

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

ARTICLE I – PURPOSE, STRUCTURE AND DEFINITIONS

The Senate and Graduate House of Representatives shall establish, through legislation, a Student Government Code of Laws, which shall outline policy and procedures relating to the overall operation of the Student Government and establish procedures for provisions found but not detailed within the Student Government Constitution.

SECTION 1: Name

- A. The name of this document shall be the Student Government Code of Laws.

SECTION 2: Purpose

- A. The purpose of this document shall be to establish rules and procedures concerning the interaction between the three branches, to ensure the integrity of their separation, as well as the validity of their checks and balances upon one another.
- B. To outline policy and procedures relating to the overall operation of the Student Government and establish procedures for provisions found but not detailed within the Constitution.
- C. And to establish, through legislative additions to this document, additional agencies of the Student Government to handle specific issues on behalf of the Student Body.

SECTION 3: Structure

- A. This document shall be structured into five Articles, one for Purpose, Structure and Definitions, one for each of the branches of the Student Government, Legislative, Executive, Judicial, and a final article concerning Amendments.
- B. The Senate, Graduate House of Representatives, and the Supreme Court of the Student Government shall establish for themselves a document outlining each chamber “Rules of Procedure” which may be amended without authorization from any other branch of government, but which must not conflict with the Constitution, infringe or effect the powers and the responsibilities of the separate branches and chambers.

SECTION 4: Definitions

- A. This section will define specific language for the purpose of clarity and concision.
- a. Unless otherwise stated “President” refers to the President of the Student Government.
- b. Unless otherwise stated “Vice President” refers to the Vice President of the Student Government.
- c. Unless otherwise stated “House Leader” refers to the leader of the Graduate House of Representatives.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- d. Unless otherwise stated “Chief Justice” refers to the Supreme Court Chief Justice.

ARTICLE II – LEGISLATURE

SECTION 1: The Legislature

- A. The Senate and Graduate House of Representatives of the Student Government will follow the outlined “Rules of Procedure”, which may be amended.

SECTION 2: Budget and Finance

- A. The Senate will be vested with the power of budget and finance. All bills for the expenditure of funds by the Student Government will originate and be finalized in the Senate and by the Senate.
- B. Annual Budget Authorization: The President will submit an annual budget to the Senate by the third (fall) meeting of the Senate.

Provisions of the budget authorization proposal:

- a. Must contain all the expenses of the fiscal year. The fiscal year will be defined by Texas State University Student Involvement & Engagement under the Division of Student Success.
- b. Must be categorized into specific expense; but does not need to be a line-by-line expense budget.
- c. Must have the following mandatory expenses; Office supplies, Graduate House expenses, Senate expenses, Freshman Council, Judiciary, Executive expenses, phone usage, material management, wages, travel expenses and other utilities. All other expenses may be added by the President before submitting the proposal.
- d. The Graduate House will always receive a budget.
- e. Be reviewed by the Finance Director and made into a Senate bill by a Senator.
- f. May contain a category for expenses while the Senate is not in session, which includes the summer and holiday breaks.
- g. Must be entertained as a Senate bill.
- h. Expenditures must not exceed the categorized amounts allocated by the Senate in the authorization bill.

SECTION 3: Governing Documents Committee

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- A. The Governing Documents Committee will be established within the Legislative Branch as a Select Committee.
- B. The Governing Documents Committee can be comprised of at least three (3) members and no more than nine (9) members of the Executive, Senate, Graduate House, and Supreme Court. The Senators shall be appointed by the Chairperson of the Senate with approval of two-thirds of the Senate, present and in good standing. The Representatives shall be appointed by the Chairperson of the House with approval of two-thirds of the Representatives, present and in good standing. The Supreme Court shall be appointed by the Chief Justice with approval of two-thirds of the Supreme Court, present and in good standing.
- C. The Governing Documents Committee will meet on an as-needed basis, when called by the Student Government President, Vice President, the committee chair or when business warrants.
- D. All bills to create or amend Student Government governing documents, including, but not limited to, the Constitution and Code of Laws, Rules of Procedures, Code of Ethics, or the Election Code, shall be forwarded to and be reviewed by the Governing Documents Committee before its first reading in a legislative body.
- E. The Governing Documents Committee shall review the legislation to ensure that the language does not introduce unneeded ambiguity, does not conflict with any other language of the Student Government governing documents, and does not conflict with known University policy.
- F. The Governing Documents Committee will forward its official majority recommendation which may include, but is not limited to, suggested changes to the author of the legislation.
- G. The Governing Documents Committee may review any Student Government governing document, including, but not limited to, the Constitution, Code of Laws, Rules of Procedures, Code of Ethics, or the Election Code, to ensure consistency across all documents and to address any clarity issues, issues arising from Student Government Supreme Court rulings, and concerns of the University administration.
- H. Members of the Governing Documents Committee may write legislation to resolve issues found during any review of the Student Government governing document. This legislation shall be brought before the Senate and/or the House of Graduate Representatives as per the legislative body's Rules of Procedure.

SECTION 4: Joint Resolutions

- A. A Joint Resolution comes from the legislature.
- B. A Joint Resolution is a formal statement expressing the opinion, will, or intent of the Student Government as a representative body of the students at Texas State University.
- C. Joint Resolutions shall include "BE IT RESOLVED" clause(s) stating the idea expressed and it shall include "WHEREAS" clause(s) stating the reasons, conditions, or ideas as to why the resolution is needed.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- D. Joint Resolutions require a majority vote of the Senate and House of Graduate Representatives, while in a joint session or a two-thirds vote of both the Senate and the Graduate House of Representatives, in their respective chamber.

ARTICLE III – EXECUTIVE

SECTION 1: The Executive Cabinet

A. The President

- a. The President shall have the authority to create an Executive Cabinet within his/her administration. Positions within and appointees to the Cabinet shall be presented to every branch of Student Government.
 - i. All cabinet positions shall be appointed by the President
 - ii. The President may add, combine, or eliminate the cabinet positions as they deem appropriate.
 - iii. All cabinet members shall be considered members of the Executive Branch.
 - iv. All cabinet members report to the President.
 - v. All cabinet members serve at the pleasure of the President and may be released from that obligation on the authority of the President at any time for any reason.
 - vi. All cabinet positions, duties, and responsibilities shall be outlined in this document.
 - vii. All cabinet positions shall be relinquished upon the end of the President's term
 - viii. All cabinet positions shall report to either house of the legislature upon request from either the Senator or Graduate House.
 - ix. President may add or remove directors to their discretion.
- b. The President may delegate the responsibilities granted to them under the Constitution and the rules and regulations of Student Government to Cabinet Members or to Executive Staff within the Office of the President. The President must retain ultimate responsibility for the proper execution of delegated responsibilities.

B. Vice-President

- a. Chairperson of the Senate and preside over all formal meetings and legislative business of the Senate.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- b.** Oversee the distribution of Senate meeting agendas and public postings of all senate records.
- c. Post the agenda to the website and Bobcat Organization Hub by the Friday before the Senate meeting by 12 PM.
- d. Post the Senate minutes to the website and Bobcat Organization Hub two days following the Senate meeting by 11:59PM.
- e. Forward passed legislation to the President for signature.
- f. Be responsible for informing the Senate on the status of all active legislation.
- g. Be responsible for maintaining the Student Government Legislation on the Bobcat Organization Hub.

C. Chief of Staff:

- a. Assist the President with communication with cabinet.
- b. Attend all cabinet meetings.
- c. Help with scheduling group and one-on-one cabinet meetings.
- d. Assist president with representing and managing the executive branch.
- e. Help with responding to emails in the Student Government mailbox.
- f. Be responsible for carrying out all official correspondence for the Student Senate including the delivery of the Minutes to the Advisors and any other member of the campus community who requests a copy.
- g. Take attendance at Senate meetings.
- h. Take minutes at Senate meetings.
- i. Take votes by roll call for any piece of legislation.
- j.** Keep an accurate and up-to-date Student Senate roster.

D. Director of Government Affairs: The Director of Government Affairs will advise the President on matters relating to local, state, and federal government and serve as their primary ambassador to government entities outside of Texas State University and will:

- a. Sit on the Executive Cabinet
- b. Be the President's representative from the Student Government in federal, state, and local government and must act as such and not speak on behalf of his or her own preferences.
- c. Attend weekly or bi-weekly City of San Marcos Council Meetings.
- d. Serve on the City of San Marcos Neighborhood Commission.
- e. Assist the President in representing the Texas State Student Body at the local, state, and federal levels of government.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- f. Advise the cabinet on issues ongoing in local, state, and federal government.
 - g. Be or designate someone to be the City Council Liaison.
 - h. Chair of Government Affairs Committee.
- E. Director of Community Outreach and Programming: Will be the Chief Community Outreach Officer of the Student Government and advise the President on issues affecting different student groups at Texas State University. In addition, the Director of Community Outreach will:
 - a. Sit on the Executive Cabinet.
 - b. Coordinate and oversee a Community Outreach program,
 - c. Meet with leaders of organizations from different student organizations who come to the Student Government with concerns and ideas.
 - d. Coordinate the Student Government events.
 - e. Coordinate any other Student Government ceremonial or programmatic events.
 - f. Chair the Community Outreach and Programming Committee.
- F. Director of Finance: Will be the Chief Financial Officer and advise the President on the budget and expenditure of Student Government funds and the various funding programs established by law. In addition, the Director of Finance will:
 - a. Sit on the Executive Cabinet.
 - b. Keep track of Student Government expenses and awarding of funds.
 - c. Report on the budget and make monthly reports at the Senate meeting for both fall and spring semester.
 - d. Oversee the distribution of funds.
 - e. Chair the Finance Committee
- G. Director of Marketing: Will be the Chief Public Relations Officer of the Student Government and advise the President on issues of student outreach and public relations. In addition, the Director of Marketing will:
 - a. Sit on the Executive Cabinet.
 - b. Meet with leaders of media organizations to disseminate accurate information pertaining to the affairs of the Student Government,
 - c. Maintain the Student Government social media and other media applications, and
 - d. Maintain the brand, standard, logo, and formal seal of Student Government.
 - e. Chair the Marketing Committee

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- H. Director of the Freshman Council:
 - a. Sit on the Executive Cabinet.
 - b. Attend Freshman Council meetings and Freshman Council Executive meetings.
 - c. Supervise the Freshman Council and be a coordinator for Freshman Council.
 - d. Supervise Vice-Directors
 - e. Provide Student Government focused leadership and technical training.
 - f. Work to provide a mentorship program between the Freshman Council and Senators.
- I. Vice-Director(s) of Freshman Council:
 - a. Sit under the Director of Freshman Council
 - b. Assist Director of Freshman Council with duties
 - c. Be assigned to one cohort of Freshman Council members
- J. Director of Sustainability will:
 - a. Sit on the Executive Cabinet.
 - b. Sit on the University Sustainability Committee
 - c. Must lead efforts to create a more sustainable university

SECTION 2: Executive Committees

Established under the direction of the Executive Branch. Additional Executive Committees may be created to handle specific issues on the student body's behalf. Each committee shall be chaired by a director and shall sit on the Executive Committee by appointment from the President.

- A. Government Affairs Committee: The Chair of the committee is the Director of Government Affairs. The committee shall be composed of at least three Senators and one optional Representative of the Graduate House. The committee shall:
 - a. Act as liaison with the Texas State University Systems Office.
 - b. Represent the interests of Texas State students in local, state, and federal government.
 - c. Will plan, coordinate, and execute a Texas State Capitol Day.
 - d. Advocate and recommend to the aforementioned governments' specific student-driven reforms.
 - e. Advise the President and Senate on all governmental relations.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- B. Community Outreach & Programming Committee: The Chair of the Committee is the Director of Community Outreach. The Committee shall be composed of at least three Senators and one optional Representative of the Graduate House. The committee's objectives must be:
- a. Collect, manage and respond to comments that come to Student Government through the "Suggestion Box" online.
 - b. Meet with leaders of organizations who come to Student Government with concerns and ideas.
 - c. Coordinate, plan, and execute the fall and spring events for Student Government
 - d. Coordinate, plan, and execute all Open Forums, or additional Student Government events
 - e. Have a biweekly or monthly Cabinet report and/or meeting with the President to discuss outreach outcomes.
 - f. Draft, review, and plan for legislation to address student groups' and organizations' concerns and opinions.
- C. Finance Committee: The Chair of the Finance Committee is the Director of Finance. The Committee shall be composed of at least three Senators and one optional Representative of the Graduate House. The Committee shall:
- a. Provide regular updates on Student Government spending to the senate.
 - b. Advise the President on issues relating to finance.
 - c. Execute provisions by overseeing the Student Government Scholarship, S.T.A.R. Grant, Student Organization Funding, and other external funding mechanisms under the purview of Student Government.
- D. Marketing Committee: This committee shall be known as the Marketing Committee. The Committee shall be composed of at least three Senators and one optional Representative of the Graduate House. The Committee shall:
- a. Be responsible for communication with and between all components of Student Government, the general public and media of all forms.
 - b. Support and promote the activities of Student Government through marketing and public outreach.
- E. Freshman Council: This council shall be known as the Freshman Council, and it shall select at minimum ten (10) students defined as freshmen by University Policy and approved by the President. The Director of the Council shall be known as the Director of Freshman Council. A Vice-Director shall be appointed for each cohort of freshman council members. The Council's objective shall be:
- a. To teach the selected freshmen about Student Government and prepare them for future service to Student Government and Texas State University.
 - b. To familiarize the selected freshmen with campus pride and traditions.
 - c. To provide leadership learning opportunities, centered on Student Government.
 - d. To advise the President and Senate on freshmen concerns.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- e. To be in good disciplinary standing.
- f. They must be classified as freshmen by Texas State University.
- g. Have one representative appointed by the Chair of the Council to The Senate.
- h. Attend a Senate meeting once a month.
- i. The President and Vice President of Student Government, in consultation with advisors and the Freshman Council Director will establish, each year, a standard application and interview process for council seats and set a deadline for application entry and will review said applications and interview prospective candidates. Upon completion of interviews, members will be appointed to the Council.
- j. The Council will have no legislative power but may create proposals on behalf of the freshman class that will be submitted and approved by the Council Faculty/Staff Advisor and forwarded to the Student Government President and Vice President.
- k. No member of the Council may continue to serve as a council member if the individual is placed on academic probation and/or unfit disciplinary standing at any point during their term as a council member.

SECTION 3: Executive Compensation

- A. The President, Vice President, and Chief of Staff shall be compensated for time and services provided to the student body. This payment will comply with all Federal, State and Local law. The Senate shall set additional compensation beyond what is required by statute.
- B. The wage rate shall increase without a vote of the Senate in the event of mandated local, state, or federal pay raise. Such an increase will not go into effect until the next fiscal year.
- C. The President shall receive a stipend of \$535.00 classes per pay period in the fall and spring is in session and a stipend of \$388.00 during winter, spring, and summer break.
- D. The Vice President shall receive a stipend of \$395.00 per pay period when classes in the fall and spring is in session and a stipend of \$194.00 during winter, spring, and summer break.
- E. 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.
- F. Other qualified persons as defined in this S.G.C. may also be paid if the Senate authorizes as such in the budget.

ARTICLE IV – JUDICIAL

SECTION 1: Supreme Court

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- A. The judicial power of Student Government shall be vested in the Supreme Court consisting of one (1) Chief Justice and a maximum of six (6) Associate Justices.

SECTION 2: Petitioning the Court:

- A. Any student at Texas State University may petition the court by formal means, to address violations of any governing documents, with the following information provided.
- a. A petition to the Supreme Court should reference an action taken which may be considered in violation of the Governing Documents, with a scenario, question, and accusation of wrongdoing or violation.
 - b. Each petition should have the name or names of the petitioner, the complaint being filed, the section of the Constitution, Code of Laws, or Rules of Procedure under contention, and any perceived violation therefore of.
- B. Petitions to the court may be filed with the Supreme Court Chief Justice.
- C. The court must set a hearing date within 10 days of having received the petition, the date of which shall be no later than 20 days of the filing of the petition; all hearings will be open to the public.
- D. All decisions shall be published in a written court record and published electronically via the website. A signed copy of the majority decision shall be delivered to the President.

