

2021 Election Supervisory Board

In Re: Financial Disclosure #2

ESB Resolution: 2021-003

Election Supervisory Board Secretary Jack Bumgardner delivered the majority opinion of the Board:

“In the matter of candidates’ failure to submit Financial Disclosure #2 by the specified deadline”

Whereas, Section 6.16 of the Campus-Wide Election Code reads in relevant part “FINANCIAL DISCLOSURE STATEMENT. Financial disclosure statements shall be filed with the Election Supervisory Board, in the Student Government Office (SAC 2.102) or other locations designated by the Election Supervisory Board, at the following times: ... by 4:30PM, on the last day of the General or Special Election,” and,

Whereas, the Election Supervisory Board specified during the Candidate Seminars on Thursday, February 11, 2021, and Thursday, February 25, 2021, that Financial Disclosures must be submitted online via the Office of the Dean of Students website Student Elections page (utexasvote.org); and,

Whereas, the Election Supervisory Board clarified in ESB AO 2021-004 that the deadline to submit Financial Disclosure #2 is Tuesday, March 9, 2021, at 4:30 p.m. CST; and,

Whereas, the Election Supervisory Board reminded candidates of the Financial Disclosure #2 deadline via email in advance of the deadline; and,

Whereas, Payton Bellman submitted Financial Disclosure #2 on Tuesday, March 9, 2021, at 9:34 p.m. CST; and,

Whereas, Alexander Hayek did not submit Financial Disclosure #2; and,

Whereas, Alexander Hayek confirmed to the Election Supervisory Board that zero (0) dollars were spent and no material advantage was gained as a result of failing to submit Financial Disclosure #2; and,

Whereas, Pranav Konduri submitted Financial Disclosure #2 on Tuesday, March 9, 2021, at 6:07 p.m. CST; and,

Whereas, Andy Ma submitted Financial Disclosure #2 on Tuesday, March 9, 2021, at 10:28 p.m. CST; and,

Whereas, Siddhant Puranik did not submit Financial Disclosure #2; and,

Whereas, Siddhant Puranik confirmed to the Election Supervisory Board that zero (0) dollars were spent and no material advantage was gained as a result of failing to submit Financial Disclosure #2; and,

Whereas, Tehreem Siddiqui submitted Financial Disclosure #2 on Tuesday, March 9, 2021, at 5:47 p.m. CST; and,

Whereas, Caroline Thomas did not submit Financial Disclosure #2; and,

Whereas, Caroline Thomas confirmed to the Election Supervisory Board that zero (0) dollars were spent and no material advantage was gained as a result of failing to submit Financial Disclosure #2; and,

Whereas, Section 4.14 of the Campus-Wide Election Code states “DEFINING CLASSES OF VIOLATIONS. Within the ranges established by the Election Supervisory Board, the Election Supervisory Board shall select the amount of the fine or length of the suspension most appropriate to both the severity of the infraction and the intent of the violator as determined by the Election Supervisory Board,” and,

Whereas, the Election Supervisory Board has determined each of these infractions of Section 6.16 of the Campus-Wide Election Code to be a Class A violation; and,

Whereas, in cases where respondents submitted Financial Disclosure #2 after the deadline and spent an amount of zero (0) dollars, no injury can be claimed by opposing candidates because the respondent gained no material advantage through unreported (late) expenditure; and,

Whereas, in light of this circumstance, the Election Supervisory Board has voted to impose a 25% reduction in spending on any campaign that submitted Financial Disclosure #2 after the deadline; and,

Whereas, in separate cases where respondents did not submit Financial Disclosure #2 and spent an amount of zero (0) dollars, no injury can be claimed by opposing candidates because the respondent gained no material advantage through unreported expenditure; and,

Whereas, given the inherent severity of failing to submit Financial Disclosure #2, the Election Supervisory Board has voted to impose a 50% reduction in spending on any campaign that did not submit Financial Disclosure #2; therefore, be it,

Resolved, that the following candidates are hereby fined with the listed reductions in budget spending for the duration of the 2021 Campus-Wide Election cycle:

Name	Candidate for	Violation type	Spending reduction
Payton Bellman	Liberal Arts Representative	Late submission	Reduction of 25%
Alexander Hayek	Natural Science Representative	No submission	Reduction of 50%
Pranav Konduri	University-Wide Representative	Late submission	Reduction of 25%
Andy Ma	Undergraduate Studies Representative	Late submission	Reduction of 25%
Siddhant Puranik	Liberal Arts Representative	No submission	Reduction of 50%
Tehreem Siddiqui	Liberal Arts Representative	Late submission	Reduction of 25%
Caroline Thomas	Natural Science Representative	No submission	Reduction of 50%

Resolved, that because the campaign period and election period have elapsed completely, these penalties have no impact on the outcome of any election. Given that none of the aforementioned penalties results in the disqualification of a candidate, these complaints and the pursuant hearings and penalties are entirely moot.

Resolved, that any adversely affected party has the right to appeal this decision pursuant to Section 4.18 of the Campus-Wide Election Code, which reads, “APPEAL OF ESB DECISION: Any party adversely affected by a decision of the Election Supervisory Board may file an appeal with the entity with appellate jurisdiction within twenty-four (24) hours after the adverse decision is announced, unless the Election

Supervisory Board's decision takes place during a voting period. During the voting period, an appeal must be filed within eight (8) hours after the adverse decision.”

In conclusion, the Election Supervisory Board submits its resolution on Wednesday, March 10, 2021, with the majority of Board members who were present at the meeting.

Affirmative Votes:

Jenny Ainsworth (Chair)

Robert Toto (Vice-Chair)

Jack Bumgardner (Secretary)

Jon Bishop

Wesley Brewer

Justin Gonzales

CJ Ligon

Mayson O'Brien

Serah Sadhwani