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**Date of First Reading: March 2, 2020**

**S.B.2019.2020.11**

**A Bill –**

**A bill to be entitled “Student Government Codification Reform and Overhaul Act” which reestablishes the rules of Student Government under new the constitution by establishing a Student Government Code of Laws. The new Code of Laws provides various updates to the Student Government Code to ensure it follows the constitution ratified by the Student Body on February 20, 2020.**

**WHEREAS:** The Senate strives to establishes processes which are clear to its members and available to its constituents; and

**WHEREAS:** Students approved a new Student Government Constitution on February 20, 2020; and

**WHEREAS:** The new constitution states that: “Upon ratification and approval, this [new] constitution will supersede all other constitutions and will make void all rules, regulations, and court rulings established before its ratification, unless those rules are specifically paired with this constitution”; and

**WHEREAS:** As a result, it is important that the Senate act in advance of the new constitution’s implementation to pass a set of laws and procedures to govern the organization in accordance with its legislative power under the new and current constitution; NOW, THEREFORE

**BE IT ENACTED:** That this bill is adopted and specifically paired with the new constitution ratified by the students on February 20, 2020 and the provisions therein will not be implemented until the constitution has been implemented; and

**BE IT ENACTED:** Upon passage this bill be forwarded to the Student Body President Corey Benbow for further action; and

**BE IT ENACTED:** That the following be established as the new Student Government Code of Laws and that the following Titles I, II, VII, VIII, and IX are implemented:

**The Student Government**

**Code of Laws**

***2020***

This publication is in accordance with S.G.C. I. §100.3(4) and is available for public reference free from any and all copyright restrictions.

Special thanks to:

American Society for Public Administrators: Code of Ethics

Illinois State University: Bylaws

Louisiana State University: Rules of Court

Texas A&M: Student Government Code of Laws

University of Houston: Bylaws

University of Texas at Austin: Election Code

Questions or comments regarding this publication may be addressed to the Student Government office directly via the following contact information.

ATTN: The Supreme Court Chief Justice

The Student Government

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LBJ Student Center 4-5.1

San Marcos, TX 78666

512.245.1274

https://studentgovernment.dos.txstate.edu/about-us/governing-documents.html

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*“At its best, mankind is the noblest of all animals; separated from law and justice it is the worst”*

**-Aristotle**

**Annual Certification**

I certify that I have prepared this 20XX-20XX, Official 1st Edition of the Student Government Code of Laws pursuant to S.G.C. I. §100.3(4) to the best of my ability. This document reflects all legislative, executive, and judicial changes impacting the governing laws of Student Government at Texas State University. Additionally, I certify the attached appendix has been modified for use during the 20XX-20XX term.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

FirstName LastName

**Attorney General**

I certify that the 20XX-20XX, Official 1st Edition of the Student Government Code of Laws has been reviewed and the attached appendix has been properly modified for use during the 20XX-20XX term.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

FirstName LastName

**Dean of Students, or designee**

**Citing the Student Government Bylaws and Operational Procedures: Recommended Models**

Long Form – The specific location of a rule may be listed followed by the long title of the document in which it is located. For example: Article I, Section II of the Constitution or Article III, and Section II, of the Election Code.

Short Form – This format is highly recommended for use in court documents or when referencing provisions of the Bylaws and Operational Procedures in Senate legislation or Executive/Judicial Orders. The title within which a specific rule is located under followed by the short form of the Bylaws and Operational Procedures and the annotated reference of the specific section of the rule in question in the following manner:

S.G.B.O.P., space

The Title’s Roman numeral, space

The section symbol (§) (done by typing Alt-2-1), no space

The three-digit chapter number, a period, no space

The article number in digit form, open parenthesis

The section number in digit form, closed parenthesis, a space

Any other sub-section or other classification with no space separating. Any additional sections are separated by a comma.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Example 1: Article 3, Section II, Subsection B of the Election Code | | | | | | |
| Written | Title | Chapter | Article III | Section I | Subsection B | S.G.C. III. §101.3(1) (b) |
| Abbreviated | S.G.C. III. | §101 | .3 | (1) | (b) |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Example 2: Article V, Section VI, Sub-Sections (a)-(d) of the Senate Standing Rules. | | | | | | |
| Written | Standing Rules | Chapter | Article IV | Section II | Subsection A - and D | S.G.C. VI. §200.5(6) (a)(b)(c)(d) |
| Abbreviated | S.G.C. VI. | §200 | .5 | (6) | (a)(b)(c)(d) |

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | Example 3: Article V, Sections I and II of the Rules of Court | | | | | | | |
| Written | Rules of Court | | Chapter | Article V | Section I and II | Subsection A | Paragraph | Subparagraph | S.G.C. VII. §100.5(1), (2) (a)(2)(i) |
| Abbr. | S.G.C. VIII. | | §100 | .5 | (1)(2) | (a) | 2 | i |

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# THE STUDENT GOVERNMENT CODE OF LAWS

### ADMINISTRATIVE

#### NAME AND SHORT TITLE

* + - * 1. **AUTHORIZATION.** As permitted under Article III, Section 4(a) and (b) of the Student Government Constitution this Code of Law is hereby established.
        2. **NAME.** These rules and procedures will be known as the Student Government Code of Laws or Student Government Code (S.G.C.) for short.
        3. **ORGANIZATION.** This title and chapter is a statute, codified separately for organizational purposes.
        4. **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.

#### PURPOSE

* + - * 1. **PURPOSE.** The purpose of S.G.C. 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 persons seeking membership in Student Government. All process and procedures exist to promote an educational experience related to representation, self-governance, navigation of political, bureaucratic and legal systems 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 therein.

#### ORGANIZATION

* + - * 1. **DIVISIONS OF THIS DOCUMENT.** The laws of Student Government are codified in a Student Government Code of Laws. Bills, when properly passed and approved, will establish Student Government law as statutes to guide specific actions and detail the methods by which the provisions of the constitution, the law, programs, and policies of Student Government are to be executed. These acts will be codified as part of the Code of Laws. The Code of laws has two parts; the bylaws and the operational procedures:

The bylaws relate to the Student Governments ethical rules, election rules, and overall structure of the Student Government Code of Laws and are governed by Texas State University System Regent’s Rules and Regulations Chapter VI, Section 7.11. Amendments to the bylaws require review and approval from the University President.

The operational procedures relate to the daily operation and administrative regulations of Student Government, including all laws passed that are not a part of the scope of the bylaws, and are governed by SA/PPS [07.03.03.04](https://policies.txstate.edu/division-policies/student-affairs/07-03.html). Amendments to these procedures are subject to review and approval by the Dean of Students.

* + - * 1. **DOCUMENT SECTIONS.** The S.G.C. must be organized into titles, which will further be divided into sub-titles as needed, chapters, articles, sections, sub-sections, numbers, roman numerals, letters, and such further common divisions as the Attorney General may deem necessary to codify any statute or other rule or procedure, into a common format. The titles for the S.G.C. will divide differing governing documents in order of decreasing precedence, excluding the Constitution, in the following manner:

Title I will be a part of the bylaws and will be called “The Student Government Code of Laws.” and includes all statutory provisions for the organization, dissemination, and display of this S.G.C., as well as definitions for its interpretation (excluding the Constitution).

Title II will be a part of the bylaws and be called “Code of Ethics” and includes the most recent copies of the Code of Ethics as amended and ratified.

Title III will be a part of the bylaws and will be called the “Election Code” and includes the most recent copies of the Election Code as amended and ratified.

Title IV will be a part of the operational procedures and will be called “The President” and outlines the policies and procedures to be used by the Student Body President in executing their constitutional powers. This title outlines the Student Body President’s operational and administrative procedures including keeping record of properly issued Executive Orders.

Title V will be a part of the operational procedures and will be called “Executive Departments and Cabinet” and will include the administrative mechanism and policy and procedures to be used by the Cabinet to execute their constitutional powers.

Title VI will be a part of the operational procedures and will be called “The Assembly” and outlines definitions and the standing rules of the House and Senate for the proper and orderly operation of meetings.

Title VII will be a part of the operational procedures and will be titled “The Judiciary” and outlines the operational procedures and rules for the conduct of judicial business including the recording of court orders and opinions.

Title VIII will be a part of the operational procedures and will be titled “The Budget” and outlines policies, procedures, rights and responsibilities relating to the use of student government funds.

Title IX will be a part of the operational procedures and will be called “Statutes” and includes bills which establish other policies and procedures as are necessary for the regulatory or administrative operation of Student Government.

* + - * 1. **ORGANIZATIONS OF OTHER CHAPTERS AND TITLES.** The chapters of the titles of the S.G.C. will 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.
        2. **STANDARDIZED PRESENTATION.** The S.G.C. must be presented in standard, non-annotated form, including a cover and table of contents, certification statement with the Attorney General signature affixed, and other items as they may direct. The Dean of Students, or designee, must certify that the S.G.C. is up to date, as needed, and its attachments are updated annually by the Attorney General. All documents must be modified to meet a standardized format, so long as no modifications are made to the content of those documents. The Attorney General will 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 S.G.C. The Attorney General will also certify the S.G.C. as accurate according to the provisions of this chapter. The Attorney General may also provide other non-binding parts to the S.G.C. as they may deem necessary and proper to aid the reader in understanding or navigating its contents.

Titles should begin with a table of contents for each Title. Titles will 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 Attorney General to codify all statutes, rules or procedures, into a common format.

* + - * 1. **STATUTES.** Statutes are defined as a written rule passed by the House or Senate and approved by the President. Statutes 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.
        2. **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 S.G.C. VI. §300, and will be denoted with reference to the Senate or House bill from which such amendments were enacted below the specific chapter amended. All other amendments will 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.

All new titles or chapters will cite the section(s) of the Student Government Constitution which authorize(s) new regulation pursuant to the powers granted under it.

All amendments must be formatted to conform to the language, style and format of the other sections of this the S.G.C.

The Supreme Court may make amendments to the Appendix section of this document and will not require Senate approval so long as it is not changed in such a way that it no longer fulfills its purpose.

* + - * 1. **DATING AND RECORDING.** The chapters, sub-titles, and titles of the S.G.C. will indicate the date of the last revision to that section.

