

*In Res Abel Mulugheta/ Sameer Desai (ESB / SG 2011 – 008)*

Secretary Cameron Miculka 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, 5.33 and 7.10 of the Student Government Election Code, were found in violation of said regulations 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.*

Election Code Section §5.33 reads as follows:

*Failure to file accurate financial disclosure statements by the deadlines listed in this section, or falsification of financial statements, shall qualify the candidate for disqualification by the Election Board.*

Election Code Section §7.10 reads as follows:

*No campaigning or campaign materials may exist within 20 feet of any on-campus polling location.*

Whereas the Board considers the event as an “in-kind contribution,” and found the responding party responsible for reporting the fair market value of reserving the space, the party has been found guilty of violating the aforementioned rules regarding financial disclosures. Furthermore, whereas the board was presented with video evidence of a party worker wearing a shirt featuring the campaign’s logo, the party has been found guilty of violating election procedures. Considering the violations, the board has deemed a Class C punishment as governed by the Student Government Election Code appropriate, a moratorium of all campaign activities and a tax of 12% (twelve percent). The moratorium will be in effect from the issuance of this ruling until 4:00 pm, March 10. During this time, candidates, agents and workers shall not engage in any activities that qualify as campaigning under the Student Government Election Code. Furthermore, the candidates, agents and workers shall refrain from any use or distribution of campaign materials as defined under 2.12 of the code. Campaign activities may resume at 4:00 pm. The tax penalty shall be paid and accounted for on the candidates’ next financial statement.