THE UNIVERSITY OF OKLAHOMA STUDENT ASSOCIATION
UNDERGRADUATE STUDENT CONGRESS
CONGRESSIONAL SESSION LXXXIII
February 23, 2010

GRADUATE STUDENT SENATE
SENATE SESSION GS-10
February 21, 2010

CONGRESSIONAL BILL NO. 830312

SENATE BILL NO. GS10-13

AS INTRODUCED

An act relating to recall petitions and initiative petitions; amending Title I, Chapter 3, Section 11 of the UOSACA, establishing definitions; requiring Petitioner to submit certain documents for General Counsel review; providing procedures for appeal to the Superior Court; prohibiting further challenge; requiring posting and notification of summary of Proposition of petition; establishing certain affidavit requirements for Petition Packets; specifying certain duties of the General Counsel and Superior Court; establishing time period for circulation of Petition Packets; prohibiting non-students from proposing or circulating petitions; prohibiting certain signatures from being included in physical count; amending Title VII, Chapter 2, Section 9 of the UOSACA, regarding the establishment of election dates for petitions; adding another type of petition; modifying the time period for establishing election dates for certified petitions; providing short title, providing for codification; and providing an effective date.

BE IT ENACTED BY THE UNIVERSITY OF OKLAHOMA STUDENT ASSOCIATION:

Section 1: This act shall be known and may be cited as the True Democracy Act 2010

Section 2: AMENDATORY: Title I, Chapter 3, Section 11 (d) of the UOSACA is amended to read as follows:
d. Election Procedures
Initiative, referendum, recall, constitutional amendments, or any other petitions shall be submitted to the UOSA General Counsel for certification. Petition signatories shall be UOSA members, with their printed names, their signature, and the last four digits of their OU I.D. number. Questions or propositions shall be printed on every petition page and worded consistently on every petition page. Following the General Counsel’s certification of a valid petition, the General Counsel shall post the petition and notify the Legislative Branch, which shall call an election as soon as practicable. All campaigning regarding referendums, initiatives, constitutional amendments, or any other petition shall be subject to the guidelines set forth in this act. If the General Counsel rejects a submitted petition as invalid, the General Counsel shall submit a written report or make a personal appearance at the next regularly scheduled meetings of the Undergraduate Student Congress and Graduate Student Senate explaining grounds for the rejection. The decision of the General Counsel may be appealed to the UOSA Superior Court. The Election Procedures Act; Congressional Bill No. 700304 and Senate Bill No. GS03-3, Sec. 17.

d. Definitions

i. **Initiative Petition** – A petition that seeks to place legislation (bill or resolution) on the ballot for the student body to vote upon. An initiative petition may also place UOSA constitutional amendments on the ballot for the student body to ratify or reject.

ii. **Recall Petition** – A petition that seeks to place an elected UOSA official on the ballot for retention before his or her term of office has expired.

iii. **Proposition** – A constitutional amendment, legislation, or recall language the Petitioner seeks to place on the ballot for the student body to vote upon.

iv. **Summary of the Proposition** – The substance, essence, or action, in summary, of the effect of the Proposition. The Summary of the Proposition accurately reflects the Proposition, much as an abstract reflects its larger article. The Summary of the Proposition shall serve as the ballot question, and;

   a) shall not exceed two hundred (200) words;

   b) shall explain in common language, which can be easily found in dictionaries of general usage, the effect of the Proposition;

   c) shall not contain any words which have a special meaning for a particular profession or trade not commonly known to the OU student body;

   d) shall not reflect partiality in its composition or contain any argument for or against the measure;

   e) shall contain language which clearly states that a "yes" vote is a vote in favor of the Proposition and a "no" vote is a vote against the Proposition; and

   f) shall not contain language whereby a "yes" vote is, in fact, a vote against the Proposition and a "no" vote is, in fact, a vote in favor of the Proposition.
v. **Petitioner** – An enrolled student at the University of Oklahoma Norman Campus who uses the initiative petition or recall petition process as provided for in Article VII of the UOSA Constitution.

vi. **Petition Packet** – A packet distributed by the UOSA General Counsel to the Petitioner for collecting student signatures via the initiative petition or recall petition process, consisting of the Proposition and five (5) signature sheets.

vii. **Signature Sheet** – A sheet for collecting student signatures in support of placing a Proposition on the ballot for the student body to vote upon.