SECTION 3: Requesting Interpretation:

- A. Any student at Texas State University may request the court, by formal means, for a formal interpretation of any specific section of any governing document, with the following information provided.
- a. A request to the Supreme Court should reference a section or sections of any of the governing documents, individually or collectively.
 - b. Each request should have the name of the requestor or requestors, the question being asked, the sections of the Constitution, Code of Laws or Rules of Procedure in question, and any additional information of importance.
- B. Requests to the court may be filed with the Supreme Court Chief Justice.
- C. Deliberations on requests are not required to be open to the public.
- D. All decisions shall be published in a written court record and published electronically via the website.

**STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY**

ARTICLE V – AMENDMENTS

SECTION 1: Legislative Additions

- A. This Code of Laws may be revised, added to, or edited through the legislative process, by either chamber of the legislature.

STUDENT GOVERNMENT SENATE RULES OF PROCEDURE

ARTICLE I - GENERAL ORGANIZATION

- A. All legislative powers granted to the Student Government shall be vested in a Student Senate and a Graduate House of Representatives. The Rules of Procedure for these two legislative bodies shall not conflict with the provisions of the Constitution, any University Rules and Regulations, or the Texas State University System Board of Regents' Rules and Regulations.
- B. Senate Membership and Appointment of the Student Senate shall be established by and set forth in the Constitution.
- C. Officers:
1. The Vice President of the Student Senate shall preside over all formal meetings as Chairperson. Qualifications, powers, and duties shall be established and set forth in the Constitution.
 2. The Vice President as Chairperson shall:
 - a. Have no vote in the Senate except in the event of a tie or when the vote is by paper ballot.
 - b. Maintain order at all times.
 - c. Be thoroughly versed in parliamentary procedure.
 - d. Not debate from the Chair except in the case of an appeal.
 - e. At no time decide on a question involving the constitutionality of a piece of legislation.
 - f. Follow the order of business as prescribed by the agenda unless the rules are suspended.
 - g. Remain impartial at all times while conducting meetings.
 - h. Make clear to all Senators the issue in question.
 - i. Execute all powers and duties found in the Constitution and Code of Laws and ensure that functions in compliance with all University Policies and the Rules and Regulations of the Texas State University System Board of Regents.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- j. Appoint Internal Senate Committee Chairpersons with a two-thirds vote of the Senate.
- k. Remove the Chairperson and/or members of any standing committees for not fulfilling the responsibilities taken while under oath.
- l. Be the only person authorized to recognize individuals wishing to speak during a Senate meeting.
- m. Not recognize anyone except Senators, the President, Advisors, and Ex-Officio members during the Old Business and New Business sections of the agenda, in a fair and impartial manner.
- n. In a fair and impartial manner, allow the public to speak during public forum.

3. The Vice-President Pro-Temp shall:

- a. Assume the position of interim Vice-President in the event of the Vice-President's absence.
- b. Be a Student Senator.
- c. Be confirmed by a two-thirds majority vote of the Senate.
- d. Chair the Nominations and Appointments Committee.
- e. Provide leadership of the Senate under the Vice-President.

D. Senators:

- 1. Installation of a Senator may be conducted at the first meeting of the new Senate by the newly installed President.
- 2. The term of a Senator shall be one year from their installation by the President or until the Senator's successors are installed.
- 3. A Senator shall automatically forfeit his/her membership in the Senate if he/she ceases to be enrolled in that college or school which he/she represents as determined by the Supreme Court.
- 4. Senators shall be required to attend all Senate and Committee meetings.
- 5. The absence policy shall be strictly enforced.
- 6. Vacancies occurring in the Student Senate may be filled by the appointment of new Senators.
- 7. All Senators will serve on two committees; one Executive Committee and one Standing Committee.

E. Administrative Positions:

1. The Senate Parliamentarian shall:

- a. Be confirmed by two-thirds approval of the Student Senate.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- b. Have a thorough knowledge of the Student Senate and Parliamentary procedures including Robert's Rules of Order and the Rules of Procedure.
- c. Have a final say in all matters of procedural conflict on the Student Senate floor.
- d. Point out serious errors in procedure to the Chairperson of the Student Senate.
- e. Record all questions of order and other questions of procedure for future reference.
 - i. Pass these records to the Chief of Staff at the end of each Senate meeting.
- f. Keep time during periods of limited debate and/or speech.
- g. Remove any person deemed out of order by the Chairperson or by the Parliamentarian him/herself.

ARTICLE II - LEGISLATIVE AND SENATE PROCEDURES

A. The Duties and Powers of the Senate stipulate that it shall:

- 1. Have the power to initiate the impeachment of a Senator. Conviction of impeachment shall require a two-thirds vote of the Senators present and in good standing.
- 2. Approve or disapprove recommended appointments made by the President to student positions by a majority vote of Senate.
- 3. Approve or disapprove recommended appointments made by the President to the Senate and other positions by majority vote of Senate.
- 4. May require the President to establish ad-hoc and standing committees to study problems and propose legislation and programs.
- 5. Have the power to override a veto by the President by a vote of two-thirds of its members.
- 6. Be responsible for approving the Election Code.
- 7. May sponsor legislation, so long as it has a second sponsor by a full Senator.
- 8. Are required to attend all Senate and committee meetings. The absence policy shall be enforced in accordance with the Constitution.

B. Senate Procedures:

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

1. Robert's Rules of Order Newly Revised Edition will be the sole source for all questions of parliamentary procedures unless otherwise provided by the Rules of Procedure.
2. The Student Senate shall meet bi-weekly of the Fall and Spring semesters, beginning with the first full week of regular classes. The meetings shall be called at 7:00 PM on Monday nights and the place shall be determined by the Chairperson.
 - a. Committees shall meet bi-weekly of the Fall and Spring semesters, in alternate with the present Senate Meetings. The meetings shall be called at 7:00 PM on Monday nights and the place shall be arranged by the Chairperson of the Senate.
3. No official business may be conducted by the Student Senate without the presence of a quorum. A quorum for business conduct shall be two-thirds of the Student Senate membership. Membership shall be determined by the total number of Senators on the roll and in good standing.
4. Membership shall be determined by the total number of Senators active on the roll at the time a meeting is called to order.
5. Order of Business shall be determined by the agenda. The general order of business may be:
 - i. Call to Order
 - ii. Roll Call
 - iii. Approval of Minutes
 - iv. Guest Speakers
 - v. Public Forum
 - vi. Presidents Report
 - vii. Vice Presidents Report
 - viii. Committee Reports
 - ix. Senate Leadership Report
 - x. Advisors report
 - xi. New Business
 - xii. Old Business
 - xiii. Adjournment
6. A Guest Speaker must be on the posted Agenda in order to address the Senate. A Guest Speaker shall not be allowed to speak during the Old Business or New Business sections of the agenda. A guest speaker shall be limited to no more than twenty minutes of speaking time. All persons requesting time on the agenda shall be given fair and impartial consideration.
 - a. The order of speakers for meetings with multiple speakers shall be determined by the Chairperson of the Senate.
 - b. Students may be allowed to address the Senate under the rules for guest speakers if adequate notice is given to the Chairperson of the Senate prior to the start of the meeting. Otherwise, students may address the Senate during the Public

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

Forum for a maximum of three (3) minutes. Public Forum shall not exceed sixty (60) minutes.

- c. Individuals associated or affiliated with the named Guest Speaker may speak if recognized by said Guest Speaker.
7. The Agenda shall be posted no later than Friday at 12:00 PM preceding the bi-weekly Monday Senate meeting except in cases where an emergency meeting has been called.

C. Debate and Decorum:

1. Members of the Student Senate shall conduct themselves in an orderly fashion at all times while on the Senate floor. Excessive unruliness shall be defined as any premeditated or persistent distraction which disrupts the normal business of the meeting and is deemed as disorderly. The Chairperson of the Senate and the Parliamentarian of the Senate shall have the authority to decide what action is disorderly.
2. Any Senator who has the floor shall not be interrupted by another Senator or officer for any purpose except as provided in Robert's Rules of Order or unless he/she consents to yield the floor to that Senator or officer.
3. All rules of debate and decorum shall be enforced by the Parliamentarian and transgressors of these rules shall be considered out of order.
4. All Senators ruled out of order shall automatically lose the floor. Any Senator ruled out of order two times may be asked to leave the Senate Chambers by the Chairperson and/or Parliamentarian.
5. Except in cases of conflict with the Rules of Procedure, Robert's Rules of Order shall prevail in matters of procedure unless a suspension of the rules has been called for.
6. A motion to suspend the rules will enable the Order of Business on the agenda to be amended with two-thirds approval of the Senate. A motion to suspend the rules can also enable the Chairperson to recognize anyone in the Senate Chambers.
7. Proper attire is required at meetings in order to vote. Proper attire is at a minimum business casual and required of all members. The proper attire in question will be determined by the Vice President. Improper attire includes, but is not limited to: athletic wear, shorts, and leisure wear.
8. Committee of the Whole shall:
 - a. Be formed by a motion "to consider the question in the Committee of the Whole" and must pass with a two-thirds vote of the Senate.
 - b. Be a committee composed of the entire Student Senate.
 - c. Be formed when the assembly decides that a particular question can best be discussed with less formal Senate rules.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- d. Be used to consider disciplinary matters within the Student Senate

9. Executive Session shall:

- a. Be called by the Chairperson of the Senate.
- b. Be used to consider all disciplinary matters, as referenced from the courts, excluding any impeachment hearings.
- c. Follow the guidelines for executive session as outlined in Robert's Rules of Order.
- d. Only have Student Government members and advisors in attendance.

10. Voting:

- a. Senators must be present on the Senate floor in order to vote.
- b. Members not wishing to vote may abstain. Members wishing to abstain shall not be counted when determining the number needed to obtain a majority.
- c. A tie vote is considered a lost vote unless the tie is broken by the Chairperson.
- d. At the desire of any Senator present, a division of the house can be called as prescribed in Robert's Rules of Order.
- e. All votes on legislation and amendments to legislation shall be taken by roll call vote unless there is an appropriate motion to suspend the rules. All other motions may be considered as outlined in Robert's Rules of Order.

ARTICLE III – IMPEACHMENT DEFINITION.

Articles of Impeachment will list the following information:

(a) Name of the complainant(s), which are the filers, managers, and authors of the Articles of Impeachment.

(b) Name and position of the respondent.

(c) Charges with specific citations of rules or instances of violations.

Each violation listed will constitute a new Article.

(d) Facts related to each charge under each Article.

1. RESPONSIBLE PARTIES. In this chapter's context, there are two parties to any impeachment whose roles are defined in this section. The “Impeachment Managers” are defined as those who sign on to the Articles of Impeachment. The “Respondent” is defined as the person charged under the Articles of Impeachment. The roles of these two parties are as follows:

(a) The “Impeachment Managers” are responsible for managing the Articles of Impeachment as authors and providing testimony and evidence in favor of the

STUDENT GOVERNMENT CODE OF LAWS TEXAS STATE UNIVERSITY

Articles of Impeachment, primarily seeking a verdict of guilty from the Senate.

(b) The “Respondent” is responsible for providing evidence and testimony, which counters the argument of the “Complainants” and primarily seeks a verdict of not guilty from the Senate.

2. FILING. Articles of Impeachment must first be filed with the House Leader and upon the decision of the House, any approved Articles will be transmitted from the House Leader to the Chair of the Senate, the accused, and the Senators with a copy of the approved Articles therein. The Articles of Impeachment must be placed on the Senate agenda 72 hours before the meeting and under the New Business section. At this time, the Chair of the Senate will certify that the Articles of Impeachment meet all constitutional and regulatory requirements to be placed on the agenda.

3. READING. Once the Articles of Impeachment have been forwarded from the House to the Senate, the process for Impeachment Trial will start in accordance with the constitution. After being certified as properly filed the Articles of Impeachment will be read to the Senate.

4. TRIAL. Immediately after the reading of the Articles of Impeachment, the Senate will conduct a trial. During the trial, the Senate will be governed by the rules found in Roberts Rules of Order and all statutory trial rules. After the presentation of opening statements, evidence, witnesses, testimony, cross-examination, and closing statements, the legislative body with jurisdiction will proceed with debate and discussion on the Articles of Impeachment. At the next regular or specially called meeting of the Senate must convene a trial. All other businesses will be automatically tabled, and the trial will commence.

5. VOTING FOR THE TRIAL. Each charge listed under the Articles of Impeachment must be voted on as distinct motions with the members present having one of two options for each vote; guilty or not guilty. Such votes will be done by roll call vote and must be reflected in the official voting records for the legislative body with jurisdiction. Those articles in which the respondent is found not guilty will be struck from the Articles of Impeachment. If the legislative body with jurisdiction finds the respondent guilty on any one of the Articles, it must constitute conviction and removal.

ARTICLE IV - LEGISLATION

A. Legislation Coding:

1. All legislation brought before the Senate shall be assigned a code number by the Chief of Staff, this legislation will thereafter be referred to by the code number in all actions of measure.
2. Each measure will receive a code determined by its type. Senate Resolutions will be designated by the "SR"; Simple Senate Resolutions will be designated by the "SSR"; Senate Bills will be designated by the "SB"; and Constitutional Amendments will be designated by "CA".
3. Each piece of legislation shall carry:
 - a. The name or names of two (2) sponsors and one (1) or two (2) authors.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- b. A title if the sponsor or co-sponsor wished to give it one.
- 4. Each piece of legislation passed by the Senate must include:
 - a. The date it was first introduced by the Senate.
 - b. A place for the signature of the President
 - c. A place for the date on which the legislation passed the Senate.
 - d. Any amendments approved by the Senate.
 - e. A committee summary.
- 5. All legislation to be placed on the agenda must be submitted to the Senate Chairperson no later than 8:00 AM on the Friday preceding the Senate meeting.

B. Path of Legislation:

- 1. First Reading-All legislation shall have a first reading under New Business during formal meetings with a quorum present. At this time the Chairperson of the Student Senate shall assign the legislation to the appropriate committee(s) to consider the proposed legislation and the corresponding committee chair will report back to the Senate at the next formal meeting with a committee summary consisting of recommended actions.
- 2. The committee chair shall attach the recommendations and/or amendments to the legislation.
- 3. Second Reading-At the next formal meeting following the meeting in which legislation was first read and after the proposed legislation has received Senate attention, legislation shall have a second reading under Old Business. At this time amendments to the legislation may be proposed and voted on.
- 4. Move for Adoption-After second reading under Old Business, it may then be moved and seconded for adoption. At this time amendments to the legislation may be proposed and voted on. All amendments must be pertinent to the legislation being considered.
- 5. Upon termination of debate, if the bill has not been taken from the floor, a vote shall be taken to determine passage or failure of the legislation.
- 6. Upon passage of a piece of legislation it shall go to the President for his/her approval (to be made official by his/her signature). If the President does not approve of the legislation they may signify such through a veto.
- 7. The President must act on passed legislation within five business days.
- 8. A piece of legislation may be granted emergency status by a two-thirds vote of the Student Senate or by declaration of the Chairperson of the Senate.
 - a. A piece of legislation successfully granted emergency status will not require a second reading.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- b. A senator wishing to make a piece of legislation emergency must give proper justification as to why the legislation needs to be made an emergency.
 - c. Each piece of legislation successfully granted emergency status must contain all necessary legislation coding to be immediately considered.
- 9. If the President vetoes legislation enacted by the Senate he/she must affix his/her signature and the date of the veto in an appropriate place on the legislation.
 - a. The President must inform the Senate of the veto at the next formal senate meeting, except if the legislation is vetoed after the last scheduled formal meeting of the President's term of office.
 - b. If legislation is passed at the last meeting of the Senate for either semester, the President shall have until the last day of classes, as indicated by the official school calendar, to veto the legislation, otherwise it shall be considered approved.
 - c. If the President vetoes legislation that was passed at the last meeting of the academic year, the senate for the following year may not override the veto. This does not prevent the next Senate from adopting similar legislation.

