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S.B.21.22.02

1 **A Bill -**

To be entitled "Student Government governing documents edits for better clarity 2021" that...

2 **WHEREAS:** The Student Government strives to represent the
3 students at Texas State University; and

4 **WHEREAS:** In order to effectively perform their duties, members
5 of the Student Government must have clear and concise guidelines
6 to follow concerning the elections to office; and

7 **WHEREAS:** In the past, questions have arisen concerning
8 inconsistencies in articles, section, and paragraphs of the
9 Student Government Constitution and Student Government Code of
10 Laws; therefore,

11 **BE IT ENACTED:** That the Student Government governing documents
12 be amended as follows:

13 **Article II - Ethical Standards of Student Government**

14
15 **Section 1**

16 c. Opposing all forms of harmful harassment

17
18 k. Being cordial, fair and professional

19

20

21

Article III - Structure

22 **Section 1: The Student Government is comprised of three branches:**

23 **Executive, Assembly, and the Judiciary**

24 a. The executive power is vested in the Student
25 Body President (hereafter referred to as
26 "President"). A Cabinet comprised of
27 the President, Student Body Vice
28 President (hereafter referred to as "Vice
29 President"), Attorney General, Chief of Staff,
30 Directors of Student Government Departments
31 (hereafter referred to as "Departments") will
32 assist and advise the President.

33 Section 5:

34 No member may take undue liberties in the representation of
35 Student Government without authorization from either the House,
36 Senate, or Executive (Supreme Court?).

37

Article IV - The Executive

38 **Section 2:**

39 The Cabinet will consist of the President, Vice
40 President, Attorney General, Chief of Staff, the
41 Directors of Departments, and others as the
42 Senate establishes by law. The President may
43 authorize other ex officio members. The Cabinet
44 will meet once weekly during the fall and spring
45 semester at a time and location as determined by
46 the President. The President, or designee, will
47 serve as Chair of the Cabinet.

48 **Section 4:**

49 f. Have the power to nominate students to fill
50 vacancies in the Attorney General, Chief of
51 Staff, Director, and judicial positions and all
52 other positions in the judiciary and executive as
53 those positions become established by law

54

55 h. Have the power to appoint Department Assistant
56 Directors from the student body to be confirmed
57 by the-Senate

58

59 **Section 7 - The Vice President will:**

60 a. Serve as Chair of the Senate, House, and
61 Assembly, unless the responsibilities as Chair
62 under this section are duly delegated, in
63 writing, by the Vice President to the House or
64 Senate Leader or in the event either chamber or
65 the Assembly installs the Leader as Chair by a
66 Motion of No Confidence attaining a two-thirds
67 approval of the respective chamber or Assembly,

68 1)The Vice President will be removed from the
69 Chair of either chamber or the Assembly for the
70 remainder of the Session if
71 the respective chamber or Assembly passes by a
72 two-thirds vote a "Motion of No Confidence in the
73 Vice President." The passage of a Motion of No
74 Confidence expresses the view of
75 the respective chamber or Assembly that the
76 Vice President no longer has the trust of
77 the respective chamber or Assembly or believes
78 the person cannot be effective in the performance
79 of their duties. A Motion of No Confidence may
80 only be properly introduced when the Vice
81 President has exhibited any of the following:
82 conduct unbecoming of their office,
83 gross inability as a practitioner of
84 parliamentary procedures, is not an
85 effective Chair, dereliction of duty, violation
86 of the Constitution or laws of
87 Student Government, crisis, scandal or other
88 situation; which in the view of
89 the respective chamber or Assembly, markedly
90 restricts the Vice President's ability to
91 function as a legitimate leader in
92 the respective chamber or Assembly.

