee must vote to uphold or rescind the original ruling;
5. if the decision is not acceptable to the candidate, he/she may appeal to the Senate;
6. the Investigations Officer can disqualify a candidate only if the rules governing elections are stated in a written letter to the candidate, which must be hand delivered within 24 hours of the filing of complaint, and only if the candidate was notified of the rules in the mandatory candidate's meeting;
7. by stating the provisions or regulations that were violated and following the disqualification procedures as detailed in this Code, the Elections Committee and /or the Senate shall have the authority to disqualify a candidate.

#### **Article 12: Procedure Forms**

##### **Section A.**

The Elections committee shall be responsible for developing, creating and reviewing the procedural forms that must be available to the candidates and the Associated Students throughout the period of the election.

##### **Section B.**

The forms mentioned in Section A shall consist of the following:

1. Candidates' Declaration form with a clause of penalty of disqualification for falsifying eligibility information;
2. Campaign Violation form, to be given to candidates by the Investigative Officer under supervision of the Elections Chair;
3. An Appeal Request to the Elections Committee, the Senate, and the Judicial Board;
4. Nomination Signature form;
5. Pro/Con Group Declaration forms for ballot initiative;
6. Candidate Endorsement/Opposition form;
7. Constitutional Amendment form;
8. Declaration of Intent to File for Initiative or Referendum;
9. Declaration of Intent to File for Recall.

##### **Section C.**

All forms must be filed with the Vice-Chair of the Elections Committee. The Vice Chair is responsible for having all forms approved by the Senate, through a majority vote.

#### **Chapter 3: Elections** **Article 13: Run-off Elections**

##### **Section A.**

All regulations concerning campaigning, voting procedures, and counting procedures provided for in general elections shall apply for run-off elections except the following:

1. candidates involved in run-off elections shall be allowed to incur an additional \$25 in campaign expenses on top of the \$75 allowed in general election. A candidate so

declaring on their campaign spending statement shall be considered in total compliance with these regulations;

2. if a candidate involved in a run-off election declares more than \$100 in total campaign expenses, the candidate will be subject to sanctions imposed by the Committee, as provided for under the provisions under Article 9, section A of this code;
3. any and all other requirements, as set forth in this Code, regarding the filing of a statement of campaign expenses shall apply in a special or run-off election;
4. no write-in votes shall be counted in the case of a run-off election.

#### **Article 14: Special Elections**

##### **Section A.**

Special elections may be called by the Senate to fill vacancies arising in the elected offices of ASUCR.

##### **Section B.**

All procedures used during general elections will apply during special elections, with the following exceptions:

1. The duration of the timetable presented to the Senate may be altered. Provided, however, that sufficient time exist to insure adequate knowledge by the student body of the special election;
2. The Senate may, under its own authority, fill a vacant position(s) by a two-thirds vote of the Senate, such decision to be made only when the Senate initially approves the timetable.

#### **Article 15: Constitutional Amendments**

##### **Section A.**

All proposed constitutional amendments shall be voted upon by the general body prior to incorporation as part of ASUCR Constitution, as per the provisions and the requirements of the ASUCR Constitution.

##### **Section B.**

Procedures for the filing of a petition of initiative for the amendment of the Constitution shall be governed by the Elections regulations stated in Chapters 1 & 2.

##### **Section C.**

Upon approval of proposed amendments by a two-thirds (2/3) vote of Senate or by the presentation of a valid petition for amendment on upon the subsequent approval of the Chancellor of the Riverside Campus, the Senate shall call for an election to be held no earlier than two (2) weeks and no later than five (5) weeks after the Senate approval.

##### **Section D.**

The procedures detailed in Chapters 1 & 2 of this Code, for the holding of elections, shall govern elections on proposed constitutional amendments according to the following:

1. pro or con groups shall follow the regulations previously set forth for all ballot measure;
2. the minimum requirements for the advertising of the election shall be publication of the proposed amendment in the student newspaper, and posting an announcement of the election day, time, and polling places which must happen between the calling of the election and the day of the election;
3. further, copies of the proposed amendment(s) shall be made available in the ASUCR office for general distribution upon request of the student body.

##### **Section E.**

A two-thirds vote in favor of the proposed amendments of the total votes cast shall be necessary for passage.