#### DEFINITIONS

* + - * 1. **DEFINITIONS.** In determining the meaning of any usage by the Student Government, unless the context indicates otherwise:

All references to President will mean the Student Body President, unless otherwise stated.

All reference to Vice President will mean the Student Body Vice President, unless otherwise stated.

Words importing the singular include and apply to several persons, parties, or things.

Words importing the plural include the singular.

Words importing gender include all genders.

Words used in the present tense include the future as well as the present.

All references to a business day will mean one 24-hour period,

Any reference to business hours will mean 8:00 a.m. to 5:00 p.m. on any normal operating day of the university.

#### DISSEMINATION AND DISPLAY

* + - * 1. **THE PREFACE.** The pages preceding the actual text of Title 1 are preface and may be formatted, sized, or adjusted without approval from the Assembly including the into quote, certification statement, or introduction to the document. This includes the table of contents at each Title.
        2. **RESPONSIBILITIES OF THE ATTORNY GENERAL.** The Attorney General is hereby vested the duty to enact the provisions of this chapter, including codifying the S.G.C. in compliance with this chapter. The Attorney General will update this S.G.C. to reflect all reported changes within one calendar month, and present to the President for review.

The President will forward to the Attorney General any Executive Orders and any statutes passed by the Senate and signed by the President within 6 days.

The Chief Justice will forward to the Attorney General all court opinions and orders within 2 days of their issuance.

The Chair, Director, or chief student leader of any Student Government Department will forward to the Attorney General all changes made to that particular department regulations within 2 days of their amendment.

* + - * 1. **UNIVERSITY ADMINISTRATIVE CHANNELS.** In accordance with 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 business days to either sign or veto the legislation. If after five business days the President has not acted, the legislation will be considered signed and will be forwarded to the Dean of Students by the Senate or House Leader.

If signed, the President will transmit the legislation to the Student Government Advisors with an attached memorandum from the President with their 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 for Student Affairs and the University President.

Passed bills, which have been signed by the President and are related to amendment to Title I, II, and III will 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.

Passed bills, which have been signed by the President and are related to the amendments to the remaining Titles will be forwarded by the President to the Dean of Students for final approval.

Passed resolutions, which have been signed by the President will 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.

So long as their subjects are proper and duly passed, Simple Resolutions, do not need signature from the President, and will be forwarded to the Dean of Students.

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 will be returned to both chambers and the Student Government Advisors. In either case, the President will 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 their actions or suggest how the legislation may be made acceptable but is not required to provide justification or suggested corrections.

* + - * 1. **PUBLICATION.** The most recent copy of the S.G.C. will 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.
        2. **REPORTING.** If changes have occurred, a copy of the S.G.C. will be forwarded by the Attorney General 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 business days of the ending of each semester.
        3. **FUNDING.** All costs associated with the production and amending of this S.G.C. will be incurred by the Student Government annual budget.

# CODE OF ETHICS

### CODE OF ETHICS

#### ADMINISTRATIVE

* + - * 1. **AUTHORIZATION.** This Code of Ethics is hereby enacted pursuant to Article VI, Section 17 (n), and Article VII, Section 13 (d) of the Student Government Constitution.
        2. **PURPOSE.** As members of the Texas State University Student Government, we hold ourselves to a higher standard as student leaders. We represent the student body and university at all times and in all places. We uphold the ethical standards, the Student Government Constitution, and university policies as guiding principles in our work serving the student body.

#### PROFESSIONAL INTEGRITY

* + - * 1. **PROFESSIONAL STANDARDS.** Members should demonstrate high standards of work and professional integrity. The actions and decisions of individual members serve to strengthen the organization overall. To exemplify membership in Student Government, you are expected to:

Read and understand the Student Government Constitution,

Be objective and expressive concerning the interests of students, be thoughtful, and never prejudge,

Understand the defined responsibilities, rights and powers of every member of Student Government,

Understand, research, and prepare before meetings,

Work to improve and change rules and policies that are redundant or obsolete,

Eliminate rules that are overly restrictive to the representative purpose of Student Government,

Respect the principle of representative government,

Dedicate time to meet with students so that their opinion is well represented,

Create a capacity for open communication, creativity, and dedication,

Not abuse power or position,

Maintain truthfulness and honesty, and not compromise either for personal gain.

Guard against conflicts of interests, and limit unnecessary entanglements in the business and powers of the other components,

Respect superiors, subordinates, colleagues, and the student body,

Respect information that is confidential,

Encourage and facilitate legitimate dissenting opinions,

Respect and abide decisions made by the majority.

Ensure that others receive credit for their work and contributions,

Hold those around you accountable and take responsibility for your own errors,

#### OATH AND AFFIRMATION

* + - * 1. **OATH OF OFFICE.** As prescribed in the Student Government Constitution, every elected and appointed member of Student Government will swear an oath to the principles stated within this Code of Ethics, the laws of Student Government, and the Student Government Constitution. The oath will read;

*“I,* [NAME]*, do hereby swear that I, in my capacity as* [OFFICE] *will represent the students to the utmost of my ability and will discharge the duties of my office with integrity and honesty.  
I further state that I will support and uphold the Student Government Constitution and the laws of Student Government of Texas State University and will strive to promote student government throughout the campus community.”*

# THE JUDICIARY

### RULES OF THE COURT

#### ADMINISTRATIVE

* + - * 1. **AUTHORIZATION.** This chapter and all of its regulations are authorized pursuant to Article VI, Section 17 (k) and (o) of the Student Government Constitution.
        2. **PURPOSE.** A non-statutory protocol authorized by the constitution to establish a policy and procedure for the proper and orderly conduct of judicial business.
        3. **AMENDMENT.** The Supreme Court may amend these Rules of Court, S.G.C. VII §100, by majority vote.
        4. **STRICT INTERPREATION.** The rules of Court must be strictly interpreted with reference to the precise terms of the document whenever possible. If a provision is ambiguous or leads to illogical consequences in its application, it must be interpreted in terms of expediency, fairly, and equal justice to all parties.
        5. **PROCEDURAL JUDGMENTS.** The Chief Justice is the final judge of all procedural questions under the Rules of the Court.
        6. **DEFINITIONS.** Unless specified the term “Constitution”, “constitutional” or “statute” or any variation of these words must reference the Student Government Constitution or S.G.C..
        7. **UNIVERSAL APPLICATION.** This chapter may be used as a guide for any disciplinary hearing by lower courts to provide direction and regulation unless the lower court has a set of rules it must follow as established by statute.

If a lower court adopts this as its rules of Court it must not be able to suspend them unless provided for by statute.

If the lower court has standing rules, the rules herein can still provide additional useful guidelines but where the two conflict the default must be those rules established by statute.

* + - * 1. **ABSENCE OF CHIEF JUSTICE.** If the Chief Justice is, at any time, temporarily unable to perform their duties or if the office is vacant, an alternate must take their place until such time that a permanent replacement is confirmed. This alternate must be the next longest serving Justice, and if all Associate Justices have served for the same period the oldest of the longest serving Associate Justice must serve as Interim Chief.
        2. **TIMELINE.** All complaints must be filed in accordance to S.G.C. VII. §100.3. All filed complaints must receive a response of accepted or not accepted within two business days. If a complaint is accepted, the court will notify (Notice of Complaint) all parties and include the date, time and location of the hearing. Once a Notice of a Complaint is sent, a hearing must be held within three business days but not less than 48 hours.

A complaint is filed and then reviewed by the Court for standing, and within two business days, decides to accept or not accept the complaint and inform the complainant.

If a request is accepted the Chief Justice must, within three business days of receiving a filed complaint, notify (Notice of Complaint) via Texas State e-mail the Supreme Court, the President, the Vice President, the Dean of Students, student government advisors, the complainant, and the respondent of the complaint. The Chief Justice must arrange and include the date, time, and location of the hearing in the Notice of Complaint.

All hearings must be heard by the Supreme Court within three business days of the filing of a Notice of Complaint but not less than 48 hours. This 48-hour restriction may be waived with permission of the respondent and complainant. The 48-hour restriction is waived when a complaint is filed during the voting period.

A Notice of Complaint with the scheduled hearing information must be published on the Student Government website 48 hours prior to the hearing date and time and emailed to all members of Student Government, the staff advisors, and the parties to the complaint.

#### GENERAL PROCEDURES

* + - * 1. **MEETINGS**. Apart from hearings, the Supreme Court may meet in open to the public proceedings with the attendance of the Court Clerk and any counsel to address administrative issues. The Chief Justice may meet for pretrial preparations with any person planning to be before the Court to discuss and clarify procedural issues. Pretrial preparatory meetings between complainant and respondent must be closed to the public and all other court members unless permitted by the Chief Justice.
        2. **TRANSCRIPTION OF PROCEEDINGS.** All proceedings of the Supreme Court must be either recorded with an audio recorder or written transcript. Parties may access the recording upon request to the Chief Justice. Anything recorded during the hearing will be stored in a court archive for three years.

Any interested parties must contact the Chief Justice to request access to the recordings. Access must be granted or denied within two business days of the request.

The Court Clerk must present a written summary of the testimony and arguments produced during the hearing.

#### FILING COMPLAINTS AND REQUESTS

* + - * 1. **COMPLAINTS.** Any Texas State student, except for Supreme Court Justices, may file a complaint with the Supreme Court. A complaint filed with the Supreme Court should generally conform to the template found in the **Appendix VIII** of this document and must be made available to the complainant by the Court Clerk. Complaints must contain basic information as outlined in the appendix including:

A statement of pursuance under which the complainant is filing the complaint, usually in the form of a question.

A statement relating to the cause for action, or claim of harm, under which the court can act to remedy, citing the relevant Student Government rule or regulation that has been violated.

A summary of the requested action to be taken by the court.

A citation of the Student Government Constitution or S.G.C. which grants the complainant standing with the Supreme Court. The Supreme Court must decide if the statement of standing is within their jurisdiction.

* + - * 1. **NOTICE OF COMPLAINT.** All causes of action pursued in the Supreme Court must be initiated by the filing of a Notice of Complaint by the court. The court must review a complaint filed by a complainant and agree by majority vote to hear the case based on standing. If agreed, the court will file a Notice of Complaint which will state that a complaint has standing and outline the information provided in the initial complaint filing.
        2. **STANDING.** Any aggrieved party, who is a Texas State student, must demonstrate to the court a connection to the action on which the complaint is based and possible harms of the action. If the compliant, in the opinion of the court, does not sufficiently demonstrate a connection and harm then the court will reject the complaint.

