

Introduced By: Chair Milich
Sponsored By: E&A Committee
Contact: sga_ea@ucf.edu
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Committee Action: Passed 5-0-0
Second Reading: February 9, 2017
Third Reading: February 16, 2017
Final Vote: Passed, 31-0-0

**University of Central Florida
Forty-Ninth Student Body Senate
Bill 49-58**

[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; and
.03 **WHEREAS**, Greater specificity would help to build a more functional Student Government Association;

.04
.05 **THEREFORE, BE IT ENACTED**, by the Forty-Ninth Student Senate of the University of Central Florida that Title VI,
.06 Chapter 605.14 and 605.16 be amended as follows:
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.08 **605.14 Rights of the Accused:**

- .09 Any candidate/ticket accused of a violation at any time during the election period is awarded the following rights:
.10 A. To be informed of all policies, procedures, and decisions made by the Election Commission or Judicial Council,
.11 concerning the violation hearing.
.12 B. To know the offenses, **the filer of the affidavit**, and adverse witnesses and to review all evidence prior to the
.13 violation hearing.
.14 C. To have the assistance of a Judicial Advisor as per Title IV.
.15 D. To refrain from self-incrimination and to not be called upon as a witness in said individual's own hearing.
.16 E. To submit any tangible evidence and/or submit witnesses to be questioned during the violation hearing.
.17 F. To resign from candidacy at any time during the Election period, thus concluding all actions of the violation hearing.
.18 G. To cross-examine all witnesses that testify in the violation hearing **and the filer of the affidavit**. No evidence
.19 submitted by a witness may be considered at the Violation Hearing if the witness does not appear at the violation
.20 hearing for cross-examination by the accused candidate/ticket.
.21 H. To have at least one (1) school day prior to the violation hearing to review the evidence for the violation hearing.
.22 I. To ask for statutory interpretation by the Attorney General at any time.
.23 J. To appeal the ruling of the Election Commission to the Judicial Council as outlined in Title VI.
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.25 **605.16 Election Commission Violation Hearing Procedure:**

- .26 The violation hearing shall be conducted in the following order:
.27 A. Introduction of Violation Hearing: The Supervisor of Elections shall call the meeting to order and call for the
.28 Election Commission members who are in attendance at the violation hearing.
.29 B. Statement of the Filer: The individual that filed the violation charge may make a statement to the Election
.30 Commission regarding the violation and all evidence that the filer has submitted, as well as introduce the witnesses that
.31 will testify on behalf of the filer.
.32 C. Statement of the Accused Candidate/ticket: The accused may make a statement to the Election Commission
.33 regarding the violation and all evidence that the candidate/ticket has submitted, as well as introduce the witnesses that
.34 will testify on behalf of the accused candidate/ticket.
.35 D. Questioning of the Filer: The Election Commission may question the individual who filed the violation charge.
.36 E. Questioning of the Accused: The Election Commission may question the accused candidate/ticket.
.37 F. Questioning of the Filer's Witnesses and Evidence:
.38 a. The Supervisor of Elections shall call up each witness separately. Only witnesses listed in the materials
.39 submitted by the filer prior to the violation hearing will be called.
.40 ~~b. The witness may be questioned by the filer of the violation. The witness may refrain from answering any~~
.41 ~~question.~~
.42 ~~be. After the filer is finished questioning, the accused candidate/ticket may question the witness. The~~
.43 ~~witness may refrain from answering any question.~~
.44 ~~cd. After the accused candidate/ticket is finished questioning, the Election Commission may question the~~
.45 ~~witness. The witness may refrain from answering any question.~~
.46 ~~de. This procedure will continue until all witnesses submitted by the filer have been questioned.~~
.47 ~~ef. The filer may then present tangible evidence during the violation hearing. The accused candidate/ticket~~
.48 ~~may question the filer about the evidence presented. The filer may refrain from answering any question.~~
.49

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- .50 fg. The Election Commission may then question the filer about the tangible evidence presented. The filer may
 .51 refrain from answering any question.
- .52 G. Question of Accused Candidate/Ticket's Witnesses and Evidence:
- .53 a. The Supervisor of Elections shall call up each witness separately. Only witnesses listed in the materials
 .54 submitted by the accused prior to the violation hearing will be called.
- .55 b. The witness may be questioned by the accused candidate/ticket. The witness may refrain from answering
 .56 any question.
- .57 ~~e. After the accused candidate/ticket is finished questioning, the filer may question the witness. The witness~~
 .58 ~~may refrain from answering any question.~~
- .59 cd. After the ~~filer~~ **accused candidate/ticket** is finished questioning, the Election Commission may question
 .60 the witness. The witness may refrain from answering any questions.
- .61 de. This procedure will continue until all witnesses submitted by the accused candidate/ticket have been
 .62 questioned.
- .63 ef. The accused candidate/ticket may then present tangible evidence during the violation hearing. ~~The filer~~
 .64 ~~may question the accused candidate/ticket about the evidence presented. The accused may refrain from~~
 .65 ~~answering any question.~~
- .66 fg. The Election Commission may then question the accused candidate/ticket about the tangible evidence
 .67 presented. The accused may refrain from answering any question.
- .68 H. Final Questioning: The Election Commission may ask questions about all information that was presented.
- .69 I. Closing Statement of the Filer: The filer may make a closing statement to the Election Commission.
- .70 J. Closing Statement of the Accused Candidate/ticket: The accused candidate/ticket may make a closing statement to
 .71 the Election Commission.
- .72 K. Election Commission Deliberation: The Election Commission shall deliberate to determine if a violation occurred
 .73 and, if so, determine the appropriate sanction and inform the individual who filed the violation and the accused
 .74 candidate/ticket of the decision.

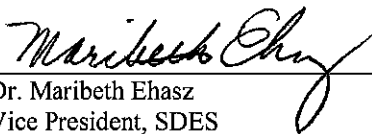
AUTHORIZING SIGNATURES



 Christopher Clemente
 Student Body President

2-22-2017

 Date



 Dr. Maribeth Ehasz
 Vice President, SDES

2-24-17

 Date