## **Article 16: Initiative and Referendum**

### **Section A.**

The Associated Students shall have the power of initiative and the power of referendum which shall be exercised via a petition presented to the Senate with the signatures of at least 15% of the general student body directive from the Chancellor, or Senate approval per UCR policy, Section 95.30.

### **Section B.**

Procedures for the filing of a petition of initiative/referendum shall be as follows:

1. the ASUCR member(s) wishing to circulate a petition must file with the ASUCR Administrative Assistant a "Declaration of Intention to Circulate a Petition of Initiative/Referendum" which shall contain the following information:
  - a. the exact wording to appear on all petitions circulated;
  - b. an exact and true copy of the legislation to be initiated or the legislation to be subjected to a referendum;
  - c. the names of all persons circulating petitions;
2. the circulators of the petitions must file a signed petition with the Chair, or the Chair's designee;
3. petitions shall be accepted by the Chair for a period of 30 school days from the date of filing the declarations of intent.

### **Section C.**

The physical petition shall be composed by the Elections Committee to the satisfaction of the circulators and all petitions shall be of identical form.

### **Section D.**

All petitions submitted shall contain the signatures and student identification numbers of supporting members of ASUCR as stipulated by the committee, and the name of the person circulating the particular petition.

### **Section E.**

It shall be the responsibility of the Committee to certify the petitions submitted by verifying that all signatures are those of members of ASUCR; the committee shall disqualify any signatures not so verified and deduct the number of invalid signatures from the total submitted. Such verification must not in any case take more than (10) school days.

### **Section F.**

The Committee is instructed to report to the Senate at a regular meeting the results of the verification, the number of valid signatures obtained, and whether or not an election is required.

### **Section G.**

If the number of signatures is sufficient, the Senate is required to call an election no earlier than two (2) weeks and no later than four (4) weeks from the date of certification.

### **Section H.**

An announcement of the election shall be published in the first issue of the student newspaper after the date of certification, along with a text of legislation to be subjected to vote of initiative or of referendum. The campus shall be posted sufficiently with announcement of the election, date, time, and location of polling places.

## **Article 17: Recall**

### **Section A.**

The members of ASUCR shall have the right to recall any elected or appointed official of ASUCR. This does not grant the members of ASUCR the ability to recall committee appointments.

**Section B.**

Persons willing to circulate a petition of recall must file a "Declaration of Intention to Circulate a Petition of Recall" with the Chair of the Senate, which shall include:

1. the name of the person to be subjected to the recall; and
2. clear and brief reason (s) for recalling said member;

**Section C.**

All procedures for the circulating, collecting, filing, and verification of the petitions are governed by the appropriate election regulations as stated in Chapters 1 & 2 of this Code, provided that in all advertising of the election the information required must include:

1. the person to be subjected to the recall vote; and
2. the charges listed in the Declaration.

**Section D.**

Procedures for holding a recall, the counting of ballots, and the verification of the results shall be governed by the election regulations stated in Chapters 1 & 2 of this Code.

**Section E.**

A majority of the vote of the recall election is required to remove an officer subjected to recall. If a majority is received, the officer shall be immediately removed from office and relieved of all responsibilities and duties of the office. From the date of certification of results of recall election, all rights, privileges, and remuneration shall end. Any appointed position that the recently recalled officer holds may be retained if the requirements of that appointed position does not require the holding of the recalled office. The Senate will determine retention of the appointed positions of the recalled officer.

**Section F.**

If a majority does not approve of the recall, the officer shall retain office and shall not be subjected to second vote of recall on the same charges.

**Section G.**

A vacancy created by recall shall be handled in like manner as any other vacancy.

**Article 18: ASUCR Membership Fee Elections**

**Section A.**

All proposed changes in ASUCR Membership Fees shall be voted upon by the general undergraduate student body prior to their taking effect.

**Section B.**

Procedures for the filing of a student petition for the proposed changes of the ASUCR Membership Fees shall be governed by the elections regulations stated in Chapters 1 & 2 of this Code.

**Section C.**

Upon majority vote in favor of the proposed fee changed by the Senate, or upon the presentation of a valid petition for such changes, the Senate is mandated to call an election which must be held no earlier than two (2) weeks and no later than four (4) weeks after such approval. The Senate may extend the timeline by majority vote.

