

**SUPREME COURT OF THE
STUDENT GOVERNMENT OF THE
UNIVERSITY OF HOUSTON**

No. 2022-001

Background:

Complaint #22-001 was presented to the Court as a complaint filed by Brett Bonnete of the "Conscious Coogs" against Joshua Martin of the "ForTheStudent #ChangeUHSGA," both political parties in the 2022 University of Houston Student Government Association (SGA) general election. The alleged violation occurred when Kappa Sigma posted an endorsement multiple times on their Instagram account and #ChangeUHSG posted on their Instagram. The Court was provided evidence that includes multiple Instagram posts from Kappa Sigma and one post from #ChangeUHSGA. Brett Bonnete of "Conscious Coogs," filing the complaint, alleged the #ChangeUHSGA party violated Article 4(2)(8)(a) of the University of Houston SGA Election Code, which reads:

“No candidate will utilize any materials or resources provided by the University (excluding sanctioned university postings and resources provided by the election commission) or Student Organizations for the purposes of campaigning or housing campaign materials, despite receiving prior permission or not:

- (a) This does not include student organization social media for the purposes of a single instance social media platform of endorsement. Student organizations may not tag any party more than once in their social media posts. Any campaign activities on Student Organization social media outside of a single endorsement post per-platform is prohibited (for instance, if an organization has a Facebook and an Instagram, they may post the same endorsement post on both platforms, but no more)

Questions Before the Court:

1. Does the Student Government Association have the authority to regulate the actions and speech of a third party Student Organization?
2. Is Article 4, Section 2, Clause 8(a) deemed unconstitutional?

Court Analysis:

1. The Court unanimously agrees that the Student Government Association of the University of Houston does not have the authority to regulate a third-party student organization's actions and/or speech. Therefore, attempts to regulate the number of posts made by a Student Organization under the SGA Election Code is beyond the Student Government Association's scope and authority.
2. The court unanimously agrees that Article 4, Section 2, Clause 8(a) of the University of Houston SGA Election Code is once again unconstitutional. Once again, the court places the ball in the Senate's court to correct and edit the following article in the Election Code to be taken out immediately. The court ruled on February 9, 2020, in Supreme Court Case No. 2020-002, that this specific provision was ruled unconstitutional. Since then, two administrations have taken place, and there has been no action made on either part of these administrations to take this provision out of the Election Code. Opinion 2020-002, has been made public on the Student Government website under the Judicial Branch listed under opinions since 2020. Therefore, any sanctions placed on candidates and/or parties in the 2022 election that deal with Article 4(2)(8)(a) of the Election Code are hereby reversed.

It is so ordered.