

Texas State University
Student Government
Supreme Court

Advisory Opinion

Donations & Financials

No. 26-01

Syllabus

Request Received – March 9th, 2026. Opinion Issued – March 11th, 2026

The Supreme Court has received two requests to advise on the code pertaining to donations from organizations or individuals, and regulations regarding financial disclosure.

The request presented to the court were:

1. Can a candidate receive donations from both an organization and an individual officially affiliated with the organization if the individual is donating with their personal income.
2. Are candidates required to keep track of volunteer work in their financial disclosure form.

For these questions, the court holds that:

1. You may receive a donation from an individual affiliated with an organization and the organization itself so long as the funds received are separate from each other. (I.E. Organization funds and personal paycheck)
2. All tangible donations including services provided to your campaign for free must be accounted for in your financial report.

A detailed explanation and reasoning of how the court came to this ruling can be found below.

Chief Justice Downey delivered the majority opinion for a unanimous court in which justices Ramon, Hernandez, Smith, and Pickle, joined.

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Chief Justice Downey delivered the majority opinion of the court.

The court received four questions via email from a candidate and voted unanimously to separate the four questions into two separate advisory opinions. The other two questions presented to the court for advisory request can be found in opinion 26-02.

The first request that the court received was asking if candidates are permitted to receive donations from both an organization and an individual officially affiliated with the organization if that individual is donating to the campaign with their own personal income.

The second request was regarding whether candidates are required to keep track of non-monetary donations such as volunteer work, tabling, cutting out papers, posterboard donations, etc.

I

For this question the court looked at Article VIII of the student government election code:

A single donation to a candidate or Executive ticket may not exceed \$250.00. If a candidate is to seek out a donation from an individual or a business, that person may make a one-time donation valued at \$250.00 or multiple donations throughout the campaign that cannot exceed \$250.00 when combined (Section C).

The code is very clear on how much a candidate can receive in donations from a single individual or business; however it is more blurred regarding if an individual that is both affiliated with a business and organization can also donate to a candidate. For this question, the court ruled that it is ok for an individual to donate out of their personal income if they are also affiliated with a business or organization that is also donating to a candidate. The court views the two sources of income as being separate; one is personal and tied to the individual while the other is affiliated solely with the business or organization.

The court wants to stress that while we are allowing individuals and organizations/businesses to donate to candidates, the income or items given must not be related. For example, an

organization may not give multiple individuals money for the purpose of funneling that money to candidates to bypass the \$250 per person limit established in the election code.

All candidates for President, Vice President, House, and Senate shall submit to the Supreme Court a report containing their total campaigning expenditures verified by receipts or bank records within 72 hours of the posting of election results. The cost of any donated items must be included in calculations of total campaign expenditures. This shall include discounts not available to the general public and all donations that the candidate has received. Candidates may not receive any donations from university funds; this does not include paychecks. (Section D).

The court also wants to remind candidates that are receiving funds from an organization that the organization donating must not receive any funds from the university.

II

For the Second request, the court referred to the Student Government Election Codes definition of a donation found in Article II:

“DONATIONS” refers to any monetary or non-monetary form of assistance provided to the candidate and their campaign. All donations must have a tangible value amount (IE. A donated photoshoot would be equivalent to either the photographer's usual rate or the average cost of a photo session). All donations must be documented and included in the candidate's financial disclosure form.

The code states that donations include things that are not monetary, such as services provided to campaigns like photoshoots. The court views volunteering such as tabling to have no tangible value since there is no comparative rate. The court views professional services that have set rates and individuals who are not doing a professional service to be separate (i.e. photographer vs. someone tabling).

We unanimously agreed that because of the reasoning above if a campaign has individuals that do not normally charge for a professionally provided service and simply are just having friends or acquaintances volunteer to do things like tabling that would not be required to be accounted for in the candidate's financial disclosure form.

It is so ordered...