C. Senate Bills:

- 1. The enactment of the expenditure of money, the enactment of specific legislation within the realm of Student Government, or the enactment of fund raising, requires the passage of a Senate Bill.
- 2. An amendment to the Rules of Procedure shall be carried out with a Senate Bill.
- 3. All bills require a majority vote of the Senate members present for passage.
- 4. Senate Bills shall include a "BE IT ENACTED" clause stating the policy being established and it may include "WHEREAS" clauses or clauses stating the reasons, conditions, or ideas as to why the bill is needed.

D. Senate Resolution:

- 1. A recommendation to another organization or the official support of any actions external to requires the passage of a Senate Resolution. A Senate Resolution is a formal statement expressing the opinion, will, or intent of as a representative body of the students of Texas State University.
- 2. The Senate Resolution shall include a "BE IT RESOLVED" clause stating the idea being expressed, and it may include "WHEREAS" clauses or clauses stating the reasons, conditions, or ideas as to why the resolution is needed.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

3. The Resolutions require a majority vote of Student Senate members present for passage.

E. Simple Senate Resolutions:

1. The primary purpose of a Simple Senate Resolution is to establish, amend, or adopt rules of procedure, rules of debate and decorum, and other guidelines concerning the action of students and Senators on the Senate floor for a given academic year.
2. The secondary purpose of a Simple Senate Resolution is to endorse individuals or actions reflecting the will of the members of as a chartered student organization, but not necessarily as representatives of the entire student body.

ARTICLE V - COMMITTEES WITHIN THE SENATE

- A. Committees will be established at the beginning of each fall session of the Senate by the Chairperson of the Senate.

B. Committee Chairs shall:

1. Be appointed by the Chairperson of the Senate with the approval of two-thirds of the Student Senate.
2. Outline and examine the purpose of the committee in relation to Student Government.
3. Give reports of the committees' findings to the Student Senate in Senate meetings.
4. Preside over their committee meetings.
5. Be responsible for the recording of all committee member's absences and minutes of the committee meetings and shall forward them to the Chief of Staff.
6. Be Student Senators.

C. Committee Members shall:

1. Be appointed and removed by the Chairperson of the Senate at his/her discretion.
2. Attend all committee meetings.
3. Study, research, revise, and propose legislation.

D. General Senate Committee Provisions:

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

1. Senate members may serve on no more than two standing Senate committees and two temporary ad-hoc or special committees at one time.
2. No committee shall have the authority to amend, delete, or change in any way the nature, purpose, or content of any bill or resolution referred to it, but may draft and recommend amendments. The committee may adopt and report a complete substitution in lieu of an original bill or resolution.
3. Committees will meet bi-weekly as determined by the Chairperson of the Senate.
4. Committees shall have legislative review power over all legislation submitted to their committee.

ARTICLE VI - PROVISIONS

A. General:

1. A motion may be carried to only three levels at one given time.
2. Decisions of the Chair may be overridden by the majority vote of those Senators present.
3. The Chairperson or acting Chairperson of the Student Senate shall at no time decide on a question involving the constitutionality of a piece of legislation or other issues of actions of the Senate.
4. All Student Senate meetings shall be open to the public. Should a sensitive matter require a closed meeting, this rule may be suspended by a two-thirds vote of those Senators present.
5. No legislation may be amended so as to change the original purpose.
6. Once legislation has been considered and defeated no legislation containing the same principle subject matter shall be considered again during the same semester it was presented. However, the original legislation may be reconsidered once.
7. A motion to reconsider may be made and seconded only by Senators who vote on the prevailing side in the original vote. A motion to reconsider is debatable if the item to be reconsidered is debatable. A motion to reconsider requires a majority vote for passage. Upon passage of a motion to reconsider, the legislation may be debated and amended. Upon termination of debate on the legislation, a new vote shall be taken.

B. Nominations and Appointments Committee

1. **PURPOSE.** The purpose of the Nominations and Appointments Committee is to investigate to discover if nominees to fill vacant Senate seats as well as cabinet-level and judicial nominees meet a high standard of capability, have all the desired qualifications, and are not improperly entangled in any activities which may result in a loss of public trust in nominated and properly confirmed officials. Resolutions for the nomination of any such position must first be reviewed by the committee

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

and can only be advanced to the full Senate upon passing by a majority vote of the committee.

2. **POWERS.** The committee must review the nomination of any person proposed to fill a Senate vacancy, cabinet position, or judicial position. The committee must exercise such powers that allow it to fulfill its purpose, including:
 - a. Establish a standardized questionnaire or disclosure forms for all positions under its jurisdiction to review.
 - b. Request and require nominees or candidates to produce written statements of qualification, deliver an updated resume, answer questions in writing, in person or by teleconference, produce documentation relevant to the interview process, and appear in person to answer questions as it deems appropriate.
3. The Senate Leader must serve as Chair of the committee.
4. The Senate Parliamentarian will serve as Vice-Chair of the Committee and serve as chair when the Senate Leader is absent or unable to perform their duties.
5. **MEMBERSHIP.** The committee will be made up of seven (6) Senators and one (1) member of the House. The committee must always include the Senate Leader as Chair and the Senate Parliamentarian as Vice-Chair. Four (4) other members will be Senators selected by the Senate Leader and confirmed by two-thirds of the Senate. One position will be selected by the House Leader.
6. **SENATE APPLICANT CONSIDERATION AND INTERVIEW.** For Senate vacancies, the committee will review the applicant and report its final disposition on the application to the Senate within six (6) days. All positions subject to review under this chapter must appear before the committee and answer questions if asked to do so either in person or via teleconference. The dates, times, and locations of such interviews must be posted 24 hours in advance on the Student Government website. The interviews will be open to the public, but only the committee and the nominee may participate in the interview and decision-making process.
7. **EXPEDITED PROCESS.** The committee may opt, by majority vote, to advance a nominee or applicant without any formal hearing, interview or process if they deem it appropriate in which case the nominee or applicant's confirmation can occur at the next regularly scheduled meeting of the Senate.
8. **OPEN RECORDS.** Any student may request records by addressing in writing via Texas State University email a request for any archived transcription of committee proceedings to the Senate Leader. The Senate Leader is required to respond to the student request within five (5) business days.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

9. **TRANSCRIPTION OF PROCEEDINGS.** All committee proceedings must be recorded with an audio or audio/visual recorder or written transcript. Anything recorded during the hearing will be stored in an archive for the current year of the Student Government Administration.
10. **RULE FOR RECUSAL.** Any member of the committee must recuse themselves from participation in a hearing when, by virtue of their relationship or association with a nominee, they are unable to decide the case impartially. A motion for recusal of a specific member may be made by a member of the committee during a hearing, and upon majority vote affirming therein will require the committee member to recuse themselves from the hearing.
11. **MEETINGS.** All meetings of the Nominations and Appointment Committee will be open to the public, though only the Senators may participate in the discussion, questions, deliberation, and voting. The dates, times, and locations of the meeting will be set by the Senate Leader, so long as three (3) days' notice is given to the committee members. All means necessary should be taken by the Senate Leader to ensure the meeting occurs in the Student Center or other on-campus location. In addition, notice as to the meeting date, time, and location must be posted on the Student Government website 24 hours before it occurs.
12. **COMMITTEE REPORTING.** Upon a majority vote of the committee, the Senate Leader must report to the Senate in writing the nominee's disposition. The committee may report to the Senate favorably, unfavorably, or without the recommendation in accordance with the following:
 - a. Reporting a candidate or nominee's disposition favorably means that a majority of the committee agrees with the nomination. In this case, the Senate Leader will serve as the author and at least one volunteer member of the committee will serve as lead sponsor on a Resolution for Confirmation and submit it within the 7-day period to the Vice President for placement on the next Senate agenda. If the Senate Leader objects to the nominee, they may delegate authorship of the resolution to someone on the committee who is willing to fulfill the responsibility.
 - b. Reporting a candidate or nominee's disposition without a recommendation may mean the committee is tied on advancing the nominee to the full Senate or unsure of the nominee's qualification. Reporting without recommendation will advance the nomination to the full Senate. When reporting without a recommendation, at least two Senators from the committee, one as the author and the other as lead sponsor, must submit a Resolution of Confirmation for the nominee within the 6-day period to the Vice President for placement on the next Senate agenda.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- c. Reporting a candidate or nominee's disposition unfavorably means that the committee does not consider the candidate or nominee qualified, has found conflicts of interest, unacceptable entanglements, or other activities that may damage the legitimacy of their office or in the event, a nominee or candidate misses an interview. A nominee or candidate that is reported unfavorably will not advance for a full vote in the Senate unless the Senate passes "A Motion to Discharge from the Committee on Nominations and Appointments the Consideration of the Nomination to [Position Title]." This motion must be made immediately after the Senate Leader reports the disposition to be valid. If this motion passes, any Senator wishing to do so may author a Resolution of Confirmation.
- d. Regardless of the committees reported disposition, the Senate Leader has a responsibility to speak before the Senate begins debate and discussion on the Resolution of Confirmation to provide relevant and timely information about the nominee and the committee's findings.
- e. If the Committee returns a judicial or cabinet nominee with an unfavorable disposition, any Senator may propose A Resolution of Confirmation once the Senate Leader has reported the committee's findings. This bypass of the Committee decision is only possible once the disposition of the committee has been reported to the Senate.

C. NOMINATIONS AND APPLICATIONS

- 1. When a vacancy occurs in the Senate, the Senate will vote to approve an applicant.
 - a. The President will establish the application for senators each year, collect and process the applications as deemed appropriate and select those nominees they deem qualified to fill vacancies in the Senate.
 - b. The candidate and application will be forwarded to the nominations and appointments committee for further review
 - c. The Senate Leader will issue a Resolution for confirmation for each qualified applicant accepted by the committee and forward it to the Vice President for consideration at the next meeting.
- 2. Presidential Nominations
 - a. The President will select which nominee for cabinet and judicial position they wish to forward to the Nominations and Appointments Committee. For all cabinet and judicial nominations, the President must submit a nomination in writing to the Senate via a formal memorandum, including the name of the nominee and the position they wish the nominee to fill. The

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

nomination is read on the Senate floor, and the nominee will be referred to the Nominations and Appointments Committee for consideration at that point.

ARTICLE VI - ABSENCE POLICY

A. Senate Absences:

1. Three unexcused absences from Senate meetings in one session, either from general assembly or committee meetings, shall be just cause for the removal of a Senator.
2. All absences will be recorded as excused or unexcused.
3. All excuses shall be turned in to the Chairperson no later than 3PM of the Monday for the meeting missed that same week.
4. The Chief of Staff shall keep an attendance file of all excuses for absences along with an up-to-date running attendance record. Excuses will be kept on file for a period dating back one year. This file will be open to the public for examination.
5. Absent Senators who fail to turn in an excuse shall have their absences recorded as unexcused.
6. The Chief of Staff shall keep a running list of excused and unexcused absences. Excused absences shall include:
 - a. Death in the Family.
 - b. Illness.
 - c. School sponsored out-of-town trips.
 - d. Other extraordinary circumstances as defined by the Chairman of the Student Senate.
 - e. Representing the Senate in an official capacity.
7. When a Senator acquires two unexcused absence he/she shall be warned that he/she has one unexcused absence before removal from office by email from the Chair of The Senate.
8. Once a Senator acquires three unexcused absences, the Chair of the Senate shall remove the Senator from the Senate roster.
9. Should the Chairperson record an absence as unexcused and the Senator feel his/her excuse is justified he/she may appeal to the Chairperson of the Student Senate to amend the decision, by email, before the following senate meeting. Further appeal shall be to the Student Senate with a two-thirds vote, at the following senate meeting. Entire appeal process must take place before the next scheduled senate meeting.
10. Should a Senator be unable to attend meetings several weeks running due to illness or other approved absences, he/she shall contact the Chairperson who shall see that the minutes are amended on the Senator's behalf. Upon returning the Senator will still be required to turn in an excuse by official documentation for the attendance file.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

B. Tardiness:

1. The Chief of Staff shall record in the minutes a tardy when a Senator arrives after roll call.
2. When a tardy Senator arrives to the Senate meeting, he/she shall check with the Chief of Staff after the Senate meeting and the absence shall be removed if qualified.
3. If a Senator is tardy two times in one semester it will count as one unexcused absence. If a Senator is tardy four times in one semester it shall count as two unexcused absences.

C. Committee Absences:

1. All committee absences shall be recorded in the roll call by the Committee Chair and submitted to the Chief of Staff.
2. Committee members shall turn in an excuse to the committee Chair no later than 3PM of the Monday for the meeting missed that same week.
3. All excuses for committee absences shall be ruled either accepted or denied by the committee Chairperson.
4. After three unexcused absences from committee meetings in the same session, the Chief of Staff shall have the senator removed from the Senate

D. Virtual Attendance

1. Virtual Attendance as mentioned in Article IV Section Six B, will be granted at the chair's discretion for outstanding circumstances.

E. Senate Removal

1. Officers of the Senate and Senators may be removed by a two-thirds vote for reasons to meet the Senate and/or office qualifications as underlined in the Constitution and Code of Laws, failure to fulfill the duties described therein, failure to support the Constitution and/or Senate Rules of Procedure, or a failure to uphold the obligations that they swore to abide by in their Oath of Office. If a Senator is removed from the Chair of a committee, that does not signify their removal from the Student Senate. When the removal of an officer is pending that officer shall have no vote during the relevant proceedings but shall retain speaking privileges.
2. Should the Chairperson of the Student Senate be impeached, he/she shall relinquish the Chair to the Vice-President Pro Temp until all impeachment proceedings are completed. Should the Chairperson of the Senate or the Senator be the subject of any impeachment proceedings he/she shall have no vote until all impeachment proceedings are completed.
3. The impeachment procedure shall be directed as outlined in Robert's Rules of Order.
4. Once impeached and removed from office, he/she may no longer file for an elected position until one year after the impeachment although he/she may be appointed to positions by the President. These appointments shall be dependent on their confirmation of at least two-thirds of the Senate.

**STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY**

ARTICLE VII - ETHICS

- A. Senators shall be required to adhere to the Code of Ethics in all matters pertaining to Student Government and their personal conduct while occupying their respective offices.

ARTICLE VIII - AMENDING

- A.** This Rules of Procedure may be revised or amended by a majority vote of the Senators present and in good standing, assuming a quorum has been established.

**GRADUATE HOUSE OF REPRESENTATIVES
RULES OF PROCEDURE**

Article I - General Organization

- A. All legislative powers granted to the Graduate House that exclusively relate to graduate students shall be vested in the House of Graduate Representatives (Graduate House). The Graduate House shall be responsible for recommending the construction and adoption of Rules of Procedure pertaining to the organization of the Graduate House. The Rules of Procedure shall not conflict with the provisions of the Constitution, University rules and regulations, or the Board of Regents rules and regulations.
- B. Graduate House membership and appointment of the Graduate House shall be established by and set forth in the Constitution.
- C. Officers
- (1) The Student Body President shall:
- a. Have all duties and powers granted by the Constitution, the Student Senate Rules of Procedure, and the House of Graduate Representative Rules of Procedure.
- (2) The House Leader as Chairperson shall:
- a. Act as Chairperson
- b. Have a term of office beginning June 1 and ending on May 31.
- c. Meet with the Chairperson of all standing committees as deemed necessary.
- d. Be a Graduate Representative.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- e. Be elected by the Graduate Representatives according to Article V, Section B of this Rules of Procedure.
- f. Meet regularly with the President and Vice President.
Have no vote in the Graduate House except in the event of a tie or when the vote is by paper ballot.
- b. Maintain order at all times.
- c. Be thoroughly versed in parliamentary procedure.
- d. Not debate from the Chair except in the case of an appeal.
- e. At no time decide on a question involving the constitutionality of a piece of legislation.
- f. Follow the order of business as prescribed by the agenda unless the rules are suspended.
- g. Remain impartial at all times while conducting meetings.
- h. Make clear to all Representatives the issue in question.
- I. Execute all powers and duties found in the Constitution, Student Senate Rules of Procedure, and Graduate House Rules of Procedure, consistent with the University policy and rules and regulations of the Board of Regents.
- j. Appoint Internal Graduate House Committee Chairpersons with two-thirds approval of the Graduate House.
- k. Remove members of any standing committees for just cause, with the approval of the Student Body President.
- l. The Chairperson shall be the only person authorized to recognize persons wishing to speak during a Graduate House meeting.
- m. The Chairperson shall not recognize anyone except Representatives, the President, Advisor, and Ex-Officio members during old and new business sections of the agenda;
- n. The Chairperson shall recognize persons wishing to speak in a fair and impartial manner.