An aggrieved party must file in the complaint the rules that have been broken or applied incorrectly and how this has impacted them.

Members of the Supreme Court and Supreme Court staff do not have standing to file complaints with any court.

* + - * 1. **WITHDRAWAL REQUEST.** A requestor may decide to not pursue a complaint or advisory opinion at any time after submitting a complaint but before the start of a hearing. A withdrawal must be submitted to the Supreme Court Chief Justice via Texas State e-mail. If a complainant withdrawals 48-hours or less from the start of a scheduled hearing, they are responsible for any fees associated with canceling the hearing room reservation (e.g. room fee, audio/visual fee, cancellation fee).
        2. **ADVISORY OPINIONS.** Questions of interpretation of the constitution or other document with in the Supreme Courts original jurisdiction must be submitted to the Court via formal written memorandum to the Chief Justice. The timeframe for action from the Supreme Court on an advisory opinion request is the same for a duly filed Complaint. Advisory Opinions should not embrace a subject of controversy or seek to remedy a harm. For subjects of controversy or remedy, a Complaint must be filed. An Advisory Opinion request must contain the following;

A statement of pursuance under which the complainant is filing the action.

A statement of standing under which rules, or law the complaint is referring to.

Optionally, the filer may attach a statement of their interpretation of the relevant document with justification and statute citation

A statement of the requested outcome of the complainant’s filing.

Further format is to be stipulated in **XIII**.

* + - * 1. **STATUTE OF LIMITATIONS.** No case must be heard by the Supreme Court more than 60 business days after the alleged act, occurrence, or transaction that constitutes the basis of the case.

Should a contested action occur during a recess of court, the start date for the statute of limitations must begin on the first business day that court resumes.

Actions outside of the 60-business day statute of limitations is only admissible to establish a pattern of behavior related to the case and is completely admissible as evidence.

#### HEARINGS

* + - * 1. **ORDER OF PROCEEDINGS.** The Chief Justice must call a hearing to order and must verify that all relevant parties are present. The Court must hear one question at a time.

A sample agenda has been established by the court.

The oath or affirmation of truth must be administered by the Chief Justice or their designee, in accordance with this S.G.C.

The Chief Justice must entertain any motions from the parties, in accordance with the rules of court.

The Court must hear opening and closing arguments from both parties, and the Court must also hear the examination and cross-examination of all witnesses or arguments.

The Chief Justice must dismiss all parties from the room and deliberation must begin and last no longer than 24 hours.

The Chief Justice must announce the decision and then adjourn the Court.

The verdict of the Supreme Court must be posted on the official Student Government website within 60 hours of a the hearing, and earlier if possible. Court opinions must be posted within 12 hours of the Court’s decision.

* + - * 1. **DRESS CODE.** The Supreme Court may issue before the hearing the proper dress attire. Any person presenting to the Court not properly dressed may not be recognized by the Court.
        2. **OATH OF AFFIRMATION OF TRUTH.** An oath or affirmation of truth must be administered to all participating parties and witnesses prior to motions and arguments in every Supreme Court hearing and serves as agreement on the part of the witness to tell the truth. Failure to do so must result in disciplinary penalty as prescribed by the court.

The oath or affirmation of truth must be administered by the Chief Justice or their designee.

The form for the oath or affirmation of truth must be as follows:

*"I* [state your full name] *– do solemnly swear (or affirm) – that I will tell the truth, the whole truth, and nothing but the truth – as the laws of Student Government require.”*

* + - * 1. **MOTIONS.** At the commencement of proceedings, the Chief Justice must entertain any motions from the parties. If necessary, the Court must hear arguments and testimony on the motions, provided that the Chief Justice, at their discretion, may limit the time allotted for arguments and testimony.

At any time after the commencement of proceedings, the Chief Justice must entertain any motions.

The Supreme Court must recognize nine motions which, if granted, must have the effect of delaying or dismissing the case, as appropriate:

Motion for a Continuance

Allows for the Court to continue hearing the case at a later time.

Motion for Dismissal on the Grounds of Lack of Subject Matter Jurisdiction

Allows for the Court to dismiss a case outside the realm of its original jurisdiction. This motion must automatically be heard if a court with original jurisdiction has not issued orders or opinions on the issue before the Supreme Court. If this is the case the Supreme Court must refer the case back to the court with original jurisdiction.

Motion for Dismissal on the Grounds of Lack of Standing on the Part of the Complainant.

Reference S.G.C. VII §100.3(3).

Motion for Dismissal on the Grounds of statute Limitations.

Reference S.G.C. VII §100.3(5).

Motion for Dismissal on the Grounds of Issue at Hand has Already been Decided.

Allows for the Court to dismiss the case in whole or part based on previous interpretation of the Supreme Court.

Motion for Intervention of Interested Parties.

Allows for the Court to define individuals who possess material information relevant to the case at hand.

Motion for Recusal.

Reference S.G.C. §200.6(1).

Motion for Default Judgment.

A motion applicable when one or both parties are not present at a hearing resulting in an immediate closing of the public proceedings for deliberations by the court.

Motion for recess.

The time for a recess will be proscribed by the Court or proposed to the Court.

* + - * 1. **PROPER USAGE OF MOTIONS.** Any party who wishes to make the listed motions must submit to the Supreme Court a written statement of the motions with justification prior to the hearing; in accordance with the specific motion regulation the maker of the motion may be required to address the motion before the full court. See S.G.C. IV §100.4(4) (b).

Motions for (2) *Dismissal on the Grounds of Lack of Subject Matter Jurisdiction*, (3) *Dismissal on the Grounds of Lack of Standing on the Part of the Complainant*, (4) *Dismissal on the Grounds of statute Limitations*, and (5) *Dismissal on the Grounds of Issue at Hand has Already been Decided* may not be waived by the parties. If the parties fail to make these motions when applicable, the Chief Justice may make and grant them instead.

Motion for (8) *Default Judgment* may be issued if the respondent fails to appear at a duly convened hearing after having been notified.

Motion for (6) *Intervention of Interested Parties* may be addressed after opening remarks by either parties but before evidence is submitted. This applies to witnesses or those with evidence not already provided by either party which may come forward and present information to the court.

For motion for (7) *Recusal* please reference S.G.C. §200.6(1).

In response to a motion for default judgment, the Chief Justice must order the complainant to present their case. At the close of complainant's case, the Supreme Court may enter a default judgment. The judgment must then be forwarded to the Court Clerk

Upon receiving a default judgment, the Court Clerk must post a notice informing the respondent that a default judgment has been entered.

* + - * 1. **OPENING AND CLOSING ARGUMENTS.** The complainant(s) and respondent(s), along with any of their counsel, who have filed briefs with the Court Clerk may present opening and closing arguments to the Supreme Court after all motions have been ruled upon.

The Chief Justice may limit the length of time allotted for opening and closing arguments at their discretion provided that each party must be allowed an equal amount of time to present arguments.

Any party may waive its right to an opening and/or closing argument.

* + - * 1. **WITNESSES.** Parties may present witnesses in support of their respective cases provided that the oath or affirmation of truth is administered to the witnesses prior to testimony.

Parties have the right to cross‐examine all witnesses, so long as they submit their questions in a court brief and the Supreme Court Chief Justice has given permission for the questions to be asked.

The Chief Justice may limit the time to examine and cross‐examine witnesses, provided that each party has an equal amount of time. This additional time will not be included in the total time the Chief Justice affords to all parties

* + - * 1. **QUESTIONS FROM THE BENCH.** Any Supreme Court Justice may question the parties at any time during the proceedings for purposes of clarification.

Any time spent answering questions from the bench must not be included in the total amount of time allotted by the Chief Justice to all parties.

If any party objects to the questions of any Supreme Court Justice, they must make an oral objection.

Such objections must be ruled on by the Chief Justice at the time of objection and placed on record by the Court Clerk.

* + - * 1. **DELIBERATION AND JUDGMENT.** At the close of arguments, the hearing must recess for deliberation. Only Justices of the Supreme Court and the Court Clerk are allowed to be present for deliberations. The Chief Justice, or their designate, must preside over all deliberations. Transcripts or recordings of deliberations are prohibited.

Deliberation must end when a majority of the justices constituting quorum agree to either grant the relief requested, grant a relief agreed upon by the Supreme Court, or to deny the relief requested.

Voting of the court by proxy or remote must be prohibited.

Deliberation must not exceed three business days. University study days “dead day”, finals week, and University sanctioned holidays or emergency closures must not be included in the tabulation of time spent in deliberation.

The decision of the Supreme Court must be announced to the parties by the Chief Justice, or designee.

Judgements of the court, including the majority opinion, must be transmitted to the Court Clerk within three business days of the decision.

Any justice may write a concurring or dissenting opinion at their discretion which should be filed separately with the Court Clerk and be made available online.

Upon receipt of the majority opinion, the Court Clerk must forward copies to the President, the Vice President, the Dean of Students, student government advisors, the complainant, and the respondent of the complaint. Additional copies must be filed in the Court archive and posted on the Student Government website.

Any dissenting or concurrent opinions will be placed on the Student Government website with distinct notification of its status.

If the judgment is returned by the Dean of Students for correction as to University regulation (excluding Student Government documents), the Court must reconvene at the order of the Chief Justice. The Court must resume its deliberations and reconsider its findings, as recommended.

### SUPREME COURT

#### AUTHORIZATION AND PURPOSE

* + - * 1. **AUTHORIZATION**. This chapter and all of its regulations are authorized pursuant to Article VI, Section 17 (k) and (o) of the Student Government Constitution.
        2. **PURPOSE.** In addition to the powers and responsibilities granted to it by the Student Government Constitution, the Supreme Court must enforce, when hearing a case, all Student Government rules and regulations, provide oversight whenever rules are violated, provide a judicial remedy when conflicts arise, ensure the S.G.C. is kept up to date and accurate.
        3. **JURISDICTION.** In addition to the jurisdiction granted to the Supreme Court by the constitution the Supreme Court will have original jurisdiction overall other statutes, rules, regulations, and actions that do not have lower courts with jurisdiction. The Election Board exercises original jurisdiction over the Election Code and election related issues.
        4. **JURISDICTION AND APPEALS.** As provided for in the Constitution, the Supreme Court’s jurisdiction includes appellant jurisdiction, rehearing cases upon appeal.