**Section D.**

The procedures detailed in Chapters 1 & 2 of this Code shall govern an election of proposed fee changes fee with the following exceptions:

1. a minimum requirement for the advertising of the election shall be publication of the proposed changes in the student newspaper, and posting an announcement of the election day, time, and polling places which must happen between the calling of the election and the day of the election;
2. further, copies of the proposed changes shall be made available in the ASUCR office for general distribution upon request of the student body.

**Section E.**

A 20% voter turnout & a majority vote in favor of the proposed fee changes shall be necessary for its passage.

**Chapter 4: Elections Regulations**

**Article 19: Campaign Expense**

**Section A.**

Expenses on behalf of individuals and groups organized in pro or con efforts regarding ballot measures shall be regulated by the following restrictions:

1. all candidates and all pro or con groups shall be required to file with the Committee a statement of campaign expenses for materials, duplication services, advertising, labor and salaries (if any), and all other expenses incurred in the course of the campaigning;
2. if there exists more than one pro or con group, each side shall be allowed to enter one unified statement for their side for the purpose of distribution in campaign material no later than a posted deadline to be determined by the Committee;
3. all financial statements must be filed with the ASUCR office within one week after the closing of elections;
4. in no instance shall any campaigning be allowed to spend more than \$75.00, except as provided for above;
5. the raising of funds for campaign expenses shall not include the solicitation or the acceptance of funds from commercial sources outside the University, and shall not include mailings intended for the primary purpose of solicitation of funds;
6. expenses incurred on behalf of any candidate or pro or con group by any organization, agency, or individual shall be included as part of the expenses for the said campaign, and shall include all donations or the equivalent value of in the case of duplication services. If said expenses are incurred for more than one candidate or group, the expenses shall be divided amongst the campaigns in proportion to the support received;
7. no candidate confirmed by the Committee as elected to office shall be allowed to assume the duties of the office until such a statement is properly filed;
8. any person who files a statement declaring more than \$75 in campaign expenses shall be suspended from office until the Senate meets to consider whether the office should be vacated and a new election held;
9. any person who files a false statement of campaign expenses shall be removed from office and a new election held to fill the vacancy;
10. determination of the guilt or innocence of any person accused of the violations above shall be under the jurisdiction of the Senate, such matter to be tried by the Senate in accordance with the bylaws of ASUCR or Robert's Rules of Order.

**Section B.**

These restrictions shall not apply to the objective postings and advertisements of ASUCR and likewise, shall not apply to campaign material for or against a ballot measure paid for by ASUCR, provided that both sides are given public notification of the opportunity to contribute to said material.

**Section C.**

In no case, shall ASUCR pay for campaign material of any individual candidates.

**Section D.**

Vacancies arising from violations of the above restrictions shall be filled by a special election the subsequent fall quarter, provided that the candidate disqualified from office not be eligible for candidacy in such an election.

**Article 20: Negative Campaigning**

**Section A.**

Definition:

Negative Campaigning shall be defined as any campaigning, electioneering or vote soliciting against an individual candidate or group of candidates for election, including but not limited to, the distribution of materials, posters, fliers, speeches, advertisements, and electioneering that enumerate information either, true or untrue or unverified that can be construed as derogatory, inflammatory, or disreputable in any way. This shall not be construed or prohibit campaigning against an individual's political record, rather to prohibit personal attacks.

**Section B.**

Prohibition:

Negative Campaigning as defined shall be prohibited in all ASUCR elections.

**Section C.**

Enforcement:

The Elections Committee shall have the authority to enforce this provision under the authority previously granted in this Code.

**Article 21: Fair Political Practices**

**Section A.**

No candidate, whether an incumbent or challenger shall be permitted to use any ASUCR equipment, computer, offices or space, supplies, materials or anything else owned, operated, run, managed, or under the purview of ASUCR for campaign purposes.

**Section B.**

At no time shall ASUCR Senators, Officers, and/or staff display individual campaign literature or material in ASUCR office facilities.

**Section C.**

Enforcement:

The Elections Committee shall have the authority to enforce this provision under the authority previously granted in this Code.