

## TITLE I - THE STUDENT GOVERNMENT CODE

Created by S.B. 2013-2014/1 "Code of Laws Reform and Codification Standards Act"

### CHAPTER 100 -

### ADMINISTRATIVE

#### ARTICLE I. NAME AND SHORT TITLE

- §1 **AUTHORIZATION.** This Code is authorized pursuant to Article III(10)(j) of the Student Government Constitution.
- §2 **NAME.** This code shall be known as the Student Government Code.
- §3 **SHORT NAME.** The short title for the Student Government Code shall be S.G.C. for reference hereafter within this document, in the general operations of the Student Government, and in reference to all laws and Statutes contained herein.
- §4 **ORGANIZATION.** This title and chapter is a statute, codified separately for organizational purposes.
- §5 **SUSPENSION.** The rules and regulations contained within the S.G.C. may only be suspended by lawful amendment by way of a bill, or judicial review as outlined in the Constitution, or if some other method of suspension is provided for by the individual statute.

#### ARTICLE II. PURPOSE

- §1 **PURPOSE.** The purpose of this code is to codify all the statutes, which are the laws of Student Government, enacted by Student Government, and the other rules and procedures enacted under authority of the preceding governing documents of the Student Government for common reference by the Cabinet, Senate, House, courts, the University administration and the student body.
- §2 **JURISDICTION.** The S.G.C. serves as the organizational rules and guidelines for members and is applicable to person(s) seeking membership in Student Government. All process and procedures exist to promote an educational experience related to representation and self-governance, but no process or term should ever be interpreted to be legally binding outside of the context of behavior related to Student Government and as a representative of Texas State University.

### **ARTICLE III. ORGANIZATION**

§1 **DIVISIONS OF THIS DOCUMENT.** The Student Government Code shall be divided into two categories. The first category will encompass Titles I, II, and III, and shall constitute the Student Government By-Laws as stipulated in the Texas State University System Rules and Regulations. The second category will encompass all other Titles and shall govern the daily, operational and administrative regulations of Student Government.

- (a) The By-Laws may only be amended every three years unless special permission is given by the Vice President for Student Affairs and University President.
- (b) The administrative regulations of Student Government and amendments to Titles not listed as a part of the by-laws may be approved for enactment by the Dean of Students.

§2 **DOCUMENT SECTIONS.** The S.G.C. shall be organized into titles, which shall further be divided into sub-titles as needed, chapters, articles, sections, sub-sections, numbers, roman numerals, letters, and such further common divisions as the Supreme Court Chief Justice may deem necessary to codify any statute or other rule or procedure, into a common format. The titles for the S.G.C. shall divide differing governing documents in order of decreasing precedence, excluding the Constitution, in the following manner:

- (a) Title I shall be called “The S.G.C.” and shall include all statutory provisions for the organization, dissemination, and display of this code, as well as definitions for its interpretation (excluding the Constitution).
- (b) Title II shall be called “Code of Ethics” and shall include the most recent copies of the Code of Ethics as amended and ratified.
- (c) Title III shall be called the “Election Code” and shall include the most recent copies of the Election Code as amended and ratified.
- (d) Title IV shall be called “The President” and shall outline the policies and procedures to be used by the Student Body President in executing his or her constitutional powers. This title shall outline the Student Body President’s operational and administrative procedures including keeping record of properly issued Executive Orders.

- (e) Title V shall be called “The Cabinet” and shall include the administrative mechanism and policy and procedures to be used by the Cabinet to execute their constitutional powers.
- (f) Title VI shall be called “The Legislature” and shall outline definitions and the standing rules of the House and Senate for the proper and orderly operation of meetings.
- (g) Title VII shall be titled “The Courts” and shall outline the operational procedures and rules for the conduct of judicial business including the recording of court orders and opinions.
- (h) Title VIII shall be titled “The Budget” and shall outline policies, procedures, rights and responsibilities relating to the use of student government funds.
- (i) Title IX shall be called “Statutes” and shall include bills which establish other policies and procedures as are necessary for the regulatory or administrative operation of Student Government.

§3 **ORGANIZATIONS OF OTHER CHAPTERS AND TITLES.** The chapters of the titles of the S.G.C. shall further divide the title or sub-title into distinguishable documents, categories, or enactments as may be enacted or amended from time to time by the Student Senate or the various entities of the Student Government.

§4 **STANDARDIZED PRESENTATION.** The S.G.C. shall be presented in standard, non-annotated form, including a cover and table of contents, certification statement with the Supreme Court Chief Justice signature affixed, and other items as he or she may direct. All documents shall be modified to meet a standardized format, so long as no modifications are made to the content of those documents. The Supreme Court Chief Justice shall also provide a recommended citation guide for citing the various statutes, rules or procedures, or the Student Government Constitution in documents in cases before the Supreme Court, in bills and resolutions of the Student Government, and orders amending rules or procedures in this Code. The Supreme Court Chief Justice shall also certify the S.G.C. as accurate according to the provisions of this chapter. The Supreme Court Chief Justice may also provide other non-binding parts to the code as he or she may deem necessary and proper to aid the reader in understanding or navigating its contents.

- (a) Titles shall be denoted by upper case roman numeral, sub-titles by digits, chapters by three digits, articles by upper case roman numeral, sections by the section symbol (§) and number, sub-sections by lower case letter enclosed in parenthesis, numbers by digits enclosed in parenthesis, roman numerals by lowercase roman numerals enclosed in parenthesis, letters by lowercase letter, and further common divisions by any use of the above characters at the discretion of the Supreme Court Chief Justice to codify all statutes, rules or procedures, into a common format.
- (b) The Supreme Court Chief Justice may reformat and reorganize this code, with permission of the Supreme Court, so long as those actions do not in any way whatsoever result in a change of the intent or regulations therein.

