

By-Laws

STUDENT BAR ASSOCIATION

UNIVERSITY OF HOUSTON LAW CENTER

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BY-LAW I: ELECTIONS

Section 1: General Provisions

(a) An "election," with the exception of in-house elections, shall be characterized as a period where the following are permitted:
    i. Candidates seeking office within the SBA shall campaign following the procedures outlined in the SBA Election Code.
    ii. The election voting period is open to all Law Center students.
    iii. The certification of all candidates and results will be completed and announced by the Election Commissioner.
(b) Candidates and their campaign staff are subject to the provisions of the SBA Constitution and its associated By-Laws before and after filing for candidacy.

Section 2: Types of Elections

(a) General Elections
    i. The Fall General Election to elect all representatives will be held within the first month after the start of the fall semester.
        1. Representatives shall be elected by their respective constituencies following procedures outlined in By-Law II.
        2. Except as otherwise provided, the candidate(s) who receive a simple majority of the votes cast for each position will be declared the winner.
    ii. The Spring General Election shall be held before the end of March to elect every Officer of the Executive Board.
        1. Executive Officers shall be elected through a Law Center-wide election following procedures outlined in By-Law II.
        2. Except as otherwise provided, the candidate who receives a simple majority of the votes cast for each position will be declared the winner.
        3. The Election Commissioner, with the approval of the President, may temporarily increase the number of Officer positions a candidate may file for in a given election.
    iii. Each Office will be voted on via an independent ballot.
(b) Special Elections
    i. A Special Election shall be held within fourteen to twenty-one (14-21) days of the Assembly being notified of a vacancy in any elected Executive Board position.
    ii. Special Elections, when required, follow the same procedures as their related General Election.
(c) In-House Elections
    i. An In-House Election shall occur when a student files for any vacant position following the Fall General Election.

ii. Any candidate seeking an In-House Election shall contact the External Vice President.
iii. After the External Vice President has received the required candidate materials and certified eligibility, they shall present the candidate's application to the Assembly at the next regular meeting for consideration and final decision.
iv. The Assembly shall follow the process outlined below to review In-House Election candidates:
    1. The candidate shall have the opportunity to address the Assembly in a speech limited to three minutes.
    2. Following the candidate's speech, members of the Assembly shall have the opportunity to ask the candidate questions.
    3. Following the question period, the candidate will be excused from the room while the Assembly discusses the candidate's election.
    4. A simple majority vote of the Assembly shall be required to elect the candidate for the position.
    5. In the event of a tie, the Chair of the Assembly shall cast their vote.
v. Upon confirmation and completion of the In-House Election process, the candidate shall be sworn in by the External Vice President and take the respective Office.

(d) Run-Off Elections
i. In the case of a tie, the candidates will be placed in a Run-Off Election.
ii. The Election Commissioner shall have discretion to regulate a Run-Off Election so long as it does not otherwise conflict with an express provision within this By-Law or the Election Code.

Section 3: Tenure

(a) All elected officials shall assume Office when officially sworn in by taking the SBA Oath of Office and shall serve until the next respective election, their resignation, or until any other form of removal from Office.
(b) Representatives shall be sworn in at the first regular meeting of the Assembly following the Fall General Election.
(c) Officers shall be sworn in at the Joint Assembly meeting following the Spring General Election.
(d) Except as otherwise stated, State Bar Representatives shall serve for two-year terms.

Section 4: Qualifications

(a) Any active member may run for any open office, except that no active member may run as a candidate for the Representative of another constituency.
(b) All candidates must be currently enrolled students at the Law Center.
(c) All candidates must remain in good standing, as defined in the University's Student Handbook and Student Code of Conduct.

(d) All candidates must indicate an intent not to graduate, transfer, or otherwise not be present during the tenure of their position.
(e) All candidates must meet the qualifications for office as specified for each position sought.
(f) Any member, active or inactive, may vote in elections, except that no member may vote for the Representative of another constituency.

Section 5: Minimum Number of Voters

(a) No constitutional or other provision shall require a minimum number of voters to participate in any SBA election to validate it.

Section 6: Amendments to this By-Law

(a) No amendments to this By-Law shall be passed less than two (2) weeks prior to or during any scheduled election period.

BY-LAW II: ELECTION CODE

Section 1: Election Commissioner & Election Commission

(a) The External Vice President shall serve as the Election Commissioner for all elections of the SBA unless seeking Office in that respective election, in which case the highest-ranking Officer of the Executive Board that is not seeking Office in that respective election shall be delegated the task.

