

TEXAS TECH UNIVERSITY

*Codified Statutes of the  
Student Government Association*



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**Preface**  
**The Codified Statutes of the**  
**Texas Tech University Student Government Association**

It is deemed necessary that the general and permanent laws of the Texas Tech University Student Government Association (“SGA”) be codified and arranged in appropriate Titles, Chapter, and Sections. It is further deemed necessary that the whole should be rendered plain, concise, and intelligible. Because of these necessities, the SGA Codified Statutes was created in January 2013.

The Codified Statutes of the Student Government Association (“SGA Statutes”) is the official restatement in convenient form of the general and permanent laws of the SGA in force on January 12, 2013. These Statutes should be cited as the “The Codified Statutes of the Student Government Association,” “SGA Statutes.”

These Statutes shall include all laws of the Texas Tech Student Government Association from September 1, 1979. The Codified Statutes of the Student Association as passed by the Student Association Code Act, March 21, 1967, shall be heretofore repealed and declared null and void. The SGA Statutes will be updated as new Acts of Legislation are passed in accordance with the SGA Constitution. The SGA Secretary shall be responsible for updating the SGA Statutes as these Acts are enacted. *SB 47.11 47s: 01 Oct 2011.* Any Act of legislation passed prior to September 1, 1979 is hereby repealed. Per Title III, Senate Bill 47.11, the following laws, passed prior to September 1, 1979 are exempted from repeal:

*SA 7, 18 Oct 1966.*

*SA 10, 08 Nov 1966.*

*SB 68, 06 May 1969.*

*SB 6.35, 01 Oct 1970.*

*SB 6.39, 05 Nov 1970.*

*SB 6.68, 18 Feb 1971.*

*SB 14.3, 02 Nov 1978.*

*SB 14.13, 1979.*

*SB 14.19, 01 May 1979.*

In the unusual event of a dispute between the various forms of SGA law, the SGA Constitution is still the supreme law of the SGA. The Constitution is followed by the SGA Statutes and Acts of Legislation, which are followed by the Supreme Court Opinions.

The “General Provisions” Title is applicable to all other Titles in the SGA Statutes. Any “General Provisions” Chapters within a Title are applicable to all other chapters within that Title.

No new law is enacted. No law is repealed. The SGA Statutes are adopted as the law. It is presumed to be a valid and enforceable restatement of the law. The presumption is rebuttable by production of prior un-repealed Acts of Legislation at variance with the SGA.

**Title I, Chapter 1**  
**General Provisions, Definitions**

**1. Name**

The name of the organization shall be the Texas Tech University Student Government Association. The SGA may be referred to as “SGA.” “SGA” is the student body; student government is a student organization which is subject to SGA. *SGA Const. Art. I.*

**2. Membership**

Every regularly enrolled student at Texas Tech University shall be a member of SGA. *SGA Const. Art. I, Sec. 2.*

**a. Eligibility to Participate in Government**

Students classified as undergraduates, graduates, and law students may participate in all levels of government. *SGA Const. Art. I, Sec 2.*

**b. Qualification**

The SGA may establish reasonable academic qualifications for candidates for elective or appointive offices of the SGA. *SGA Const. Art II., Sec. 3; SGA Const. Art. III, Sec. 3; SGA Const. Art. IV, Sec. 3.*

**3. Role of the Student Code of Conduct**

The Student Code of Conduct is the basic governing document of student conduct at Texas Tech University.

**4. Absence of Rules and Procedure**

In the absence of specific rules of procedure, those which have stood the test of time are the appropriate ones to guide in deciding the proper way to handle a particular situation. In the absence of established rules of procedure, the foremost authority, Robert’s Rules of Order Newly Revised, offers appropriate guidance.

## **Title I, Chapter 2**

### **General Provisions, Separation of Powers**

#### **5. The Legislature**

All legislative powers of the SGA shall be vested in a Legislative Branch, which shall consist of a Student Senate. The Student Senate may be referred to as "Senate." *SGA Const. Art. II, Sec. 1.*

#### **6. The Executive**

The Executive power of the SGA shall be vested in the Student Body President. There shall also be a Vice President for Internal Affairs, Vice President for External Affairs, and Vice President of Graduate Affairs. *SGA Const. Art. III, Sec. 1.*

#### **7. The Judiciary**

The judicial power of the SGA shall be vested in a Supreme Court and such inferior courts as the Legislative Branch may from time to time establish. *SGA Const. Art. IV, Sec. 1.*

#### **8. Concurrent Service in High Offices**

No person serving in any branch shall simultaneously serve as a member of any high office of another branch in the SGA. *SGA Const. Art. 1, Sec. 3.*

##### **a. High Offices of the Legislative Branch**

The high legislative offices of the SGA shall be as follows: President of the Senate; President Pro Tempore; Senate Journal Clerk.

##### **b. High Offices of the Executive Branch**

The high executive offices of the SGA shall be as follows: Student Body President; Vice President for External Affairs; Vice President for Internal Affairs; Vice President of Graduate Affairs; Chief of Staff.

##### **c. High Offices of the Judicial Branch**

The high judicial offices of the SGA shall be as follows: Chief Justice and Associate Justices of the Supreme Court.

#### **9. Validity**

If any section, subsection, sentence, clause, phrase, or portion of the Constitution of the Student Government Association of Texas Tech University is, for any reason, held invalid or unconstitutional by a court or body of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect validity of the remaining portions of the SGA Constitution.

**Title I, Chapter 3**  
**General Provisions, SGA Constitution**

**10. Amendment Procedures**

**a. Amendment Proposed by Legislature**

The SGA Constitution may be amended by a majority vote of those students voting on the proposed amendment provided that the amendment shall have been presented to them by two-thirds ( $2/3$ ) majority vote of the Legislative Branch. A single Act of Legislation shall be used by the Legislature in a manner consistent with Article V, Section 1 of the SGA Constitution to (1) propose an amendment to the SGA Constitution and (2) establish a referendum presenting said amendment. Such an Act of Legislation must pass with a two-thirds ( $2/3$ ) vote of the Legislative Branch. Such an Act of Legislation may be used to place said referendum on the ballot of a general election, to establish a special election, or to add said referendum to the ballot of an established special election, as shall be specified in said Act of Legislation. Each amendment shall be proposed by its own Act of Legislation. The SGA President shall not have the power to veto such an Act of Legislation. Any Act of Legislation proposing an amendment shall be considered passed over any such veto.

**b. Amendment Proposed by Petition**

The SGA Constitution may be amended by a majority vote of those students voting on the proposed amendment provided that the amendment has been proposed to the voters by a petition bearing the signatures of SGA members equivalent to ten percent (10%) of the total number of members of the Student Government Association. *SGA Const. Art. V, Sec. 1.*

**c. Definitions**

- i. Petition** – A petition that seeks to place constitutional amendments on the ballot for the student body to ratify or reject. *SGA Const. Art. V, Sec. 1.*

**Title I, Chapter 4**  
**General Provisions, Student Bill of Rights**

**11. General Provisions**

Students of Texas Tech University are guaranteed certain rights by the Constitution of the United States, the Constitution of the State of Texas, and the Constitution of the Student Government Association of Texas Tech University. *SGA Const. Amend. 1-10.*

**14. Student Rights**

- a. The right to be secure in possessions and free from unreasonable search and seizures.
- b. Right of privacy.
- c. The right to academic freedom.
- d. The right to bring suit within the regular judiciary structure for any violation of a right guaranteed by the Constitution.
- e. The right of judicial due process, including speedy trial, confrontation of witnesses by parties accused, representation of counsel, presumption of innocence, freedom to choose the tribunal, which shall hear the case, right to appeal and protection against cruel and/or unusual punishment.
- f. The right not to be twice put in jeopardy for the same offense.
- g. The right to petition the appropriate governing bodies or officials of the University for redress of grievances.
- h. The right not to be denied any right, privilege, position, or status by reason of discrimination on the basis of race, age, color, handicap, religion or creed, status as a veteran, gender, sexual orientation, national origin, or political belief.
- i. The right to form, join, and participate in any group or organization for any purpose, which benefits the student body at the University.
- j. The right to establish and/or disseminate publications free from any censorship.
- k. The right to invite and hear any person of their choice on any subject of their choice, subject to University regulations.
- l. The right of assembly to demonstrate, inform, or protest so long as the normal workings of the University are not disrupted.
- m. The right to use campus facilities, subject to the regulations governing the facility.  
*Student Code of Conduct; SGA Const. Amend. 1-10.*

**15. Limits on Application**

The Student Bill of Rights shall apply only to action by the Student Government against the students.

**Title I, Chapter 5**  
**General Provisions, Open Meeting Act, Public Information Act**

**16. Binding Authority**

The Texas Open Meetings Act applies to SGA and its governmental entities.

**17. Entities Included**

The meetings of the Texas Tech student government associations, organizations, and committees are subject to the mandates and requirements of the Texas Open Meetings Act.

**18. Public Information**

Under the Texas Public Information Act, TTU's President is the custodian of official records, and has designated the Vice Chancellor and General Counsel for TTUS as the agent for public records for TTU. Requests for public records should be in writing and specify what records or information is sought. When a request is received, it shall be forwarded immediately to the department head and the Office of General Counsel for response.

**19. Notice**

Public bodies must give notice of all meetings. All public bodies shall, at least twenty-four (24) hours prior to such meetings, display public notice of said meeting, setting forth thereon the date, time, place, and agenda for said meeting, such twenty-four (24) hours prior public posting shall exclude Saturdays and Sundays and holidays legally declared by the State of Texas; provided, however, the posting of an agenda shall not preclude a public body from considering at its regularly-scheduled meeting any new business. Such public notice shall be posted in prominent view at the principal office of the public body or at the location of said meeting if no office exists. "New business," as used herein, shall mean any matter not known about or which could not have been reasonably foreseen prior to the time of posting. Information included on the agenda shall be worded so that any reasonable person can comprehend its contents. *SGA Const. Art. II, Sec. 5 (3); Senate Rules, Rule VI, Sec. 14.*

**20. Record of Votes**

All votes taken by Legislative Branch shall be made published on the SGA website so that the public can tell how each member voted. The minutes of the meeting shall be recorded in such a manner that anyone later inspecting the minutes could tell how each member voted on substantive votes. *Senate Rules, Rule XXVII, Sec. 17.*

## **Title I, Chapter 6**

### **General Provisions, SGA Codified Statutes**

#### **26. Purpose**

The SGA Codified Statutes includes all laws of the SGA from September 1, 1979 to present. These laws include the SGA Constitution, Acts of Legislation (or similar Act applicable to the whole of SGA and passed in accordance with the Constitution), and Supreme Court opinions. Any law enacted prior to 1981 is hereby repealed, except those exempted per *Title III, SB 47.11, 01 Oct 2011*.

