

B F2021.22

An Amendment to the Second Chapter of the Election Code Expanding the Scope of Prohibited Campaigning Areas

A bill for the consideration of the College of Literature, Science, and the Arts Student Government

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Whereas, the mission of the College of Literature, Science, and the Arts Student Government (hereafter LSA SG) is to “actively seek the voices of LSA students and advocate their interests to improve academic and non-academic life”;¹ and,

Whereas, LSA SG utilizes its Bylaws to structure and facilitate official business, and recognizes the need for amendments to the Bylaws to improve its function and reflect current practices; and,

Whereas, one of the goals of Judiciary Establishment and Election Code Amendment Task Force (commonly known as the JEECAT Force) is to simplify and increase the clarity of the Election Code and the election process; and,

Whereas, a lack of clarity in prohibited campaigning areas may grant candidates an unfair advantage; and,

Whereas, parts of the Election Code can be simplified to make it more readable and understandable for government members, candidates, and constituents; and,

Whereas, places utilized by LSA SG (including polling sites) should be neutral territory for the promotion of the elections, as opposed to any candidate or party.

Be it therefore resolved, that the Election Code be amended in accordance with the language in Appendix A; and,

Be it finally resolved, that these changes take effect immediately.

¹ The Constitution of the College of Literature, Science, and the Arts Student Government. Article II

Appendix A

~~2.06.03 Campaigning in Computing Sites. No person may campaign and no campaign literature may be posted in any computing site.~~

2.06.043 Destruction of campaign materials. No person under the jurisdiction of this election code shall, during the election campaign, engage in the destruction, defacement, removal, alteration, or transportation of posted campaign materials without the permission of the candidate they pertain to.

2.06.054 Posting. Campaign materials may be affixed or anchored to various surfaces in the following manner:

- (a) Rope, twine, or string may be used on any surface.
- (b) Thumbtacks and staples may be used on bulletin boards but not on any other wooden surfaces.
- (c) Masking tape or blue painter's tape may be used on any surface.
- (d) Vinyl plastic bumper sticker material may be used on non-wooden surfaces.
- (e) No other adhesive or anchoring material may be used under any other circumstances.
- (f) Candidates must adhere to University policies as to the posting of posters and handbills.

2.06.065 Prohibited Areas. *No person may campaign or post campaign literature in the following areas:*

- (a) ~~No campaign materials shall be affixed to a~~ Any glass or painted surface in or on any University building, except in designated posting areas.
- (b) ~~There is no campaigning i~~ In the LSA SG Office or during LSA SG General Meetings.
- ~~— (c) Within 100 feet of an in-person event sponsored or tabled by the LSA SG.~~
- (d) *In a virtual event sponsored or tabled by the LSA SG.*
- (e) *In any computing site.*

2.06.076 Defacement. No campaign material shall be affixed to any surface that would be permanently and seriously damaged by the campaign material or the material used to affix or attach the campaign material.

2.06.087 Rights of Access. Candidates for LSA SG Representative, LSA SG President, LSA SG Vice President, any other LSA sponsored election or seekers for any LSA referendum petition, shall have the same rights as any candidate for elected office as per University Housing's guidelines. Any candidate campaigning within any housing unit after 12 AM will be guilty of a minor violation. University Housing must grant or deny the same rights of access to all candidates running in the election.

2.06.098 Proper Use of Email Privileges. A candidate can send emails to email groups that are owned by the candidate as defined by "mcommunity.umich.edu." and are created expressly for campaign purposes, during the current election cycle. The email group name must clearly indicate that it is a campaign related email group. Candidates can also send emails to non-LSA SG listservs owned by a student organization with the explicit permission of the executive board of that student organization. Only self-owned and student organization listservs may be used to campaign.

2.06.109 Campaign Finance Regulations.

- (a) Candidates for Representative shall be allowed to spend up to \$50 on their campaign. The Presidential and Vice Presidential Slate shall be allowed to spend up to \$250 for their campaign.
- (b) Prohibited Donors. Any non-candidate is forbidden from donating to campaigns.
- (c) Report of Expenditures. The Election Director will be responsible for ensuring that candidates report their spending. The Election Director shall have discretion over the mechanism in which they require candidate expenditure reports.

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2.08.01 Minor Violations. Minor violations shall constitute the following:

- (a) An unexcused absence from a required event, such as a General Meeting prior to the election, and/or the Candidates Forum
- (b) Posting in a prohibited area, or by a prohibited fashion, as defined in Section 2.06.0~~43-076~~
- (c) Implying an elected incumbency status that a candidate does not have, as defined in Section 2.06.00
- (d) Campaigning in any residence hall after 12 AM as stated in Section 2.06.0~~87~~
- (e) Not denoting the official source of campaign material(s) as stated in Section 2.06.02
- (f) Violation of Section 2.06.0~~98~~ with email listservs containing 1-100 members
- (g) Campaigning outside of the campaign period as prescribed in Section 2.03.04

2.08.02 Major violations. Major violations shall constitute the following:

- (a) Destruction of another candidate's campaign materials, as defined in Section 2.06.03
- (b) Campaign Finance Violation as defined in Section 2.06.~~409~~
- (c) Deception in advertising, which shall be defined as breaking any of the guidelines for advertising set forth in Section 2.06.00-01
- (d) Misrepresentation of Endorsement. Using the name of a student organization that a candidate does not have permission to use Section 2.06.01
- (e) Violation of Section 2.06.0~~98~~ with email listservs containing 101-399 members
- (f) Parties: If the Election Director feels that a candidate has explicitly or subtly joined a party, they may reach out to them and ask them to cease and desist all references to this party within 24 hours. If the candidate cannot remove all notices to a party within 24 hours due to extenuating circumstances, they must inform the Election Director. Should the candidate not cease and desist within the designated time, a major violation should be applied.

2.08.03 Egregious Violations. Egregious violations shall constitute the following:

- (a) Preventing an eligible voter from voting in any manner
- (b) Bribery. No candidate may promise or offer compensation, monetary or otherwise, in exchange for vote(s). Campaign pledges shall not constitute violations of this rule. The distribution of campaign material to voters shall not constitute a violation of this rule
- (c) Violation of Section 2.06.0~~98~~ with email listservs containing more than 400 members