When deciding a case, the Court cannot ignore the question or issue within the original complaint and appeal.

The Court may address any related interpretative, factual, procedural or other issues that the Court determines has a material effect on the original case and appeal.

The Court may issue orders and opinions to resolve the case completely and effectively.

* + - * 1. **APPEALS NEAR AND DURING VOTING PERIOD.** An appeal hearing must occur within 24 hours when an election related appeal is accepted by the Supreme Court between the Thursday before the voting period begins and the end of the voting period.

#### SUPREME COURT JUSTICES

* + - * 1. **THE CHIEF JUSTICE.** The Chief Justice must adhere to all responsibilities outlined in the Rules of Court. The following include, but are not limited to, the responsibilities of the Chief Justice:

Be the final judge on any questions of procedure arising from S.G.C. VII §100.

Arrange regularly scheduled meetings at which all Associate Justice must be available to conduct official business.

Direct all matters of an administrative nature within the Student Government Court system as governed by S.G.C. VII.

Oversee an annual training of the Supreme Court, Election Board and Public Counsels.

Ensure all Associate Justice are informed of all upcoming hearings and meetings in order to meet quorum of Associate Justice, which must be present at every hearing and meeting.

In case of absence, they may designate another Justice to fulfill duties or the responsibility falls to the most senior Justice present.

Carry out the various enumerated requirements outlined throughout the S.G.C. VII.

Serve on all committees as requested or required. If not available, a designee must be selected and sent.

Consult with all Associate Justices to outline hearing procedures prior to any hearing of the Supreme Court.

Meet with all parties prior to any hearing of the Supreme Court to address Court procedures and any pretrial questions.

Set the goals of the Student Government judicial system and ensure the system meets its statutory and written expectations including deadlines and projects.

Provide any person coming before the Supreme Court their rights and responsibilities.

Coordinate and ensure the S.G.C. is properly formatted, updated and distributed and that any changes are properly transmitted.

* + - * 1. **ASSOCIATE JUSTICES.** Associate Justices must be responsible for attending meetings or hearings called to order by the Chief Justice.

Associate Justices must adhere to attendance policies as stated in this S.G.C.

All Associate Justices must demonstrate their knowledge of all relevant Student Government documents and impartiality throughout their term of office.

No member of or nominee for a position within the Judicial Branch must help, assist, serve on, campaign for, or advise any Fall or Spring Student Government Campaign.

All Justices will undergo mediation or judicial board training by the Dean of Students Office.

#### OFFICERS OF THE COURT

* + - * 1. **COURT CLERK.** The Chief Justice of the Supreme Court may appoint at least one Court Clerk, as an officer of the Court. If there is no Court Clerk the Chief Justice may select an Associate Justice which will assist the Chief Justice in all administrative and clerical matters. The following includes, but is not limited to, the responsibilities of the Court Clerk:

Assist the Chief Justice in all administrative and clerical matters.

Receiving and forward all complaints filed with the Court to the Chief Justice.

Keep the records of the Court as the official archivist.

Obtain and record attendance of Student Outreach Events by all members of the Judicial Branch.

Assist any plaintiff, defendant and the court in administrative, procedural and clerical matters.

Forward all Court Orders and Opinions to the Supreme Court Chief Justice for codification under this title. Court Orders and opinions must be formatted in accordance with **Appendix VII.**

The Court Clerk may be removed for cause from their position by a two‐thirds vote of the Supreme Court.

* + - * 1. **PUBLIC COUNSEL.** The purpose of Public Counsel must be to advise and act as an agent on behalf of any student wishing or requesting their counsel. The Supreme Court Chief Justice may vest the appointment of at least two Public Counsels and must be recognized as an advocate upon demonstrating to the Supreme Court Chief Justice a complete understanding of Student Government Constitution and S.G.C. To this effect, the Supreme Court must establish a method of evaluation for advocate candidates.

Advocates may also be called upon to advise any member of Student Government in the preparation of statutes.

The Chief Justice may relieve the Public Counsel with due cause at any time.

The Public Counsel must keep all matters related to the case they are assigned in the strictest confidence.

Assist students in preparing petitions, complaints, briefs, evidence, testimony and other documents to any court in Student Government.

Ensure the proper preparation of all documents for the courts.

May be called upon by any member of Student Government in the preparation of statues.

With the permission of the student, act as an agent of the student in regard to their court proceedings and speak and act on their behalf.

Uphold all principles of ethics and standards of Student Government.

Provide defense or prosecution to the best of their ability at all times.

May recuse themselves or deny supporting any student for any reason of conscience.

* + - * 1. **RESIGNATION.** All members of the judicial system must notify the Chief Justice of the intent to resign from his position. Upon notification, the Chief Justice must inform the President and Student Government Advisors of the vacancy.
        2. **OATH OF OFFICE.** All officials of the Supreme Court must take an oath of office before taking office. This oath must be administered by the Chief Justice. If the Chief Justice is to take the oath it must be administered by the President.

#### GENERAL PROCEDURE

* + - * 1. **QUORUM.** Two‐thirds of the number of justices appointed to office at the time of a hearing, but no less than three, must constitute the quorum of the Supreme Court. Any action taken by Supreme Court without quorum present must be null and void, excluding the issuance of an injunction by the Chief Justice.
        2. **ABSENCE.** Notice of an absence must be submitted to the Chief Justice, 24 hours in advance of the missed Supreme Court meeting or hearing.

Absences in excess of two, no matter the circumstances or excuse must be just cause for impeachment.

Documentation for excused absences must be submitted to the Chief Justice no later than 24 hours after the missed Supreme Court meeting or hearing.

* + - * 1. **RULES OF LAW.** The Supreme Court may provide an adequate remedy to all complaints filed so long as the remedy affords equitable, practical, and appropriate relief under the circumstances.

The Supreme Court must use statutes, S.G.C., Constitution, as well as the principles and spirit of Student Government law to base its decisions. It must cite its reasoning’s and justifications under those documents pertaining to each case.

The Supreme Court must hear information relevant to the case, so long as it is properly submitted and made available to all sides in a case.

All Student Government legislation, Orders, the S.G.C., and University regulations must be given a strict construction. Any ambiguous provision must be interpreted in such a way as to give full meaning and effect to that provision, with reference to the intent of the provision. If the intent of a given provision cannot be determined, the Supreme Court must use the context of the provision, as well as general principles of justice and equity, to give full meaning to the provision in question.

* + - * 1. **COUNSEL.** Any party brought before the Supreme Court has the right to a maximum of two Texas State students to serve as counsels. This right must not be suspended by any court or component of Student Government. Any party that elects representation by counsel must be bound to all actions and statements made by said counsel.
        2. **ORIGINAL JURISDICTION.** The Supreme Court must have original jurisdiction as prescribed in the Student Government Constitution.
        3. **JUDICIAL MEMORANDUM.** All administrative matters of the Supreme Court must be issued by Judicial Memorandum; this includes, but is not limited to all internal appointments, resignations, and expenses. All Judicial Memorandums issued by the Chief Justice are public record. Each Judicial Memorandum, as well as all injunctions, advisory opinions or Court Orders and Opinions must be forwarded to the Court Clerk.
        4. **REMEDY.** The court may, by the consent of the majority, issue Court Orders to rectify, provide temporary or permanent relief in regard to the harm as filed in the Notice of Complaint.
        5. **POSTING REQUIREMENTS.** The Court Clerk must provide the complainant with a citation, which must contain:

A list of the charges and/or claims brought against the respondent.

The date, time, and place of the scheduled proceedings.

The penalties for failure to appear before the Court, including default judgment, and suspension and/or expulsion from office.

* + - * 1. **HEARING AND MEETING NOTICE.** A notice of a hearing of the Supreme Court will be posted by the Chief Justice or Clerk to the Student Government website at least 48 hours prior to the hearing date and time. The notice will also be emailed to all members of Student Government, the staff advisors, and the parties involved in the complaint.
        2. **BRIEFS.** Both parties to a case and any interested parties may file briefs with the Court Clerk. Briefs must be received by the Court Clerk no later than 24 hours prior to the commencement of a hearing.

In the event of an election hearing, briefs must be submitted no later than 15 hours prior to the hearing.

Briefs must conform to the template provided to both parties by the Court Clerk. The template can be found in the **Appendix IX** of this document. The brief submitted to the Court Clerk must not exceed eight typed pages.

Supplementary documents must be submitted at the same time as the brief. If supplementary documentation is not included with the brief, it may be presented at the hearing with a majority vote of the justices.

The Court Clerk, acting under the direction of the Chief Justice, must distribute a digital copy (e.g. Word Document (.doc or .docx) or Portable Document Format (PDF)) of all briefs at least five hours before the scheduled hearing, to all parties including the respondent, the complainant, and counsel. A physical copy may be provided upon request.

The Chief Justice reserves the right to deny the admission of an excessive number of briefs.

* + - * 1. **SUBPOENA POWERS.** The Chief Justice may compel, through subpoena any member of Student Government, either elected or appointed, to appear in court as a witness, and may also request, through formal letter any Texas State student, faculty, or staff member to appear in court as a witness. No member of the Texas State faculty or staff is required to attend or comply with anything the Supreme Court requests and any request will come with an explicit statement of this fact. Matters of public record may be requested per local, state and federal law.

A subpoena may also be issued to any Student Government member, either elected or appointed, to provide documentation relevant to the cases being heard.

Any member of Student Government, either elected or appointed, who fails to appear or provide subpoenaed documents before the Supreme Court when so compelled may face penalties as established by statute or the constitution.

#### FAILURE TO APPEAR

* + - * 1. **DEFINITION.** A respondent has failed to appear before the Court when, after proper notification via Texas State e‐mail, they do not make an appearance, in person or by counsel, at a duly convened proceeding of the Supreme Court.
        2. **PENALTIES.** If a Student Government official, elected or appointed, knowingly fails to appear before the Supreme Court, the Chief Justice may make a decision with concurrence of the majority of the court from the bench without the need for testimony.