#### **27. Validity**

The SGA Codified Statutes is prima facie the law. *Title III, SB 47.11, 01 Oct 2011*.

#### **28. Amendment Procedure**

The SGA Codified Statutes shall be updated as new Acts of Legislation are passed in accordance with the SGA Constitution. The Senate Journal Clerk shall be responsible for updating the Statutes as these Acts are enacted. *SB 47.11, 01 Oct 2011*.

#### **29. Senate Journal Clerk's Responsibilities**

The Senate Journal Clerk shall, at all times keep an updated hard copy of the SGA Codified Statutes in the Vice President for Internal Affairs' office. The Senate Journal Clerk shall also make sure all electric versions of the Statutes (e.g., K-drive, Internet links, PDF files, etc) are updated. Normally, the Senate Journal Clerk shall make all necessary changes to the Statutes within two weeks of receiving the legislation from the Senate Journal Clerk. Every April, the Senate Journal Clerk shall be responsible for the publication of the Statutes and ensuring that copies are available to those persons who are in a position to reference the Statutes regularly. *SB 47.11, 01 Oct 2011*.

#### **30. Compiling and Forwarding SGA Bills**

In order to ensure compliance with the SGA Constitution and ensure the SGA Codified Statutes are updated, there shall be a uniform procedure for compiling and forwarding all bills passed by the SGA Legislative Branch. *SB 47.11, 01 Oct 2011*.

##### **a. Duties of the Senate**

After each legislative meeting of the Senate, the President of the Senate shall give to the Senate Journal Clerk three signed copies of any acts or resolutions considered, including vote counts. The bills should normally be given to the Senate Journal Clerk within three (3) regular class days. Nothing in this Chapter prevents the House or Senate from establishing further, internal guidelines for ensuring bills are signed and presented to the Senate Journal Clerk. *SB 47.11, 01 Oct 2011*.

##### **b. Duties of the Senate Journal Clerk**

At all times, the Senate Journal Clerk shall keep one original in his/her possession. If the legislation is a Bill, Resolution, Concurrent Resolution, or Joint Resolution, the Senate Journal Clerk should ensure that the President of the Senate confirms the Bill's or Resolution's information with his/her signature. Once Bills, Resolutions, or Concurrent Resolutions have been passed and signed by the President of the Senate, the Senate Journal Clerk shall forward one of the signed originals to the SGA President for his/her consideration. If the SGA President signs the bill, the Senate Journal Clerk shall replace the signed copy with any other originals in his/her possession. Once the line of action of a bill is finished, the Senate Journal Clerk should compile these Bills to be bound at the end of the session. The bound Bills should include Bills, Resolutions, or Concurrent Resolutions, internal acts or resolutions of the Legislative Branch. *SGA Const. Art II, Sec. 7; SCR 48.01, 27 Sep 2012; Senate Rules, Rule VI*.

**c. Role of SGA President**

Once a passed Bill has been presented to the SGA President, he/she has two weeks of class time to either sign or veto the legislation. Any bill not signed or vetoed within this specified period of time shall be considered approved by the President. If the SGA President vetoes the legislation, a copy of the bill with the veto should be returned to the Legislative Branch for reconsideration. For the veto to be effective, he/she shall send a message in writing to the Legislature for inclusion in the Senate Journal. The veto message must be submitted to the Senate during its first meeting following the specified two-week period of Presidential initiative. Any veto by the President may be overridden by a  $2/3$  vote of those members of the Senate present and voting. *SGA Const. Art. III, Sec. 10.*

## Title II, Chapter 1 The Legislature, General Provisions

### 1. Power

All legislative powers of the SGA shall be vested in a Legislative Branch, which shall consist of a Student Senate. The Student Senate may be referred to as "Senate." *SGA Const., Art. II, Sec. 1.*

### 2. Duties

The Legislative Branch shall make campus-wide student rules and regulations. The Legislative Branch shall appropriate revenues of the SGA. The Legislative Branch will, by a majority vote, confirm or deny such nominations as the Student Body President shall from time to time be called upon to make. The Legislative Branch shall create such organs as it deems necessary to the implementation of the Student Body President's powers and duties. *SGA Const. Art. II, Sec. 2.*

### 3. Senate Rules

Rules of Procedure are those actions passed by the Senate, which pertain solely to the Senate. Rules are not sent to the Student President for approval, nor may they be vetoed by the Student President. If an issue pertains to only to the Senate, it is procedure. In order for Senate Rules to go into effect they must be signed by the President of the Senate.

### 4. Acts of Legislation

Acts of Legislation are those actions passed by the Senate, which affect the Senate or the SGA as a whole. Any Act of Legislation passed in the Senate shall be sent to the Student Body President for signature or veto. *SGA Const. Art. II, Sec. 7.*

#### a. Concurrent Resolutions

Amendments to the Constitution proposed by the Legislative Branch of the Texas Tech Student Government Association shall take the form of Concurrent Resolutions. Any Concurrent Resolution being considered for passage by the Legislative Branch may, by a majority vote of the Legislative Branch, be referred to the members of the SGA for their approval. In such case, the Legislative Branch shall provide for the publication of the amendment contained in the Concurrent Resolution, twice, in its' entirety, in the student newspaper of Texas Tech University, prior to such election. For such amendment to be enacted, it must receive a two-thirds ( $2/3$ ) majority of the votes cast of the total number of eligible voters having participated in such election. Balloting on such amendment shall take place at such time and in such manner as provided by the Senate, and the result of such an election shall be binding upon the Legislative Branch. *SGA Const. Art. V, Sec. 1 & 2.*

#### i. Constitutional Amendment Proposal

A Constitutional amendment proposal must specifically state the purpose of sending the Constitutional Amendment to the SGA members for a referendum vote. *SGA Const. Art. V, Sec. 1.*

#### ii. Ballot Explanation

The Election Commission may write an explanation to appear on a referendum ballot.

#### b. SGA Presidential Approval/Veto

Acts of Legislation passed by the Senate must be sent to the Student Body President for approval and may be vetoed by the Student Body President. If the Student President vetoes an Act of Legislation, then it will be returned to the Senate for reconsideration and will be enacted if two-thirds ( $2/3$ ) of the present and voting membership of the Senate votes to pass

it. If any Act of Legislation is neither signed nor vetoed by the Student Body President within two weeks of class time of being presented to him or her, the same shall be enacted in like manner as if he or she had signed it. *SGA Const. Art. III, Sec. 10.*

**c. Differing Versions**

If a different version of an Act of Legislation is signed by the President of the Senate, and/or SGA President than was passed, technically the bill has not been signed. This would make the bill invalid.

**6. Impeachment**

The Legislative Branch shall have the sole right to bring and try impeachments and removal within the Executive and Judicial branches. The right to impeach should be reserved for those positions which are either elected or have the ability to act independent of any other office. No person charged with impeachment shall be convicted without the concurrence of two-thirds ( $\frac{2}{3}$ ) of the Senate. *SGA Const. Art. II, Sec. 6;*

**a. Senate's Power**

The Senate shall have the sole power to bring and try all impeachments. There may not be a roll call vote in the Senate for impeachments. All Senators shall be automatically expelled after four unexcused absences, be they consecutive or not. When the Student President is tried, the Chief Justice of the SGA Supreme Court shall preside over the Senate. *SGA Const. Art. II, Sec. 6: SB 45.05, 17 Sep 2009; SB 46.03, 13 Sep 2010.*

**7. Legislative Sessions**

**a. Definition**

A Legislative Session is the predetermined schedule of meetings beginning with an opening of new session by the President of the Senate and ending with an adjournment *sine die*. Any other adjournments close the meeting but not the session.

**Title II, Chapter 2**  
**The Legislature, Student Senate**

**20. Name**

The name of the Senate of the Legislative Branch shall be the "Student Senate." The Student Senate may be referred to as "Senate." *SGA Const. Art. II, Sec. 1.*

**21. Membership**

Members of Senate shall represent their respective academic college. The Senate shall be divided into thirteen (13) categories based on academic colleges. *SGA Const. Art. II, Sec. 2; SGA Const. Art. II, Sec. 2.*  
(2)

**a. Colleges and At-Large**

- i. Senators At-Large:** Shall consist of nine (9) Senators elected by the students of the University at-large.
- ii. College of Agricultural Sciences & Natural Resources:** Shall consist of those Senators elected by the students in the College of Agricultural Sciences & Natural Resources.
- iii. College of Architecture:** Shall consist of those Senators elected by the students in the College of Architecture.
- iv. College of Arts & Sciences:** Shall consist of those Senators elected by the students in the College of Arts and Sciences.
- v. Rawls College of Business Administration:** Shall consist of those Senators elected by the students in the Rawls College of Business Administration.
- vi. College of Education:** Shall consist of those Senators elected by the students in the College of Education.
- vii. Whitacre College of Engineering:** Shall consist of those Senators elected by the students in the Whitacre College of Engineering.
- viii. Graduate School:** Shall consist of those Senators elected by the students in the Graduate School.
- ix. Honors College:** Shall consist of those Senators elected by the students in the Honors College.
- x. College of Human Science:** Shall consist of those Senators elected by the students in the College of Human Sciences.
- xi. Law School:** Shall consist of those Senators elected by the students in the Texas Tech School of Law.
- xii. College of Media and Communications:** Shall consist of those Senators elected by the students in the College of Media and Communications.

**xiii. College of Visual & Performing Arts:** Shall consist of those Senators elected by the students in the College of Visual & Performing Arts.

**a. Qualification**

Senate shall be the judge of the qualifications of its members. The SGA may establish reasonable academic qualifications for candidates for elective or appointive offices of the SGA. *SGA Const. Art. II, Sec. 3.*

**b. Equal Representation**

Implicit in the SGA Constitution is to allow each academic college equal representation. If an academic fails, for one reason or another, to fill their seat they will bear the risk of not having their interests protected. Its apathy becomes its action.

**c. Changing Colleges**

Representatives may not retain original seats upon transferring academic college. Senate seats are automatically vacated upon transferring academic colleges.