(5) The Graduate House Secretary shall:

- a. Be a Graduate Representative.
- b. Keep a permanent record of all Graduate House proceedings in the form of minutes, to be posted within three days after the meeting.
- c. Be responsible for the printing of all Graduate House literature;
- d. Keep a record of all absences and excuses.
- e. Keep an accurate, up-to-date Graduate House roster.
- f. Be responsible for carrying out all official correspondence for the Graduate House including sending the Graduate House Minutes to the Vice President for Student Success, the Student Success Office, the Advisor(s), the Dean of the Graduate College, the Student Body President and Vice President, House representatives and any other member of the campus community who requests a copy.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- g. Be elected by the Graduate Representatives according to Article V, Section B of this Rules of Procedure.
 - h. Have a term of office beginning June 1 and ending on May 31.
- (6) The Graduate House Parliamentarian shall:
- a. Be appointed by the Graduate House Chairperson, as needed, subject to two-thirds approval of the Graduate House.
 - b. Have a thorough knowledge of the Graduate House, Constitution, and Parliamentary procedures including Robert's Rules of Order.
 - c. Have a final say in all matters of procedural conflict on the Graduate House floor.
 - d. Point out serious errors in procedure to the Chairperson of the Graduate House.
 - e. Record all questions of order and other questions of procedure for future reference.
 - f. Keep time during periods of limited debate and/or speeches of debate.
 - g. Remove any person deemed out of order by the Chairperson or Parliamentarian.
 - h. Have a term of office beginning June 1 and ending on May 31.

D.Representatives

- (1) Installation of Representatives may be conducted at the first meeting of the new Graduate House by the newly installed President upon recommendation of the appropriate Dean.
- (2) Representatives shall serve a term of one or two years from their installation by the President. In the event a Representative is installed in the middle of a semester, that Representative may serve out the remainder of the semester at the end of two years.
- (3) A Representative shall automatically forfeit his membership in the Graduate House if he/she ceases to be enrolled in that school which he/she represents as determined by the Supreme Court.
- (4) Representatives shall be required to attend all Graduate House, and committee meetings. The absence policy shall be strictly enforced in accordance with Article VI of this document.
- (5) Vacancies occurring in the Graduate House may be filled by special elections when called by the President or the Supreme Court. Otherwise, they shall be filled per the recommendation of the Deand of that specific academic college, through consultation with the House Leader, subject to approval by the Vice President and two-thirds of the House of Graduate Representatives.
- (6) If a seat for an academic college cannot be filled by a graduate student from that college, any graduate student may be installed as an “at large” representative

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

Article II - Legislative and House Procedures

A. Duties and Powers of the Graduate House

- (1) The House of Graduate Representatives shall legislate and make recommendations that are specifically pertinent to the welfare of graduate students while maintaining a role of representing the entire student body.
- (2) May require the President to establish ad-hoc and standing committees to study problems and propose legislation and programs.
- (3) The House of Graduate Representatives shall be responsible for the adoption of Rules of Procedure pertaining to the organization of the House.
- (4) The House of Graduate Representatives may amend their Rules of Procedure by a two-thirds majority vote of the Representatives present and in good standing
- (5) The Senate and the House of Graduate Representatives shall have the power to amend the Election Code by a two-thirds majority vote of each body with Senators and Representatives present and in good standing
- (6) House of Graduate Representatives shall meet at other times called by the President of Student Government or by the Graduate House Leader if a situation arises that requires attention before the next regularly scheduled meeting.
- (7) Shall have the power to override a veto by the President by a vote of two-thirds of its members.
- (8) A Presidential Veto of a bill or resolution jointly authored in the House and Senate may be overridden by a concurrence vote of a two-thirds majority of all Senators and Representatives present and in good standing.
- (9) The House of Graduate Representatives shall elect, by a two-thirds majority vote of all Representatives present and in good standing, a House Leader and any other officers deemed necessary by the House of Graduate Representatives for the conduct of business.
- (10) Shall have the power to initiate impeachment of an officer or Representative. Conviction of impeachment shall require a two-thirds vote of the representatives present and in good standing.

B. Graduate House Procedures

- (1) The Graduate House will follow the agenda set by the chairperson with a 2/3 requirement to change the agenda.
- (2) The chairperson shall set the rules for debate.
- (3) Robert's Rules of Order Newly Revised Edition will be the sole source for all questions of parliamentary procedures unless otherwise provided by the Rules of Procedure.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- (4) The Graduate House shall meet at least twice every month of the Fall and Spring semesters, beginning with the second full week of regular classes. The meetings shall be called at 1:00 PM on Friday afternoons and the place shall be determined by the chairperson at the beginning of the semester. Any change in meeting time or place will require a two-thirds majority vote of the House of Graduate representatives present, or by electronic submission, and in good standing.
- (5) No official business may be conducted by the Graduate House without the presence of a quorum.
- (6) A quorum for the conduct of business shall be two-thirds of the membership of the Graduate House. Membership shall be determined by the total number of Representatives active on the roll at the time a meeting is called to order.
- (7) Order of Business shall be determined by the agenda. The general order of business may be:

- I. Call to Order
- II. Roll Call
- III. Approval of Minutes

V. Guest Speakers

VI. Public Forum

VII. Reports VIII.

Old Business

IX. New Business

X. Questions

XI. Announcements

XII. Adjournment

C. Debate and Decorum

- (1) Members of the Graduate House shall always conduct themselves in an orderly fashion while on the Graduate House floor. Excessive unruliness shall be defined as any premeditated or persistent distraction, which disrupts the normal business of the meeting; and shall be considered disorderly conduct. The Chairperson of the Graduate House or the Parliamentarian of the Graduate House shall have the authority to decide what action is disorderly. All disorderly conduct shall be considered as out of order.
- (2) During debate all Representatives shall confine their remarks to the subject at hand or they shall be ruled out of order.
- (3) Any Representative who has the floor shall not be interrupted by another Representative for any purpose except as provided in Robert's Rules of Order or unless he/she consents to yield the floor to that Representative.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- (4) All rules of debate and decorum shall be enforced by the Parliamentarian, transgressors of these rules shall be considered out of order.
- (5) All Representatives ruled out of order shall automatically lose the floor. Any Representative ruled out of order three times may be asked to leave the Graduate House Chambers by the Chairperson.
- (6) Except in the cases of conflict with the Rules of Procedure, Robert's Rules of Order shall prevail unless suspension of the rules has been called for.
- (7) A motion to suspend the rules will enable the Order of Business on the agenda to be amended with two thirds approval of the Graduate House. A motion to suspend the rules can also enable the Chairperson to recognize anyone in the Graduate House Chambers.
- (8) Committee of the Whole shall:
 - a. Be formed by a motion "to consider the question in the Committee of Whole."
 - b. Be a committee composed of the entire Graduate House.
 - c. Be formed when the assembly decides that a particular question can best be discussed with the more liberal committee rules.
 - d. Be chaired by the Graduate House Leader.
 - e. Move to "rise and report" when their business is finished.
 - f. Cease to exist upon passage of this motion.
 - g. Not be recorded with minutes, but the Committee of the Whole report shall be entered into the minutes.
 - h. Be considered for addressing disciplinary matters in the Graduate House.
- (9) Executive Session shall:
 - a. Be called by the Chairperson.
 - b. Be used to consider disciplinary matters.
 - c. Follow the guidelines for executive session as outlined in Robert's Rules of Order.
 - d. Shall be placed on the posted agenda and shall not provide grounds for the exemption from the established guidelines for placing legislation on the agenda.
 - e. Be open to Faculty and Staff advisors, at their own discretion.
 - f. Can be called with a two-thirds vote of the Graduate House.
- (10) Voting
 - a. Representatives must be present on the Graduate House floor in order to vote.
 - b. Members not wishing to vote may abstain. Members wishing to abstain shall not be counted when determining the number needed to obtain a majority or two-thirds.
 - c. Undecided Representatives may pass and then cast their vote at the conclusion of voting before the final vote is announced.
 - d. A tie vote is considered a lost vote unless the tie is broken by the Chairperson.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- e. At the desire of any Representative present, a division of the house shall be in order as prescribed in Robert's Rules of Order.
- f. All votes on legislation and amendments thereto, shall be taken by roll call vote unless there is a suspension of this rule. All other motions may be considered as outlined in Robert's Rules of Order

Article III - Legislation

A. Coding Legislation

- (1) Each measure will receive a code determined by its type. Graduate House Resolutions will be designated by the "HR"; Simple Graduate House Resolutions will be designated by the "SHR"; Graduate House Bills will be designated by the "HB"; and Constitutional Amendments will be designated by "CA" but must be co-sponsored in the Student Senate; Joint Resolutions with the Student Senate will be designated by the "JR";
- (2) Each piece of legislation shall carry:
 - a. The name or names of sponsor(s) and the author.
 - b. A title if the sponsor or co-sponsor wished to give it one.
- (3) Each piece of legislation passed by the Graduate House shall carry:
 - a. The date it was first introduced by the Graduate House.
 - b. A place for the signature of the President and Vice President
 - c. A place for the date on which the legislation passed the Graduate House.
 - d. A place to indicate a committee assignment should the legislation be sent to a committee.
 - e. Any amendments approved by the Graduate House.
- (4) All legislation and committee report to be placed on the agenda must be submitted to the Chair of The House no later than 5:00 PM on the Tuesday preceding the Graduate House meeting. Thereafter, legislation to be placed on the agenda shall require special permission of the Chairperson of the Graduate House and shall not be accepted at all after 5:00 PM on Thursday.
- (5) All legislation must be submitted to the Chairperson of the Graduate House for his/her signature by 5:00 on Thursday prior to the Graduate House meeting.

B. Path of Legislation

- (1) First Reading-All legislation shall have a first reading under New Business during formal meetings with the quorum present.
- (2) Second Reading-At the next formal meeting following the meeting in which legislation was first read. Legislation shall have a second reading under Old Business. At this time amendments to the legislation that are

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

recommended by the assigned committee(s) may be proposed and voted on.

- (3) Debate-After second reading under Old Business, the Chairperson shall open the floor for debate. At this time amendments and any other legislative actions may be proposed and voted on. All amendments must be pertinent to the legislation being considered. Upon termination of debate, if the bill has not been taken from the floor, a vote shall be taken to determine passage or failure of the legislation.
- (4) Upon passage of a piece of legislation it shall go to the President for his/her approval (to be made official by his/her signature). If the President does not approve of the legislation, he/she may signify such through a veto.
- (5) A piece of legislation may be granted emergency status by a two-thirds vote of the Graduate House or by declaration of the Chairperson of the Graduate House, in which case the legislation shall be immediately considered by the Graduate House.
- (6) The President must act on passed legislation within the time period signified by the Constitution. If the President vetoes legislation enacted by the Graduate House, he/she must affix his signature and the date of the veto in an appropriate place on the legislation. The President must inform the Graduate House of the veto at the next formal Graduate House meeting, except if the legislation is vetoed after the last scheduled formal meeting of the President's term of office. If legislation is passed at the last meeting of the Graduate House for either semester, the President shall have until the last day of classes, as indicated by the official school calendar, to veto the legislation, otherwise, it shall be considered approved. If the President vetoes legislation that was passed at the last meeting of the academic year, the Graduate House for the following year may not override the veto. This does not prevent the next Graduate House from adopting similar legislation.

C. Graduate House Bills

- (1) The enactment of the expenditure of money, the enactment of specific legislation within the realm of Student Government; or the enactment of fund-raising legislation, requires the passage of a Graduate House Bill.
- (2) All bills require a majority vote of the Graduate House Representatives present for passage.
- (3) The Graduate House Bill shall include a "BE IT ENACTED" clause stating the mandate being expressed and it must include "WHEREAS" clauses or clauses stating the reasons, conditions, or ideas as to why the bill is needed.

D. Graduate House Resolutions

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- (1) The recommendation to another organization or the official support of any part of the 's actions on the record requires the passage of a Graduate House Resolution. A Graduate House Resolution is a formal statement expressed in the opinion, will, or intent of the Graduate House.
- (2) The Graduate House Resolution shall include a "BE IT RESOLVED" clause stating the idea being expressed, and it must include "WHEREAS" clauses or clauses stating the reasons, conditions, or ideas as to why the resolution is needed.
- (3) The Resolutions require a majority vote of Graduate House members present for passage.

E.Simple Graduate House Resolutions

- (1) The primary purpose of a Simple Graduate House Resolution is to establish, amend, or adopt rules of procedure, rules of debate and decorum, and other guidelines concerning the action of students and Representatives on the Graduate House floor.
- (2) The presentation of accolades and special recognitions shall require a Simple Graduate House Resolution.
- (3) A majority vote is required to amend the Rules of Procedure.

Article IV - Committees within the Graduate House

- A. Committees will be established at the beginning of each academic year of the Graduate House by the House Leader of the Graduate House.

B. Committee Chairperson

- (1) Shall be appointed by the Chairperson of the Graduate House with approval of two-thirds of the Graduate House.
- (2) Take attendance and minutes for the meeting.
- (2) Shall outline and examine the purpose of the committee in relation to Student Government.
- (3) Shall determine the time, place, and frequency of meetings and notify members according to guidelines established by the Chairperson of the Graduate House.
- (4) Shall give periodic reports of the committee's findings to the Graduate House according to deadlines established by the Chairperson of the Graduate House.
- (5) Shall preside over all committee meetings.
- (6) Shall be responsible for the recording of all committee member's absences and minutes of the committee meetings and shall forward them to the Graduate House Secretary.
- (7) Shall be a Graduate Representative.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- (8) The Committee Chairperson shall meet with the Chairperson of the Graduate House and Graduate House Leader as deemed necessary by the Chairperson of the Graduate House.
- (9) The Committee Chairperson may appoint a co-chairperson with two-thirds approval of the committee.

C. Committee Co-Chairperson shall:

- (1) Preside at meetings when the Chairperson is absent.
- (2) Assist the Chairperson.
- (3) Keep record of attendance of members.
- (4) Maintain a record of excuses for absences by committee members.
- (5) Take attendance and minutes for the meeting if chair is not present.
- (6) Keep the Chairperson informed of attendance violations.
- (7) Enforce absence policy as outlined in Article VI of this document

E. Committee Members shall:

- (1) Be appointed by the Graduate House Chairperson.
- (2) Be removed by the Chairperson of the House at his/her option.
- (3) Attend all committee meetings scheduled by the Committee Chairperson.
- (4) Study, research, revise, and propose legislation

F. General Graduate House Committee Provisions

- (1) Graduate House Representatives may serve on no more than three standing Graduate House committees and two temporary ad-hoc or special committees at one time.
- (2) No committee shall have the authority to amend, delete, or change in any way the nature, purpose, or content of any bill or resolution referred to it, but may draft and recommend amendments thereto. The committee may adopt and report a complete committee substitution in lieu of an original bill or resolution.
- (3) Committees will meet every week or on a regular basis as determined by the Chairperson.
- (4) Committees shall have legislative review power all legislation submitted to their committee.