#### RECUSATION

* + - * 1. **RULE FOR RECUSAL.** Any justice of the Supreme Court must recuse themselves from participation in a case if they believe that, by virtue of their relationship or association with any of the parties to the case, they are unable to decide the case impartially.

A motion for recusal made by the justices or either party or their counsel may be requested anytime during the hearing.

A justice’s refusal to recuse themselves is subject to challenge if the aggrieved party believes that a justice who participated in deciding the aggrieved party’s case should have recused themselves.

* + - * 1. **RELATED PARTIES.** Related parties include:

Anyone legally related to a party of the case before the Court, in a direct line of either ascendance, descendants, or collaterals within the first degree.

Anyone whose name appears on campaigning material or is/was the agent or worker for any campaign.

Anyone who has publicly announced their support of a party to the case before the Court. Public announcement is defined as:

A letter of support to any periodical.

Distributing campaign materials of a party of the case.

Providing material or financial support of any kind.

Announcing said support in student organization meetings, social networking websites, e‐mail, text messaging, or any other form of communication determined at the discretion of the Supreme Court.

* + - * 1. **CHALLENGES.** The Supreme Court must have original and exclusive jurisdiction in cases arising under this article and, therefore, must proceed according to the procedures specified in Article I of the Rules of Court.

Only members of the Supreme Court and their counsel must be admitted into the challenge hearing.

If a Supreme Court Justice is the subject of the challenge, the Chief Justice must dismiss that justice from hearing the challenge. If the Chief Justice is the subject of the challenge, the Justice must dismiss themselves from hearing the challenge.

Any justice that is the subject of a challenge must have the right to defend themselves in the same manner as a respondent and must retain all the rights and privileges guaranteed or granted under this S.G.C.

If a majority of the justices find that the challenged justice should have recused themselves and their failure to do so may have affected the outcome of the case, a new trial or hearing must be ordered on behalf of the aggrieved party. The justice found to have failed to recuse themselves will not be involved with any subsequent case.

#### INJUNCTIONS

* + - * 1. **DEFINITION AND ISSUANCE.** The Supreme Court possesses the power to issue injunctions, pursuant to Student Government Constitution.

An injunction is an order issued in the name of the Supreme Court which requires a Student Government official to do the following:

Temporarily cease and desist any activity or practice until such a time as a full hearing can be held regarding the case or controversy; or,

Grant to applicant such relief as is requested on a temporary basis until such a time as a full hearing can be held on the case or controversy.

* + - * 1. **PROCEDURE FOR AN INJUNCTION BY THE SUPREME COURT.** Injunctions may be issued by the Chief Justice or a majority of the Court concurring.

An injunction from the Supreme Court must conform to the template found in the **Appendix VII** to this document and submitted to the Chief Justice.

The Chief Justice must inform all interested parties of the injunction’s disposition as soon as possible, but in no case more than 24 hours after the receipt of the injunction request.

Injunctions may be issued against any Student Government election, Student Government official function, Student Government official in their capacity, or any legislative and/or executive instrument. Justices of the Supreme Court must not issue an injunction of any action of the Student Government or any member of the Student Government in instances where no petitioner has requested such action.

No injunction will be issued for something, which has not resulted in a harm, or cause of action. Generally, this means an injunction cannot be issued for something that has not yet happened.

Injunctions may only be effective for a maximum of five consecutive days including weekends. Any injunction purporting to have effect for a longer period is null and void.

A petition for an injunction may be included in the complaint filed by the complainant.

The Injunction Petition Form can be found in the **Appendix X** to this S.G.C.

* + - * 1. **BURDEN OF PETITIONER.** Injunctions must not be issued unless the petitioner is able to demonstrate that immediate, irreparable harm will result without injunctive relief. An injunction is to be considered an extraordinary temporary remedy.

#### RIGHT TO COUNSEL

* + - * 1. **RIGHT TO COUNSEL.** All Texas State students wishing to pursue or defend themselves in a Supreme Court or lower court hearing has a right to effective counsel by a student of Texas State University in the way of a Public Counsel. Students must be informed of this right upon being made aware of a pending action in any Student Government Court. To this end, two students, preferably focusing on Public Administration or paralegal studies, may serve as Public Counsels to any student requesting this counsel.
        2. **STUDENTS WISHING COUNSEL.** If any student wishes to have Public Counsels as counsel, they must inform the Chief Justice who must assign an advocate to the student until the completion of the proceedings.

If the student grants the Public Counsel the power to act as their agent or prepare documents in their name, actions of the advocate must be the same as if the student had acted themselves.

Students may revoke the counsel of an advocate at any time.

Students may provide their own outside counsel, which can act as their advocate, so long this person is a student.

Students may have a non-student, outside counsel, but any such counselor must not be recognized to speak or present testimony or evidence.

Students may counsel themselves or have any other student who is not a Public Counsel provide them with counsel.

### PARKING APPEALS ACT

#### AUTHORIZATION AND PURPOSE

* + - * 1. **AUTHORIZATION.** This chapter and all of its regulations are authorized pursuant to Article VI, Section 17 (k) and (o) of the Student Government Constitution.
        2. **PURPOSE.** This Supreme Court is authorized to exercise the power to work closely with the Parking Services Department to handle and be the enduring authority over the final parking citations appeals process. Final parking appeals will be handled by the appointed Justices on the Student Government Supreme Court, chaired by the Court’s Chief Justice. The Court’s objective in taking over parking appeals must be as follows:

Ensure that students have a representative in the parking citation appeals process.

Provide a more efficient process for final parking citation appeal reviews.

Extensively review the appealed cases and evidence to determine whether or not a case has grounds for reversal.

Take into account only the facts of the case and alleged violations of university policy.

Allow for students to present their case upon request of the court.

Issue rulings and opinions in cases that are beyond a reasonable doubt.

Draft and release opinions on cases that need further review, to be determined by the court, with Parking Services Department approval.

Follow the policies presented in the Parking Services Rules and Regulations.

#### PARKING APPEALS PROCESS

* + - * 1. PROCEDURE. The parking appeals procedure will be as follows:

In order for the Court to review a case the defendant must:

Appeal the ticket to a Level One appeal.

Upon denial of the Level One appeal, the ticket must be filed with the Court within 10 business days of the date the defendant was notified of the denial.

Level Two appeals will be decided in two ways:

Simple cases (determined by the court) will be decided based solely on the submitted written appeal.

More complex cases, at the request of the Court (e.g. those involving towing, suspension, booting, or others determined to be complex by the Court), may require an oral argument, to be scheduled on the next available hearing date, provided the defendant is notified with no less than 10 business days’ notice.

Decisions will be made pursuant the following subsections:

Simple cases will be decided and released on the business day following the decision.

More complex cases will be heard, and the Court will issue a decision. The Chief Justice will assign a justice to issue a majority opinion or reserve the right to write it themselves. Once the opinion is issued the Court will release it on the business day following the issuance.

If a majority is not reached by the Court on a case, the Level One ruling stands.

* + - * 1. HEARINGS. Hearings will occur on Wednesdays at the Parking Services Office at least once per month. If the amount of appeals exceeds the Court’s capacity in its monthly meeting, the Court may hold additional hearings, with proper notification given to the parties and with the approval of Parking Services.

### ELECTION BOARD

#### ADMINISTRATIVE

* + - * 1. **AUTHORIZATION.** This chapter and all of its regulations are authorized pursuant to Article VI, Section 17 (i), (k), and (o) of the Student Government Constitution.
        2. **JURISDICTION.** The Election Board will have jurisdiction over Student Government elections, special or general, and shall enforce and interpret the Election Code. The Board will enforce all provision of the Constitution, the S.G.C., University policy and procedures, and other relevant regulations on candidates in the context of their campaign. The Board will have the power to enforce the listed regulations before filing begins, during the election process, and until the completion of all election related activity.
        3. **VACANT ELECTION BOARD.** If a case or controversy related to the election should arise while the Election Board is vacant the Supreme Court will automatically assume jurisdiction for Advisory Opinion Requests and Complaints.If the vacancy persists during the election such that requirements of this Code are missed the Supreme Court will work to fulfill the minimally required administrative tasks to ensure the election proceeds in accordance with the rules outlined in this title.
        4. **ENFORCEMENT.** The Election board must be responsible for enforcing all provisions of S.G.C. III, Election Code. The Election Board will be given broad powers to interpret, enforce, and resolve any issues not otherwise dictated within this Election Code.
        5. **ADMINISTRATION OF ELECTIONS**. The Election Board will be responsible for the administration of campus-wide elections.
        6. **JURISDICTIONAL BOUNDARIES.** The jurisdiction of the Election Board applies both on-campus and off-campus.

#### THE ELECTION BOARD

* + - * 1. **ELECTION BOARD SELECTION PROCESS.** The Election Board will be assembled through an application and interview process managed by the President, to be completed and nominees submitted to the Nominations and Appointments Committee by the first Monday in October. The most qualified candidates are to be recommended from the committee to the Senate. When a nominee is a graduate student, the House will also confirm.

Members of this Election Board are not allowed to serve Student Government in any other capacity, elected or appointed.

The application for the Election Board will be made available through the Dean of Students Office, Student Government website, sent to the pre-law program, and anywhere else it may be viewed by a large qualified applicant pool.

* + - * 1. **ELECTION BOARD QUALIFICATIONS.** A total of five members will be selected to comprise the Election Board from the applications submitted. Each will possess the following qualifications:

Must not currently hold an elected position, endeavor to run in the current election cycle, or be engaged in actively campaigning for an elected position, alliance or candidate,

Must either be a graduate student or an undergraduate student, and have completed one semester as a Texas State student,

Must be in good academic and disciplinary standing.

If the applicant pool does not yield at least five qualified members the Dean of Students may recommend to the President specific candidates.

* + - * 1. **ELECTION BOARD CHAIR SELECTION.** From among the appointed Election Board members, the President must select a member to serve as Election Board Chair.

The preferred qualifications for the Election Board Chair include service in any of the following: The Student Justice Board, the Supreme Court, the Election Board, the Organization Conduct Review Board, Student Organizations Council, or the Supreme Court.

The Chair must not be a Supreme Court Justice or be in any other way currently affiliated with the Supreme Court.

The Dean of Students may make recommendations to the Student Body President for members who meet similar standards.