**22. Election & Terms**

Members of Senate shall be elected by the students of their respective academic colleges. Senators shall be elected for a one year term. Elections for the Senate shall be held no later than April 5<sup>th</sup> each year. *SGA Const. Art. II, Sec. 4(2).*

**23. Representation**

Each department of the academic colleges shall be represented by no less than two senators. The Senate shall be reapportioned each year according to the Senate Apportionment Act of 2012. *SGA Const. Art. II, Sec. 2(1); SB 47.25, 13 Feb 2012.*

**24. Quorum**

A majority of the members of Senate shall constitute a quorum to do business. *SGA Const. Art. II, Sec. 5(4).*

**25. Attendance**

Senate may be authorized to compel the attendance of absent members in such manner and under such penalties as Senate may provide. Events at which the attendance of Members of the Senate shall be mandatory must be introduced and passed by the Senate no less than 30 days prior to the time the event is scheduled to occur, as this will allow for adequate time for Members to schedule accordingly. *SGA Const. Art. II, Sec. 1; SB 46.14, 11 Nov 2010.*

**26. Voting**

All votes by each individual voting member of the Student Senate present when voting on any and all issues shall be recorded either by the Journal Clerk or by electronic voting. These votes shall be published on the Student Government Association website. Executive Officers and members of the Student Senate shall be disenfranchised from the MySenate voting and commenting system. *SB 46.21, 10 Feb 2011; SB 47.01, 17 Apr 2011; SB 47.11, 01 Oct 2011.*

**27. Resignation**

The Student Senate shall require that a member who wishes to resign must present a letter of resignation, either in written or electronic form to the President of the Senate stating their reasons for resignation. The President of the Senate shall immediately refer the letter of resignation to the chairman of the Committee on Rules and Administration for consideration by that committee at their next meeting. The Member shall have the right to retract the letter of resignation until the next meeting of the Committee on Rules and Administration, at which point the resigning Member is relieved

of all Senatorial privileges including but not limited to speaking and voting at Senate functions. *SB 47.10, 01 Sep 2011*

## **28. Vacancies**

Senate vacancies shall be filled in accordance with the Rules of the Senate. Senate vacancies shall be filled in accordance with the procedures established in the Senate Rules, Title 7 of this Code, and in acts concerning election procedures. *SGA Const. Art. II, Sec. 4(3)*.

### **a. Appointments to Senatorial Vacancies**

The Internal Vice-President shall exhaust the candidate list of every senate position prior to appointments. Once the list is exhausted, the Internal Vice President can submit recommendations to Rules and Administration for appointments. All denials of seats shall be documented by the Internal Vice-President. *SB 47.03, 21 Apr 2011*

## **29. Officers**

Senate shall elect its own officers. *SGA Const. Art. II, Sec. 1; Senate Rules: Rule I, II, III, & VI*

### **a. Election of Officers**

The Senate has the right to determine the eligibility of a member to be a candidate for internal elections as well as the procedure for the election. The Senate should determine the proper procedure to follow so long as that procedure does not violate the SGA Constitution.

### **b. Senate Journal Clerk**

The duty of ensuring that all legislation, recorded votes on legislation, and the journals from all Senate meetings are added to the Student Government Association website, shall be the responsibility of the Journal Clerk. The Journal Clerk shall be required to submit all final passed or failed legislation to whomever is responsible for updating the SGA website, as well as submitting the journal and all the recorded votes on legislation. The Journal Clerk shall ensure that the aforementioned documents be accessible on the SGA website two weeks from the date of the meeting they pertain to. The duty of updating and maintaining the website shall not necessarily be the responsibility of the Journal Clerk, but he/she shall be required to make sure that these duties are executed. *SB 47.12, 01 Oct 2011*

## **30. Proportional Representation**

The Senate shall consist of sixty-six (66) Senators. Each college's proportion of representation will be decided every year upon the release of the official Fall Total Enrollment numbers by the Department of Institutional Research for the various colleges and schools of Texas Tech University. This apportionment will be calculated using the formula contained in the Senate Reapportionment Act of 2012. *SGA Const. Art. II, Sec. 2(1-2); SB 47.25, 13 Feb 2012*.

## **31. Senate Resolutions**

Senate Resolutions are those resolutions passed by the Senate, which pertain solely to that body. Senate Resolutions are not sent to the Student Body President for approval, nor may they be vetoed by the Student Body President. Senate Resolutions do not represent the position of the SGA as a whole but only that of the Senate and its constituents.

## **32. Internal Proceedings**

The Senate may determine the rules of its proceedings in all matters not covered in the SGA Constitution, including impeachment of Senators.  
*SGA Const. Art. II, Sec. 1*

### **a. Senate Rules**

The Rules of the Senate remain permanent and authoritative only over management of intra-Senate affairs where the legislative branch is given power to act. The mandates of the SGA Constitution will always preempt the requirements found in the Rules of the Senate. *SB 47.13, 01 Oct 2011.*

**b. Senate Legislation**

To pass any legislation in the Student Senate of Texas Tech University regarding an increase of student fees, there must be a vote of a two-thirds ( $2/3$ ) majority. *SB 46.18, 26 Nov 2010.*

**c. Senate Impeachment**

All Senators shall be automatically expelled after four unexcused absences be they consecutive or not. *SB 46.03, 13 Sep 2010.*

**33. Open Forum**

The Student Senate of Texas Tech shall have an open forum at Student Senate meetings during which any student of Texas Tech University may address the assembled body. The time period of this forum shall not last longer than ten minutes. The presiding officer of the meeting shall give each student two (2) minutes wishing to speak during this period an adequate amount of time to speak. The time established for open forum can be extended by a majority vote of the Senate, but can be so extended only once a meeting. *SB 47.05, 01 Sep 2011*

**34. Senator Contact Information**

The Student Senate shall make public and provide for the students' knowledge of the names and emails of members of the Student Senate. These means of contacting Student Senate members shall be listed on the student government website. The list on the website shall be updated three (3) times per year: within 2 weeks after election results are certified, and within 2 weeks of the start of the fall and spring semesters. The names and emails of the members of the standing committees of the Student Senate shall be also be displayed on the Student Government Association website, including the chair, vice-chair, if any, and all the members of those committees. *SB 19.11, 05 Apr 1984; SB 47.08, 01 Sep 2011*

**Title II, Chapter 4**  
**The Legislature, Student Bar Association**

**33. Name**

The representative body of the Texas Tech School of Law shall be the “Student Bar Association.” *SBA, Art. I.*

**34. Role**

The Student Bar Association shall be the representative Body of the School of Law to the SGA. The Student Bar Association is not a House of the Legislative Branch. They shall be represented by two (2) Senators in the Student Senate.

**35. Governance**

The Student Bar Association Constitution shall govern the Student Bar Association. *SBA, Art. 1.*

## Title III, Chapter 1 The Executive, General Provisions

### 1. Power

The executive power of the SGA shall be vested in the Student Body President. *SGA Const. Art. III, Sec. 1.*

### 2. Members

The Student Body President, Vice President for External Affairs, Vice President for Internal Affairs, Vice President of Graduate Affairs, and any SGA officer that is elected in a SGA sponsored election and/or receives a SGA stipend and is not otherwise designated as a member of the Legislative or Judicial Branch, shall be considered a member of the Executive Branch. *SGA Const. Art. I, Sec. 3; SGA Const. Art. III, Sec. 2(1-2).*

### 3. Succession and Vacancy of Offices

The Student Senate shall be empowered to determine the line of succession of the Student Body President, Vice President for External Affairs, Vice President for Internal Affairs, and Vice President of Graduate Affairs. In case of the removal or impeachment of an Executive Officer, the succession to those offices shall be the following: *SGA Const. Art. II, Sec. 6(3).*

#### a. Succession to the Office of Student Body President

If, by reason of removal from office, inability, failure to qualify, resignation, or death, there not a Student Association President to discharge the powers and duties of the office of President, then the Student Association Vice President for Internal Affairs, upon his resignation as Internal Vice President, shall become Student Association President. *SGA Const. Art. II, Sec. 6(3); SB 27.04.*

- i. The same rule shall apply in the case of removal from office, inability, failure to qualify, resignation, or death, of the individual who becomes Student Association President under this Act. *SB 27.04.*
- ii. If, by reason of removal from the office, inability, failure to qualify, resignation, or death, there is neither a Student Association President nor the Student Association Vice President for Internal Affairs to discharge the powers and duties of the office of Student Association President, then the Vice President for External Affairs, upon his resignation as External Vice President, shall become Student Association President. *SB 27.04.*
- iii. The Vice President of Graduate Affairs shall succeed to the office of Student Government President should the President, the Vice President of External Affairs, and the Vice President of Internal Affairs be unable to fulfill the duties of their offices until such time the Senate is able to appoint and confirm a new president. During this interim he shall have all the powers and privileges appointed to the President. In the role of interim president, shall serve as an ex-officio member of the senate committee charged with the task of appointing a candidate to fill a presidential vacancy. *SGA Const. Art. II, Sec. 7(3-4).*

#### b. Vacancy in Office of Vice President for Internal Affairs

In the case of the removal or impeachment of the Student Vice President from office, resignation from office, or his or her inability to discharge the powers and duties of the office, the office shall be filled by Student Presidential appointment with the advice and consent of the Legislative Branch. *SGA Const. Art. II, Sec. 6(3-b)*.

- i. If, by reason of removal from office, inability, failure to qualify, resignation, or death. There is not a Student Association Vice President for Internal Affairs to discharged the duties of the office of Internal Vice President, then the President Pro Tempore of the Senate, upon his resignation as President Pro Tempore and Senator, shall become Student Association Vice President for Internal Affairs.
- ii. The same rules shall apply in the case of removal from office, inability, failure to qualify, or death of the individual who becomes Student Association Vice President for Internal Affairs.
- iii. If, at the time when a Senate President Pro Tempore is to begin the discharge of the powers and duties of the office of Student Association Vice President for Internal Affairs, there is no President Pro Tempore, or the President Pro Tempore fails to qualify for Internal Vice President, then the Senate shall elect a President Pro Tempore who is qualified to be Internal Vice President.
- iv. An individual becoming Student Association Vice President for Internal Affairs shall continue to be Internal Vice President until the expiration of the then Internal Vice President term.
- v. That this shall apply only to such individual serving as President Pro Tempore who have been elected to the office of President Pro Tempore under the rules of the Senate, and only to individual not under impeachment or censure by the Senate at the time the powers and duties of the office of Student Association Vice President for Internal Affairs devolved upon them.
- vi. The taking of the oath of office by an individual shall be held to constitute his recognition from the office by virtue of holding of which he qualifies to be Student Association Vice President for Internal Affairs devolve upon them.

**c. Vacancy in Office of Vice President for External Affairs**

In the case of the removal or impeachment of the Student Vice President from office, resignation from office, or his or her inability to discharge the powers and duties of the office, the office shall be filled by Student Presidential appointment with the advice and consent of the Legislative Branch. *SGA Const. Art. II, Sec. 6(3-c)*.