G. General Subcommittee Provisions

- (1) The Graduate House Committee Chairperson may form subcommittees to address special project and issues that are being undertaken by their respective Graduate House Committees.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- (2) Graduate House subcommittees may contain persons who are not members of the House upon approval of the Graduate House Chairperson.
- (3) Each Graduate House subcommittee non-Graduate House member shall be allowed to fully participate in the discussion within the subcommittee, and shall attend all meetings, and shall act in an advisory capacity.
- (4) Graduate House subcommittee non-Graduate House members shall not have an official vote on the subcommittee.

H. Special, Select, and Ad-Hoc Graduate House Committees

- (1) Shall be created by the President or may be created by a motion or legislation when the need arises for a committee of a temporary nature.
- (2) All special committee members shall be appointed by the Chairperson of the Graduate House with two-thirds approval of the Graduate House.
- (3) The appointed committee members will elect a Chairperson from among the special committee to preside during the time of the committee's existence.
- (4) Will be dissolved as soon as the Chairperson of the Graduate House and the Chairperson of the committee feel the project(s) is completed, or by legislation or motion.

Article V - Provisions

A. General

- (1) A motion may be carried to only three levels at one given time.
- (2) Decisions of the Chairperson may be overridden by the majority vote of those Representatives present.
- (3) The Chairperson or acting Chairperson of the Graduate House shall at no time decide on a question involving the constitutionality of a piece of legislation or other issues of actions of the Graduate House.
- (4) All Graduate House meetings shall be open to the public. Should a sensitive matter require a closed meeting, this rule may be suspended by the Chair of the House or a two-thirds vote of those Representatives present.
- (5) No legislation may be amended so as to change the original purpose.
- (6) Once legislation has been considered and defeated no legislation containing the same principle subject matter shall be considered again during the same semester it was presented. However, the original legislation may be reconsidered once.
- (7) A motion to reconsider may be made and seconded only by Representatives who vote on the prevailing side in the original vote. A motion to reconsider is debatable if the item to be reconsidered is debatable. A motion to reconsider requires a majority vote for passage. Upon passage of a motion to reconsider, the legislation may be debated

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

and amended. Upon termination of debate on the legislation, a new vote shall be taken.

B. Elections within the Graduate House

(1) General Election Guidelines

- a. Elections will be held at the last meeting of the Spring semester to select new Graduate House officers.
- b. Nominations and elections for House Officers should include candidates likely to return for a second year of term.
- c. All elections shall be presided over by the Chairperson of the Graduate House unless the Chairperson is a candidate, whereby any Representative who is not a candidate shall preside over the election.
- d. The Chairperson shall be aided by those Representatives he/she selects who are not candidates.
- e. All special elections shall be by a paper ballot.
- f. Winners shall be determined by a plurality vote.
- g. All introductions, speeches, questions, and discussions shall immediately precede balloting should they be called for by the Chairperson.
- h. In the event of a tie, the run-off will be immediately broken by way of a paper ballot.

(2) Special Election Guidelines

- a. Special elections shall be elections which fill vacancies for Graduate House Officers.
- b. Special elections shall be held at the first Graduate House meeting in which one of the positions needs to be filled.
- c. The procedure for holding a special election shall be the same as for general Graduate House elections.
- d. Winners of Graduate House Officer special elections shall immediately assume the position for the duration of the term.

Article VI - Absence Policy

A. Graduate House Absences

- (1) Three unexcused absences from Graduate House meetings in one semester (formal or committee) shall be just cause for removal of a Representative.
- (2) All absences will be recorded as excused or unexcused.
- (3) All excuses shall be turned into the House Leader no later than 5 PM Tuesday following the meeting missed.
- (4) The Graduate House Secretary shall keep an attendance file of all excuses along with an up-to-date running attendance account. Excuses will be kept

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

on file for a period dating back one year. This file will be open to the public for examination.

- (5) Absent Representatives who fail to turn in an excuse shall be recorded as unexcused.
- (6) The Graduate House Leader shall keep a running list of excused absences taken that the absence is based on the following guidelines:
 - a. Death in the Family.
 - b. Illness.
 - c. School sponsored out-of-town trips.
 - d. Other extraordinary circumstances as defined by the House Leader of the House of Graduate Representatives.
- (7) When a Representative acquires two unexcused absences, he or she shall be warned by a phone call or email from the Graduate House Leader that he or she has two unexcused absences before removal from office.
- (8) Once a Representative acquires three unexcused absences, the Graduate House Chairperson shall remove the representative.
- (9) Should the Graduate House Chairperson record an absence as unexcused, and the Representative feel his/her excuse is justified he/she may appeal to the Graduate House to amend the minutes. Any appeal shall be to the Graduate House with a two-thirds vote.
- (10) Should a Representative be unable to attend meetings several weeks running due to illness, or other approved absences, he/she shall contact the Graduate House Chairperson who shall see that the minutes are amended on the Representative's behalf. Upon returning, the Representative must turn in a written excuse for the attendance file.

B. Committee Absences

- (1) All committee absences shall be recorded in the minutes by the Committee Chairperson.
- (2) Committee members shall turn in written excuses to the Committee Chairperson no later than one week after the meeting missed. Excuses may be left with the Graduate House Secretary who will place the date received on the excuse.
- (3) All excuses for committee absences shall be ruled either accepted or denied by the Committee Chairperson. Committee members may appeal the decision of the Committee Chairperson to the Graduate House. The Graduate House may override the decision of the Committee Chairperson by a two-thirds vote.
- (4) After three unexcused absences from committee meetings in the same semester, the Committee Chairperson shall request that the Chairperson of the Graduate House remove the representative.

C. Graduate House Removal

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- (1) Officers of the Graduate House may be removed by a two-thirds vote, failure to meet qualification as underlined in the Constitution and Graduate House Rules of Procedure, failure to fulfill the duties described therein, and failure to support the Constitution. When removal of an officer is pending, that officer shall have no vote during relevant proceedings but shall retain speaking privileges.
- (2) Representatives may be removed by a two-thirds vote for failure to meet qualifications as outlined in the Constitution and the Graduate House Rules of Procedure.
- (3) Should the Chairperson of the Graduate House be impeached, he/she shall relinquish the Chair to the Graduate House Leader until all impeachment proceedings are completed.
- (4) Should a Representative be impeached he/she shall have no voice until all impeachment proceedings are completed.
- (5) Impeachment procedure shall be directed as outlined in Robert's Rules of Order.
- (6) Once an elected official has been impeached and removed from office, he/she may no longer file for a year after impeachment for an elected position while attending Texas State University. Although he/she may be appointed to positions by the President.

Article VII - Amending

- A. This Rules of Procedure may be revised or amended by a two-thirds vote of the Representatives present and in good standing.

**STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY**

STUDENT GOVERNMENT ELECTION CODE

Article I – Preamble

Section 1: The purpose of this document is to create a commission with oversight and discretion of the Elections. Furthermore, this document shall preserve and uphold the integrity, honesty, and fairness of general student body elections and referendums by ensuring equity as well as access to the entirety of the student body.

Article II – Definitions

“ALLIANCE” refers to a collaborative campaign between a presidential, vice presidential, and senator candidates that are approved by the Supreme Court. Candidates in an alliance may engage in tangible or substantive endorsements and can collaborate, share financial resources, or provide other tangible or substantive support for any fellow candidates.

“ADVISORY OPINION” refers to any opinion issued by the Supreme Court concerning any matter affecting the campus-wide elections that may not be included within the language of the election code but will be considered binding as an opinion of the Supreme Court and extension of this code, which will be published primarily in the Operating Memorandum.

“ASSOCIATE” and “ASSOCIATED” refers to those persons, individuals or organizations, and its members who are registered agents, workers, or endorsers.

“BRIBERY” refers to when a candidate, agent, or worker offers an exchange of anything of value, in return for a guarantee of a vote.

“CAMPAIGN AGENT” or “AGENT” refers to any candidate-appointed worker who is authorized to speak and act on behalf of the candidate. A campaign agent is not to be paid.

“CAMPAIGN WORKER” or “WORKER” refers to any candidate-appointed person whose purpose is to further a candidacy. A campaign worker is to be paid.

“CAMPAIGN” and “CAMPAIGNING” refer to statements, literature, activities, or deliberate uses or distribution of materials of any kind including electronic or virtual, that have or are intended to have the effect of soliciting votes, support or interest for a candidate, alliance, or elective office. Campaigning must only occur during the official campaign period, as defined in this code.

STUDENT GOVERNMENT CODE OF LAWS

TEXAS STATE UNIVERSITY

“CAMPAIGN MATERIALS” refers to all materials and literature of any kind, including electronic or virtual, concerning any candidate that has or is intended to have the effect of soliciting votes, support, or interest for a candidate or elective office.

“CAMPUS-WIDE ELECTIONS” refers to any elections open to all students for the purpose of referenda or election.

“CAMPUS-WIDE ELECTIONS FILING AGREEMENT” refers to the document signed by the candidate that acknowledges the candidate is aware of and will adhere to this code. This agreement will be signed at the Rules Reading Seminar.

“CANDIDATE” refers to any student consenting and/or endeavoring to be elected as expressed by filing to run for office in accordance with this and all applicable election codes.

“CANDIDATE-APPOINTED” refers to persons officially registered with the Supreme Court for a candidate by the candidate

“DAY” is one 24-hour period. A day includes weekdays, Saturday, and Sunday.

(a) **“BUSINESS DAY”** is one 24-hour period, a non-weekend day, during a normal operating day for the university.

(b) **“CLASS DAY”** is one 24-hour period, non-weekend day, during a normal operating scheduled class day for the university.

“DEFEATED CANDIDATES” refers to candidates, whose elections already being decided, have lost in their respective elections.

ELECTIONS, TYPES

(a) **“GENERAL ELECTION”** refers to the annual election of Student Government officers, as specified in the Student Government Constitution.

(b) **“RUNOFF ELECTION”** refers to all secondary elections held to resolve races not initially determined by a general or special election.

(c) **“SPECIAL ELECTION”** refers to an election called by the Student Government President or Senate as specified in Student Government Constitution. **“ENDORSEMENT”** and **“ENDORSING”** refer to any form of communication expressing support for a candidate. Reposts on a social media platform constitute an endorsement. Social media follows or “likes,” and equivalent do not constitute endorsements.

“EXPLORATORY PERIOD” and **“EXPLORATION”** refers to the period of time that potential candidates may privately consult and recruit for the formation of an Alliance.

“MATERIAL SUPPORT” or **“MATERIAL DONATION”** AND **VARIATIONS HEREIN** refers to that which is a non-monetary donation or assistance and includes items owned or actions taken by the candidate, agents, workers, or others.

STUDENT GOVERNMENT CODE OF LAWS

TEXAS STATE UNIVERSITY

“MEMBER” refers to any sitting member of the Student Government who is participating in campus-wide elections. Members may also be substituted for specific offices or titles.

“MEMBER-ELECT” refers to a candidate whose election already being decided has won their respective election but who has not yet been sworn-in nor seated yet.

“REGULATORY BODIES” include the Supreme Court and all other administrative bodies of the election process.

“RULING” refers to any decision or judgment issued by the Supreme Court resulting from a hearing rectifying a violation of this code or clarifying the interpretation of a rule.

“STUDENT” refers to any individual whose name appears on the current roster of the Registrar of the university.

“STUDENT GOVERNMENT” refers to the Student Government of Texas State University.

“SUPREME COURT” refers to the Supreme Court of Texas State University.

“TIME” all references to time of day are in Central Time Zone (CT).

“UNIVERSITY” refers to Texas State University.

“UNIVERSITY RESOURCES” refers to any asset located on or off Texas State University property that is under the control of the university and is not accessible to all students. This definition does not include university service, whereby the university delivers some products in exchange for compensation.

“VOTER FRAUD” is the illegal interference with the process of an election and includes, but is not limited to, increasing the vote share of a favored candidate, depressing the vote share of a rival candidate, or both and is determined by the Supreme Court.

“WEEK” is defined as seven constitutive calendar days.

ARTICLE III. ADMINISTRATIVE

ELIGIBILITY. All candidates must be deemed eligible in accordance with the Student Government Constitution, by the Dean of Students Office, and Supreme Court.

STUDENT GOVERNMENT CODE OF LAWS

TEXAS STATE UNIVERSITY

EXCLUSIVITY TO STUDENTS. Only students on the current semester official roll of the Office of the Registrar may actively seek office or vote in campus-wide elections.

CAMPAIGN AGENTS. Each candidate will be required to submit to the Supreme Court a list of campaign agents they have authorized for their campaign on or before the Rules Reading Seminar date. Any updates to the list of agents after the Rules Reading Seminar must be submitted to the Supreme Court Chief Justice within 24 hours.

CAMPAIGN WORKERS. Each candidate will be required to submit to the Supreme Court a list of campaign workers they have authorized for their campaign on or before the Rules Reading Seminar date. Any updates to the list of workers after the Rules Reading Seminar must be submitted to the Supreme Court Chief Justice with each financial disclosure statement. The candidate is free to use workers at their discretion. However, the candidate takes full responsibility for the actions of the workers on their campaign.

OPERATING MEMORANDUM. The Supreme Court must publish an operating memorandum outlining the expected processes and procedures, violation classifications, dates, interpretations, and advisory opinions for the coming election at least five business days before the Supreme Court's first Rules Reading Seminar.

ARTICLE IV. GENERAL REGULATIONS

UNIVERSAL APPLICATION. The provisions of this title are applicable to all Student Government elections and student referendums.

PARTICIPANTS' COMPLIANCE. All persons participating in campus-wide elections agree to comply with this code, Student Government Constitution, S.G.C., university policies, and local, state, and federal laws.

UNSPECIFIED SITUATIONS. The Supreme Court has the power to regulate, administer, and take other actions that are expressly authorized or implied in this Title to provide direction and oversight of election-related issues that are not directly codified in herein. However, in the interest of transparency, consistency, and judicial prudence is critical that the Supreme Court exercise this broad power of regulation in a few circumstances and only when absolutely necessary. When applying this power, the Supreme Court must be clear as to why it is exercising such broad regulatory power.

SINGULAR REFERENCES INCLUDE PLURAL. References to the singular will be construed to include the plural.

CANDIDATE REFERENCES INCLUDE ALL CAMPAIGN AGENTS AND WORKERS. References to candidates will be construed to apply to their agents and workers as well unless specified by the Supreme Court.

STUDENT GOVERNMENT CODE OF LAWS

TEXAS STATE UNIVERSITY

RESPONSIBILITIES. Candidates, agents, or workers for any campaign will be responsible for the regulations relevant to their election, as defined by this election code.

IGNORANCE NOT A DEFENSE. Ignorance of the Election Code will not be an acceptable defense in response to any offense committed in any election under this code; either by the candidates themselves, their agents or workers, or the election regulatory bodies, as defined by this code.

SINGLE AND SEPARATE APPLICATION. Each election under this code will be considered a single and separate application of this code.

RELEVANCY OF RULINGS. Rulings made by the Supreme Court during any election period will have full force and effect only for the election and associated runoff elections in which they are issued.

PRECEDENT. All rulings must set a precedent for future hearings by the Supreme Court, and any change to precedent by succeeding Boards must come with written justification citing the Election Code and any other applicable regulation or Supreme Court decision that justifies the overturned precedent.

PREVIOUS PRECEDENTS. All previous precedents established by the Election Board (before merged with the Student Government Supreme Court), still stand.

UNIVERSITY REGULATIONS. All candidates and their agents and workers, and the Supreme Court will be responsible for following all applicable university regulations in addition to the provisions contained within this code. University regulation will be enforceable by the Supreme Court upon candidates.

CHAPTER 101 - PROCEDURAL DUE PROCESS

ARTICLE I. HEARINGS AND PROCEDURES

FILING OF COMPLAINTS. Any student, except for Supreme Court Justices, may file a complaint with the Supreme Court.