§5 **STATUTES.** Statutes are defined as a written rule passed by the House or Senate and approved by the President. They start as bills and upon passage and approval become Student Government law. Statutes set forth general propositions of law that apply to specific situations. A statute may forbid a certain act, direct a certain act, make a declaration, or set forth mechanisms to aid members of Student Government in the operation of the Student Government. All bills are to become statutes as amendments to the S.G.C.

§6 **NATURE OF AMENDMENTS.** All bills which when passed and approved become statute and are amendments to the S.G.C. All bills regulating Student Government are subject to the ratification of the Student Senate, except in the case of Title VI, chapter 300, and shall be denoted with reference to the Senate or House bill from which such amendments were enacted below the specific chapter amended. All other amendments shall denote the student body petition number, executive order number, Supreme Court order number, or such other order number amending the statute or rule or procedure below the specific chapter amended.

- (a) All new titles or chapters shall cite the section(s) of the Student Government Constitution which authorize(s) new regulation pursuant to the powers granted under it.
- (b) All amendments must be formatted to conform to the language, style and format of the other sections of this the S.G.C.
- (c) The Supreme Court may make amendments to the Appendix section of this document and shall not require Senate approval so long as it is not changed in such a way that it no longer fulfills its purpose.

§7 **DATING AND RECORDING.** The chapters, sub-titles, and titles of the S.G.C. shall indicate the date of the last revision to that section.

#### **ARTICLE IV. DEFINITIONS**

§1 **DEFINITION.** In determining the meaning of any usage by the Student Government, unless the context indicates otherwise:

- (a) All references to President shall mean the Student Body President, unless otherwise stated.
- (b) All reference to Vice President shall mean the Student Body Vice President, unless otherwise stated.
- (c) All references to the Student Government Advisors shall include the Dean of Students and Assistant Dean of Students as co-advisors of Student Government.
- (d) Words importing the singular include and apply to several persons, parties, or things.
- (e) Words importing the plural include the singular.
- (f) Words importing the masculine gender include the feminine as well and vice versa.
- (g) Words used in the present tense include the future as well as the present.

#### **ARTICLE V. DISSEMINATION AND DISPLAY**

§1 **RESPONSIBILITIES OF THE SUPREME COURT CHIEF JUSTICE.** The Supreme Court Chief Justice is hereby vested the duty to enact the provisions of this chapter, including codifying the S.G.C. in compliance with this chapter. The Supreme Court Chief Justice shall update this Code to reflect all reported changes within one (1) calendar month, and present to the President for review.

- (a) The President shall forward to the Supreme Court Chief Justice any Executive Orders and any statutes passed by the Senate and signed by the President within fourteen (14) days.
- (b) The Chief Justice shall forward to the Supreme Court Chief Justice all court opinions and orders within fourteen (14) days of their issuance.
- (c) The Chair, Director, Commissioner, or chief student leader of any Student Government Commission shall forward to the Supreme Court Chief Justice all

changes made to that particular commissions regulations within fourteen (14) days of their amendment.

§2 **UNIVERSITY ADMINISTRATIVE CHANNELS.** In accordance with Article II, Section 8, Article V Section 5(a) and Article 4 Section 11 of the Student Government Constitution legislation, once passed by either the House or Senate, legislation is transmitted to the President for signature or veto. The President will have five (5) days to either action on the legislation. If after five (5) days the President has not acted, the legislation will be considered signed.

- (a) If signed, the President will transmit the legislation to the Student Government Advisors with an attached memorandum from the President with his comments about the legislation and a summary of the bill or resolution's intent. If applicable, legislation will then be forwarded to the Vice President of Student Affairs and the University President.
  - (1) Passed bills, which have been signed by the President and are related to amendment to Title I, II, and III shall always be forwarded to the Vice President for Student Affairs via the Dean of Students and the University President via the Vice President for Student Affairs for final approval.
  - (2) Passed resolutions, which have been signed by the President shall be forwarded to the Dean of Students, and from the Dean of Students to the Vice President of Student Affairs for transmission to the appropriate department.
  - (3) Passed Simple Resolutions, which have been signed by the President, shall be forwarded to the Dean of Students for whatever action the Dean of Students deems necessary.
- (b) If vetoed, the President will return the legislation back to the body it originated in and the Student Government Advisors. If it is a piece of legislation that was jointly passed in the Senate and House, it shall be returned to both chambers and the Student Government Advisors. In either case, the President shall author a veto statement via written memorandum declaring the legislation vetoed, and attach it to the legislation being returned. The President may use this memorandum to justify his actions or suggest how the legislation may be made acceptable, but is not required to provide justification or suggested corrections.

- §3 **PUBLICATION.** The most recent copy of the S.G.C. shall be made available for reasonable review by the general public in electronic format online as well as in physical form in the Student Government Office each semester.
- §4 **REPORTING.** If changes have occurred, a copy of the S.G.C. shall be forwarded by the Supreme Court Chief Justice to the Dean of Students Office, the Texas State University Archive, the President, and the Chief Justice of the Supreme Court for reference as it is updated and in bound format within five (5) business days of the ending of each semester.
- §5 **FUNDING.** All costs associated with the production and amending of this code shall be incurred by the Student Government annual budget.