(b) The Election Commissioner shall oversee SBA elections, facilitate debates between candidates, and execute and enforce all other responsibilities and election guidelines.

(c) The Election Commissioner shall have the authority to create an Election Commission to assist in the election process and further secure the integrity of the election.

   i. The Election Commission shall be made up of:
      i. The Election Commissioner
      ii. No more than one student not in the SBA Assembly
      iii. No more than one student from the Executive Board
      iv. Up to three people, excluding the Election Commissioner
   ii. All appointed members of the Election Commission shall be approved by the President before the release of the ballot in the respective election.
   iii. No individual shall be appointed to the Election Commission of an election if they are running in that election.
   iv. The Election Commission must disband after the completion of the election for which they were appointed.
   v. The Election Commission has the authority to access the ballot results, review potential Election Code infractions, decide punishments, or any other task appropriate to the election.

(d) The Election Commissioner shall publish election results to all appropriate posting locations, including on applicable online platforms.

(e) The removal and subsequent replacement of the Commissioner shall be handled at the discretion of the President in the case of:

   i. Dereliction of duties;
   ii. Conflict of interest; or
   iii. Violation of the SBA governing documents, university policy, or federal, state, or local laws.

(f) The Election Commissioner shall have full and exclusive control of each and every ballot in which an officer or representative of the SBA is elected.

   i. The Election Commissioner may allow access to any ballot to any deputized assistant commissioners or the Election Commission.

Section 2: Candidate Seminar

(a) A candidate seminar may be held sometime before the close of the filing period of an election. The Election Commissioner shall determine and inform all candidates when the seminar is to be held in a timely manner.
(b) Candidate seminars shall be held to inform candidates of their responsibilities during the election period and answer any questions the candidates may have.
(c) Attendance at the seminar shall be required for all candidates. Notice shall be given to the Election Commissioner if a candidate cannot attend or will be sending a campaign representative.
    i. Failure to attend the seminar or notifying the Election Commissioner of circumstances preventing attendance shall be subject to possible sanction.
    ii. Absence from the seminar shall not be considered a valid reason for violating this election code.

Section 3: Election Procedures

(a) Filing for an election shall open no later than five (5) days before the beginning of an election period. An "election period" shall consist of campaigning and voting.
(b) Unless otherwise stated herein, candidates may file for only two (2) positions per election.
    i. The Election Commissioner shall have the sole discretion to change this number, subject only to the approval of the President or the Election Commission.
(c) Candidates for all positions shall have their name, position(s) sought, and any other information reasonably requested by the Election Commissioner included on the ballot. The candidate shall provide this information through their filing form.
(d) If no candidate files for an office, the Commissioner may extend the filing deadline for that particular office.
    i. The Election Commissioner shall have the sole discretion to extend, subject only to the approval of the President or the Election Commission.
    ii. The Election Commissioner shall have the sole discretion to change the vote to an In-House Election if extending the deadline is not likely to produce an eligible candidate, subject only to the approval of the President or the Election Commission.
(e) Certification of a candidate's eligibility shall be determined before the start of the campaign period.
(f) Ballot positions for candidates shall be randomized through the software used for the election.
(g) Voting shall occur through an official ballot sent electronically. Each student may cast one (1) vote per position on the ballot, except where more than one (1) vote is otherwise necessary.
(h) The voting period for each election shall last for at least twenty-four (24) hours.
(i) Upon completion of the established voting period, the Election Commissioner shall certify the election results.

Section 4: Campaign Guidelines & Restrictions

(a) Candidates may begin organizing their campaigns at any point but are prohibited from campaigning before the designated campaign period starts.
    i. Organizing a campaign shall be defined as gathering campaign staff, creating campaign materials, announcing the intent to run office without explicit solicitation, and scheduling meetings that shall occur during the campaigning period.
    ii. Explicit solicitation shall include, but is not limited to, public announcements of campaign goals, enticing calls to action, or distributing election materials to potential organizations for endorsement.
    iii. For the purposes of this clause, any and all materials must be approved by the Election Commissioner or the Election Commission. Any approved materials will be considered legal for the purposes of this clause.

(b) All posted campaign materials must be approved through the policies set forth by the Election Commissioner before use.

(c) No candidate shall be allowed to post an unreasonable amount of flyers around the Law Center.
    i. For the purposes of this clause, "unreasonable" is defined by the Election Commissioner, and the Election Commissioner has full discretion as to what is deemed unreasonable.