* + - * 1. **ELECTION BOARD MEMBER REMOVAL.** Any member of the Election Board may be removed for just cause by a two-thirds vote of the Election Board or impeachment. Should a member of the Election Board be removed, the President will select a replacement by majority vote of the Election Board out of candidates who have previously applied, with confirmation by the Senate.
        2. **CALLING MEETINGS.** The Chair of the Election Board will facilitate and organize the necessary meetings and hearings in order to accomplish tasks set forth by this Election Code.
        3. **ELECTION BOARD CHAIR.** The Chair will be the chief executor of the Election Code and be vested with specific powers that when executed may be overridden by a majority vote of the Board. These powers include:

Issuing temporary injunctions,

Issuing verbal orders to candidates,

Barring disruptive members of the public from hearings,

Assigning candidates to Election Board members.

* + - * 1. **ELECTION BOARD CLERK.** The Election Board or Chair will appoint one of the members as the clerk or can appoint a non-member volunteer; who will be responsible for recording the minutes of Election Board meetings and hearings, and keeping records of all complaints, opinions, rulings, and filings required of candidates under the Election code.

The clerk will provide a written copy of all decisions concerning individual candidates or alliances to the candidates involved.

Failure to do so may result in revocation of clerical duties by the Election Board Chair.

If no clerk is appointed these responsibilities fall to the Election Board Chair.

* + - * 1. **ELECTION BOARD QUORUM & CHAIR.** For any hearing to occur, a quorum of Election Board members must be in attendance. Quorum is defined as three Board members. No hearing or action may be taken without quorum. Proxy voting is prohibited.

All decisions of the board must be made by a majority vote of those present at the time of the hearing.

The Chair of the Election Board must preside over the hearing.

In cases where the Chair is absent, the responsibility to preside must fall to an Election Board member as predetermined by the Chair.

If the Chair has not selected a temporary replacement, the Election Board will select a temporary Chair by consensus.

* + - * 1. **TERMS OF OFFICE.** The Election Board will serve for two years and until the conclusion of all election related business in years they serve.
        2. **CONFIDENTIALITY.** The Election Board members will sign a contract which will outline job responsibilities as established by the Election Board Chair in cooperation with the Dean of Students. This will include a confidentiality agreement and failure to adhere to this provision is just cause for removal and referral to student discipline.

### COURT ORDERS AND OPINIONS

#### REQUIREMENTS AND STRUCTURE OF OPINOINS AND ORDERS

* + - * 1. **AUTHORIZATION.** This chapter and all of its regulations are authorized pursuant to Article VI, Section 17 (k) and (o) of the Student Government Constitution.
        2. **PURPOSE.** The propose of this chapter is primary to outline the standardized way that the Supreme Court must display and direct its orders and opinions. The format and structure are designed for clarity to its readers and facilitates the articulation of the consensus, majority and minatory opinions of the Courts.

The Court Orders and Opinions should come in the following content format:

a summary of the opinion and order known as a syllabus,

a case introduction, findings, set of conclusions, opinions, and relevant interpretations, known as the Court Opinion, and

any related orders in that sequence.

* + - * 1. **COURT ORDERS AND OPINIONS.** Supreme Court and Election Board Orders and Opinions should be written in a scholarly, detailed and deliberative way, citing, whenever possible the constitutional provision or statute which substantiates the opinion and actions.

The Court must issue a Majority Opinion. If the Court does not reach a majority, a *per curiam* decision is issued instead. The Court may also issue a Concurrent Opinion or Dissenting Opinion.

A Majority Opinion is the written opinion of the majority of the justices and basis of any court orders and is written by the most senior Justice or they may assign another justice to write the opinion of the case.

A Dissenting opinion is the written opinion of the minority embracing any issue presented or discussed in the majority opinion and may be written by any Justice together or separately.

The Election Board must not issue minority or dissenting opinions or decisions.

A Concurrent Opinion will provide support for the majority opinion but may deviate in its application or method of support from that which is listed in the Majority Opinion.

A *per curiam* decision is one where the Court was unable to reach a majority decision and must affirm the lower court’s decision or provide no precedent, action or remedy.

Upon the conclusion of a hearing and after deliberation the Supreme Court must provide a written decision. This decision will come in the way of court orders and opinions. This document will come in two distinct parts but are to remain one document.

The majority opinion of the court must detail the reasoning and justifications for its orders and must meet the standards as outlined in this section.

The courts orders must detail the actions it is taking or is commanding other components of Student Government to take in order to comply with its majority opinion and thus remedy the case.

Majority opinions may be opposed through a written minority opinion or agreed with in part or whole by a concurring opinion, however no minority order or concurrent order may ever be issued.

Orders and opinions must, whenever possible, cite under what statute or constitutional provision the Court is acting in order to provide judicial direction for lower courts and to established judicial precedence.

Orders and opinions can only embrace the question before the Court. The Court must have the power in its opinions to address related issues and questions which arise in the course of the hearing and discussion.

The Court must only agree on the correct relief and remedy for a case to issue orders, majority and concurring opinions which may differ are acceptable so long as the relief and remedy is agreed upon by a majority.

#### CODIFICATION OF COURT ORDERS AND OPINIONS

* + - * 1. **CODIFICATION.** Codification of Supreme Court Orders must occur pursuant to S.G.C. I. §100.5(1)(b). Each individual Opinion or Order, which for these purposes must constitute the same, must be codified as a new chapter in ascending order from 401. For the purposes of publication the Chief Justice may issue the order and opinion in whatever manner captures the information and in a style which is easy to read and fits a generally accepted framework, examples can be found in the **Appendix VII** For the purposes of codification the opinion and order must follow the same format as outlined is S.G.C. I. §100.3(4). Minatory opinions are not codified.
        2. **JUDICIAL REVIEW**.As a power granted by the Constitution the Opinions and Orders codified within this and subsequent chapters must be considered an extension of this S.G.C. or Constitution depending on the source document.
        3. **AMENDMENTS.** Recantation or amendments to previous Court Orders and Opinions must be recorded as such in the already established chapter for the order and opinion and must not be recorded as a new chapter.
        4. **CODING.** Court Orders must be coded first with the number sign (#) and the session of the Senate in which the order and opinion was issued followed by a number which represents the number in chronological order of issuance in that session. Example: Case #04-5 (“04”, represents the session the order was issued in, and “5” is the fifth order issued in the session.).

### ACADEMIC YEAR 2020/2021

#### #01-1 [Complainant v. Respondent]

* + - * 1. **SYLLABUS.** [TO BE ENTERED]
        2. **OPINION.** [TO BE ENTERED]
        3. **ORDER.** [TO BE ENTERED]

### ACADEMIC YEAR 2021/2022

#### #02-1 [Complainant v. Respondent]

* + - * 1. **SYLLABUS.** [TO BE ENTERED]
        2. **OPINION.** [TO BE ENTERED]
        3. **ORDER.** [TO BE ENTERED]

### ACADEMIC YEAR 2022/2023

#### #03-1 [Complainant v. Respondent]

* + - * 1. **SYLLABUS.** [TO BE ENTERED]
        2. **OPINION.** [TO BE ENTERED]
        3. **ORDER.** [TO BE ENTERED]

# THE BUDGET

### BUDGET AND FINANCE OF STUDENT GOVERNMENT

#### GENERAL PROVISIONS

* + - * 1. **AUTHORIZATION.** This Title and all of its regulations are authorized pursuant to Article VI, Section 17 (l) and (m) of the Student Government Constitution.
        2. **SCOPE AND PURPOSE.** This chapter must establish a standardized handling, accountability and authorization of Student Government money, all of the following funds must be subject to its regulation:

Any and all fee(s) as defined by the Texas Education Code, allocated to Student Government for any purpose whatsoever.

Any club account, private funds, accounts or endowments that may exceed $500 in value.

* + - * 1. **CLASSIFICATION.** For the purposes of spending money bills must be classified in two ways; appropriations and budget authorization.
        2. **BUDGET AUTHORIZATION.** Budget authorization bills must authorize the total expenditure of funds for the operations of Student Government and must be recorded as a separate chapter in this title and each year the new fiscal year must be an amendment to that act. All budget authorization bills must be written by a Senator of the Department of Finance in the form of a bill.
        3. **APPROPRIATIONS.** Appropriation bills must authorize all expenditures not initially listed on a budget authorization bill and funded by discretionary funds.

Any Senator may author an appropriations bill.

All appropriation bills must be forwarded to the Department of Finance for review before adoption in the Senate.

* + - * 1. **REMAINING FUNDS.** In the event money allocated to Student Government by the Student Service Fee rolls over between fiscal years, then the money remaining in the Student Government account, upon the conclusion of the fiscal year, must be folded into the discretionary fund for the subsequent fiscal year.
        2. **NEW FISCAL YEAR.** Each fiscal year a budget must be established from funds being issued by fees. Discretionary funds may never be used to fund the operations of the new fiscal year.
        3. **FISCAL YEAR.** “Fiscal year” is defined in the same manner as Texas State University, September 1 to August 31.

#### SENATE, POWERS AND DUTIES

* + - * 1. **RESPONSIBILITY FOR BUDGETTING.** All bills for the expenditure of funds by the Student Government must originate in the Senate. The legislative writing standard format to be used for Senate bills relating to budget authorization and update must be followed as shown in S.G.C. VIII §100.1(4).
        2. **ANNUAL AUTHORIZATION AND UPDATE.** The Student Government budget will be authorized by the Senate in the fall semester for the fiscal year. In the spring semester, the Senate votes to approve an update to the budget if needed.
        3. **MISSED DEADLINES.** In the event budget deadlines are not met, the Senate may pass continuing resolutions to maintain the operations of Student Government under the most recently authorized budget, each such resolution must never do so for more than a two-week period.
        4. **DISCRETIONARY AUTHORITY.** The Senate must have sole power to release money from discretionary funds, which exceed that of Presidential authority and limitations.

#### PRESIDENT, POWERS AND DUTIES

* + - * 1. **BUDGET PROPOSAL.** The President must submit to the Department of Finance the proposed budget by the second meeting of the Senate in the fall semester. In the spring semester, the President may submit an update of the budget by the second meeting of the Senate in the spring semester if necessary. The proposed budget must:

Contain all the expenses for the operation of the Student Government throughout the fiscal year.

Categorized into specific expenses including those expenses for every office, operation and component of Student Government.

