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7 **A Bill -**

8 A bill entitled "Parking Appeals Act" amending the Student Government Code to
9 allow the Supreme Court of the Student Government at Texas State University
10 to have authority over parking appeals in cooperation with Texas State
University Parking Services officials.

11 **WHEREAS:** In order to give students at Texas State University a
12 representative voice in the parking citation appeals process and;

13 **WHEREAS:** Texas State University Student Government strives to continually
14 offer ways to provide representation for the students it serves
15 and;

16 **WHEREAS:** This bill has been compiled and is authorized by the Student
17 Government Constitution, Article III, Section 10 (h); therefore

18 **BE IT ENACTED:** That the text in the Student Government Code Title VII-THE
19 COURTS, Chapter 100-JUDICIAL CODE, after Article VII-RIGHT TO
20 COUNSEL, ARTICLE VIII. INTERPRETATION OF THIS CODE is to be
21 renamed, "ARTICLE IX. INTERPRETATION OF THIS CODE" and the
22 following Article be inserted:

23 **ARTICLE VIII. PARKING APPEALS**

24 §1 **AUTHORIZATION.** This chapter and all of its regulations are authorized pursuant to
25 Article III (10) (h) of the Student Government Constitution, provided agreement
26 with university policies and officials.

27 §2 **PURPOSE.** This authorizes the Student Government's Supreme Court to exercise the
28 power to work closely with the Parking Services Department to handle and be the

1 enduring authority over the final parking citations appeals process. Final parking
2 appeals will be handled by the appointed Justices on the Student Government
3 Supreme Court, chaired by the Court's Chief Justice. The Court's objective in
4 taking over parking appeals shall be as follows:

- 5 (a) Ensure that students have a representative in the parking citation
6 appeals process.
- 7 (b) Provide a more efficient process for final parking citation appeal
8 reviews.
- 9 (c) Extensively review the appealed cases and evidence to determine
10 whether or not a case has grounds for reversal.
- 11 (d) Take into account only the facts of the case and alleged violations of
12 university policy.
- 13 (e) Allow for students to present their case upon request of the court.
- 14 (f) Issue rulings and opinions on cases that are beyond a reasonable doubt.
- 15 (g) Draft and release opinions on cases that need further review, to be
16 determined by the court, with Parking Services Department approval.
- 17 (h) Follow the policies presented in the Parking Services Rules and
18 Regulations.

19 §3 **PROCEDURE.** The parking appeals procedure will be as follows:

- 20 (a) In order for the Court to review a case the defendant must:
 - 21 i. Appeal the ticket to a Level One appeal.
 - 22 ii. Upon denial of the Level One appeal, the ticket must be
23 filed with the Court within 10 working days of the date
24 the defendant was notified of the denial.
 - 25 iii. Level Two appeals will be decided in two ways:
 - 26 1. Simple cases (determined by the court) will be
27 decided based solely on the submitted written
28 appeal.
 - 2. More complex cases, at the request of the Court
(e.g. those involving towing, suspension,
booting, or others determined to be complex by

1 the Court), may require an oral argument, to be
2 scheduled on the next available hearing date,
3 provided the defendant is notified with no less
4 than 10 days' notice.

5 (b) Decisions will be made pursuant the following subsections:

- 6 1. Simple cases will be decided and released on the
7 business day following the decision.
- 8 2. More complex cases will be heard and the Court
9 will issue a decision. The Chief Justice will
10 assign a justice to issue a majority opinion or
11 reserve the right to write it him or herself. Once
12 the opinion is issued, the Court will release it on
13 the business day following the issuance.

14 (c) If a majority is not reached by the Court on a case, the Level One
15 ruling stands.

16 §4 **HEARINGS.** Hearings will occur on Wednesdays at the Parking Services Office at least
17 once per month. If the amount of appeals exceeds the Court's capacity in its monthly meeting,
18 the Court may hold additional hearings, with proper notification given to the parties and with the
19 approval of Parking Services.
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