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.

- (a) Should a contested action occur during a recess of the Supreme Court, the start date for the statute of limitations must begin on the first business day that the Supreme Court resumes.
- (b) Actions outside of the 60-business day statute of limitations are only admissible to establish a pattern of behavior related to the case and is completely admissible

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

as evidence.

TIMELINE – ELECTION COMPLAINT. All Election Code Violations must be filed in accordance with Election Code Chapter 105; Article I. All election complaints filed must receive a response of accepted or not accepted (dismiss) within two days. If a complaint is accepted, the board will notify the accused through a Notice of Election Complaint (Appendix 8), 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 two business days but not less than 24 hours.

- (a) A complaint is filed and then reviewed by the Board, and within two days, decides to accept or not accept (dismiss) the complaint and inform the complainant.
- (b) If a request is accepted the Supreme Court Chief Justice must, within two days of receiving a filed complaint, notify (Notice of Election Complaint) via Texas State e-mail the Supreme Court, the Chief Justice, the President, the Vice President, the Dean of Students, student government advisors, the complainant, and the respondent of the complaint. The Chair must arrange the meeting time and location and include the date, time, and place of the hearing in the Notice of Election Complaint. If the Board receives a complaint during the voting period, the Supreme Court must either decide to accept or reject (dismiss) the complaint within 24-hours.
- (c) All hearings must be heard held by Supreme Court within two business days of the Board's decision to hear the Election Complaint but not less than 24 hours. This 24 hour restriction may be waived with the permission of the respondent and complainant. The 24-hour restriction for hearings is automatically waived when a complaint is filed during the voting period.
- (d) A Notice of Election Complaint and the scheduled hearing must be published on the Student Government website for public review within 12 hours of their issuance.

FAILURE TO ACT ON COMPLAINTS. If after the two days, but before the deadline to issue a Notice of Complaint, the Supreme Court cannot reach quorum, the Chair of the Supreme Court will have sole jurisdiction to hear and decide the case so long as the Student Government Staff Co-Advisor accents with the decision before the publication of the ruling.

- (a) If the Supreme Court, or Chief Justice as sole judge, does not act within the prescribed time for any reason, the complaint can appeal to the Student Government Advisor to hear the case.
- (b) If the Supreme Court does not reply to a complaint within two days, the complainant may file an appeal to the Student Government Advisor to hear the case.

DISMISSAL OF COMPLAINTS. The Supreme Court may only dismiss a complaint if:

- (a) The complaint violates the statute of limitations.
- (b) The complaint fails to state a cause of action for which relief may be granted.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- (c) The complaint is deemed as being outside the board's jurisdiction.
- (d) The complaint is clearly not a violation of the Election Code, because the action is expressly permitted by the S.G.C. or previous Court rulings.

TEMPORARY RESTRAINING ORDERS. At the time a Notice of Election Complaint is issued, the Supreme Court Chief Justice may issue a temporary restraining order if they determine that such action is necessary to prevent undue or adverse effects on any candidate. Any restraining order, once issued, will remain in effect until a decision of the Supreme Court is announced after the hearing or until rescinded by the Supreme Court.

PUBLIC INFORMATION. All Supreme Court hearings, proceedings, records, including those collected under the Election Code, and meetings must be open to the public, except for the deliberations and records related to deliberations that determine the outcome of hearings.

PRESENT AT HEARING. All parties involved in a complaint, if called to do so by the Supreme Court, will present themselves at the hearing or authorize an agent in writing to serve during the proceedings in their absence.

RIGHT TO COUNSEL. Parties may be accompanied by a maximum of two Texas State students from whom they can receive counsel and have the option to be represented by that counsel.

SUPREME COURT HEARING PROCEDURE. The Supreme Court will determine the format for the hearing but must invite both the complaining and responding parties to appear physically before the Supreme Court to discuss the issues through a complaint, answer and rebuttal, format, when applicable. The purpose of the hearing is to gather the information necessary to make a decision, order, or ruling that will resolve an election dispute. To this purpose, the following rules must prevail at all hearings:

- (a) Complaining parties will be allowed no more than two witnesses; however, the Supreme Court may call other witnesses if it deems necessary.
- (b) If witnesses are unable to appear at the hearing, signed and notarized affidavits may be submitted to the Supreme Court Chief Justice for the purpose of testifying by proxy. The affidavit will be read aloud in the hearing.
- (c) All questions and discussions by the parties involved in the dispute will be directed to the Supreme Court.
- (d) There will be no direct or cross-examination of any party or witness by complaining or responding to parties during hearings.
- (e) Reasonable time limits may be set by the Supreme Court, provided they give fair and equal treatment to both sides.

DECISIONS. Decisions, orders, and rulings are all synonymous terms and must be agreed to by a majority of the Supreme Court present at the hearing where the case was heard and formatted similarly to that found in the templates.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- (a) If a Supreme Court member is not present at the hearing, they may not contribute to the decision-making process and will not have a vote.
- (b) Decisions may be orally delivered immediately but must be followed up with a written Order and Opinion.
- (c) A writing ruling must be announced within 24 hours after the hearing and should be issued sooner than 24 hours after a hearing during the voting period.
- (d) The written ruling must set forth the findings of fact by the Supreme Court and the conclusions of Student Government regulation in support of it.
- (e) Written rulings and Operating Memorandums will set a precedent and will guide future Supreme Court in its proceedings.
- (f) Upon consideration of prior written rulings, the Supreme Court may negate the decision but must provide written documentation and citation of the law and reasons for doing so. These reasons must be written in an academically and justifiable way. It is not acceptable for the Board to overturn precedent for spurious or unjustified reasons.
- (g) The Supreme Court is not a legal proceeding, and as such, the threshold of evidence is not a finding of fact.
- (h) Decisions will be made based on a preponderance of the evidence. A preponderance of the evidence decision is based on what is most likely to have occurred and the greater weight of evidence submitted.
- (i) The Supreme Court must not issue or publicly discuss dissenting or minority opinions.

REQUEST FOR DOCUMENTS OR TESTIMONY. The Supreme Court may compel any candidate, worker, agent, or member of the Student Government to appear before the Board and/or to provide documentation as necessary for each case. Failure by any member of the Student Government, candidate, worker, or agent to comply with this request will result in their disqualification of candidacy and, if not a candidate forwarding of the case to the Supreme Court, Student Conduct, or appropriate entity for disciplinary remedy.

FAILURE TO APPEAR. Failure to appear to a hearing of the Board will not result in a suspension of the hearing. The Board is to hear and decide the case even in the absence of those associated with it.

OATH OF AFFIRMATION OF TRUTH. An oath or affirmation of truth will 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 abide by the oath will result in a disciplinary penalty as prescribed by the board.

- (a) The oath or affirmation of truth will be administered by the Supreme Court Chief Justice or their designee.
- (b) The form for the oath or affirmation of truth will 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."

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

ADVISORY OPINIONS. Questions of interpretation must be submitted to the Board via formal written memorandum to the Supreme Court Chief Justice. The timeframe for action from the Supreme Court is the same for a duly filed complaint. Advisory Opinions should not embrace a subject of controversy or seek to remedy the harm. For subjects of controversy or remedy, an Election Complaint must be filed. An Advisory Opinion request must contain the following;

- (a) A statement of pursuance under which the complainant is filing the action,
- (b) A statement of standing under which rules, or law the complaint is referring to,
- (c) Optionally, the filer may attach a statement of their interpretation of the Election Code with justification and statute citation,
- (d) A statement of the requested outcome of the complainant's filing, and
- (e) Any further format is to be stipulated in XIII.

Article II – The Board

- Section 1: The Supreme Court governs over all elections.
- Section 2: The Supreme Court shall comply with all requirements stated in all Student Government governing documents. If a situation arises not explicitly provided for in the governing documents, the Supreme Court shall determine its validity. The Supreme Court shall have the power to enforce any and all of the provisions in this document by any disciplinary action it deems appropriate and reasonable.
- Section 3: Student Government, as a student organization, shall not endorse or support any campaign for office, but may promote voting days and election events in a non-biased manner and the President may allocate funds for the non-biased promotion of said events.

Article II – Filing

- Section 1: Filing for the Spring General Election shall begin on the first-class day of the spring semester and end on the last-class day of February at 5:00 p.m.

Campaigning for the Spring General Election shall begin the first Monday following the end of Spring Break and end the Wednesday of the following week.

Voting for the Spring General Election shall begin on the Thursday following the end of the Campaigning Period and end on the following Friday.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- Section 2: To be considered an official candidate for an office, the filer must meet all of the following requirements:
- A. Be certified through the Registrar by a Student Government Advisor.
 - B. Sign a release form that states that the candidate has read and understood the rules and regulations of the Election Code.
 - 1. Candidates may be exempted from this signature provided the Supreme Court as an alternative method of informing or educating candidate of rules and regulations as well as validate their agreement to abide by them.
- Section 3: The Supreme Court shall work with Student Success Technology to verify the election ballot and referendum 2 days before the first day of elections.

Article III – Campaigning Publicity Regulations

- Section 1: All publicity materials must be removed within a week of the final day of the election. Each candidate shall be responsible for the removal and disposal of all campaign paraphernalia bearing his/her name within two days after the election.
- Section 2: Vandalism of any campaign materials, which shall consist of extreme reposting, removal, or altering any material owned by a candidate shall constitute vandalism. Extreme cases of vandalism, as defined by the Supreme Court, shall be considered class B offenses against this Election Code.
- Section 3: Violations of any of these provisions, or refusal to comply with provisions listed in this section shall be considered a Class C offense against this Election Code. All other violations not listed in this code in direct relation to campaign publicity shall be considered Class C offenses. The Supreme Court shall have the authority to declare other violations of similar scope and purpose within this article as Class C offense if they do not fall within the stated violations above.

Article IV - Campaigning Regulations

- Section 1: No one shall campaign within twenty-five (25) feet of any academic building during elections. You may campaign in the mall area as defined by the supreme court. No candidate may verbally address any individual who is within the academic building marked by the Supreme Court. All

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

publicity material within twenty-five (25) feet of any academic building must be removed by the election officials.

- Section 2: No candidate may utilize any facilities, equipment, or services which receives university funding and are not available to the general student body for use during campaigning. This includes student organization offices, club resources, residence hall work rooms, administration offices and any other location that does not allow open access to all students.
- Section 3: Public, printed, electronic, verbal or any other display of campaigning shall be prohibited until two (2) weeks prior to the last day of voting.
- Section 4: Wireless, electronic or related devices used for voting or influence of voting purposes may not be utilized.
- Section 6: Violations of any of these provisions, or refusal to comply with said provisions listed in this section shall be considered a Class B offense against this Election Code. All other violations not listed in this code in direct relation to campaigning shall be considered Class B offenses. The Supreme Court shall have the authority to declare other violations of the same general scope and purpose within this article as Class B offense if they do not fall within the stated violations above.

Article V – Campaign Spending

- Section 1: No campaign may use any funds, directly or indirectly from the university on campaigning. This clause excludes paychecks distributed by the University to an individual worker.
- Section 2: The Presidential and Vice-Presidential candidates may spend no more than \$1000.00 on each of their respective campaigns. Senatorial and Representative candidates may spend no more than \$300.00 on their respective campaigning.
- Section 3: When organizing into groups of affiliated candidacies such as ‘tickets’, the Senatorial, Representative, Vice Presidential and Presidential candidates may sign a written statement surrendering any funds as designated by the signatory to a trustee, which may be either a group or person for the purposes of campaigning on their behalf.
- Section 4: If candidates so chose to align into a ticket system, the following regulations shall be imposed:
- A. Tickets consisting of President, Vice President, and 5 or less total candidates of senatorial or representative shall be limited to a collective total expenditure limit of \$3500.00

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- Section 5: In the case of a run-off, limitations shall be as follows, \$400.00 for Presidential and Vice Presidential each, \$350.00 for Senatorial and \$350.00 for Representatives.
- Section 6: All candidates for President, Vice President, House, and Senate shall submit to the Supreme Court a report containing their total campaigning expenditures verified by receipts or bank records within 72 hours of the posting of election results. The cost of any donated items must be included in calculations of total campaign expenditures. This shall include discounts not available to the general public. Candidates may not receive any donations from university funds; this does not include paychecks.
- Section 6: Violations of any of these provisions, or refusal to comply with said provisions listed in this section shall be considered a Class A offense against this Election Code. All other violations not listed in this code in direct relation to campaign finance shall be considered Class A offenses. The Supreme Court shall have the authority to declare other violations of the same general scope and purpose within this article as Class A offense if they do not fall within the stated violations above.

Article VI – Jurisdiction, Allegations, Punishment and Protections

- Section 1: The Supreme Court's authority shall extend only so far as the general and special elections of the Student Government and may not hear, officially or unofficially, any case, nor shall they impose judgment or punishment unless directly relating to the elections.
- Section 2: The Supreme Court shall meet when business warrants and their meeting shall be open and publicly, the board shall keep written records of their proceedings and shall inform all candidates of their meeting with 12 hours of doing so.
- Section 3: The Supreme Court shall reserve the right to deliberate on any issue in a closed session but must create a summary of their closed-door proceedings to be published within the fourth day after election results are announced.
- Section 4: When deciding the validity, guilt or innocence of any person or persons accused of a violation the board shall take actions based on a majority vote. In all cases whatsoever shall the vote of any said issue be made public within 24 hours with an accountable record of votes.
- Section 5: The Supreme Court shall have the authority to investigate, by any lawful means, any allegations brought against any person or persons running for office. The Supreme Court shall decide the validity of any allegations, and

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

if the validity of said allegations are sustained by a majority vote, the board shall take steps to hear all sides of any case.

- Section 6: If the Supreme Court shall sustain the validity of any claim of wrong doing the Supreme Court shall vote on guilt and innocence of any person or persons who have been charged with an Election Code violation by a majority vote.
- Section 7: Class A offenses shall be considered the most egregious form of violation to this Election Code, Class B offenses shall be considered moderate violations of this Election Code, and Class C offense shall be considered minor violations of this Election Code.
- Section 8: If any person, groups of persons or affiliated persons are convicted of more than 5 Class C offenses the offense shall equal a class B offense. If any person, groups of persons or affiliated persons are convicted of more than 3 Class B offenses the offense shall be considered a Class A offense.
- Section 9: Punishments for 3 or more Class C offense may include, suspension from campaigning for up to 12 hours, removal of publicity materials completely from those areas affected by any violation, the Supreme Court may choose other punishments of the same general scope as stated in this section but shall not punish with extreme measures unless the violations of Class C offense are both extraordinarily numerous and egregious.
- Section 10: Punishments for 2 or more Class B offense may include, suspension from campaigning for up to 24 hours, removal of publicity materials completely from those areas affected by any violation, the Supreme Court may choose other punishments of the same general scope as stated in this section but shall not punish with extreme measures unless the violations of Class B offense are both numerous and egregious.
- Section 11: Punishments for 2 or more Class A offense may include, suspension from campaigning for up to 72 hours, removal of publicity materials completely from those areas affected by any violation, the Supreme Court may choose other punishments of the same general scope as stated in this section but shall not punish with extreme measures unless the violations of Class A offense are both numerous and egregious.
- Section 12: The Supreme Court should only disqualify individual candidates when there is proof of collusion for gross violations as well as actions that prohibit equitable access or disenfranchise any student at any time and even so should disqualify candidates only in the event of multiple violations of the Election Code, primarily of Class B and A offenses.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

- Section 13: Candidates are responsible for the actions and conduct of people knowingly associated with the candidate's campaign, within a reasonable definition of associated.
- Section 14: The Supreme Court shall protect the identity of those who report Election Code violations unless this rule is suspended by a majority vote of the board.
- Section 15: Punishments including disqualification and those related to Class A offense may be appealed to the Supreme Court and Student Success office which has the discretion to overturned, validate or change any punishment.
- Section 16: Anyone submitting a complaint or request for interpretation of this Election Code to the Supreme Court shall do so in a standardized format memorandum with a date as provided by the Office and shall submit in written form the complaint with a date attached. Upon receipt of a complaint the Supreme Court shall provide a written statement with a date. Once the Supreme Court has ruled on any complaint or request, they shall issue a memorandum with a date as provided by the Office to all those running for office.

