

Texas State University Student Government

ADVISORY OPINION

TO: Presidential, Vice-Presidential, and Senatorial Candidates

FROM: Adrian Cooper

SUB: Election Board of the Student Government of Texas State University

Date: January 25, 2017

The Election Board has received a request for an advisory opinion on the matter of the ability for organizations or individuals who are not affiliated with Texas State University to endorse or contribute monetary or material support to a candidate.

An endorsement is defined as “any form of communication expressing support for a candidate (Title III, Chapter 100, Article IV, Section 2). According to the Title III Election Code, Chapter 105, Article II, Section 14, “chartered student organizations may not provide any monetary or material support of any candidate”. However, in the case that an organization or individual that is not affiliated with Texas State University wants to endorse a candidate, there is no provision made in the Title III Election Code that bars said endorsement or support.

Therefore, it is the opinion of the Election Board that if an organization or individual not affiliated with Texas State University wants to endorse any candidate, they may. However, the Election Code is very specific about permitted and prohibited association (see Title III Election Code, Chapter 105, Article I, Sections 2-4). Also, it is important to note that any contribution must be documented in a financial disclosure statement in accordance with the Election Code (see Title III Election Code, Chapter 106, Article II, Sections 3-5).

This is an advisory opinion from the Election Board and is appealable to the Supreme Court in the case of the opinion adversely affecting any party (see Title III Election Code, Chapter 101, Article III, Sections 1-2).

Thank you,
Adrian Cooper
Election Board Chairman