



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

sga_ag@ucf.edu

studentgovernment.ucf.edu

To: Andrew Collazo Borges, Assistant Supervisor of Elections
Amarah Presley, Supervisor of Elections

CC: Luci Blanco, Student Body President
Jarib Benitez, Student Body Vice President
Kirsten Courts, Speaker of the Senate
Jason Hameed, Senate President Pro Tempore
Bella Pazera, Chief Justice
Collin Hoffner, Internal Assistant Chief Justice
Victoria Marie Villadarez, External Assistant Chief Justice
Anna Reed, External Legislative Assistant
Grace Rudie, Internal Legislative Assistant
Ryan Kaufman, Deputy Pro Tempore of Legislative Affairs
James Kapinos, Deputy Pro Tempore of Senate Relations
Zachary Gaudio, Legislative, Judicial, and Rules Committee Chair
Owen Sherman, Conference, Registration, and Travel Committee Chair
Niklas Luecht, Financial Allocations for Organizations Committee Chair
Samuel Rose, Operations Review & Sanctions Committee Chair
Nghì Chau, Elections and Appointments Committee Chair
Juan Varela, Government Affairs and Policy Committee Chair
Mila Teodorescu, Student Body Advocacy Committee Chair
Jordan Lipner, Caucus Leadership Committee Chair

From: Jorge Altuna, Attorney General and Judicial Advisor

Date: September 18, 2025

Subject: Opinion on Candidates Procedures

Time: 7:00 PM EST

I. Foreword

I, Jorge Altuna, the Student Government Attorney General, in accordance with the Student Body Constitution, Statutes, and Senate Rules, hereby issue the following opinion:

Upon review, it is the opinion of this Office that, under the current statutes, Presidential tickets are permitted to begin active campaigning immediately upon declaring, whereas Senate candidates must wait until a later date (the first academic day of the fifth week of the spring semester at 9:00 a.m.). This means that, as written, a presidential ticket can start campaigning as soon as they file their Declaration of Candidacy, while Senate candidates cannot campaign until the prescribed start date in Chapter 603.2. Particularly, a Senate candidate may not campaign before the fifth week, but a presidential candidate who has declared may do so immediately. This ambiguity in Chapter 603.3 should be resolved. I recommend that the Student Senate's Elections and Appointments Committee consider uniformity across the campaign start times or clearly differentiate them with justifications.



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

sga_ag@ucf.edu

studentgovernment.ucf.edu

II. Question Presented

This opinion is issued in response to an inquiry from the Assistant Supervisor of Elections, Andrew Collazo Borges. The question presented is: Chapter 603 presents an inconsistency in when candidates may begin active campaigning. For example, presidential tickets are permitted to begin immediately after declaring, while Senate candidates must wait until a later date. Does this mean presidential tickets may actively campaign without explicit approval from the Election Commission? Furthermore, according to the Election Period Timeline, what is the earliest date that both Senate candidates and presidential tickets are permitted to begin active campaigning?

III. Background and Statutory Framework

The statutes impose a clear waiting period for Senate candidates. Section 603.2 lists the steps needed to qualify and then states: “Active Campaigning shall begin no earlier than 9:00 am on the first academic day of the fifth week of the spring semester.” Notably, the statutes tie this permission to having completed all pre-campaign requirements by the close of the declaration period. In §603.2(C), it says that to be placed on the ballot and to be eligible for active campaigning, Senate candidates must have fulfilled all listed requirements by the end of the declaration period.

In contrast, the statutes governing Presidential candidates provide a different rule. Section 603.3(F) states: “Active Campaigning shall begin immediately following the ticket’s Declaration of Candidacy.” This is unambiguous since there is no waiting period imposed beyond the act of declaring candidacy. The moment a Presidential ticket files its declaration paperwork and is acknowledged as a candidate, it is, by statute, free to commence active campaigning. The phrasing “immediately following” indicates there is no gap in time.

IV. Analysis

The plain language in the statutes answers the first part of the question: Yes, Presidential tickets can begin campaigning without waiting for the date that applies to Senate candidates, and no additional Commission approval is required beyond being a duly declared candidate. The statutes explicitly say “immediately” after declaration for Presidential tickets. There is no language indicating “pending approval by the Commission” or “at the start of the active campaigning period”. In practice, the Election Commission and its Supervisor of Elections should still ensure that the ticket understands the rules and that the ticket’s materials adhere to the rules. However, these are not preconditions to campaigning as stated in the statutes.



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

sga_ag@ucf.edu

studentgovernment.ucf.edu

The second part of the question asks for the earliest date Senate and Presidential candidates may start campaigning. The statutes clearly say that the earliest is 9:00 a.m. on the first academic day of the fifth week of the spring semester. However, disparity also provides no explanation within the Statutes themselves as to why Presidential campaigns are granted an earlier start. As currently written, the statutes give Presidential candidates a potentially significant advantage in exposure time. This might be viewed as unfair by Senate candidates, or conversely, one might argue that the scope of a presidential campaign (the entire student body) warrants more time. The statutes do not provide guidance on that intent.

V. Recommendations for Statutory Revision

To resolve the ambiguity and inconsistency identified above, I strongly recommend that the Elections and Appointments Committee pursue changes to Title VI that either unify the campaign start times for all candidates or more clearly distinguish them with stated intent. The goal should be to make the Election Statutes internally consistent and easily understood by both candidates and Student Government agents. The Student Body Senate could pursue either of these options:

- **Create uniformity in the Start Time for All Candidates:** This solution would be to have both Senate and Presidential campaigns begin at the same time. This change would ensure no candidate is campaigning before another due to a technicality of the Statutes. It would create a single, well-publicized “campaign kickoff” time applicable to everyone, which is easier to enforce and avoids perceptions of unfairness.
- **Clearly Delineate Different Start Times and Justify Them:** If there is a deliberate reason to allow Presidential campaigns an early start, then the statutes should explicitly say so and manage expectations. Furthermore, the Committee could introduce a requirement that, although Presidential tickets may start early, no active campaigning by any candidate is allowed until their candidacy is officially acknowledged/posted by the Supervisor of Elections.

VI. Conclusion

In conclusion, as the statutes currently stand, the Presidential ticket can begin campaigning upon declaration, while Senate candidates must wait until the fixed start date. These are the statutory parameters that the Election Commission must enforce and the candidates must abide by. However, the lack of clarity around this difference and the rationale behind it suggests the need for a statutory fix. Ensuring that all candidates clearly understand when they can start campaigning is crucial for fair and transparent elections.



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

sga_ag@ucf.edu

studentgovernment.ucf.edu

Issued with due consideration and in service to the Constitution,

Jorge Altuna

Jorge Altuna
Attorney General & Judicial Advisor
University of Central Florida Student Government

Please note: I am not a licensed attorney. This opinion is provided in my capacity as the Student Government Attorney General for advisory and educational purposes only. It does not constitute formal legal advice, nor does it create an attorney-client relationship. For any legal determinations or university policy enforcement, Student Government agents should consult the UCF Office of General Counsel or Student Legal Services.

VII. References

University of Central Florida. (2025). UCF Student Body Constitution. University of Central Florida Student Government. Retrieved from <https://studentgovernment.ucf.edu>

University of Central Florida. (2025). UCF Student Body Statutes. University of Central Florida Student Government. Retrieved from <https://studentgovernment.ucf.edu>