Contain a category for expenses while the Senate is not in session, which includes the summer and holiday breaks.

* + - * 1. **DISCRETIONARY AUTHORITY AND LIMITS.** While the Senate is in session in the fall and spring semesters, the President will have the power to spend no amount greater than $250 from discretionary funds in a two-week period, and must report, in writing to the Department of Finance if such an authorization is made.

While the Senate is out of session, during the summer break, the President has the power to use no more than 25% of discretionary funds.

* + - * 1. **EXECUTION OF BUDGET.** The President may facilitate the use of Student Government money and may be charged with providing for the use of said money on those expenses established by the Senate in the budget authorization and appropriations bills.

A form for the tracking and release of expenditures must be established, requiring presidential signature. This form may be altered by the President each year to fulfill unique situations. The President must be required to establish a specific format be followed for tracking the usage of funds.

Expenditures by the President must not exceed or be altered from the amounts categorized and allocated by the Senate in the authorization bill and the same must be true for appropriations unless the Senate acts to do so.

* + - * 1. **PRESIDENTIAL REPORTING.** The President, the Director, or a designee must provide the department with documentation of expenditures and issue a report on the state of the budget including but not limited to current expenditures from each category and line item at each meeting of the department.
        2. **PRESIDENTIAL POWERS.** The President must have the power to reallocate remaining funds from each category and line item should the reason for the allocation be completed or otherwise invalidated, any such changes must be reported to the Department of Finance at its next regularly scheduled meeting.

#### DIRECTOR OF FINANCE, POWERS AND DUTIES

* + - * 1. **DIRECTOR OF FINANCE** The Director of the Department of Finance will Chair meetings of the Department of Finance, provide reports to the Senate and advise the President, Cabinet and Departments on the issues relating to the budget and finances of Student Government.

#### DEPARTMENT OF FINANCE, POWERS AND DUTIES

* + - * 1. **BUDGET TIMELINE.** The Department of Finance will take receipt of the proposed budget from the President by the second meeting of the Senate in the fall. The department will review and write a bill to authorize the budget. A Senator from the Department of Finance will introduce the bill in the Senate by the fourth meeting of same semester for authorization approval. The Department of Finance will follow the same process therein when updating the budget in the spring semester.

A proposed budget bill must be reviewed by the student government advisors prior to its introduction and first reading as legislation.

* + - * 1. **RESPONSIBILITIES.** TheDepartment of Finance in reviewing the budget must:

Be established as a Department.

The Director and membership of the Department must be nominated by the President.

The Director may be a student majoring in Accounting or Finance.

Meet on a weekly basis while the Senate is session, and when called to meet by the President, Vice President, Director of Finance, or Senate.

Be comprised of a minimum of four Senators but no more than six Senators.

Review all bills calling for the expenditures or allocation of Student Government funds.

Have the power to amend or reject an appropriations or authorization bill, before being forwarded to the Senate.

* + - * 1. **RECORDS.** The department must take minutes and formal votes on budget authorization and appropriations bills and will make this information known to the Senate, and public, by the Senate’s next meeting and make said information available to the public.

#### MANDATORY EXPENSES

* + - * 1. **DIVISIONS OF THE BUDGET.** The budget must at least be divided into core expense areas which will be mandatory. The mandatory line items of the budget must include Operations, Discretionary, the House, and the Judiciary.
        2. **OPERATIONS.** Operations must include funding to cover utilities, phones, room reservations, cable, copier costs, and wages for services rendered for a period of twelve months.
        3. **DISCRETIONARY.** Discretionary funds must include at least 10% of the total funds allocated to Student Government for release by the Senate. The Senate may authorize a lesser percentage when deemed necessary.
        4. **THE JUDICIARY.** The Senate must allocate funds to the Court system, as requested by the Chief Justice for operations of the Supreme Court and all lower courts. The Chief Justice must submit to the President a requested allocation with justification two weeks prior to the first Department of Finance meeting on the budget.
        5. **THE HOUSE.** The House must be granted a permanent allocation of Student Government funds and is administered by the President but does not require Senate approval for usage. This permanent allocation must be at least $2,500. Increases to this amount will need Senate approval.
        6. **OUT OF SESSION SPENDING.** The time periods for which the President is permitted additional latitude in the use of discretionary funds must be during two distinct periods. The first period is from the last meeting of the Senate in the fall semester to the first meeting of the Senate in the spring semester. The second period is from the last meeting of the Senate in the spring semester to the first meeting of the Senate in the fall semester.
        7. **PROGRAMS.** Programs must include funding for events and department activities and other money necessary as authorized by Student Government for the effective execution of established programs and events.

### EXECUTIVE COMPENSATION

#### ADMINISTRATIVE

* + - * 1. **AUTHORIZATION.** This Title and all of its regulations are authorized pursuant to Article VI, Section 17 (l) and (m) of the Student Government Constitution.
        2. **GENERAL.** The President and Vice President must be compensated for time and service provided to the student body. This pay will comply with all federal, state, and local laws. The Senate may set additional compensation beyond what is required by statute.
        3. **HOURLY RATE.** The hourly wage rate must increase without a vote of the Senate in the event of mandated local, state, or federal pay raises. Such an increase will not go into effect until the next fiscal year.
        4. **OTHER COMPENSATION.** The President must propose in their annual budget which of the qualified persons are to be paid. The President must include in the budget proposal at what pay level and rate each proposed wage is to be set. Any qualified person receiving pay can have a maximum wage not to exceed that of the Vice President’s.
        5. **REFUSAL OF COMPENSATION.** Though provision for these wages must be made, the persons who are authorized to receive wages may refuse compensation if they so choose.

#### STATUTORY PAY

* + - * 1. **STATUTORY COMPENSATION.** The following positions may be paid in accordance to this statute and the Texas State University System Rules and Regulations, and the rate or pay schedule may not be alteredexcept by budget authorization.
        2. **PRESIDENTIAL PAY.** The President is entitled to receive an equivalent of an hourly wage of $10.70 per hour for a maximum of 50 hours per pay period from September 1 to May 31 and a wage of $10.70 per hour for a maximum of 30 hours per pay period from June 1 to August 31.
        3. **VICE PRESIDENTIAL PAY.** The Vice President is entitled to receive an equivalent of an hourly wage of $9.70 per hour for a maximum of 40 hours per pay period from September 1 to May 31 and a wage of $9.70 per hour for a maximum of 20 hours per pay period from June 1 to August 31.
        4. **CHIEF OF STAFF PAY.** The Chief of Staff is entitled to receive up to an equivalent of an hourly wage of $9.00 per hour for a maximum of 30 hours per pay period from September 1 to May 31 and a wage of $9.00 per hour for a maximum of 15 hours per pay period from June 1 to August 31.
        5. **OTHER QUALIFIED PERSONS**. Other qualified persons as defined in this S.G.C. may also be paid if the Senate authorizes as such in the budget.
        6. **CABINET PAY**. At the President’s discretion, members of the Cabinet may be paid so long as they are not already receiving compensation in any way from Student Government funds. The compensation rates must be uniform for all paid Cabinet members.

The Cabinet officer will be paid for office hours attended or programs worked and up to the hour maximum per pay period.

The Cabinet officer will log their office hours with the Student Government Advisor via a time clock system.

The President will authenticate the Cabinet officer’s reported hours before payment is authorized each pay period.

### SAMPLE BUDGET

* + - * 1. **EXAMPLE.** The budget authorization act for each year should generally follow the this format and may also include specific statutory restrictions, authorizations, or instructions.

|  |  |  |
| --- | --- | --- |
| **Operations\*** | | |
| President | $ | 11,556.00 |
| Vice President | $ | 8,148.00 |
| Chief of Staff | $ | 4,000.00 |
| Office Supplies | $ | 1,600.00 |
| Reservations | $ | 1,110.00 |
| Copy Services | $ | 300.00 |
| Retreats | $ | 2,000.00 |
| Phone | $ | 950.00 |
| **Travel\*** | | |
| Board of Regents | $ | 1,500.00 |
| Capitol Visit | $ | 250.00 |
| Conferences | $ | 0.00 |
| **Programs\*** | | |
| Inauguration | $ | 0.00 |
| Marketing | $ | 800.00 |
| Programs | $ | 1,400.00 |
| Student Services | $ | 700.00 |
| Finance | $ | 0.00 |
| Diversity & Inclusion | $ | 0.00 |
| Government Affairs | $ | 0.00 |
| Roundtable | $ | 450.00 |
| Freshmen Council | $ | 1,500.00 |
| **The Courts\*** | $ | 250.00 |
| **The House\*** | $ | 2,500.00 |
| **Discretionary\*** | $ | 3,901.40 |
| **S.T.A.R. Grant** | $ | 35,000.00 |
| **TOTAL** | $ | **77,915.00** |

### BUDGET AUTHORIZATION ACT OF 2021

* + - 1. **ACADEMIC YEAR 2020/2021**

# STATUTES

### CATEGORIZATION OF STATUTES

* + - 1. **CATEGORIZATION OF STATUTES INTO SUBTITLES**
         1. **ORGANIZATION.** The statutes listed in this title must be organized by subtitle or chapter, must contain the date the statute is first established, and will be named according to the name given to it as a bill or by the Supreme Court Chief Justice. The Supreme Court Chief Justice may organize these chapters and subtitles without Senate authorization until such time as this provision is repealed.
      2. **SUNSET PROVISION**
         1. **SUNSET REVIEW.** Student Government statutes under Title IX, must be subject to a review process every two years, to be measured from the time of their establishment. The President and the Cabinet must review such Student Government programs to determine whether they are still necessary. Upon completion of the review process, the President and their cabinet must make a recommendation and submit this recommendation in writing to the Senate for a vote on whether to continue or terminate the item being reviewed. The decision to recommend termination or continuation of a student government function covered by this section must be based on the following criteria:

Whether the functions of the item in question have been performed in a manner consistent with applicable statute,

An identification of the original objectives for which the legislation creating it was enacted, and to what extent those objectives have been achieved,

An assessment of the efficiency with which it has operated,

Whether the operations of the program or committee in question have been successfully performed,

Whether any reasonable and more effective and/or less burdensome alternatives, are available,

The extent to which it directly serves or benefits the students,

The extent to which it is necessary for the operations of Student Government, or serves a continued purpose to the Student Body,

Whether allocated money or resources would be better utilized for another purpose,

The extent to which the functions of a program or committee overlap with or duplicate functions carried out by other components of Student Government, or the University, or

Whether a committee subject to review under this section has produced any legislation calculated to be of benefit to Student Government’s ability to perform its role for which the committee was established.