- i. If, by reason of removal from office, inability, failure to qualify, resignation, or death there is not a Student Association Vice President for External Affairs to discharge the powers and duties of the office of External Vice President, an appointed individual shall become External Vice President.
- ii. If, a vacancy occurs, and the time between the Installation Banquet and the first Senate meeting of the new legislative session, and at the same time of a vacancy occurring on or after the first day of classes in the fall, the following procedure shall be followed:

- i. the Student Association President shall nominate an individual to become External Vice President, and this nomination shall be submitted to the Senate Committee on Rules and Administration, and
- ii. the Senate Committee on Rules and Administration shall consider the nomination and must report the same nomination by a favorable majority committee vote to the Senate confirmation, and
- iii. the Senate shall consider the nomination by a favorable majority vote, and
- iv. the individual nominated by the President shall become External Vice President only upon the favorable majority of confirmation by the Senate. *SB 27.06*

iii. If a vacancy occurs in the time between the first Senate meeting of the new legislative session and before the first day of classes in the Fall, the following procedure shall be followed:

- i. the Student Association President shall appoint an individual to become External Vice President, and
- ii. the individual appointed shall become External Vice President, and receive all appropriate privileges and compensation, until such time that the Senate will be back in session after the summer, and
- iii. the individual who becomes External Vice President shall serve and receive privileges and compensation until the Senate shall consider the same nomination; in order for the individual appointed during the summer months to remain an officer through the school year, said individual must receive a 1) favorable majority vote by the Senate Committee on Rules and Administration, and 2) favorable majority vote of confirmation by the Senate. *SB 27.06*

iv. The same rule shall apply in the case of removal from office, inability, failure to qualify, resignation, or death of the individual who becomes Student Association Vice President for External Affairs. *SB 27.06*.

v. An individual becoming Student Association Vice President for External Affairs under shall continue to be External Vice President until the expiration of the then External Vice President term. *SB 27.06*

vi. If, at the time under an appointed individual if a Senator or Supreme Court Justice, shall become External Vice President only upon his resignation as a Senator or Supreme Court Justice. *SB 27.04*.

vii. The taking of the oath of office by the individual aforementioned shall be held to constitute his resignation from the office by virtue of holding of which he qualifies to be Student Association Vice President for External Affairs.

**d. Vacancy in Office of Vice President of Graduate Affairs**

In the case of the removal or impeachment of the Student Vice President from office, resignation from office, or his or her inability to discharge the powers and duties of the

office, the office shall be filled by Student Presidential appointment with the advice and consent of the Legislative Branch. *SGA Const. Art. II, Sec. 6(3-d)*.

#### **4. Structure of Executive Branch**

##### **a. President.**

The Student Body President is the chief officer of the Executive Branch. The President shall give a presentation of a legislative program to the Senate at the beginning of each semester. He or she may also make appointments, with the advice and consent of the Student Senate, of all officers whose appointment shall not be otherwise provided for. He or she shall give presentations of periodic messages upon the State of the Student Body Government to the Student Senate. The President shall see to the execution of all legislation of the Student Senate for which he or she shall be responsible to the Senate. He or she shall appoint replacements to fill vacancies in the vice presidential offices, to be confirmed by a two-thirds (2/3) vote of the Student Senate. *SGA Const. Art. III, Sec. 4(1-5)*.

##### **a. Rulemaking**

The President may make rules enforceable within the Executive Branch. *SGA Const. Art. III, Sec. 9(6)*.

##### **b. Funding**

At the beginning of each semester every executive officer will be required to present the maximum budget of each project and have it presented by the Senate Committee on Budget and Finance. Each budget must be prepared for presentation by the second Tuesday of every month. *SB, 45.16, 18 Feb 2010*.

**i. Student Body President.** The itemized budget for the Student Government office shall include, but not be limited to, estimated amounts for daily office supplies and Student Government sponsored university projects. *SB, 45.16, 18 Feb 2010*.

**ii. Vice President for External Affairs.** The itemized budget for the External Vice President shall include, but not be limited to, estimated amounts for Safe Ride, CitiBus transportation, and RaiderGate. *SB, 45.16, 18 Feb 2010*.

**iii. Vice President for Internal Affairs.** The itemized budget for the Internal Vice President or Senate budget shall include, but not be limited to, estimated amounts for Freshman Involvement activities, Senate leadership activities, Welcome Week Activities, and Senate banquet costs. *SB, 45.16, 18 Feb 2010*.

**c. Vice President for External Affairs.** The Vice President for External Affairs shall implement and oversee programs of the Student Government Association and serve as Vice Chairman of the President's Cabinet. *SGA Const. Art. II, Sec. 6(1-2)*.

**d. Vice President for Internal Affairs.** The Vice President for Internal Affairs shall preside over meetings of the Senate and provide for the processing and channeling of all Senate legislation. The Internal Vice President shall also, in their role as President of the Student Senate, create a program to educate and instruct all Members of the Senate in parliamentary procedure. *SGA Const. Art. II, Sec. 5(1-2); SB 46.05, 20 Sep 2010*.

##### **i. Appointments to Senatorial Vacancies**

The Internal Vice-President shall exhaust the candidate list of every senate position prior to appointments. Once the list is exhausted, the Internal Vice President can submit recommendations to Rules and Administration for appointments. All denials of seats shall be documented by the Internal Vice-President. *SB 47.03, 21 Apr 2011*

- f. Vice President of Graduate Affairs.** The Vice President of Graduate Affairs shall serve as a liaison between the Student Government Association and graduate counsels. The Graduate Vice President shall also implement and oversee programs and services of the Student Government Association offered to graduate students. *SGA Const. Art. II, Sec. 7(1-2)*).

## Title III, Chapter 2 The Executive, The Student Body President

### 1. Power

The executive power of the SGA shall be vested in the Student President. *SGA Const. Art. III, Sec. 1.*

#### a. Power to Make Appointments

The Student Body President shall have the power, with the advice and consent of the Student Senate, to nominate and appoint all officers of the SGA not otherwise provided for. The President shall have the power to establish Executive Staff Positions, to assist him or her in fulfilling his or her presidential duties, with the consent of the Student Senate. The President shall have the sole power to appoint personnel to fill these positions. *SGA Const. Art. III, Sec. 4(2); SGA Const. Art. III, Sec. 9(6).*

#### i. Appointment of the Secretary of the SGA

The SGA President, with the advice and consent of the Student Senate, shall appoint the Secretary of the SGA. The SGA Secretary shall be compensated in the manner agreed upon by the President and the Vice President for Internal Affairs in accordance with the University wage scale. *SGA Const. Art. III, Sec. 9(5).*

### 2. Duties

The Student Body President shall take care that all acts of the Student Senate are faithfully executed. The President shall represent the SGA on all official occasions and represent the Student Government Association personally, and through his dealings with agencies and organizations outside the University community. Enter into agreements with agencies and organizations outside the University community by and with the consent of the Senate, and the proper University authorities. He or she may address the Student Senate, recommend to their consideration such measures as he or she shall judge necessary and expedient; he or she may convene the Legislative Branch in joint session or special session. He or she shall assume such other executive powers as shall not be denied by the University Code or this Constitution. *SGA Const. Art. III, Sec. 4(4); SGA Const. Art. III, Sec. 9(1, 2, 3, 4, & 6).*

#### a. Delegation of Duties

The President may delegate any duties, including representational functions, to the Executive Staff that he/she deems necessary.

#### b. Addressing the Legislature

The Student President shall periodically address the Student Senate. Said addresses shall include, but not be limited to, that material deemed materially deemed important by the President. The Student Senate shall be empowered to call the President, or an Executive Aide, before the Senate for a hearing. At that time the President shall answer questions relating to the SGA and/or the Executive Branch from members of the Legislature. *SGA Const. Art. II, Sec. 6(5); SGA Const. Art. III, Sec. 4(3).*

### 3. Presidential Veto

All bills, excepting Constitutional Amendments and Standing Rules of the Senate, passed by the Student Senate must be signed by the President of the Student Government Association within a period of two weeks of class time following his receipt of said bills before they can be enacted or considered law. Any bill not signed or vetoed within this specified period of time shall be considered approved by the President. If the President vetoes a bill, for the veto to be effective, he shall send a message in writing to the Senate for inclusion in that body's Journal. The veto message must be submitted to each body during its first meeting following the specified two week period of Presidential initiative. Any veto by

the President may be overridden by a 2/3 vote of the members of the Senate, present and voting. *SGA Const. Art. III, Sec. 10.*

**a. Differing Versions**

If the President of the Senate and/or Student Body President sign a different version of a bill than was passed, technically the bill has not been signed. This would make the bill invalid.

**4. Term**

The term of the Student Body President shall begin in the spring semester after the presidential election results have been certified and he or she had been duly sworn-in. The term of the President shall serve until his or her resignation or the election of their successor.

**a. Limitations on Terms.**

The Student Body President shall hold office for a term of one year. No person who has previously held the Office of President may again become a candidate for that office. *SGA Const. Art. III, Sec. 1.*

## Title IV, Chapter 1 The Judiciary, General Provisions

### 1. Power

The judicial power of the SGA shall be vested in one Supreme Court and such inferior courts as the Legislative Branch may from time to time establish. *SGA Const. Art. IV, Sec. 1.*

### 2. Judges

The judges of all courts must be enrolled for at least twelve (12) semester hours of resident credit courses. Graduate members of the Supreme Court must be enrolled for at least six (6) semester hours of resident credit courses. Each member of the Supreme Court must have a 2.5 overall grade point average. Each member shall be officially classified as at least a junior by the end of the semester in which he is appointed. A court member must maintain a 2.5 grade point average throughout his entire term in office. *SGA Const. Art. IV, Sec. 3.*

### 3. Membership

The Supreme Court shall be composed of a Chief Justice and six Associate Justices. Student Body President shall be appointed by the President of the Student Government Association. Justices shall serve 2-year terms. Every odd year, the President shall appoint three Justices and every even year the President shall appoint four. All appointed Justices would be interviewed and recommended by the Rules and Administration Committee, before being presented to the Senate. The Chief Justice position will be a second year Justice. The Senate will confirm the appointments by a 2/3 vote of those who are present and voting. *SGA Const. Art. IV, Sec. 2.*

### 4. Rules and Operating Procedures

The judicial branch of the Texas Tech Student Government Association shall promulgate rules of procedure and appoint such officers as it shall deem necessary for the conduct of its business, provided that those rules shall have be in compliance with this Constitution or Student Government Association law. The Supreme Court shall adhere to the following rules in dealing with matters that affect the student body or members thereof. *SGA Const. Art. IV, Sec. 6(1); Rules and Operating Procedures of the Texas Tech Supreme Court, 06 Jun 2012.*

#### a. Confidentiality

Justices may not speak, write, e-mail or in any other way discuss the nature or condition of a pending decision with non-justices. *Rules and Operating Procedures of the Texas Tech Supreme Court, 06 Jun 2012, Sec. 7. 2. 6.*

#### b. Ex parte communications

Justices shall not discuss a pending action with the accused, defense, or prosecution counsels outside of the court if all concerned parties are not present. *Rules and Operating Procedures of the Texas Tech Supreme Court, 06 Jun 2012, Sec. 7. 2. 6.*

#### c. Recusal

Justices shall recuse themselves from any case where a conflict of interest exists for said justice. A quorum shall be maintained or a substitute justice must be appointed in their place to attain quorum. *Rules and Operating Procedures of the Texas Tech Supreme Court, 06 Jun 2012, Sec. 7. 2. 6.*

## Title IV, Chapter 2 The Judiciary, The Student Supreme Court

### 5. Jurisdiction

The judicial power of the Student Supreme Court shall extend to all cases arising under this Constitution, under the acts of the Legislative Branch, and under the SGA Codified Statutes. The SGA Supreme Court is charged with the specific duty of maintaining the integrity of the SGA Constitution. The SGA Supreme Court is charged with the function of being the final appellant review of any action arising under the SGA Constitution and acts of the Legislative Branch. *SGA Const. Art. IV, Sec. 1, 5, 6.*

### 6. Duties

#### a. Selection of Chief Justice

The president of the Student Supreme Court shall select a second-year justice from the Court to be the Chief Justice.

