



Introduced By: Senator Milich
Sponsored By: E&A Committee
Contact: sga_ba5@ucf.edu
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Final Vote: Passed, 28-0-0

University of Central Florida
Forty-Eighth Student Body Senate
Bill 48-74

[Changes to Title VI – The Election Statutes]

.01 **WHEREAS**, Statutes require constant updates and revision to best serve the Student Body;
 .02 **WHEREAS**, Revisions to Title VI will allow for increased ease and fairness of orchestrating elections;
 .03 and
 .04 **WHEREAS**, Greater specificity would help to build a more functional Student Government
 .05 Association;

.06
 .07 **THEREFORE, BE IT ENACTED**, by the Forty-Eighth Student Senate of the University of Central
 .08 Florida that Title VI, Chapter 607.2 be amended as follows:

.09 607.1 Judicial Authority:

.11 A. The Election Commission shall have full authority over all election violation hearings. The Judicial
 .12 Council shall have authority to hear appeals. ~~based solely on the violation of a student's rights~~
 .13 ~~guaranteed by the Constitution of the Student Body of the University of Central Florida or Student~~
 .14 ~~Body Statutes.~~

.15 B. The Judicial Branch's authority shall be limited to rehearing a violation hearing, ~~when deemed~~
 .16 ~~necessary, in cases where the Judicial Council finds a student's rights were violated.~~

.18 607.2 Filing and Posting an Appeal:

.19 A. An appeal shall only be filed with the Judicial Council by the candidate/ticket found guilty of **an**
 .20 **election violation by the Election Commission.** ~~student whose rights may have been violated. The~~
 .21 ~~appeal must be submitted in memorandum form.~~

.22 **B. The appeal must be submitted in memorandum form.**

.23 C. All appeals must be submitted by 5:00 p.m., two (2) school days following the violation hearing.

.24 D. The memorandum must state the parties involved (i.e., Election Commission vs. Candidate/ticket),
 .25 the Statute describing the alleged student rights violation, and the **alleged election** violation. It must be
 .26 time-stamped by the Senate Secretary upon submission and then delivered to the Chief Justice.

.27 ~~E. Upon receiving the appeal memorandum, the Chief Justice shall have two (2) school days to make a~~
 .28 ~~decision on whether or not the Judicial Council will hear the appeal.~~

.29 ~~F. Once the Chief Justice has made a decision on whether or not to hear the appeal, the Chief Justice~~
 .30 ~~shall post said decision and make it available to all Justices and involved parties by 5:00pm.~~

.31 ~~EG. Upon receiving information from the Chief Justice, All any involved parties must submit all~~
 .32 ~~evidence and a list of witnesses, who shall only testify in regard to the alleged election violation of~~
 .33 ~~rights, at least forty-eight (48) hours prior to the start of the Appeal Hearing.~~

.34 **FH.** The Chief Justice shall make all materials available to all Justices, the appealing party, and the
 .35 Supervisor of Elections.

.36 **GI.** If a candidate/ticket has appealed a disqualification, the disqualification will not go into effect
 .37 **until the result of the appeal has been decided by the Judicial Council.**

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 .39 ~~607.3 If the Judicial Council chooses to hear the appeal, the procedure for the appeal shall be dictated~~
 .40 ~~based on the Judicial Council's Internal Rules.~~

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.42 607.4 The Supervisor of Elections, or a designee appointed by the Supervisor of Elections who was present
.43 at the initial violation hearing, shall be present at the Judicial Hearing and may answer any questions
.44 regarding ~~due process from~~ the initial violation hearing.

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.46 **607.5 Judicial Decision Council Rehearing:**

.47 ~~A. The Judicial Council shall first determine if the student's rights were violated during the violation~~
.48 ~~hearing.~~

.49 ~~B. If the Judicial Council determines that the student's rights were not violated, the case shall be considered~~
.50 ~~closed and the original outcome shall be considered final.~~

.51 ~~C. If the Judicial Council determines that said student's rights were violated, the council must then decide~~
.52 ~~on one of the following:~~

.53 ~~1. To uphold the decision of the Election Commission, based on the determination that the outcome of the~~
.54 ~~hearing would not have been affected.~~

.55 ~~2. To rehear the case. If reheard, the Judicial Council shall then determine the following:~~

.56 ~~a) If~~**A.** The Judicial Council shall start the entire violation hearing from the beginning, which must happen
.57 within seven (7) school days.

.58 ~~b) If the Judicial Branch shall reconvene the process at the beginning of the step where the student rights~~
.59 ~~violation occurred, which must happen within seven (7) school days.~~

.60 ~~DB. Should the Judicial Council decide to rehear the case,~~†The Chief Justice shall follow the violation
.61 hearing procedure as outlined in Title VI: The Elections Statutes.

.62 1. Within this process, the Chief Justice shall take the role designated to the Supervisor of Election and
.63 shall contact the accused candidate/ticket and the person who filed the affidavit, in memorandum form, to
.64 inform them of the new hearing.

.65 2. Should the filer of **violation affidavit** so choose, said filer may withdraw the violation affidavit at any
.66 time during the appeal process thus ending the violation rehearing process. Said withdrawal shall be made
.67 in writing to the Chief Justice.

.68 3. Should the affidavit be withdrawn, the charges shall be dropped and the accused candidate/ticket shall be
.69 considered not in violation, thus ending all violation and appeal procedures.

.70 ~~EC.~~ Upon the Judicial Council's decision, the Chief Justice must forward a memorandum to the Supervisor
.71 of Elections stating its findings and the final decision in the matter, within two (2) school days.

.72 ~~FD.~~ The decision of the Judicial Council is final.

AUTHORIZING SIGNATURES



Christopher Clemente
Student Body President

8-9-2016
Date



Dr. Maribeth Ehasz
Vice President, SDES

8/22/16
Date