* + - * 1. **EXPIRATION UNDER THE SUNSET CLAUSE.** Any item or function covered under this section, which is not reviewed in accordance with the provided procedures provided in S.G.C. IX §100.2(1), must be terminated automatically.

If the President and the cabinet fail to review statutes covered under this section, or if a program/function of student government is allowed to expire by the administration through inaction on the review process, a Senator may force a vote on whether to continue or terminate through a motion, which must require a second in order for a vote to occur.

* + - * 1. **SUNSET JURISDICTION.** The sunset provisions in S.G.C. IX §100.2(1) and in S.G.C. IX §100.2(2) must apply to all student government functions enacted by statute that create a new student government entity or program, such as an event, campaign, or committee, that meets the following criteria:

Is not Constitutionally required, or

Involves allocating resources, time or personnel specifically for that purpose.

### REQUIRED EVENTS ACT

#### STANDARDS FOR MEMBERSHIP

* + - * 1. **AUTHORIZATION.** This chapter is authorized pursuant to Article VI, Section 17(g) and (o) of the Student Government Constitution.
        2. **PURPOSE.** This chapter outlines the process by which an event can be made required outside that of normally occurring Student Government activities which are required in order to remain in good standing.
        3. **ANNUAL TRAINING OR RETREAT.** The annual training or retreat for Student Government will always be a required event and will not count toward the total number of permitted required events that can be declared each year. Only one such mandatory event under this section is permitted per session of the Assembly.
        4. **REQUIRED EVENTS.** At the discretion of the President, they may declare any four university or Student Government events to be required events which will count against anyone who fails to attend in the same way as being absent to a required meeting.

The President must announce a required event 10 days before the event.

Excused absences will be allowed in accordance with existing standard reporting process.

The Senate has the power to overturn or modify the required event at its discretion via a Simple Senate Resolution passed by two-thirds vote.

The Senate may also have the power to declare any four additional University functions or Student Government sponsored events to be required for its members, via a Simple Senate Resolution passed by a majority.

The House may also have the power to declare any two additional University functions or Student Government sponsored events as mandatory for its members via Simple House Resolution.

### UNIVERSITY COMMITTEE OVERSIGHT AND VACANCY PRIORITIZATION ACT

#### ADMINISTRATIVE

* + - * 1. **AUTHORIZATION.** This chapter is authorized pursuant to Article VI, Section 17(g) of the Student Government Constitution.

#### UNIVERSITY COMMITTEE REPRESENTATIVES

* + - * 1. **SELECTION.** Unless specified in this chapter an application will be made available for all students to apply for committee assignment.
        2. **ASSOCIATION.** Any person appointed to a University committee on behalf of Student Government will be a member of Student Government through association. Appointed committee members will be subject to the same ethical standards as any member of Student Government.
        3. **REPORTING.** Persons assigned to University committees may make, when asked to do so, a report to the Student Government committee assigned to oversee them every two weeks, via written notification, at a meeting with the Chair or the committee, or other means as deemed acceptable by the committee Chair.
        4. **DEFINITION.** A list of University committee representation for members of Student Government will be provided by the Dean of Students Office which will transmit a list of all updated committees and student representative seats requiring appointment. The President will ensure that this list is made into a roster of committees, with student representation and have it transmitted by no later than the first Senate meeting in the fall. The President may request student representation on any University committee at any time and these new seats will be added to the roster of committees.
        5. **PROLONGED VACANCIES.** When a university committee position that the President is empowered to fill either remain vacant for more than 60 days the Nominations and Appointments Committee is empowered to recruit and collect applications for potential nominees and provide a list therein to the President recommending potential nominees for the university committee vacancy.

#### REMOVAL FROM UNIVERSITY COMMITTEES

* + - * 1. **REMOVAL.** It will be the power of the President to remove any Student Government representative of any University committee, at any time any reason by Executive Order.
        2. **REPLACE.** It will be the power of the President to replace any Student Government representative on University committees at any time for any reason by Executive Order.

#### Prolonged University Committee Vacancy

* + - * 1. Committee is empowered to recruit and collect applications for potential nominees and provide a list therein to the President of potential nominees for the university committee vacancy.
        2. **REPLACE.** It will be the power of the President to replace any Student Government representative on University committees at any time for any reason by Executive Order.

### SEAL ACT

**STUDENT GOVERNMENT SEAL AND USAGE ACT**

#### ADMINISTRATIVE

* + - * 1. **AUTHORIZATION.** This chapter is authorized pursuant to Article VI, Section 17(g) of the Student Government Constitution.
        2. PURPOSE. The purpose of this chapter is to establish the official seal of Student Government and to regulate the proper usage of the official seal of Student Government.

#### AUTHORIZATION OF OFFICIAL SEAL OF STUDENT GOVERNMENT

* + - * 1. **FORMAL TITLE AND ABBREVIATION.** The long form name of the seal shall be “The Official Seal of the Student Government of Texas State University,” hereafter referred to as “The Official Seal.”
        2. **THE SEAL**. The Official Seal will embody the pride and spirit of Texas State University by using the colors of the university, maroon and gold, and the Texas State “star.” It will demonstrate the core values of Student Government by listing each value.

The Official Seal will be presented as follows:



#### AUHTORIZED USAGES OF THE OFFICIAL SEAL

* + - * 1. **PRESIDENTIAL.** The president is authorized and required to affix the official seal to legislation which they sign, official Student Government property, and ceremonial proclamations they issue. The president is authorized to affix the official seal to other documents, excluding publicity material that warrant the prestige of the Official Seal of Student Government.
        2. **JUDICIAL.** The Chief Justice is authorized but not required to affix the official seal to Supreme Court orders and opinions.

#### PROPER PLACEMENT OF THE OFFICIAL SEAL

* + - * 1. **PLACEMENT.** When affixed by an officer who is authorized to do so, the official seal will be placed either at the bottom right or bottom center of the document it is being affixed to.

#### UNAUTHORIZED USAGE OF THE SEAL

* + - * 1. **UNAUTHORIZED USAGE.** No person except those listed in this chapter may affix or use the official seal, and it may only be used in those circumstances as listed in this chapter. Usage of the official seal by any entity, except the Dean of Students Office, is prohibited.

### MENSTRUAL HEALTH ACCESSIBILITY ACT

#### ADMINISTRATIVE

* + - * 1. **AUTHORIZATION.** This chapter is authorized pursuant to Article VI, Section 17(g) of the Student Government Constitution.
        2. **PURPOSE.** Student Government is a representative body that must prioritize and accommodate the vital needs of all spaces on campus, including that of women and transgender men. To better service this group of students, the Menstrual Hygiene Accessibility Act will seek to bring pads and tampons to all non-residential bathrooms on campus.

#### AUTHORIZATION FOR PILOT PROGRAM

* + - * 1. **AUTHORIZATION.** The Senate hereby authorizes the creation of a pilot program “Feminine Hygiene Accessibility Act”

The Dean of Students and Student Government will plan, oversee, and execute the program in cooperation with all other sponsors including the Student Health Center and all other Texas State entities that wish to participate in this initiative.

Costs will be determined by the national organization *Aunt Flow* who will also serve as distributor of the 100% organic cotton products and the facilitator of external operations.

Scheduling of the Program is to begin at the University’s earliest convenience and at the jurisdiction of the President and their Cabinet at the beginning of every semester thereafter.

### “LET’S TALK” MENTAL HEALTH AWARENESS ACT

#### ADMINISTRATIVE

* + - * 1. **AUTHORIZATION.** This chapter is authorized pursuant to Article VI, Section 17(g) of the Student Government Constitution.
        2. **PURPOSE.** The Senate seeks to enact this program to reduce the stigma of mental illness amongst students as well as providing resources to seek treatment through two parts. Specifically, this campaign will create a dialogue series to allow for peer involvement in mental health awareness. The first part will include the awareness of mental health. Flyers that will state mental health statistics and resources will be posted on campus in all student dorms, dining halls, the “quad,” LBJ Student Center, Alkek Library and other permitted areas. The second part will be a student dialogue series, an open forum to be titled “Let’s Talk,” that will allow for students to share any issues or experiences with the goal of relating to other students. Students and mental health professional will come together to create a safe environment. “Let’s Talk,” will be hosted once a semester, unless deemed more necessary or otherwise by Student Government.

#### AUTHORIZATION FOR PILOT PROGRAM

* + - * 1. **AUTHORIZATION.** The Senate hereby authorizes the creation of a new program titled “Let’s Talk” consisting of two parts: awareness flyers and the student-led discussions

The President, in consultation with the Director of Programs, will set the date for each event per semester.

The Department of Programs will plan, oversee, and execute the awareness flyers and the dialogue events.

### THE SWIPE OUT HUNGER AUTHORIZATION ACT

#### ADMINISTRATIVE

* + - * 1. **AUTHORIZATION.** This chapter is authorized pursuant to Article VI, Section 17(g) of the Student Government Constitution.
        2. **PURPOSE**. Student Government is comprised of leaders on campus who represent the best interest of all Texas State University students and inhabitants of the San Marcos community. There are a large number of these communities who have recently shown distinct proof of financial disparities. Student Government wishes to implement a program in the hopes of lessening the burden on those struggling with hunger within these communities. This program seeks to allot resources that are currently going to waste at the end of the semester and using them to give back those who are not as fortunate. This initiative will allow students to directly make an effort on our community while working in junction with Student Government and Administration.

#### AUTHORIZATION FOR PILOT PROGRAM

* + - * 1. **AUTHORIZATION.** The Senate hereby authorizes the creation of a pilot program titled “Swipe Out Hunger”

The President’s Cabinet will plan, oversee, and execute the program.

Logistics for Swipe Out Hunger, such as price caps, will be decided by the President and Chartwells Dining Services.

The Swipe Out Hunger program will be scheduled at the jurisdiction of the President and Chartwells Dining Services.

The Implementation of the continuation of a Swipe Out Hunger Program will be under review at the end of each term.