(d) Candidates may place flyers/posters on tables throughout the Law Center but may not use their materials to cover up those of another campaign.
    i. No flyer may be left unattended by the candidate or a member of their campaign staff.
    ii. No flyer may be posted on official UHLC or UH Main bulletin boards.

(e) No campaigning or distribution of campaign materials shall be permitted in classrooms while the class is in session, including using classroom walls and/or whiteboards.
    i. For the purposes of this clause, class is "in session" when the professor is teaching substantive material and does not include pre-lesson preambles.

(f) Candidates may not solicit votes or promote their campaign in the library.

(g) No candidate shall engage in negative campaigning. A finding and subsequent agreement between the Election Commissioner and the President of negative campaigning shall result in Sanctions, as outlined in Section 5 of this By-Law.

(h) No candidate or their campaign staff shall use any official University mode of communication, including but not limited to University Learning Management and Communication Software.

(i) Candidates and their agents may not claim the endorsement of any student organization unless the highest-ranking Officer of that organization provides notice of endorsement to the Election Commissioner.

(j) Candidates may give away food and drinks as part of their campaign so long as the candidate complies with the applicable campaign finance restrictions.
(k) Candidates may use text message and/or group messaging apps (e.g., GroupMe, Facebook, LinkedIn, etc.) and set up an online presence, including pages, events, or groups on social media sites.
(l) Candidates or their agents may continue to campaign until the closing of polls for that respective election.
(m) The Election Commissioner, their deputies, and all incumbent Officers are prohibited from campaigning or expressing their favor in any way towards a candidate while acting in their official capacity.
(n) While it is not an expectation, Candidates running for any position within SBA shall be limited to campaign expenditures totaling no more than one hundred fifty ($150) dollars.

Section 5: Sanctions

(a) The Election Commissioner and Election Commission shall determine appropriate sanctions for violations of this election code. Sanctions made by the Election Commissioner are subject to presidential approval (unless conflicted out, in which case by approval of the highest-ranking Officer) and may ultimately be appealed to the Assembly, as outlined in Section 6 of this By-Law. The Commissioner may make, but is not limited to, the following sanctions:
    i. Temporarily restricting aspects of a candidate's campaign, including, but not limited to, advertising, debate, or participation in future elections. The Commissioner may also determine additional sanctions except for monetary fines.
    ii. Should the Commissioner determine that a violation is egregious and cannot be remedied in any other way, a candidate may be disqualified by joint agreement and consent of the Election Commissioner, President (unless conflicted out, in which case by approval of the highest-ranking Officer), and SBA Advisor.

Section 6: Appeals

(a) Any individual wishing to challenge election results, or a sanction, must file a written appeal with the Election Commissioner within twenty-four (24) hours after the election results are posted or such sanction is received by the individual.
(b) The appeal must describe the alleged infractions and explain how the sanction(s) placed may have affected the election results.
    i. The appeal may also include witness statements verified with a signature from the witness. Any witness statements must include a method of contact for the witness.
(c) The Election Commissioner, the Election Commission, and President (unless conflicted out, in which case by approval of the highest-ranking Officer) shall meet within ten (10) days of the date the appeal is filed.
    i. The Election Commissioner shall fairly investigate the alleged infractions and provide a written response of the findings to all parties involved.

ii. In the case that the Election Commissioner and the President are conflicted out, the appeal will immediately be moved to the Assembly.

(d) The decision of the Election Commissioner may be appealed to the Assembly within five (5) days of issuing a written response.

(e) Election results will remain in effect throughout the appeals process.

Section 7: Amendments to this By-Law

(a) No amendments to this By-Law shall be passed less than two (2) weeks prior to or during any scheduled elections.

BY-LAW III: JOINT ASSEMBLY

Section 1: General Provisions

(a) A Joint Assembly shall be held no earlier than after the conclusion of the Spring General Election.
(b) The primary purpose of the Joint Assembly shall be to swear in the new Executive Board and transition administrations.
(c) The Joint Assembly shall be attended by all outgoing and incoming Officers, Associates, and/or Representatives.
(d) The Joint Assembly shall be presided over by the outgoing Internal Vice President.

Section 2: Voting Eligibility

(a) Outgoing members of the Assembly shall be able to vote on any business pertaining to the outgoing session, as agreed upon by the outgoing President and incoming Internal Vice President.
(b) Incoming members of the Assembly shall have the ability to vote before being sworn in, but only in the case of business pertaining to the new session.

