

TEXAS  STATE
UNIVERSITY

The rising STAR of Texas

Memorandum

June 16, 2021

To: Dr. Vincent E. Morton, Associate Vice President for Student Affairs/Dean of Students

From: Kathryn A. Weiser, Assistant Dean of Students *KaW*
Student Government Co-Advisor

Subject: Student Government Senate Bill Legislation 2020-2021.9

Legislation S.B.2020-2021.09 “The Protection of Democracy Act” passed by the Student Government Senate on March 8th, 2021, is attached: The legislation intends to establish a “House veto override” procedure and power for the Senate. I support Student Government as a self-regulating organization; however, I have three concerns about this legislation.

Constitutional Power to Reject

Per the Constitution Article VII section 13(d)(e), the House may reject Senate legislation that impacts the House, specifically changes regarding ethics, member performance standards, discipline, and budget allocation process rules. The rejection of Senate legislation allows the House to protect against changes after the two legislative bodies agreed upon established rules and procedures.

Self-Regulating Responsibility

As a self-regulating body, the House has the responsibility to provide feedback to the Senate regarding changes that impact the organization. The Senate and the House should work together collaboratively to write legislation that affects the operations of more than one body within the organization. When this is not done and legislation is rejected, the Senate should communicate with the House to create agreed changes.

Veto Power

The legislation uses the word “veto,” which is incorrect because the legislative power of the House is to “reject” Senate legislation. The power to reject should not be confused with “veto” power that is only given to the Student Body President. The intent of a veto is to ban the intent of the legislation and cease further action. When the House rejects Senate legislation it should begin a discussion to create understanding and agreement. The House should use the power to reject Senate legislation as a last resort because the discussion should begin when writing legislation that changes the organization’s rules and procedures.

Please note Senate Bills are under the Dean of Students purview for response.

Cc: Dr. Angelica Coronado, Attorney for Students & Director
Student Government Co-Advisor

DEAN OF STUDENTS OFFICE

601 University Drive | LBJ Student Center, Suite 5-9.1 | San Marcos, Texas 78666-4684

phone: 512.245.2124 | fax: 512.245.8268 | DOS.TXSTATE.EDU

This letter is an electronic communication from Texas State University.



Memorandum

May 29, 2021

To: Dr. Vincent E. Morton, Associate Vice President for Student Affairs/Dean of Students
Kathryn A. Weiser, Assistant Dean of Students

From: Andrew Gryce, Student Body President

Subject: Student Government Passed Legislation: Senate Bill 2020-2021.9

Please find attached the below legislation S.B.2020-2021.9 passed by the Student Senate on March 8th, 2021.

Legislation Passed: S.B.2020-2021.9 Bill entitled The Protection of Democracy Act

Number of Vote: 26 voted in favor, 7 voted in opposition, 0 voted to abstain

I approve this legislation passed by the Student Government Senate relating to the attacks on the separation perpetuated by the Texas State House of Representatives.

Author

Parliamentarian Smith, Matthew

Sponsors

Senator Smith, Jared

Senator McMahon, Montana

Senator York, Katharine

Senator Shi, Tiger

Senator Settegast, Camile

Date of First Reading: March 8th, 2021

S.B.2020-2021.9

A Bill

To be entitled "The Protection of Democracy Act" relating to the attacks on the separation perpetuated by the Texas State House of Representatives.

WHEREAS: Texas State Student Government's constitution lays out in ARTICLE III, Section 1, B, "Except where specifically provided for in this constitution, neither chamber needs approval from the other to exercise their legislative authority,"; and

WHEREAS: The House of Representatives has been unjustly using their powers to obstruct an investigation by the senate into corruption between senators and the Supreme Court; and

WHEREAS: The Senate needs the ability to defend its chamber from interference from the House; therefore,

BE IT ENACTED: That the Code of Laws Title IX be amended to further protect the powers of the Senate from the House;

Chapter 207- Protection of Democracy Act**Article I. Override of the House Veto by 2/3**

§1 AUTHORIZATION. This chapter and all its regulations are authorized pursuant to Article VI, Section 17 (g) and (o) of the Student Government Constitution.

§2 OVERRIDE OF THE HOUSE VETO: Upon veto of legislation passed by the senate by the house, the senate will have the option to override the veto by a 2/3 vote on the legislation.

