

*In Res Abel Mulugheta/ Sameer Desai (ESB / SG 2011 – 003)*

Chair Eric D. Nimmer delivered the opinion of the Board:

In the matter of Abel Mulugheta and Sameer Desai, candidates for University of Texas Student Government (UTSG) President and Vice-President 2011-2012, heard on one count of neglecting to appropriately file a financial disclosure as prescribed under section 5.27 of the Student Government Election Code, were found in violation of said regulation and thus subject to penalty.

Election Code Section §5.27 reads as follows:

*Each candidate's financial records must list identifying information (name, item, etc.) and amounts of each contribution and expenditure. Contributions and expenditures of non-monetary assets or in-kind efforts must be listed and valued at their fair market value, as determined by the Election Board. Each financial disclosure statement must have all expenditure receipts attached. All expenses must be included in the financial disclosure report. Campaign materials promoting an executive alliance must be accounted for and divided equally among the financial disclosures of each candidate mentioned by name in the materials.*

Whereas, the Board has deemed a Class A punishment as governed by the Student Government Election Code appropriate, a taxing of 4% (four percent) of the party in question's allotted budget shall be levied. This penalty shall be paid and accounted for on the candidates' next financial statement.

While it is unfortunate that the receipts in question were shown to be accounted for, the objective fact remains that they were not filed as prescribed explicitly by the Election Code and thus their existence becomes a moot point.