93 F. Temporarily yield their chair duties to the
94 respective Senate or House Leader when not in
95 attendance for a Senate, House, or
96 Assembly meeting

97 **Section 8: The Vice President is relieved of duties in any of the**
98 **following situations:**

99 d. Conviction on Impeachment

100 **Section 9: The Attorney General serves as the chief legal officer**
101 **and will:**

- 102 a. advise the President pertaining to the proper
103 execution and function of the Student Government
104 Constitution and laws
105 b. issue advisory opinions on the proper function of
106 the Constitution and laws of the Student Government
107 and may be challenged in the courts.
108 c. Be responsible for undertaking statutory revisions
109 d. Prepare and submit to the Senate, House, or
110 Assembly, recommendations for the revision of the
111 Code of Laws
112 e. Serve as the representing counsel for members of
113 the Cabinet and its members when they appear before
114 the judiciary, except in the case of conscience
115 recusal, and never serve as defense counsel in the
116 event of impeachment or expulsion
117 f. Represent Student Government in Cases
118 where the Student Government is a party
119 g. Be responsible for educating Student Government
120 members on all provisions of the Student
121 Government Constitution, and Code of Laws
122

123 **Section 10: Department Directors manage the affairs and coordinate**
124 **the activities of their respective departments and will**

- 125 c. Attend Senate meeting when requested to answer
126 questions about their department and provide
127 advice to the Senate on legislation affecting areas
128 of departmental interest,

129 **Article V - The Assembly**

130 **Section 7**

- 131 b. For Senators, voting by teleconference is only
132 allowed with permission of the Chair

- 133 c. Permission to vote by teleconference must be
134 requested at a minimum 72 hours before the
135 meeting. Exceptions may be made in cases of
136 an emergency at the discretion of the Chair

137 **Section 14:**

- 138 a. The Nominations and Appointments Committee
139 will make their recommendations within
140 fourteen days after receiving an
141 application. Should the committee fail to make
142 their recommendations, the committee will be
143 dissolved by the Vice President and new members
144 will be selected.

145 **Article VI - The Student Senate**

146 **Section 12:**

147 a. For Senators, voting by teleconference is only
148 allowed with permission of the Chair

149 b. Permission to vote by teleconference must be
150 requested at a minimum 72 hours before the
151 meeting, Exceptions may be made in cases of
152 an emergency at the discretion of the Chair

153 **Section 15:**

154 Senators who have been expelled may appeal their
155 expulsion to the Supreme Court on Constitutional
156 or Procedural due process grounds only
157

158 **Section 27:**

159 The time, place, and agenda of Senate meetings will
160 be made public on the Student Government website at
161 least three days beforehand. All proceedings will
162 be documented, including final votes of
163 legislation, which must be made public
164 within four days after the meeting.

165 **Article VII - The Graduate House of Representatives**

166 **Section 9:**

167 b. Permission to vote by teleconference must be
168 requested at a minimum 72 hours before the
169 meeting, Exceptions may be made in cases of an
170 emergency at the discretion of the Chair

171 **Section 11:**

172 Representatives who have been expelled may appeal
173 their expulsion to the Supreme Court
174 on Constitutional or Procedural due process
175 grounds only

176 **Article IX - Elections**

177 **Section 17:**

178 The President and Vice President must be elected
179 by a majority of students voting in an election.
180 At-large Senators must be elected by a plurality
181 of students voting in an election.

182

Article X - Appointments and Nominations

183 **Section 6:**

184 The Department assistant director(s) are directly
185 appointed by the President from among the student
186 body and confirmed by the Senate.

187

Article XII - Succession

188 **Section 4:**

189 a. If there is no Vice President or Senate Leader
190 at the time of a presidential vacancy the House
191 Leader will become the interim President until
192 a special election in a joint session will take
193 place to elect a new President and Vice
194 President from among current Senators and
195 Representatives no later than the next meeting
196 of the session following the vacancy

197

Article XV - Student Body Rights

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199 **Be It Further Enacted:** That this piece of legislation be
200 forwarded on to the Student Body President or further action;
201 and

202

203 **Be It Further Enacted:** That this piece of legislation be
204 forwarded on to the House and the Supreme Court for further
205 review.