Article VII – Polling Places

- Section 1: The Supreme Court shall use the link provided by the Student Success office and the voting link shall be open from 8:00 am and 8:00 pm.
- Section 2: The election ballot shall only be available with Student Success Technology. The Supreme Court shall distribute the election link once the election days begin.

Article VIII – Elections

- Section 1: Voting will take place on the fourth (4th) full week of March on the respective Thursday and Friday. Campaigning will NOT continue on voting days. All Texas State Students are eligible to vote.
- Section 2: The President and Vice President of the Student Government shall be elected by a majority vote of students whom participate in the election. The Presidential and Vice Presidential candidate who win 51% of the total votes cast shall acquire the position. Senators and Representatives shall be elected by a plurality vote, with a minimum of five votes to qualify.
- Section 3: All run-off elections for Executive Office shall be between two candidates have the greatest number of votes cast for that office. In the event a run-off candidate withdraws from the election, the candidate from the General

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

Election with the next greatest number of votes will enter the run-off election. Run-offs for offices consisting of more than one position, such as Senate or House seats, in which there is a tie in the last position, will be held only if there is a need for a run-off for an Executive office. In the case there is a tie for a senate seat and there is not a need for a run-off election for an Executive Office, the deciding vote shall be cast by the current senate as defined in the Rules of Procedure. The same rules shall apply to the Graduate House of Representatives.

Section 4: All candidates who were elected a spot in the Student Government shall be notified by emailed from the Supreme Court within 24 hours of results being posted.

Section 5: Write-in Candidates shall be eligible only if they meet the qualifications for the position they seek and receive the requirement amounts of votes necessary to win. Write-in candidates must receive a minimum of five votes to qualify. Elected write-in candidates must report to the Supreme Court to submit a current address, phone number, and Student ID number. Failure to comply within a week after final election results being posted shall disqualify the candidate. Elected write-in candidates will be contacted by a member of the Supreme Court and be notified of their election, as soon as possible.

Article IX - Recounts and Protests

Section 1: Any person intending to protest the election must give the Supreme Court a written statement of the grounds on which such contestant relies, which may include any and all supporting evidence to sustain such a contest within three university working days after the last day of election. All protests will be opened and read upon reception, by the Supreme Court in the presence of an Advisor or the Student Success Office. Discussion of the protest shall remain between the Supreme Court and the individuals involved until all protests have been filed. The Advisor shall be present for all deliberations on the protest.

Section 2: All requests for recounts and protests shall be heard by the Supreme Court shall be within two business days, upon reviewing the contestant's written statement research the grounds on which the contestant relies, and they shall submit a written report to the Student Success Office and all candidates running for office within five business days of the protest filing dead line.

A. Any additional evidence or violations that are uncovered in the process of research shall be included in the protest. The Supreme Court shall consider violations by a candidate other than the

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

defendant that are uncovered in the process of the research as a separate protest.

- B. If a hearing is deemed necessary by the Supreme Court, it shall be held within seven class days after the last day of the election. The Supreme Court shall give at least one day's notice of the date, time, and place of the hearing to all the parties involved.
- i. All hearings should be open to the public.
 - ii. Each candidate shall be allowed ten minutes to present his or her case. At this time, evidence may be presented to the board. The contesting candidate shall be allowed to speak first.
 - iii. The Supreme Court will then, if necessary, question the candidate.
 - iv. Each party will be allowed one, three-minute closing statement.
 - v. Complete written transcripts and/or audio recordings will be made public once the decision has been made.
 - vi. The Supreme Court shall meet in private to deliberate on the hearings and the written evidence provided, determine the validity of the protest and inform the parties of the decisions. Within one business day thereafter, the commission shall submit to the person or persons a written report including the grounds for the decision.

Section 3: In determining the validity of a protest, the Supreme Court shall determine the validity of the claim and of the seriousness of the charge. The Supreme Court may choose to sustain or dismiss the protest. If the Supreme Court sustains the charge the Board has two options, one to call for a run-off election or two, disqualify the offending person or persons. If the disqualified candidate receives a majority of the votes cast in the election, the person who received the second highest votes shall have won the election.

Section 4: The rules in this article apply to run-off elections as well.

Section 5: After the Supreme Court rules, either party may within two business days, submit a written appeal to the Supreme Court or Student Success Office.

Section 6: Any disqualified candidates shall lose the right to run or be placed as a write in candidate for office for ten months from the date of the offense.

Section 7: Any person contesting the election on the grounds of electronic media must file with the Student Success Office written notice immediately. If the Student Success Office, in conjunction with Student Success Information Technology, determines the protest is valid, then remedy shall be offered by the extension of voting beyond the voting deadline of the amount of time during the electronic complication. Other remedies can be

STUDENT GOVERNMENT CODE OF LAWS TEXAS STATE UNIVERSITY

agreed upon by the contestant and the Student Success Office during this review.

Article - X Amendments

Section 1: This document may be amended by a majority vote of a joint session of both the Graduate House and Senate or by a two-third vote of either chamber of the legislature.

STUDENT GOVERNMENT CODE OF ETHICS

Preamble

As members of the Texas State University's Student Government, we represent the Student Government, and Texas State, at all times and in all places. Understanding our duty, both constitutionally and ethically, we recognize that the rules set forth by our governing documents are not enough. Our ethical expectations must be made as clear as our institutional ones. All members of the Student Government have a responsibility to the students of Texas State and should be held to a higher standard as examples of our leadership on campus. We are all accountable to the student public at Texas State. Therefore, we establish this Student Government Code of Ethics to provide for a standard by which to follow under all circumstances whatsoever.

Article I

- Section 1: Elected officials should consider it their responsibility to gather and heed the advice and consent of their constituents. However, the right of an elected official to represent their constituents in whatever way and in whatever manner they themselves dictate is a right reserved to the elected official.
- Section 2: All members of Student Government shall be considered members at all times and in all places and shall be subject to its rules and to proper punishment should a violation of those rules occur.
- Section 3: All members of Student Government are bound to this document to act ethically and non-discriminatory to any person(s) on or off campus and not engage in any form of libel or slander based on race, sex, economic class, social standing, sexuality, or private affiliation upon their confirmation as a member.

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

Article II – The Legislature

- Section 1: At all times and in all places, members of the Senate and House shall treat their fellow members with all respect due to both themselves personally, and the office they hold. This consideration is also extended to the members of the Executive and Judicial branches.
- Section 2: The Legislature of the Student Government shall under no circumstances whatsoever endorse political candidates for any elected office; this prohibition shall not extend to the individual members themselves. All other endorsements shall speak only for the specific chamber of the Legislature and not of the Student Body as a whole. Therefore, all such endorsements shall be simple resolutions by the senate or house and do not presume to speak for the entire student body.

Article III - The Executive

- Section 1: While respecting the right of the individual to express their personal preferences as to the political representation, under no circumstances whatsoever, shall the elected members of the Executive Branch make public endorsements for any candidate running for any office unless they themselves are running for office. All other Executive branch members while occupying the offices or exercising their duties as assigned shall not campaign or endorse candidates for any political office, unless they are running for office.
- Section 2: The Executive branch shall be expected to make themselves available to the student body, maintain an open-door policy at all times.
- Section 3: The Executive branch shall work with all other branches but shall never infringe or interfere with the powers vested to the other branches. The Executive shall not engage in unnecessary entanglements with other branches, and the Supreme Court shall respect the separation of powers established in the Constitution.

Article IV – The Judiciary

- Section 1: Respecting the separation of powers guaranteed by our system of government, at no time will the judiciary attempt to legislate from the bench or act contrary to any governing document.
- Section 2: No member of the Judiciary shall express their personal preferences as to the political representation, and under no circumstances whatsoever shall

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

members of the Judiciary make a public endorsement for any candidate running for any office unless they themselves are running for office.

- Section 3: At no time will a member of the judiciary prejudge a case that is pending before them or discuss said case with anyone outside of formal meetings and conferences of the court until a decision is rendered and published.

Article V – Amendments

- Section 1: This document may be amended by a majority vote of a joint session of both the Graduate House and Senate or by a two-third vote of either house of the legislature.

OATH AND AFFIRMATION

OATH OF OFFICE. As prescribed in the Student Government Constitution, every elected and appointed member of the 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 the Student Government of Texas State University and will strive to promote Student Government throughout the campus community.”

STUDENT GOVERNMENT CODE OF LAWS
TEXAS STATE UNIVERSITY

AUTHOR

Senator Last Name, First Name

SPONSORS

Senator Last Name, First Name

Date of First Reading: [Month Spelled Out, Date, Year]
S.B.21.22.#

1 **A Bill-**

2 To be entitled "Title Act" relating to (brief, concise
3 description of the bill).

4

5 **WHEREAS:** Opening Statement of the status quo or problem; and

6 **WHEREAS:** Detailed clarification of the problem; and

7 **WHEREAS:** Supporting evidence of the statement above; and

8 **WHEREAS:** Introduction of possible solution; therefore,

9 **IT ENACTED:** Describe the action you'd like taken;

10 **Article 1 - Sample Legislation**

11 **Title Subtitle:**

12 **FURTHER ENACTED:** This legislation be forwarded to the
13 Student Body President for further action.

AUTHOR

Senator Last Name, First Name

SPONSORS

Senator Last Name, First Name

Date of First Reading: [Month Spelled Out, Date, Year]
S.R.21.22.#

1 **A Resolution-**

2 To be known as "A Resolution for the affirmative, negative, or
3 declarative statement", relating to (brief, concise description
4 of the resolutions intent.

5

6 **WHEREAS:** The Student Government of Texas State University, on
7 behalf of the student body of Texas State University would like to
8 address; and

9 **WHEREAS:** Opening Statement of the status quo or problem; and

10 **WHEREAS:** Detailed clarification of the problem; and

11 **WHEREAS:** Supporting evidence of the statement above; and

12 **WHEREAS:** Introduction of possible solution; therefore,

13 **BE IT RESOLVED:** Express the opinion or make a declaration on behalf
14 of the students; and

15 **FURTHER RESOLVED:** This legislation be forwarded to the
16 Student Body President for further action.

Senator Last Name, First Name

Senator Last Name, First Name

Date of First Reading: [Month Spelled Out, Date, Year]
S.S.R.21.22.#

1 A Simple Resolution-

2 To be known as "A Simple Resolution" relating to (brief, concise
3 description of the resolutions intent.

4 **WHEREAS:** Intent of simple resolution referencing Constitution
5 or SG Code; and

6 **WHEREAS:** Intent of simple resolution referencing Constitution
7 or SG Code; therefore,

8 **IT RESOLVED:** That for your outstanding service we dedicate this
9 day in honor of you; and

10 **FURTHER RESOLVED:** This legislation be forwarded to the
11 Student Body President for further action.



**Student Government Senate
Texas State University**

**LBJ Teaching Theater– 7:00 PM
Fourth Session
August 21, 2023**

Student Government Senate Agenda

- I. Call to Order**
- II. Pledge of Allegiance**
- III. National Anthem**
- IV. Roll Call**
- V. Orders of the Day**
- VI. Approval of Minutes**
- VII. Guest Speakers**
- VIII. Public Forum**
- IX. Senate Leadership Reports**
- X. Vice President's Report**
- XI. Cabinet Reports**
- XII. President's Report**
- XIII. Advisor's Report**
- XIV. Old Business**
- XV. New Business**

Syllabus

Appendix 4 – Supreme Court Order and Opinion Template

SUPREME COURT OF STUDENT GOVERNMENT AT TEXAS STATE UNIVERSITY

No. 01-04

Syllabus

DOMONIQUE GRAY-BERROA

v.

TIFFANY YOUNG, Student Body President

Received March 5, 2015 – Decided March 9, 2015

A Notice of Complaint was filed with the Supreme Court by Mr. Domonique Gray-Berroa concerning an accused violation of the Scholarships Act found under Student Government Code (S.G.C.) IX §103.4 which provides members of Student Government the right to apply for and be granted the scholarship, with specific restrictions. Mr. Gray-Berra claims an oversight by Tiffany Young, Student Body President by not enforcing the Scholarships Act, and therefore has unnecessarily and unlawfully denied rights to members of Student Government.

The Notice of Complaint provided a clear citation of the violation and presented a number of critical questions for the Court. As a result, Chief Justice DeSalvo and Associate Justices Wan, McKinney, Tennent, and Greenlee agreed to grant a hearing on the case. A hearing date was set for March 9th and testimony was recorded by both the Complainant and Respondent.

The Court embraced a number of subjects to deal with the conflicts and poor structure of the scholarship statute. The Court's Main Opinion is issued below (*see page 7 for the final court order*).

Chief Justice DESALVO delivered the Majority Opinion of the Court in which Justices WAN, MCKINNEY, MORRISON, and TENNENT joined. Justice GREENLEE, filed an opinion concurring in part and dissenting in part. Justice SCHULTZ wasn't present for the hearing and therefore cannot register an opinion.

I. Judicial Criteria

This case posed several questions to the Court about the relationship between the Student Government Constitution and the various regulations found in the Student Government Code. In fact, the extent of that relationship necessitated the establishment of criteria by which this Court shall measure other complaints and cases that come before it, as a means to provide coherent and consistent results from the judiciary. The required judicial criteria for every case are (1) A Test of Constitutionality (2) A Test of Ethics. These criteria are directly related to an Order of Precedence (*more on this in section II*) found in the Student Government Code. The Court shall establish other criteria as needed, which shall only be applied when there is true applicability on a case by case basis as they come before the Court. Therefore, tests (1) and (2) must always be performed because of their rank. Other tests may or may not be performed depending on the case. In this instance, only one other criteria is applied: A Test of Functionality.

II. Order of Precedent

The Student Government Code establishes varying governing documents organized into Titles of the S.G.C. which decrease in precedence.¹ The Court interprets this to mean that each of the Titles of the Student Government have rank by importance, the lower the number, the higher the rank and importance of the rules found within that Title. Each successive Title must not conflict with the any proceeding one, if a conflict does exist then the resulting incompatibility with the constitution would necessitate that the Court strike down the provision in the lower ranking Title as unconstitutional.

Not every Title will be incorporated or have an effect, on the succeeding Titles. For instance Title VI – The Legislature, outranks Title VII – The Court; however, these two Titles outline the operational procedures for the differing Student Government components. Until such time as the Supreme Court agrees that these two Titles affect each other in a real and substantial way, the Order of Precedence may not be incorporated and therefore no test applied between the two.

¹ S.G.C. I. §100.3(2) “The titles for the S.G.C. shall divide differing governing documents in order of decreasing precedence...”

For now, the Court acknowledges the inherent difference between the operational procedures of some Titles which are written to account for the differing needs of each component.

This doctrine of interpretation (*Order of Precedence*) establishes a set of Rights and Responsibilities, limiting what actions the Student Government and its members can take in many ways similar to a Bill of Rights.

It is this Order or Precedence which mandates all the tests other than the constitutional test and directly connects each title and every rule to the Constitution.

III. A Test of Constitutionality

The Supreme Court first conducted a constitutional test on the Scholarships Act, primarily consisting of identifying direct authorization connecting a rule, regulation, or statute with a power granted in the Constitution.

The S.G.C. requires that all titles and chapters cite the sections of the Student Government Constitution which authorizes it.² As a result, every statute has a direct correlation to the Constitution. The Supreme Court must first test any case that comes before it against this requirement so as to ensure that the regulation isn't in itself a violation of the Student Government Constitution. This is done with or without direct promoting as a part of the Supreme Court's power of Judicial Review.