#### b. Ex parte communications

The Student Supreme Court shall meet no less frequently than once per month during the fall and spring semesters. In the event there are no items to be considered, the Court shall discuss, in order to promote general competency in the SGA Constitution and the SGA Codified Statutes.

#### c. Rules of Procedure

The SGA Supreme Court shall establish and publish rules of procedure for hearings that will be in line with the SGA Constitution, Student Government Association Law, and the SGA Codified Statutes. *SGA Const. Art. IV, Sec. 6(1); Rules and Operating Procedures of the Texas Tech Supreme Court, 06 Jun 2012.*

#### d. Presidential Impeachment

When the Student Body President is tried, the Chief Justice of the Supreme Court shall preside over the Senate.

### 7. Membership

The judges of the Student Supreme Court shall be regularly enrolled students and must be enrolled for at least twelve (12) semester hours of resident credit courses. Graduate members of the Supreme Court must be enrolled for at least six (6) semester hours of resident credit courses. Each member of the Supreme Court must have a 2.5 overall grade point average. Each member shall be officially classified as at least a junior by the end of the semester in which he is appointed. A court member must maintain a 2.5 grade point average throughout his entire term in office. *SGA Const. Art. IV, Sec. 3.*

#### a. Nomination

- i. Nominations are to be called for by the Student Body President and shall comply with all applicable law. *SGA Const. Art. IV, Sec. 2.*

#### b. Appointment Process

- i. The Committee on Rules and Administration of the Student Senate shall conduct interviews. *SGA Const. Art. IV, Sec. 2.*

- ii. The confirmation of a member of the Student Supreme Court shall be by a two-thirds ( $2/3$ ) vote of the Student Senate. *SGA Const. Art. IV, Sec. 2.*

## **9. Terms**

Members of the Supreme Court shall be appointed two weeks prior to the first fall meeting of the Student Senate. *SGA Const. Art. IV, Sec. 4.*

## **10. Quorum**

A set number of justices on the Student Supreme Court must be present in order to conduct business, render an opinion, hear evidence, pass judgment, or conduct any other sort of judicial proceeding. The quorum of the Court shall be no less than three (3) justices at a preliminary hearing. When a justice shall recuse themselves, the remaining justices shall make the decision without regard to quorum. At no time can a single justice render a decision. *Rules and Operating Procedures of the Texas Tech Supreme Court, 06 Jun 2012, Sec. 7.1.7; Sec. 7.2.6.*

## **Title V, Chapter 1**

### **Elections, General Provisions**

#### **1. Citation**

This Act shall be referred to and cited as the “Student Government Association Election Code.” *Election Code, Sec. 1.01, 01 Jun 2012; SB 47.24, 26 Jan 2012*

#### **2. Election Code**

This Act shall apply to all aspects of the electoral process for the Student Government Association of Texas Tech University at Lubbock, Texas. *Election Code, Sec. 1.02, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

#### **3. References**

As used throughout this Code, references to the singular shall be construed to include the plural. *Election Code, Sec. 1.03, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

#### **4. Ignorance**

Ignorance shall not be an acceptable defense in response to any offense committed in any election under this code. *Election Code, Sec. 1.04, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

#### **5. Application**

Each election under this code shall be considered a single and separate application of this code. *Election Code, Sec. 1.05, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

#### **6. Election Commission**

The Election Commission shall certify the election and results no later than fourteen (14) school days after the conclusion of all electoral procedures in any election. *Election Code, Sec. 1.06, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

#### **7. Final Authority**

Final authority to accept and ratify all elections shall rest with the Student Senate. If the Student Senate does not act on the election results within fourteen (14) days of the election, the Director of Student Government Operations will have the authority to ratify said election. *Election Code, Sec. 1.07, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

## Title V, Chapter 2 Elections, Definitions

### 1. Definitions

**Advisory opinion**—refers to any opinion issued by the Election Commission concerning any matter not included within the language of the Election Code affecting the election. *Election Code, Sec. 2.01, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Advisory ruling**—refers to any decision or ruling issued by the commission resulting from a hearing. *Election Code, Sec. 2.02; SB 47.24, 26 Jan 2012.*

**Campaign and campaigning**—refer to any statement, literature, activity, deliberate use or distribution of materials that have the effect of soliciting votes for an elective office. This includes the formation of any public group on a social networking site. *Election Code, Sec. 2.03, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Campaign materials**—refer to all materials and literature concerning any candidate. Campaign materials include, but are not limited to: signs, handbills, buttons, email and other advertisements, while excluding any individual endorsement not approved by the candidate or ticket. *Election Code, Sec. 2.04, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Candidate**—refers to any student consenting to election as a representative or officer of student government, whether or not the student has filed to run for office in accordance with this code. *Election Code, Sec. 2.05, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Election Commission and Commission**—refer to the Election Commission. *Election Code, Sec. 2.06, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Endorsement and endorsing**—refer to any form of communication expressing support for a candidate by a party other than the candidate. *Election Code, Sec. 2.07, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Executive Board**—refers to the executive officers and cabinet of the Student Government Association. *Election Code, Sec. 2.08, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**General Election**—refers to the annual election of student government officers and representatives. *Election Code, Sec. 2.09, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Polling Location**—refers to any place where one or more polling stations are provided for the purpose of voting at an election. *Election Code, Sec. 2.10, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Polling station**—refers to any internet-enabled computer available for public use and facilitates the means by which students vote in student government elections. *Election Code, Sec. 2.11, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Regulatory bodies**—include the Election Commission, the Supreme Court and administrative bodies of the election process. *Election Code, Sec. 2.12, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Runoff Election**—refers to all secondary elections held to resolve races not initially determined by a general or special election. *Election Code, Sec. 2.13, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Spamming or Spam**—refers to the use of electronic messaging systems to send unsolicited bulk messages indiscriminately. *Election Code, Sec. 2.14, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Special Election**—refers to an election called by the SGA president. *Election Code, Sec. 2.15, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Student**—means any person whose name appears on the current roster of the Texas Tech University Registrar. Only a student at Texas Tech, as defined by this Code, may seek office or vote in student government elections. *Election Code, Sec. 2.16, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Student Government or SGA**—refers to the Texas Tech University Student Government Association. *Election Code, Sec. 2.07, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**University**—refers to Texas Tech University. *Election Code, Sec. 2.18, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Worker or Agent**—refers to any person contributing time, effort or services for the purpose of supporting a candidacy. *Workers shall be distinguished as those whom a candidate has personal knowledge of and accepts their time, effort and services rendered.* *Election Code, Sec. 2.19, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Title V, Chapter 3**  
**Elections, The Election Commission**

- 1.** All elections governed by this Election Code shall be under the supervision of the Election Commission. *Election Code, Sec. 3.01, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- 2.** The Director of Student Government Operations shall fill a non-voting, supervisory position on the commission. This position shall be known as the Election Commissioner. *Election Code, Sec. 3.02, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- 3.** By the time of filing, no member of the commission shall be a candidate for, nor hold any elective or appointive office or position in student government while serving on the commission. *Election Code, Sec. 3.03, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- 4.** The commission shall consist of five appointed students, chosen from the student body by the President of the Student Government Association. One member must be a student from the School of Law, appointed under the advisement of the Student Bar Association. *Election Code, Sec. 3.04, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- 5.** Nominations for positions on the commission must receive the consent of the Student Senate. Nominations to the commission shall be made no later than the first meeting of the fall semester preceding the general election. *Election Code, Sec. 3.05, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- 6.** The commission shall appoint a secretary responsible for recording the minutes of meetings and hearings, and keeping a record of all opinions, rulings and filings of candidates under this code. The secretary shall file a copy of all decisions concerning candidates to involved parties and the Chief Justice of the Supreme Court within 48 hours of a decision. *Election Code, Sec. 3.06, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- 7.** Terms on the commission shall be for one year. The term may begin upon the conclusion of the first meeting of the new senate session, but no later than the first meeting of the fall semester. *Election Code, Sec. 3.07, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- 8.** Students shall be eligible for re-appointment to the commission. *Election Code, Sec. 3.08, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- 9.** In the case of a vacancy prior to the end of a term, the President shall appoint a student to serve for the remainder of the term, with consent student senate at the next regularly scheduled meeting. *Election Code, Sec. 3.09, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- 10.** The Commission shall select a chairman from its student membership, who shall not vote unless a tie must be broken. *Election Code, Sec. 3.10, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**11.** The commission shall have jurisdiction over all polling locations on the days of elections governed by this code. All polling locations comply with this code. *Election Code, Sec. 3.11, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**12.** Results of any election under this Code shall be announced or posted no later than 24 hours after election polling closes. *Election Code, Sec. 3.12, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**13.** The commission shall assess and execute the remedies and sanctions provided in this Code if it finds violations of this code or commission rulings. *Election Code, Sec. 3.13, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**14.** The commission, for the purpose of advisement of future commissions, may retain records of rulings and other documents from an election. These records must be stored securely with the Director of Student Government Operations. *Election Code, Sec. 3.14, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**15.** The commission shall certify the fairness of each campaign with its election processes and results in a publicly available report to the Student Senate within 48 hours of an election's conclusion. *Election Code, Sec. 3.15, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**16.** The commission, with the help of the Executive Board, shall be responsible for publicizing the election process, including available positions, how to run for office, and coordinating election-related forums throughout the fall and spring terms. *Election Code, Sec. 3.16, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**17.** Election Commission members may be removed for the following reasons:

**a.** Dereliction of duties and responsibilities

**b.** Candidate bias

*Election Code, Sec. 3.17, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**18.** Election Commission members may be removed by a majority vote of the Supreme Court, upon the recommendation of the senate. *Election Code, Sec. 3.18, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**19.** The Commission shall meet with the executive board and chair of the Senate's Committee on Rules and Administration before every fall and spring term to discuss changes to the code and elections taking place within those terms. *Election Code, Sec. 3.19, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Title V, Chapter 4**  
**Elections, Election Commission Hearings & Procedures**