   1. The Summary of the Proposition shall be printed on the top margin of each Signature Sheet in no smaller than 12-point Times New Roman font.
   2. Every signature sheet must have **twenty (20) twenty-five (25)** separate signature lines to collect a signatory’s full name, his or her signature, and his or her complete OU identification number.

viii. **Petition Circulation Period** – A period of time beginning on the date that the UOSA General Counsel issues the first Petition Packet to the Petitioner and ending ninety (90) days, when class is in session, later.

ix. **Petition Certification** – A determination of the UOSA General Counsel that a sufficient number of signatures required for initiative petitions or recall petitions as provided for in Article VII of the UOSA Constitution have been submitted by the Petitioner.

e. Filing Procedures for Petitions

i. **If any Petitioner wishes to collect signatures via the Initiative Petition or Recall Petition process, then he or she shall submit the following to the UOSA General Counsel, hereinafter referred to as General Counsel, prior to collecting signatures:**

   a) **The Petitioner shall submit a true and exact copy of the Proposition and a Summary of the Proposition to the General Counsel when filing a petition.**

   b) **The General Counsel shall have five (5) business days to review the proposed Summary of the Proposition and determine whether it complies with this Title.**

      1. The General Counsel shall have the authority to modify or rewrite completely the Summary of the Proposition to ensure that it complies with this Title.
      2. The General Counsel shall not have the authority to modify, in any way, the Proposition itself.
      3. **The Petitioner may withdraw his or her petition at any time.**

   c) **Upon review, the General Counsel shall post the final Summary of the Proposition as well as a true and exact copy of the Proposition in a conspicuous place inside the UOSA Offices and shall transmit a copy of the same to the UOSA President, Chair**
of the Undergraduate Student Congress, Chair of the Graduate Student Senate, and editor of the primary campus newspaper.

d) Upon posting of the aforementioned Summary of the Proposition and the Proposition, any member of UOSA who is dissatisfied with the wording of the Summary of the Proposition statement may, within seven (7) business days, appeal to the Superior Court. **Within ten (10) business days after** such an appeal is filed, the Court shall either uphold the sufficiency of the proposed Summary of the Proposition statement, make corrections to the Summary of the Proposition statement or draft a new Summary of the Proposition statement. Should there be no appeal within the seven (7) business days allotted for such an appeal or once the Court has ruled, there shall be no further challenge to the petition on the basis of the Summary of the Proposition statement.

e) After the posting requirements mentioned in c) and d) above are met, the General Counsel shall format, print and distinctly mark each Petition Packet to be distributed to the Petitioner. These Petition Packets, though printed at UOSA expense, shall not contain the statement “Printing Funded by UOSA” at the bottom.

f) The Petitioner shall be allowed to request a reasonable amount of Petition Packet from the General Counsel’s office, and the UOSA General Counsel shall issue to the Petitioner a reasonable amount of Petition Packets.

**f. Circulation of Petition by Other than Qualified Elector Unlawful**

i. Only students currently enrolled at the University of Oklahoma Norman Campus shall be allowed to propose and/or circulate petitions. Any petition not in compliance with this section shall be disqualified by the General Counsel.

**g. Certification of Collection of Signatures**

i. **Each signature sheet of** Every Petition Packet shall be verified on the back thereof, in substantially the following form, by the student or students who circulated said signature sheet of said Petition Packet, by his or her affidavit thereon and as a part thereof:

“I, ______, hereby attest: That I am a currently enrolled student at the University of Oklahoma Norman Campus and that the signatories of this signature sheet have signed his or her name thereto in my presence; I believe that each has stated his or her name, and his or her OU identification number correctly, and that each signer is a legal voter of UOSA.”
The above statement shall be followed with the student or students’ names who circulated said signature sheet of said Petition Packet.