This Court tested S.G.C. IX. §103.4 – Scholarships Act against the constitution and agree that the Senate has the power to establish and regulate the Student Government Scholarship under Article III(10)(j):

“To legislate all statutes which shall be necessary and proper for execution of all powers granted to all components of Student Government as prescribed in this constitution...”

IV. A Test of Ethics

² S.G.C. I. §100.3(6)(a) “All new titles or chapters shall cite the section(s) of the Student Government Constitution which authorize(s) new regulation pursuant to the powers granted under it.”

In accordance with the Order of Precedence doctrine, Title II – Code of Ethics is the highest ranking set of statutory requirements and stands just below the constitution in its importance. As a result, every piece of legislation, bill or resolution, and every action of Student Government and its members must be in compliance with the ethical standards found in Title II.

This brings us to the primary issue in this case: Is it ethical to allow members of Student Government to have access to the resources and services Student Government has commissioned for the student body?

In this instance, the Court referenced S.G.C. II. §100.2(3)(a),(e),(g) and incorporated Title II into the Order of Precedence, requiring every successive Title to be acceptable under the terms of the Code of Ethics.

The Court chose first to deal with the requirement that members of Student Government serve the student body beyond serving themselves.³ In order for the specific section of the Scholarship Act to pass this ethical test, the Court had to identify if those with authority over the awarding of scholarships could themselves benefit from the scholarship. A reading of S.G.C. IX. §103.4 outlines that every member of Student Government is eligible to apply for the scholarship, but that specific restrictions do exist on those specific applications.⁴

The Court does recognize an attempt by the statute to reduce ethical liability, but does not reduce the possible benefit that could be gained by those with direct authority over the scholarship. In this case the group with the greatest authority in relation to the Scholarship is the Finance Commission. This section of the Act does not do enough to reduce the ethical liability. It would be too difficult for any member of the Finance Commission, the body responsible for giving out the scholarship, to act within the confines of the Code of Ethics which also require members to be, "...benevolent and fair...".⁵

³ S.G.C. II. §100.2(3) "SERVING THE STUDENT BODY. To serve the student body, beyond serving oneself, members of Student Government..."

⁴ S.G.C. IX. §103.4 "RESTRICTIONS FOR STUDENT GOVERNMENT. Members of Student Government, who meet the established criteria, shall be eligible for either scholarship but any members of the Finance Commission who apply will not be allowed to review the applicants' information or make any decisions on the applicants' award status."

⁵ S.G.C. II. §100.3(e) "Be compassionate, benevolent and fair."

A set of clearer restrictions removing any benefit from those who have authority over the scholarship and those who can apply are necessary for the Court to accept the practice as ethical.

The Court therefore declares a segment of S.G.C. IX. §103(4) unconstitutional as it is not an ethical practice and cannot pass the ethical test in the Order of Precedence. The unconstitutional segment includes:

“...but any members of the Finance Commission who apply will not be allowed to review the applicants’ information or make any decisions on the applicants’ award status.”

This keeps intact the segment prior to its which reads:

“Members of Student Government, who meet the established criteria, shall be eligible for either scholarship...”

This part of the of the Scholarships Act grants members of Student Government access to the scholarship, which the Court finds passes the ethics test as acceptable because the majority of the organization has no agency in the process. That is, they have no direct say in the scholarship awarding process. The organization as a whole should not be barred from being granted access to a service the rest of the student body has access too. If the Court followed the logic of barring members from access to services, then other services the Student Government provides would need to be off limits as well. Such a limitation isn’t founded in any other rule or regulation in the S.G.C. and isn’t supported by the Code of Ethics and it may not be altogether fair.

However, members who have agency, those with direct authority or decision making power in the award process, cannot be eligible for the services provided by Student Government.

V. Test of Functionality

Even with constitutional invalidity of the specific segment of the Scholarships Act, the Student Government Constitution and the Student Government Code requires that the

commission perform the functions they are assigned by the Senate.^{6 7} The Court doesn't believe the Scholarships Act is completely unconstitutional, and as a result the Finance Commission must perform its constitutional and statutory responsibilities. Failing to do so would result in a violation of the constitutional responsibilities conferred to members of that commission.

By striking down the segment of text in the Act as unconstitutional without any further judicial examination, the commission could be ethically impeded from performing its responsibilities. As a result, the Court applies the Test of Functionality and incorporates it into the Order of Precedence. Student Government, by its very nature, must function as a practical matter. The Court therefore will use both the Code of Ethics and the Functionality Test to ensure that scholarships can still be awarded, granting some members of Student Government access to the scholarship while reducing the ethical ambiguity as much as possible by restricting those with direct authority over the scholarship as ineligible to receive an award.

⁶Constitution Article 5, Section 6, Subsection (a) "Provide a service, program, or coordinate a project used by students"

⁷ S.G.C. V. §100.3(4)(d) "...ensure the Commission meets its statutory and written expectations including deadlines and projects"

Since the Court struck down some provisions of the Scholarship Act as unconstitutional President Young did not violate the S.G.C. per se. Though, through her own admission, not enforcing this section of the S.G.C. was an oversight and she would have executed the Scholarships Act differently had she been aware of the provision.

It is the opinion of this Court that all members of Student Government are eligible to apply and, if selected by the commission, may be granted the scholarship award, with the exception of the Finance Commission members and President (which are ineligible as required by the ethical stipulations of the Student Government Code of Ethics).

Both the Commission and the President have too much authority in the context of the scholarship awarding process. If they were to be granted access to the scholarship, they would be unable to act in a way consistent with the Code of Ethics requirement to serve the student body beyond serving themselves.

We grant the request for relief and order that the scholarship application be modified to remove any mention of Student Government member ineligibility. Furthermore, the scholarship application must be reopened to all students by Thursday, March 12th at 9:00 AM for a 7 day period to end on Thursday, March 19th at 9:00 AM.

To completely remedy the issues presented in this case and to be fair to all students in the Texas State community the Court also orders President Young to email the student body and inform them of the extension with information about the new deadline (*using proper university channels*). In addition, President Young is hereby ordered to send a separate email informing all members of Student Government (*except those expressly excluded as stated above*) of their right to apply to the scholarship including the extension period and deadline.

It is so ordered...

Appendix 5 – Compliant Template

Complainant(s)

Official Use Only:

Docket 13 - _____

COMPLAINT DOCUMENT

A Complaint to the Supreme Court of the Texas State University Student Government

TO THE JUSTICES OF THE SUPREME COURT:

This is a complaint in which the Supreme Court has original and exclusive jurisdiction in accordance with Article V, Section 2 of the Texas State University Student Government Constitution.

Statement of Complaint :*(Begin typing your statement here; refer to S.G.C: VII, §100.3 for questions and/or concerns regarding complaints. This must be filed with the Clerk at supremecourt@txstate.edu.)*

PURSUANT: to S.G.C. VII, §100.3 this Complaint has been filed with the Supreme Court Clerk on the issue of the prohibition of association of candidates for elective office.

STANDING; this complaint is filed in reference to S.G.C. III, §105.5, Prohibited Association.

CAUSE OF ACTION; the Election Board ruled via its Operation Memorandum on 22, October 2013 that the prohibition of association extends so far as to include the sharing of ideas.

REQUEST FOR RELIEF; I am requesting that the Supreme Court review the Election Code §105.5 and determine

Relief Requested: *(Begin typing your request here)*

Filed By:

TXST E-Mail Address:

Phone Number to Be Contacted:

Complaint Page | 1

Appendix 6 – Court Brief Template

Official Use Only:

Regards to Docket 13 - ____

Date: _____

BRIEF TEMPLATE

A BRIEF TO THE SUPREME COURT OF THE TEXAS STATE UNIVERSITY STUDENT GOVERNMENT

Prepared By: _____

(Parties Involved)

Complainant(s)

Vs.

Respondent(s)

(Begin Your Brief Here: A brief is submitted to lay out the argument for various petitions and motions before the Court, list the materials the party plans to present to the court, and to provide the justices with reasons to rule in favor of the party represented by the brief writer. Refer to S.G.C: VII, §100.3)

Appendix 7 – Injunction Request Template

Brief Page | Q

Official Use Only:

Regards to Docket 13 - ____

Date: _____

INJUNCTION REQUEST

AN INJUNCTION PETITION TO THE SUPREME COURT OF
THE TEXAS STATE UNIVERSITY SUPREME COURT

Prepared By: _____

(Parties Involved)

Complainant(s)

Vs.

Person(s) and/or Subject(s) of Investigation

(Begin Your Brief Here: A brief is submitted to lay out the argument for various petitions and motions before the Court, list the materials the party plans to present to the court, and to provide the justices with reasons to rule in favor of the party represented by the brief writer. Refer to S.G.C: VII, §100.7)

Appendix 8 – Notice of Election Complaint

**Texas State University
Student Government
Election Board**

NOTICE OF ELECTION COMPLAINT

(name)

(name)

FROM: (name), Election Board Chair

SUB: Election Code Violation (Case number/month.year) (exp: EB 1/12.2012)

DATE: (date)

The Election Board received a claim that your campaign has violated election rules as established in the ASG Election Code, University Policy and Procedures or other election regulations. The specific complaint is as follows;

That on or about March 3rd 2012 the (cite defendants) violated Article III, Section 1(F) of the Election Code, which stipulates that no candidate or those associated with candidates shall vandalize the campaign material of other candidates; that the campaign did violate the above by removing approximately 12 signs between the hour of 11:00 am and 1:00 pm.

The Board shall convene on March 26th at 7:30 pm in the LBJ Student Center Directors Conference Room to discuss this claim and decided the proper course of action.

All meetings of the Election Board are open to the public and recorded. These records are available upon request.

Please accept this as notification of the above complaint.

Thank you,

(name)

Election Board Chairman

Appendix 9 – Election Board Order Template**Texas State University****Student Government
Election Board****BOARD ORDER**

(Name)

(Name)

RE: Election Code Violation (Case number/month.year) (exp: EB 1/12.2012)**DATE:** (date)

A hearing before the Election Board of the Student Government on March 26th, 2012 was held concerning the matter of two (2) separate violations of election rules and regulations by (cite defendants) and associated parties, hereafter known as 'the accused.' The accused were charged with:

- 1) Using university funded facilities to advance a campaign for office.
- 2) Vandalizing the campaign material of other candidates.

Based on the testimony and evidence submitted by the accused, the violation reports and evidence provided by the plaintiff(s) along with independent interview and investigation by the Board of relevant university student employees and staff the Board finds and concludes:

- 1) That, per an interview with San Jacinto hall staff, all of the common areas (meeting rooms, living room, courtyard, etc.) are accessible to all students with permission of the Residence Director or if accompanied by a resident of the hall. Therefore the Board finds the accused not guilty of the first charge.
 - a. Upon investigating the Board did find that the accused did not have permission to use the San Jacinto courtyard space. The accused were not accompanied by a resident nor had the accused receive permission from the Residence Director to use the space. Therefore the Board finds the accused guilty on a modified charged of violating Residence Life policy as described by the Residence Director and the Residence Life handbook.
- 2) That upon reviewing policy and procedure with representatives from the office of Campus Activity and Student Organizations (CASO) it was determined by CASO that because the LBJ Amphitheater is classified as a reserved space the signs placed in the amphitheater were deemed as improperly posted between the hours of 11:00 am and 1:00 pm on March 21st. All signs were removed from the space during this time by the accused. CASO is responsible for deciding what constitutes proper and improper posting. Per the Election Code Article III, Section 1(F) all signs improperly posted cannot be subject to vandalism as defined within the code.
 - a. The Board has expressed to CASO that it can be seen as improper to approve one set of candidates to remove another set of candidate's signage and CASO has agreed to no longer permit such action.
 - b. CASO is in the process of establishing policy prohibiting any form of posting in the LBJ Amphitheater.

Based on the findings above:

- 1) Understanding that the relationship with Residence Life during the ASG Election cycle can be extremely straining, and given very strict rules concerning campaign activities within Residence Halls, and a historical record of abuse by ASG candidates in relation to Residence Hall and because of past infractions by members of the Accused the Board orders the following on the first charge:
 - a. That the Accused and all associated persons are hereby prohibited from any form of Residence Hall campaigning, furthermore they shall not use Residence Halls, from this point forward, for any purpose during the course of this election whatsoever.
 - b. That the Accused shall remove all posts and usages of the campaign video featuring the interior of San Jacinto Hall and shall be prohibited from using said video under any circumstances.
 - c. That the Accused shall be fined \$150. This sum shall not be paid to any organization or entity but shall instead be counted as an expense by the campaign on their financial records.
- 2) Posting within the LBJ Amphitheater shall be prohibited from this point forward by all candidates.

IT IS SO ORDERED.

Certified by _____ (Signature) _____, Election Board Chair

On this the (day of Month) of (month) in the year (Year)

Appendix 10 – Advisory Opinion Request Template

ADVISORY OPINOIN REQUEST

The Supreme Court

FROM:

DATE:

QUESTION;

How does the court interpret the year length of a Senator's term in the instance he is appointed in the spring by the Student Government President? Furthermore, how does the court interpret the required qualifications in the instance a Senator runs to extend his term seeing he has no successor as outlined in the Senate Rules of Procedure, Article I S(D)2?

..The term of a Senator shall be one year from their installation by the President or until the Senator's successors are installed.

Appendix 11 – Election Finance Report Form Template**Name:**

-

☐ Run-Off Election☐ General Election

STEP 2: Complete each section

SECTION A: Purchases made

Receipt Number: Submit your receipts in sequential order and number them according to the order they are listed in Section A. Write the receipt number on the physical receipt. If you submit a bank statement please number the expenses on the bank statement in sequential order according to how they are listed in Section A.

Name of Vendor: Write the name of the store from where you made the purchase.

Total on Receipt: **Write the total that appears on the receipt** (including taxes).

SECTION B: Material donations

Description of Item: Write a description of the donated item. Donations include any and all material used for the purpose of campaigning which did not cost you or your campaigning any money.

Receipt or Statement: Please provide, if possible, a receipt of cost or a statement from the donor with an estimated cost. If this is not possible an estimate without receipt or statement verification will be accepted.

Cost/Unit: Write the estimated cost of the donated item based on fair market value.

SECTION C: Fines

Date: Record date the fine occurred

Violation: Briefly explain the reason for the fine

Fine Amount: Record the cost of the violation.

****All fines are considered an expense. Please budget accordingly.**

STEP 3: Compare amount spent to budget cap as established in the Election Code

Office Sought

Budget for Office:

\$

Total of Sections A, B and C:

\$

0.00

STEP 4:

I, the candidate, assume responsibility for this campaign finance report. I understand that failure to adhere to campaign rules can result in penalties ranging from fines to disqualification.

Signature of Candidate

SECTION A

Receipt #	Name of Vendor on Receipt	Total on Receipt
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		

23		
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
Total of all receipts in Section A		\$ -

SECTION B

Description of Item	Total
	\$ -
	-
	-
	-

		-
		-
		-
		-
		-
		-
		-
		-
		-
		-
		-
		-
		-
		-
		-
		-
		-
		-
		-
		-

Total of all items in Section B

\$ -

SECTION C

Date	Violation	Fine Amount

Total of all fines in Section C

\$	-
----	---

Appendix 12 – Article of Impeachment Template

Managers

Senator (Last Name, First Name)

Senator (Last Name, First Name)

Senator (Last Name, First Name)

Date of First Reading:

(Code# assigned by Vice President or Clerk)

Articles of Impeachment

A Simple Resolution Impeaching...(insert full legal name and title) for violations including (very brief concise notation of violations).

Whereas, Describe in detail the causes of action for
impeachment; and

Whereas, Make sure to mention each of the violations in this
 section

Article I

Be very clear in this paragraph about what rule is violated, be sure to cite it.

Follow up with a narrative about the violation, include all the details about the cited violation above.

Article II

Each charge is its own article so every time you cite a new instance of gross violation state it here.

Then follow up with a narrative about the violations, include every detail.

Resolved, That, (full legal name and title), by such conduct warrants removal from office and disqualification from holding office ever again.