**1. Jurisdiction**

- a. In pursuit of its duties, the Election Commission may prosecute violators of any aspect of this code or the rulings of the commission. The Supreme Court shall have appellate jurisdiction over issues of law and fact in all cases or controversies arising under this code in which the commission has issued a final decision. Upon review, the Supreme Court may revoke or modify the sanctions imposed by the commission. *Election Code, Sec. 4.01, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- b. The Election Commission shall have the authority to issue an advisory opinion concerning any matter within its jurisdiction. An advisory opinion shall be binding on the commission for the duration of the election in which it was issued. The commission shall not be required to hold a hearing in connection with the issuance of an advisory opinion. An advisory opinion may be amended after issuance, provided no substantial injury or hardship to the student body or election results from such action. *Election Code, Sec. 4.02, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
  - i. In carrying out the duties of the office, the commission shall conduct proceedings and hearings necessary to fulfill those duties. In executing those duties they shall have the authority:
  - ii. To issue a writ of subpoena to compel candidates, agents and workers, and to request students to appear and give testimony as well as produce necessary records.
  - iii. To inspect the financial disclosure of any candidate and make these records available for public scrutiny upon request.  
*Election Code, Sec. 4.03, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
  - iv. Any organization selecting officers or hosting a referendum by participating in the student body elections governed by the Election Commission shall defer jurisdiction of election procedures to the board unless announced otherwise at the time of filing for their candidates. *Election Code, Sec. 4.04, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**2. Hearing Procedures**

- a. Candidates have a duty to negotiate in good faith when disputes arise and must attempt to reach a settlement consistent with this code and Election Commission decisions prior to filing a complaint. *Election Code, Sec. 4.05, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

- b. Members of the commission are prohibited from filing complaints. Any other student may file a complaint with the commission. Complaints must be filed under the name of the student filing the complaint. The commission shall act on all complaints within two school days after they are received. *Election Code, Sec. 4.06, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- c. The Election Commission may dismiss a complaint if:
  - i. It was not filed within 72 hours of a violation's alleged occurrence.
  - ii. The commission lacks jurisdiction over the subject or party in the dispute.
  - iii. The complaint fails to state a cause of action for which relief may be granted.
  - iv. The complainant has not and likely will not suffer injury or damage.  
*Election Code, Sec. 4.07, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- d. If a complaint is not dismissed, a hearing must be held. The Commission shall inform, in writing or email, the complaining party and all individuals or groups named in the complaint of the time and place of the hearing. The respondent has one school day to file a complaint against any opposing candidate. *Election Code, Sec. 4.08, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- e. A hearing must be held at the earliest possible time, but not within 24 hours after receipt of the hearing notice, unless all parties agree to waive this constraint. The 24-hour time constraint is waived if the complaint is filed during the voting period. *Election Code, Sec. 4.09, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- f. When notice of a hearing is issued, the commission may issue a temporary restraining order if it determines such action is necessary. Once issued, the restraining order will remain in effect until it is rescinded or the commission announces a decision. *Election Code, Sec. 4.10, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- g. Parties to a commission hearing may represent themselves or be represented by any student of their choice. Upon request, the Commission shall aid parties in securing a spokesman. *Election Code, Sec. 4.11, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- h. Parties to a commission hearing shall be prepared to provide documentation that is current and up to date. *Election Code, Sec. 4.12, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- i. For any hearing, the entire commission must be in attendance, including the Election Commissioner. *Election Code, Sec. 4.13, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- j. The commission shall determine the format for the hearing, but must require both complaining and responding parties appear physically before the board to discuss the issues through a complaint, answer, rebuttal and rejoinder format.
  - i. Complaining parties shall be allowed no more than two witnesses, however, the commission may call witnesses in accordance with this code. If witnesses are unable to appear at the hearing, signed affidavits may be submitted to the chairman of the commission for the purpose of testifying by proxy.
  - ii. All questions and discussions by parties in the dispute shall be directed to the commission.

- iii. There shall be no direct or cross-examination of any party or witness by complaining or responding parties.
- iv. Reasonable time limits may be set by the commission, provided they give fair and equal treatment to both sides.  
*Election Code, Sec. 4.14, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- k. Decisions, orders and rulings of the commission must be concurred to by a majority of the commission present and shall be announced as soon as possible after the hearing. Such decisions may be delivered orally or in writing. The commission shall issue a written opinion of the ruling within 24 hours of the decisions announcement. The opinion must include findings of fact by the commission and conclusions of law in support of it. *Election Code, Sec. 4.15, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- l. If the commission's decision is appealed to the Supreme Court, the commission must immediately submit its ruling to the court. *Election Code, Sec. 4.16, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

### **3. Remedies and Sanctions**

- a. Violations of the code shall be divided into four classifications.
  - i. Class A violations shall result in a disqualification from the election.
  - ii. Class B violations shall result in a combination of a moratorium of campaigning and a fine.
  - iii. Class C violations shall result in a moratorium of campaigning.
  - iv. Class D violations shall result in a fine.

Prior to the campaigning time period, the commission shall issue an advisory opinion that defines the ranges of fines and moratoriums connected with each classification. They shall also provide examples of violations in this opinion of what constitutes each class and specific remedies for repeat offenses.

The commission shall select the amount of the fine or length of the suspension most appropriate to both the severity of the infraction and the state of mind or intent of the violator as determined by the commission. *Election Code, Sec. 4.17, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

- b. If a candidate, or a candidate's agents or workers, commits a violation resulting in a fine, the total amount against a candidate in an election cycle may not exceed the spending limit as defined in Chapter VI Subchapter B of this code. *Election Code, Sec. 4.18, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- c. If a candidate, or a candidate's agents or workers, commits a violation resulting in a fine, the total amount shall be considered an expense of the candidate(s). *Election Code, Sec. 4.19, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

- d. If the commission finds a candidate, or a candidate's agents or workers, has committed a Class B or C violation, the commission may restrict the candidate, or the candidate's agents or workers, from engaging in some or all campaign activities for some or all of the remainder of the campaign. *Election Code, Sec. 4.20, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- e. If an order is issued covering only part of the remaining campaign period, it shall take effect within 24 hours so after its termination, the candidate will have an opportunity to resume campaigning prior to, and including, the election days. *Election Code, Sec. 4.21, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- f. Any complaints concerning voter fraud filed through the commission must be immediately turned over to the Director of Student Government Operations. *Election Code, Sec. 4.22, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

#### 4. Appeals

- e. Any party may file an appeal with the Supreme Court. *Election Code, Sec. 4.23, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- f. The Supreme Court shall act on all appeals within two (2) school days after they are received by dismissing them or calling a hearing and notifying all candidates of the date, time, and place under the provisions in this subchapter. *Election Code, Sec. 4.24, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- g. If an appeal is not dismissed, a hearing must be held. *Election Code, Sec. 4.25, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- h. All Supreme Court hearings shall be open to the public. *Election Code, Sec. 4.26, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- i. For any hearing, all Supreme Court members and commissioner must be in attendance. *Election Code, Sec. 4.27, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- j. The Supreme Court shall allow for both the complaining and responding parties to discuss the issues through a complaint. *Election Code, Sec. 4.28, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- k. Decisions, orders and rulings of the Supreme Court shall be announced within one school day after the hearing and must be concurred to by the majority of the Supreme Court (present at the meeting). *Election Code, Sec. 4.29, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- l. The Supreme Court shall have discretionary appellate jurisdiction over the Election Commission in all cases in which error on the part of the Commission is charged. The decision of the Commission shall stand and shall have full effect until the appeal is heard and decided by the court. *Election Code, Sec. 4.30, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Title V – Chapter 5**  
**Elections, Candidate Eligibility, Rights & Duties**

**1. Candidate Eligibility**

- a. The offices to be filled in the General Election are those of: (a) Student Body President; (b) External Vice President; (c) Internal Vice President; (d) Student Senators. *Election Code, Sec. 5.01, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- b. Candidates for executive office may only cross-file as candidates for student senate. *Election Code, Sec. 5.02, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- c. No Candidate shall register for any office with the premeditated intention of leaving office before the end of his or her term. *Election Code, Sec. 5.03, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- d. Senators must remain registered students in the college for which he was elected as a representative throughout his entire term. If a senator changes colleges, he must resign his office. *Election Code, Sec. 5.04, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- e. All candidates for any office shall be in good standing with the university to be eligible to run for or take office. *Election Code, Sec. 5.05, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**2. Filing Process**

- a. All candidates shall register a statement of their intention to run for office with the commission. Failure to do so shall exclude the individual from having their name included on the official ballot.
  - i. A fee for election registration shall be assessed for the following candidacies:
    - \$5 for cross-filing
    - \$10 for Freshman Council
    - \$20 for Senate
    - \$30 for Executive Office

The commission can waive any fee due to financial hardship, or make arrangements for late payment. This fee is not considered a campaign expense. *Election Code, Sec.*

*5.06, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

- b.** A candidate may change the office they are seeking during the period of filing. *Election Code, Sec. 5.07, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

### **3. The Candidate Seminar**

- a.** The candidate seminar shall be held within seven school days after the filing deadline. *Election Code, Sec. 5.08, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- b.** All candidates that want to establish their ballot position or learn about the election procedures shall attend one of the candidate seminars. *Election Code, Sec. 5.09, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

### **4. Financial Disclosure**

- a.** Each candidate is required to disclose all campaign financial expenditures, including documentation of receipts. *Election Code, Sec. 5.10, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- b.** Each candidate shall be **required** to file a complete Financial Disclosure statement in the Student Government Office by **5:00 PM the Friday** following the election. Failure to submit a Financial Disclosure statement by the deadline will result in a disqualification hearing before the election commission. *Election Code, Sec. 5.11, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- c.** Each candidate's financial records shall be available for public inspection. *Election Code, Sec. 5.12, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- d.** Any candidate in a Run-off Election is required to file a separate financial disclosure for each election. *Election Code, Sec. 5.13, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Title V, Chapter 6**  
**Elections, Campaign Provisions & Procedures**

**1. Campaigning**

- i.** All employees of the Student Government Association are prohibited from endorsing other candidates, unless they are candidates for office themselves. Endorsements must be clearly made as a candidate for office and not as a current employee of the Student Government Association. *Election Code, Sec. 6.01, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- ii.** No campaigning of any kind may take place in the offices of the Student Government Association. *Election Code, Sec. 6.02, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- iii.** Campaigning in the Student Union Building shall only take place in a private meeting room. No campaigning shall take place in the open areas of the Student Union Building. All campaigning in all libraries is strictly prohibited. *Election Code, Sec. 6.03, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- iv.** A candidate, agent or worker may not solicit votes by going door-to-door on campus. No candidate, agent or worker shall destroy, deface, move, or remove posters of any candidate. *Election Code, Sec. 6.04, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- v.** No candidate, agent or worker shall destroy, deface, move, or remove posters of any candidate. *Election Code, Sec. 6.05, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- vi.** Candidates shall refrain from knowingly deceptive or misleading campaign activities, including any act or statement reasonably calculated to injure or compromise the rights or interests of any student, faculty or administrator. *Election Code, Sec. 6.06, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- vii.** Campaigning as a candidate for office may only begin after the final candidate seminar has concluded. *Election Code, Sec. 6.07, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- viii.** In conjunction with the *Student Code of Conduct*, spamming is not allowed under any circumstances. *Election Code, Sec. 6.08, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