**h. Time Limit for Circulation of Petitions**

i. If the Petitioner does not submit all of his or her signed Petition Packets to the General Counsel within the Petition Circulation Period, then the signatures the Petitioner has collected shall be null and void.

ii. The Petitioner, at any time before the final submission of signatures, may withdraw his or her petition upon written notification to the General Counsel.

iii. A Petitioner may terminate the circulation period any time during Petition Circulation Period by notifying the General Counsel in writing that:
   a) All Petition Packets have already been filed with the General Counsel;
   b) No more Petition Packets are in circulation; and
   c) The Petitioner will not request from the General Counsel additional Petition Packets nor will he or she circulate any more Petition Packets.

iv. If the General Counsel receives such a notification from the Petitioner, then the General Counsel shall begin the counting process.

**i. Physical Count of Number of Signatures on Petitions - Notification of Violations**

i. Upon conclusion of the Petition Circulation Period, the General Counsel shall make or cause to be made a physical count of the number of signatures on the Petition Packets submitted by the Petitioner. The General Counsel shall ensure that the count is conducted within a reasonable amount of time. In making such count, the General Counsel shall not include in his or her physical count:
   a) All signatures on any signature sheet of any Petition Packet not issued by the General Counsel. If non-General Counsel issued Petition Packets are submitted to the General Counsel to count towards the requisite amount of signatories specified in the UOSA Constitution regarding Initiative Petition or Recall Petitions, then the General Counsel shall reject said Petition Packets.
   b) All signatures on any signature sheet of any Petition Packet which is not verified by the student or students who circulated the signature sheet of the Petition Packet as provided in Chapter 3, Section 11 (g) of this Title;
   c) All signatures of non-students;
   d) All signatures on a signature sheet that is not attached to a copy of the Proposition;
   e) All multiple signatures on any printed signature line.
f) All signatures not on a printed signature line. Not more than twenty (20) twenty-five (25) signatures on one sheet Signature Sheet on lines provided for the signatures shall be counted. Any signature sheet not in compliance with this Title shall be disqualified by the General Counsel.

g) Those signatures by a student who signs with any name or OU identification number other than his or her own or signs more than once;

h) All signatures on any signature sheet submitted after the Petition Circulation Deadline.

ii. The General Counsel shall notify the UOSA President, Chair of the Undergraduate Student Congress, and Chair of the Graduate Student Senate of any and all violations of this Title of which he or she has knowledge.

iii. If the General Counsel certifies an Initiative petition or Recall petition, then the General Counsel shall post the Proposition in a conspicuous place in the UOSA Offices and notify the Legislative Branch, which shall call an election as soon as practicable. All campaigning regarding referendums, initiatives, recalls, or constitutional amendments shall be subject to the guidelines set forth elsewhere in the UOSA Code Annotated. If the General Counsel rejects a submitted Initiative petition or Recall petition as invalid, then the General Counsel shall submit a written report or make a personal appearance at the next regularly scheduled meetings of the Undergraduate Student Congress and Graduate Student Senate explaining grounds for the rejection. The decision of the General Counsel may be appealed to the UOSA Superior Court.

Section 3: AMENDATORY: Title VII, Chapter 2, Section 9 (d) of the UOSACA is amended to read as follows:

d. Elections for Referendums and Initiatives
Dates for elections concerning referendums shall be established by the Legislative Branch within three (3) weeks of passage of said referendums by the Legislative Branch. Dates for elections concerning initiative shall be established by the Legislative Branch within three (3) weeks after said initiatives have been submitted to the UOSA office. All certified Initiative Petitions and Recall Petitions shall be automatically placed on the next general election ballot. If the general election occurs within three weeks of certification, then the Initiative Petition or Recall Petition shall be automatically placed on the ballot of the subsequent general election. The Legislative Branch shall have the authority to establish alternative election dates for certified Initiative Petitions and Recall Petitions.
Section 4: This act shall be effective when passed and signed in accordance with the UOSA Constitution.

Author(s): Rep. Matthew Gress, Vice-Chair of Student Congress, Social Sciences District
Co-Author(s): Sen. Susan Adams-Johnson, Chair of Graduate Student Senate

Submitted on a Motion by: Gress, seconded by Robison

Action taken by Congress: Passed, 21-2-1

Verified by Chair: _____________________________ Date:_________

Submitted on a Motion by:

Action taken by Senate:

Verified by Chair: _____________________________ Date:_________

Approved by UOSA President:___________________________ Date:_________

Approved by University President:___________________________ Date:_________