

**SUPREME COURT OF TEXAS STATE UNIVERISTY,  
STUDENT GOVERNMENT**

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**NO. 03-01**

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**James R. Morrison, Senator, Petitioner**

**v.**

**Samantha Martinez, Vice President, Respondent**

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**FROM THE SENATE, TEXAS STATE UNIVERSITY,  
STUDENT GOVERNMENT**

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**MEMORANDUM OPINION**

After reviewing the petition for injunctive relief based on allegations that a bill was passed without a majority vote in the senate on the night of April 25, 2016, the Justices of the Supreme Court hereby dismiss the petition and grant no relief.

**BACKGROUND**

Senator James R. Morrison [Further referred to as “*petitioner*”] petitioned the court for injunctive relief pending oral arguments regarding S.B. 2016-2017.01 that was

declared passed on April 25, 2016. Petitioner claims that a majority vote was not reached as stated in Article III §4 of the Student Government Constitution. Twenty-nine Senators were present at the time of the vote; meaning in order for proper passage of the bill fifteen senators would have to vote in favor of the bill. The Petitioner claims that upon the first roll call vote only fourteen senators voted in favor of the bill with eleven against. After a point of order was called, a second roll call vote was taken in which only fourteen votes were counted in favor.

## **DISCUSSION**

In this case we were asked to consider the constitutionality of this bill's passage. Upon examination of the Senate roll call vote<sup>1</sup> of S.B. 2016-2017.01 we found fifteen Senators in favor, eleven against, with three abstaining. We have found that indeed fifteen votes in favor are what were required for proper passage of the bill, and that is what was received. That being the only issue at hand we close the discussion. We accept that the senate roll call vote roster to be a true and correct copy of what was taken at the meeting.

As for the Clerk reporting only fourteen votes in favor of the bill, we cannot and will not speak to the accuracy of that. We can only examine the facts and evidence presented before us. Currently with the facts and evidence before us we determine that the bill passed constitutionally with a majority of fifteen votes.

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<sup>1</sup> <http://studentgovernment.dos.txstate.edu/senate/voting-record.html>- S.B. 2016-2017.01 passes with 15 Senators voting for, 11 Senators voting against, and 3 Senators abstaining.

## CONCLUSION

For the foregoing reasons we dismiss the petition for injunctive relief and see that no relief is taken in this case.

*It is so ordered*

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John Austin Garcia, Chief Justice

Before Chief Justice Garcia, and Justices Grover, Duran, Lainez, and Niblock

Justice Levario abstained

Dismissed

No arguments Scheduled

Filed: 4/27/2016