## **2. Expenses**

- a.** Candidates for executive office may spend a maximum of five hundred dollars (\$500) on their campaigns. *Election Code, Sec. 6.09, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- b.** Candidates for student senate may spend a maximum of three hundred dollars (\$300) on their campaigns. *Election Code, Sec. 6.10, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- c.** Candidate for freshman council may spend a maximum of one hundred fifty dollars (\$150) on their campaigns. *Election Code, Sec. 6.11, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- d.** In academic areas, campaign materials may only be posted in locations approved by the Election Commission and the university. For residence hall posting, campaign materials must be turned in and approved by the residence hall office. Campaign materials posted in these locations can be no larger than 11x17". *Election Code, Sec. 6.12, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- e.** Each candidate is responsible for seeing that his posters are removed two (2) school days after the election. *Election Code, Sec. 6.13, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

## **3. Write-Ins**

- a.** The Commission shall provide a space on the ballot for write-in votes in all Student Government Association elections. Write-in votes shall not be allowed in a run-off election. If elected, write-in candidates must meet constitutional eligibility. *Election Code, Sec. 6.14, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- b.** Only the correct spelling of a write-in candidate's name shall be counted as a valid vote. Alternate spellings shall be disregarded. *Election Code, Sec. 6.15, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

## **4. Endorsements**

- a.** Endorsements must be registered with the commission. No candidate shall claim to be endorsed without securing proper documentation. *Election Code, Sec. 6.16, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Title V, Chapter 7**  
**Elections, Timetable, Procedures and Guidelines**

**1. Election Timetable**

- a. The Spring General Election shall consist of no less than 16 school days. *Election Code, Sec. 7.01, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- b. The Spring General Election shall be held on the final, two consecutive school days in February — unless the university is not in session, in which case the commission shall determine the election. *Election Code, Sec. 7.02, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- c. No changes to the Election Code may be enacted within one week of the candidate seminar. *Election Code, Sec. 7.03, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- d. The Election Commission shall advertise the complete ballot in the university newspaper at least one week prior to a general or special election, and during the week of a runoff. Information shall include polling locations, as well as those locations accessible to persons with disabilities. *Election Code, Sec. 7.04, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- e. The voting ballot shall contain the candidate's name, position sought, major(s) and a statement of no more than 150 words. The commission has the right to restrict any false information. *Election Code, Sec. 7.05, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**2. The Candidate Debate**

- a. The candidate debate shall be conducted by the commission, who will determine the time and place of the event. *Election Code, Sec. 7.06, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- b. Only candidates for executive office are eligible to participate in the candidate debate, which is not mandatory. Candidates must notify the commission if they wish to withdraw from the debate. *Election Code, Sec. 7.07, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**3. Polling Locations**

- i. The Election Commission shall be charged with the creation of a minimum of two polling locations on campus, as well as their staffing. *Election Code, Sec. 7.08, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- ii. The locations must be published online and publicized at least 24 hours before general election polls open. *Election Code, Sec. 7.09, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- iii. All reported and published polling locations must have an internet-ready device available on voting days, during voting hours, for the express purpose of facilitating voting. *Election Code, Sec. 7.10, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- iv. The same polling locations must be used while general polls are open. *Election Code, Sec. 7.11, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- v. Polling locations must be on campus. *Election Code, Sec. 7.12, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- vi. The commission may set limitations on the hours of operation for the voting locations, but may not deny the right to vote to any person standing in line to vote at the time the polling location closes. *Election Code, Sec. 7.13, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- vii. The operation of a polling station or location by a candidate, agent, or worker is prohibited on campus. *Election Code, Sec. 7.14, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- viii. Under no circumstances shall any penalty, reward, or incentive be applied or offered in exchange for voting in general, or for a specific candidate(s). *Election Code, Sec. 7.15, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

#### 4. Election Procedures

- a. Available positions in the upcoming general election shall be advertised in the university newspaper prior to the filing deadline. *Election Code, Sec. 7.16, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- b. Each student may cast one vote for each executive office position, one vote for each available allocated seat within the student's enrolled college(s), and for the allocated number of seats for Senator At-Large. *Election Code, Sec. 7.17, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- c. No eligible voter shall be specifically excluded from casting a vote at any polling location. *Election Code, Sec. 7.18, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- d. Candidates for executive office must receive a majority of votes cast to be elected. If no candidate receives a majority of votes, those with the two highest votes shall enter a run-off election. *Election Code, Sec. 7.19, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- e. Elections for senators shall be considered plurality elections. *Election Code, Sec. 7.20, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

- f. The number of seats in the Student Senate shall be determined by the apportionment methods and formulas in accordance with the Senate Reapportionment Act of 2012 (Senate Bill 47.25). *Election Code, Sec. 7.21, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- g. Voting shall begin online at 9:00 a.m. on the first day of elections and end at 7:00 p.m. on the second day of elections. *Election Code, Sec. 7.22, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- h. Any candidate requesting a recount must do so within 24 hours of election results being posted. *Election Code, Sec. 7.23, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- i. Election results will be stored electronically on Tech's own secure data centers. Only the Director of Student Government Operations will have access to this data. *Election Code, Sec. 7.24, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- j. In all elections governed by this code, no candidate shall personally, nor through a third party, deliberately ask for or require another student to disclose any of their personal information. *Election Code, Sec. 7.25, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

## **5. Run-Off Elections**

- a. If all races are not decided in the general election, there a run-off for the undecided race(s) shall be held. *Election Code, Sec. 7.26, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Title V, Chapter 8**  
**Elections, Enactment**

1. If this Code is enacted after any of the enclosed deadlines, the Election Commission shall meet them with deliberate speed. This code shall not be implemented in part or whole until approved by the Student Senate. *Election Code, Sec. 8.01, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

**Title V, Chapter 9**  
**Elections, Adoption & Revision**

- 1.** The passage of this code shall take effect immediately upon its final approval by the SGA president.  
*Election Code, Sec. 9.01, 01 Jun 2012; SB 47.24, 26 Jan 2012.*
- 2.** The Senate must approve changes to the code at least one week prior to the beginning of an election.  
This rule excludes any changes affecting homecoming elections. *Election Code, Sec. 9.02, 01 Jun 2012; SB 47.24, 26 Jan 2012.*

## **Title VI**

### **Freshman Council, General Provisions**

#### **1. Power**

The Freshman Council shall serve as the official representative body of freshman at Texas Tech University, Lubbock Campus and as the ambassadors of the Freshman Class to the Student Government Association, the Faculty, and the Administration at Texas Tech University. *Freshman Council Const., Preamble; SB 46.08, 27 Sep 2010.*

#### **2. Duties**

The Freshman Council is established to prepare the members of the Freshman Council for further involvement in Student Government Association, invoke principles of Hard Work, Leadership, and to provide Service to humanity. *Freshman Council Const., Preamble; SB 46.08, 27 Sep 2010.*

##### **a. Installation**

For the purposes of inaugurating the new members of the Freshman Council, members shall take the following oath: "I hereby solemnly swear that I will faithfully execute the duties of my office and will to the best of my ability preserve, protect, and defend the Constitution of the Student Government Association of Texas Tech University and regulations which may be made in pursuance thereof." *Freshman Council Const., Art. VIII; SB 46.08, 27 Sep 2010.*

#### **21. Membership**

Members of the Freshman Council shall represent the respective residence halls. The Freshman Council shall be divided into nine (9) categories based on academic colleges.

##### **i. Freshman Council Categories:**

- i. Bledsoe/Gordon:** Shall consist of those members elected by the freshmen students residing in Bledsoe and Gordon residence halls.

- ii. **Chitwood/Weymouth:** Shall consist of those members elected by the freshmen students residing in Bledsoe and Gordon residence halls.
  - iii. **Coleman:** Shall consist of those members elected by the freshmen students residing in Bledsoe and Gordon residence halls.
  - iv. **Horn/Knapp:** Shall consist of those members elected by the freshmen students residing in Horn and Knapp residence halls.
  - v. **Hulen/Clement:** Shall consist of those members elected by the freshmen students residing in Bledsoe and Gordon residence halls.
  - vi. **Murray/Carpenter/Wells:** Shall consist of those members elected by the freshmen students residing in Murray, Carpenter and Wells residence halls.
  - vii. **Off-Campus:** Shall consist of one (1) member elected by the freshman students of the University that live off-campus.
  - viii. **Sneed:** Shall consist of those members elected by the freshmen students residing in Sneed residence hall.
  - ix. **Stangel/Murdough:** Shall consist of those members elected by the freshmen students residing in Stangel and Murdough residence halls.
  - x. **Wall/Gates:** Shall consist of those members elected by the freshmen students residing in Wall and Gates residence halls.
- ii. **Qualification**  
The Legislative Branch shall be the judge of the qualifications of the members of the Freshman Council. The Legislative Branch may establish reasonable academic qualifications for candidates for elective or appointive offices of the SGA. *SGA Const. Art. II, Sec. 3.*
- iii. **Changing Colleges**  
Members may not retain original seats upon transferring residence halls. Vacancies are automatically created upon transferring residence halls.

### 3. Freshman Council Advisor

A Freshman Council Advisor is appointed by the Internal Vice President of the Student Government Association to oversee the efforts of the Freshman Council throughout the year. *Freshman Council Const., Art. I; SB 46.08, 27 Sep 2010.*

#### a. Duties of the Freshman Council Advisor

At the end of the year, the Advisor must prepare a council evaluation sheet for the members so they can judge the progress of the year and make plans for the next year. The Advisor shall also be responsible for the Outstanding Freshman Council Member Award, the balloting and presentation of this award. *Freshman Council Const., Art. II; SB 46.08, 27 Sep 2010.*

### 4. Freshman Rules

Rules for the Freshman Council shall bind all members of the Freshman Council and the Council shall so implement and enforce them. *SB 46.08, 27 Sep 2010; SB 43.06, 08 Mar 2008.*

### 5. Advice

The Freshman Council shall give such advice as it deems appropriate to the Legislative Branch on freshman issues. All legislation concerning the Freshman Council shall be executed by the Legislative Branch.

