A Bill –

To be entitled “The Election & Integrity Investigation Committee Act” establishing a temporary Committee to investigate allegations of unethical behavior related to Texas State University Student Government Campaigns

WHEREAS: We take pride in the quality of our Student Government and hold the representatives to a high standard of conduct, regardless of if these representatives are elected or appointed; and

WHEREAS: The University and Student Government hope to foster a learning environment in which one can learn without fear of discrimination, intimidation, or censorship; and

WHEREAS: Turning Point USA has a remarkable history of creating hostile work and learning environments through a myriad of intimidation tactics against students and faculty (Maximillian Alvarez, No Re-Turning Point, U.S.A.); and

WHEREAS: Turning Point USA strives and frequently does financially support the election of conservative candidates into student government offices across the country through elaborate campaigning and often illegal funding of candidates (Turning Point USA, Campus Victory Project); and

WHEREAS: It is against Texas State University’s Student Government Election Code Chapter 106 Article II Section 3 (a) clearly states “Non-student groups may not donate to a candidate’s campaign.” and

WHEREAS: Texas State has a chapter of Turning Point USA that reports to the national organization and while Texas State’s
TPUSA is comprised of students, the national chapter is not and therefor is not a student group and is not treated as such; and

WHEREAS: The Election Code Chapter 106 Article I Section 1 also states “Donations shall include any and all discounts not available to the student population at large”; and

WHEREAS: The Boreing-Becerra campaign used temporarily donated tablets the week of elections that were not documented on their financial expenditure reports; and

WHEREAS: Turning Point USA consistently donates tablets, and frequently illegally pays the students recruiting votes as a tactic to secure votes for their candidate (Nick Roll, Leaked Documents, audio: Conservative Turning Point USA Quietly Funding Student Government Campaigns across US); and

WHEREAS: Former Student Body President Brooklyn Boreing is documented to have attended a Turning Point USA Conference in June; and

WHEREAS: Multiple workers of the Boreing-Becerra campaign and former Boreing-Becerra Chief-of-Staff Colin Pruett were affiliated and now currently are employed by Turning Point USA; and

WHEREAS: The president of student government is supposed to be the voice of the students and allegations of this voice being compromised by outside influence are taken seriously to better serve and represent our student body; and

THEREFORE, BE IT ENACTED: That by the Student Government Code be amended to include the following:

Title IX – Statutes
Subtitle I – Miscellaneous
Chapter 125 – The Executive Conduct and Election Integrity
Investigation Committee Act

Article I – Administrative

§1 Authorization: This chapter is authorized pursuant to Article 3, Section 10(b) of the Student Government Constitution and Student Government Code Title VI, Chapter 200, Article V §17
§2 Purpose: To investigate the accusations of election code violations by the Boreing-Becerra campaign, and unauthorized outside monetary influence in Texas State University Student Government elections, and allegations of inappropriate outside influence. This Committee will conduct investigation of corruption or influence by unauthorized outside forces in Texas State University Student Government Elections, draft legislation to prevent further corruption, make recommendations to Student Government Task Force to prevent future corruption and secure future elections from undue influence, and report findings to the Senate and make recommendations concerning the sanctions and punitive measures that should be taken against anyone found guilty of misconduct.

Article II - Powers, Jurisdiction, and Limitations

§1 Jurisdiction: This Committee has the authority to investigate the following, as permitted by applicable regulations

(1) Campaign Finance records, disclosed or undisclosed, related to Student Government campaigns
(2) The Committee may interview witnesses and anyone who comes forward with information relevant to the investigation
(3) Campaign influence or interference of any unauthorized entity, or any part, segment, department, Committee, affiliate, or subsidiary thereof, whether directly or indirectly, in Texas State University student government elections
(4) Campaign Finance Violations, such as unreported funds and funds from non-student organizations
(5) Any tangible assistance received, including but not limited to financial assistance, from unauthorized entities, or any part, segment, department, Committee, affiliate, or subsidiary thereof
(6) Any form of unauthorized interference in elections, campaigns, election results, and conduct of the current administration
§2 Execution: All powers shall be exercised by majority vote of
the Committee, except in instances of powers specifically
delegated to the Chair, Vice-Chair, and Secretary by the Student

a) Committee powers and scope are limited to those which are
necessary and proper to exercise the jurisdiction granted
in Section 1

1. This Committee is authorized for a period of 90 days
from the point of its first meeting, and shall present
a written report of its findings, and Committee
minutes, to the Senate upon the conclusion of the
investigation. After the first month, the Committee,
will be subject review by the Senate every two weeks,
and may be terminated by a 2/3rds vote. This Committee
will be dissolved upon the completion of the 2018-2019
legislative session.

2. The Committee shall give a report before the Senate on
a weekly basis, detailing the timetable, findings, and
progress of the investigation.

b) Considering that the Chair of the Senate as well as members
of the Cabinet have potential conflicts of interest, there
will be a temporary suspension of Student Government Code
Title VI, Chapter 200, Article V Sections 4, 7 and Section
13, subsections (a-c) insofar as they conflict with the
following statements:

1. Nominations of Committee Chair will be done by
Senators and approved by two-thirds vote of the Senate
2. Committee membership shall be limited to 7 Senate
Committee members, and 6 subcommittee members from
outside the Senate, and will be on a volunteer basis
and shall be confirmed by the Committee Chair if there
are no conflicts of interest. The Committee Chair
shall establish a list of Committee and subcommittee
members within 1 week after enactment to be approved
by the Senate by 2/3 majority vote.
3. The dissolve of this Committee will not be permitted
by a motion of the Senate, end of Senate session, or
legislation, and may only be dissolved in accordance
with the provisions outlined in subsection (a)
4. The Committee Chair will determine the date and
frequency of Committee meetings.
c) Delegation of Responsibility. Upon request, Senators’ required commission attendance shall be replaced by Committee attendance if Senators are bona fide Committee members. Commission Chairs attendance will not be replaced by Committee attendance.

d) Subcommittee. As provisioned in the Student Government Code Title IV, Chapter 200 Article V Section 16 (a), the Committee Chair will create a subcommittee in order to include non-senators in the investigation, this subcommittee should consist of membership from across branches of student government, as well as the student body at large. There will be a temporary suspension of Student Government Code Title VI, Chapter 200, Article V Section 16 (a-c) as it conflicts with the following statements:

1. Subcommittee members will be appointed by the Chair of the Committee.

2. All Senate Subcommittee members shall have an official vote in the Committee.

§3 CONFLICTS OF INTEREST: As it pertains to section 2(b) of this legislation, conflict of interest shall be defined as official affiliation with the Boering-Becerra Campaign, or with an opposing campaign, in the form of tangible support such as candidacy or status as a campaign work or agent. This definition shall further include persons or entities which are alleged to have contributed, by official affiliation or financial support, to organizations implicated in this investigation.

BE IT FURTHER ENACTED: That upon passage this legislation is to be forwarded to Student Body President Ruben Becerra, and will be implemented in accordance with the procedures contained in this bill.