

UNIVERSITY of
HOUSTON

STUDENT GOVERNMENT ASSOCIATION

Label: SGAB-60006

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Author(s): Pres. Rizk

Sponsor(s): Speaker Pro-Temp. Kadi, Sen. Rizk, Sen. McClure, Chair Szell

Committee: Administration and Finance

Draft: Final Read

The New SGA Act

Whereas, the Constitution in its current form is in violation of federal and state law;

Whereas, the Supreme Court is in need of immediate institutional reform;

Whereas, the Student Government Association Supreme Court should be neither partisan or biased in structure;

Whereas, the Student Government Association President and Senate have too much power to influence the actions of the Court;

Whereas, there is no mention of the solicitation process for the Texas Higher Education Coordinating Board (THECB) representative;

Whereas, recall elections were added to the Constitution separate from the annually-occurring election cycle with little to no knowledge of the constitutional referenda taking place;

Whereas, recall elections weaken the student government and make it more difficult for the organization to fulfill its mission statement;

Whereas, further senate accountability needs to be accounted for in order for recording of minutes to be uploaded in a timely manner to the SGA website;

Therefore be it enacted by the Senate of the Student Government Association of the University of Houston:

That Section 2.02 be amended to read the following:

“No student will be deprived of the right to vote in an election of the Student Government Association, nor will any student be deprived of the right to vote on any measure put before the student body by the Student Government Association. Additionally, no vote cast by a Student in a Student Government Election, unless the vote is definitively proven to be cast as a result of fraud, will be thrown out from the final determination of results. Nor will any student be expected to vote more than once in order for their vote to be counted in the final determination of results, so long as the ballot remains essentially the same throughout the voting process.”

Be it further enacted, Article III Structure of the Government, Section 3.03 of the Constitution be amended to read the following:

The Student Government Department of Justice will be considered entirely independent from the Executive Branch, accountable to the Legislative and Judicial Branches.

Be it further enacted, Article IV, Section 4.06 Speaker of the Senate, Clause 3 be amended to read the following:

“The Speaker will appoint, with the advice and consent of a majority of the Senate present and voting, the chairpersons for each standing committee of the Senate, the Speaker Pro-Tempore of the Senate, and the Legislative Chief of Staff.”

Be it further enacted, Article V, Section 5.04 be amended to read:

Not later than September 1st of each year, the Student Government will solicit applicants for the position of Student Regent and Texas Higher Education Coordinating Board (THECB) representative. Not later than December 1st, the President of the Student Government will select not more than (5) five applicants as the Student Government’s recommendations for Student Regent and Texas Higher Education Coordinating Board (THECB) representative and forward these applicants to the Chancellor.

Be it further enacted, Article VI, Section 6.01, Clause 2 be amended to read:

“One (1) Chief Justice and six (6) Associate Justices will make up the voting members of the Student Government Association Supreme Court.”

Be it further enacted, Section 6.02 Vacancies be amended to read the following:

“Clause 1: In the event of a vacancy, the Justices and/or alternates of the Supreme Court will be appointed by the Attorney General with the advice and consent of three-fourths (3/4ths) of the total membership of the senate.
Clause 2: The Attorney General will appoint, with the advice and consent of three-fourths (3/4ths) of the total membership of the senate, a Chief Justice from the membership of the Supreme Court.

Be it further enacted, Section 6.04 be amended to read:

“Only when quorum is needed, the Chief Justice may select from the pool of Alternate members of the court, which have been nominated by the Attorney General and confirmed with the advice and consent of the Senate, to form a panel of Justices.”

Be it further enacted, Section 6.06 be amended to read:

“Members of the Supreme Court will continue to hold office until such time as they:

- (A) Discontinue enrollment as students at the University of Houston;
- (B) Are no longer in good academic or disciplinary standing with the University of Houston;
- (C) Have served a period of no more than (3) three cumulative calendar years.

Be it further enacted, Article VII Recall and Impeachment be retitled and amended to read:

“Article VII Impeachment” and Section 7.02 be struck in its entirety from the constitution and the following articles be renumbered accordingly;

Be it further enacted, Article VIII Amendments Section 8.02 Constitutional Referenda Clause 2 be removed;

Be it further enacted, Section 8.02 Clause be amended to read the following:

“Clause 3: Constitutional referenda will take place during annual student government elections in the Spring semester, while classes are in session,

between the days of Monday and Thursday. Voting on a constitutional referendum will be open a minimum of forty-eight (48) continuous hours.

Be it further enacted, Article VIII Amendments, Section 8.02 Constitutional Referenda will be amended to read the following:

Be it further enacted, Article IX be amended to read:

“Section 9.01 Students and Student Organizations are prohibited from initiating, participating in, or being witness to hazing activity. Hazing is antithetical to the University’s commitment to a positive educational environment. Participation in hazing activities is against the law. Violation of the University’s hazing policy, whether on or off-campus, may subject participants, including students and organizations, to arrest, prosecution and/or disciplinary action, including, but not limited to, suspension or expulsion of students and the revocation of an organization’s registration and/or recognition at the University. Consent to or acquiescence in hazing activity is not a defense. The University strictly prohibits participation in hazing activities by any party, regardless of the existence of consent. Hazing activities do not contribute to the positive development or welfare of students. The University of Houston recognizes the act of hazing as illegal, irresponsible, intolerable and inconsistent with the principles of higher education and basic human development. For more information on the University’s Hazing Policy please visit the Student Life Policies section of the University of Houston Student Handbook.

Section 9.02


The University of Houston provides equal treatment and opportunity to all persons without regard to race, color, religion, national origin, sex, age, disability, veteran status or sexual orientation except where such distinction is required by law. This statement reflects compliance with Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972 and all other federal and state regulations.”

Be it further enacted, should this constitution be approved, the Bylaws and Election Code will be automatically updated to avoid any contradictions between the SGA Constitution and other Student Government governing documents.

Be it further enacted, upon passage of this amendment, the Supreme Court will be fully vacant until such time that the Attorney General nominates, and the Senate confirms, new Supreme Court Justices.

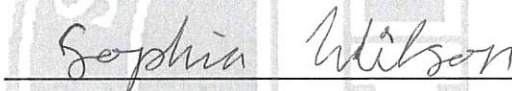
Be it further enacted, that the New SGA Act will be added to the ballot of the Student Government Association election in Spring 2024, in the form of a “yes/no” referendum, in which a “yes” indicates support of the ratification of the constitutional amendments. All students will be eligible to vote in the referendum.

Be it further enacted, voting will take place from 12AM February 26th, 2024 to 12:00AM March 1st, 2024.



Benjamin Rizk
Student Government President

Date of President's Approval: 02-18-2024



Speaker Wilson
Speaker of the Senate

Date of Senate Approval: 02-18-2024

APPROVED