#### **6. Election & Terms**

Members of Freshman Council shall be elected by the Freshman Class in the month of September to represent their respective residence halls. *Freshman Council Const., Art. I; SB 46.08, 27 Sep 2010.*

#### **7. Attendance**

The Freshman Council may be authorized to compel the attendance of absent members in such manner and under such penalties as Freshman Council may provide. Members shall also be required to attend at least one (1) meeting of the Student Senate per month. *Freshman Council Const., Art. IV; SB 46.08, 27 Sep 2010.*

#### **8. Executive Officers**

The Executive Officers of the Freshman Council shall consist of four (4) elected officers and one (1) appointed officer. The elected members of the Freshman Council Executive Council consist of the President, Vice President, Treasurer, and Secretary. The appointed member of the Executive Council is the Parliamentarian. The Executive Council is elected by the Freshman Council following the Freshman Council Retreat. The Parliamentarian is appointed by the elected members of the Freshman Council Executive Council and the Freshman Council Advisor following the election of the Executive Council. *Freshman Council Const., Art. III; SB 46.08, 27 Sep 2010.*

#### **9. Executive Officers Duties**

The Executive Council positions and responsibilities are as follows:

##### **a. President:**

- i. Oversees the Freshman Council.
- ii. Serves as the middle party between the other members of the Freshman Council and the Freshman Council Advisor.
- iii. Responsible for communicating with the members of Freshman Council and the Freshman Council Advisor to inform them about Freshman Council meetings, Senate meetings, Executive Council meetings, events, etc.
- iv. Calls all Freshman Council meetings to order and adjourns all Freshman Council meetings.
- v. Ensures that the Freshman Council meets the needs of the Freshman Class.

##### **b. Vice President:**

- i. Takes over responsibilities of the President if the President cannot fulfill his/her responsibilities for any reason.
- ii. The Vice-President presides over all committees.
- iii. Selects the committees at the beginning of the year with the help of the President and the Advisor. These committees should be presented to the Council for their approval by the first meeting after officer elections. It will take a two-thirds (2/3) vote to approve the committees.

- iv. Periodically sets goals for all committees. An initial set of goals should be distributed at the same meeting in which the committees are announced. These should be written separately for each committee, in memo form, with enough copies of each for all Council members, Advisor, and Officers.
- v. The Vice-President shall be a voting member of each committee in case of a tie and should attend all the meetings. If the Vice-President is unable to attend, it is his/her responsibility to have complete knowledge of the proceedings.
  - a. In charge of overseeing the aspects of Freshman Council events.
  - b. Responsible for assisting the President in any of the Freshman Council related projects.

**c. Treasurer:**

- i. Responsible for overseeing all monetary transactions having to deal with the Freshman Council. Shares their knowledgeable views on dispersing funds amongst the Freshman Council.
- ii. Works closely with the Freshman Council Advisor and the Student Government Association Account Manager to keep them up to date on the Freshman Council finances.
- iii. Oversees all fundraising and helps to decide how much fundraising is needed.
- iv. Collects money from the Freshman Council and gives it to the Student Government Association Account Manager.

**d. Secretary:**

- i. Takes minutes during all of the Freshman Council meetings and the Freshman Council Executive Council meetings.
- ii. Compiles all minutes at the end of the year to assist the following year's Freshman Council.

**e. Parliamentarian:**

- i. Responsible for taking roll at each of the Freshman Council meetings and the Freshman Council Executive Council meetings.
- ii. Reports all absences to the Freshman Council Executive Council and the Freshman Council Advisor so they can rule on the validity of the absence.
- iii. Makes sure that all members of the Freshman Council are properly dressed and well-behaved at all of the Freshman Council meetings and events.
- iv. Holds the authority to ask any member of the Freshman Council to leave a meeting or event for improper dress or behavior.  
*Freshman Council Const., Art. III; SB 46.08, 27 Sep 2010.*

## **10. Impeachment**

Impeachment within the Freshman Council shall proceed in the following manner:

- a. Two (2) consecutive absences from any Freshman Council meeting or Freshman Council Executive Council meeting per semester, will result in being called up for impeachment.
- b. Absences from any Freshman Council held or sponsored event will be more heavily reviewed by the Freshman Council Executive Council and the Freshman Council Advisor.
- c. The executive council, Freshman Council Advisor, Freshman Involvement Chair, and the Internal Vice President will make a decision on all impeachments.
- d. Appeals will be reviewed by the Supreme Court under which the final decision is held.  
*Freshman Council Const., Art. III, Sec. 6-9; SB 46.08, 27 Sep 2010.*

## **11. Constitutional Amendment**

Approval by two-thirds (2/3) vote of the Freshman Council is required for the purpose of Amendment to the Freshman Council Constitution. After the approval of the Freshman Council, approval by the Freshman Council Advisor and the Internal Vice President of the Student Government Association is required. The Internal Vice President may choose to send the Amendment to the Legislative Branch for further vote.

### **Title VII**

#### **Transfer Council, General Provisions**

##### **1. Power**

The Transfer Council shall serve as the body of official consultation of transfer student at Texas Tech University, Lubbock Campus and as the ambassadors of the Transfer Student to the Student Government Association, the Faculty, and the Administration at Texas Tech University. *Transfer Council Const., Preamble; SB 46.12, 21 Oct 2010.*

##### **2. Duties**

The Transfer Council is established to prepare the members of the Transfer Council for further involvement in Student Government Association, invoke principles of Hard Work, Leadership, and to provide Service to humanity. *Transfer Council Const., Preamble; SB 46.12, 21 Oct 2010.*

##### **a. Installation**

For the purposes of inaugurating the new members of the Transfer Council, members shall take the following oath, to be administered by the Internal Vice President of the Student Government Association at the first meeting of the Student Senate that the Transfer Council attends: "I hereby solemnly swear that I will faithfully execute the duties of my office and will to the best of my ability preserve, protect, and defend the Constitution of the Student Government Association of Texas Tech University and regulations which may be made in pursuance thereof." *Transfer Council Const., Art. VI; SB 46.12, 21 Oct 2010.*

##### **3. Membership**

The Transfer Council of the Student Government Association shall consist of ten (10) to fifteen (15) Members selected through an application and interview process each September. Council members can be reappointed to the council the following year. *Transfer Council Const., Art. I; SB 46.12, 21 Oct 2010.*

##### **4. Transfer Council Advisor.**

A Transfer Council Advisor is appointed by the Internal Vice-President of the Student Government Association to oversee the efforts of the Transfer Council throughout the year. *Transfer Council Const., Art. I; SB 46.12, 21 Oct 2010.*

**a. Duties of the Transfer Council Advisor.**

The Transfer Council Advisor will work with a representative from the Center for Campus Life to recruit and select new members to the council for the coming school year. *Transfer Council Const., Art. I; SB 46.12, 21 Oct 2010.*

**5. Advice**

The Transfer Council shall give such advice as it deems appropriate to the Legislative Branch on freshman issues. All legislation concerning the Transfer Council shall be executed by the Legislative Branch.

**6. Attendance**

The Transfer Council may be authorized to compel the attendance of absent members in such manner and under such penalties as Transfer Council may provide. Members shall also be required to attend at least one (1) meeting of the Student Senate per month. *Transfer Council Const., Art. III; SB 46.12, 21 Oct 2010.*

**7. Executive Officers**

The Executive Officers of the Transfer Council shall consist of five (5) elected officers. They shall be: the President, Vice-President, Parliamentarian, Historian, and International Transfer Student Representative. The Executive Council is elected by the Transfer Council following the Transfer Council Retreat. *Transfer Council Const., Art. II; SB 46.12, 21 Oct 2010.*

**8. Executive Officers Duties**

The Executive Council positions and responsibilities are as follows:

**a. President:**

- i. Oversees the Transfer Council.
- ii. Maintains regular contact with the Transfer Council Chair and representative from the Center for Campus Life.
- iii. Responsible for reporting any problems the council is experiencing to the Transfer Council Chair and works with the chair to come up with a solution.
- iv. Calls all Transfer Council meetings to order and adjourns all Transfer Council meetings.
- v. Oversees any financial transactions including fundraisers, donations and any other monetary transactions which may be brought before the council and report it to the Student Government Association Account Manager.
- vi. Oversees all other officers' duties and responds in a timely manner to all questions and concerns brought up by other members of the council.
- vii. Ensures that the Transfer Council meets the needs of all current and future Transfer Students.

**b. Vice President:**

- i. Takes over responsibilities of the President if the President cannot fulfill his/her responsibilities for any reason.
- ii. Presides over meetings if the President is unable to attend.
- iii. In charge of all committees created by the current council and any events that are being put on.
- iv. Maintain contact with the President to ensure that all duties and responsibilities are being fulfilled by all members of the council

**c. Parliamentarian:**

- i. Takes minutes and roll during all of the Transfer Council meetings and events.
- ii. Reports all absences to Transfer Council Chair so they can rule on the validity of the absence.
- iii. Sends out reminders about upcoming events and meetings as well as post documents on a shared database for all members to review.
- iv. Works with the Transfer Council Chair to create any publications that will be posted on or off campus.
- v. Compiles all minutes at the end of the year to assist the following year's Transfer Council.

**c. Historian:**

- i. Compiles pictures and publications published by the Transfer Council.
- ii. Keeps an accurate record of all events and puts together a collection of documents at the end of the year to pass on to the following year's Transfer Council.
- iii. Works with the Parliamentarian and Transfer Council Chair to create any documents that will be reproduced to promote Transfer Council events.

**d. International Transfer Student Representative:**

- i. Works with International Senators and transfer students to identify any issues international transfer students are facing.
- ii. Meets with administrators and Student Government Association Executive Officers to identify the needs of international transfer students.  
*Transfer Council Const., Art. II; SB 46.12, 21 Oct 2010.*

## **9. Impeachment**

Impeachment within the Transfer Council shall proceed in the following manner:

- a. Every member of the Transfer Council is allowed three (3) excused or unexcused absences from any Transfer Council meeting or event per semester or as determined by the current council.

- b. Excessive absences from meetings or events hosted or sponsored by the Transfer Council will be brought before the Transfer Council Advisor and representative from the Center for Campus Life to determine whether the member needs to be removed from the council.
- c. All members, including officers, are subject to removal from the council by the Transfer Council Advisor and representative from the Center for Campus Life.  
*Transfer Council Const., Art. II; SB 46.12, 21 Oct 2010.*

#### **10. Constitutional Amendment**

Approval by two-thirds ( $2/3$ ) vote of the Transfer Council is required for the purpose of Amendment to the Constitution. After the approval of the Transfer Council, approval by the Transfer Council Advisor, the representative from the Center for Campus Life and the Internal Vice President of the Student Government Association is required. The Internal Vice President may choose to send the Amendment to the Senate for further vote. *Transfer Council Const. Art. V; SB 46.12, 21 Oct 2010.*