BY-LAW IV: OATH OF OFFICE

Section 1: The SBA Oath of Office

(a) Candidates elected or appointed to any position within the Student Bar Association shall take the following Oath of Office:

a. I (State Your Name) – knowing the duties of my office – as set forth in the SBA Constitution – do solemnly swear (or affirm) to faithfully execute – the responsibilities of my office. – To the best of my ability – I will protect and defend the Constitution – of the Student Bar Association – of the University of Houston Law Center.

BY-LAW V: LEGISLATION

Section 1: Recognition

(a) The SBA shall recognize the following types of legislation when brought to the floor of the Assembly: amendments to the SBA Constitution, amendments to the SBA By-Laws, resolutions, memorandums, and petitions.
(b) The SBA, upon a simple majority vote of the Assembly, shall also recognize all official legislation of the SBA.
(c) Legislation may be written by any student of UHLC but must be sponsored by a sitting member of the Assembly, with the exception of a student petition.

Section 2: Constitutional Amendments

(a) Proposed amendments shall be submitted to the President and Internal Vice President to verify compliance with all university and SBA guidelines.
(b) Upon verification, the proposed amendment shall be considered at the next regularly scheduled meeting of the Executive Board to determine its relevance to the organization.
    i. The Executive Board may either vote to deny the proposal, approve, or approve with changes.
    ii. A simple majority vote of approval by the Executive Board is required to proceed with the rest of the process.
(c) Upon approval by the Executive Board, the proposal shall then be considered at the Assembly's next meeting for the purpose of discussion and rendering a decision.
    i. The Assembly may either vote to deny the proposal, approve, approve with changes, or postpone consideration until a determined date.
    ii. A two-thirds majority vote of approval by the Assembly, which is veto-proof, is required to proceed with the rest of the process.
(d) Upon approval by the Assembly, the President shall act as a steward of the proposal through the remainder of the process.

Section 3: By-Law Amendments

(a) Proposed amendments shall follow the process as outlined in By-Law VII.

Section 4: Resolutions

(a) Resolutions shall include within the first two clauses the authority in which the SBA has to consider such legislation as outlined in Article 1, Section 2 and Article IV, Section 2.
(b) The resolution shall outline a specific course of action that the Law Center or the SBA should take.
(c) Proposed resolutions shall be submitted to the President and Internal Vice President to verify compliance with all university and SBA guidelines.
(d) Upon verification, the legislation will be considered at the next Assembly meeting for discussion and decision-making.

i. The Assembly may either vote to deny the legislation, approve it, approve it with changes, or postpone consideration until a determined date.
ii. A simple majority vote of approval by the Assembly is required to proceed with the rest of the process.

(e) Upon approval by the Assembly, the resolution shall be sent to the President for either signing with their approval, vetoing, or vetoing by line item.
i. If signed, the resolution is considered passed and shall be distributed to all appropriate parties.
ii. If vetoed, the Assembly may choose to overturn it by a two-thirds vote at its next meeting.
iii. If vetoed by line item, the Assembly may either accept the changes made or overturn the veto by a two-thirds vote at the Assembly's next meeting.
iv. If the President takes no action within five (5) days, the legislation may be passed and signed by the Internal Vice President.

Section 5: Memorandums

(a) Memorandums shall be written to express organizational support, celebration, or bereavement for an organization, person(s), initiative, or entity within the Law Center or its community.
(b) The proposed memorandum shall be submitted to the President and Internal Vice President to verify compliance with all university and SBA guidelines.
(c) Upon verification, the legislation will be considered at the next Assembly meeting for discussion and decision-making.
i. The Assembly may either vote to deny the legislation, approve it, approve it with changes, or postpone consideration until a determined date.
ii. A simple majority vote of approval by the Assembly is required to proceed with the rest of the process.
(d) Upon approval by the Assembly, the resolution shall be sent to the President for either signing with their approval, vetoing, or vetoing by line item.
i. If signed, the resolution is considered passed and shall be distributed to all appropriate parties.
ii. If vetoed, the Assembly may choose to overturn it by a two-thirds vote at its next meeting.
iii. If vetoed by line item, the Assembly may either accept the changes made or overturn the veto by a two-thirds vote at the Assembly's next meeting.
iv. If the President takes no action within five (5) days, the legislation may be passed and signed by the Internal Vice President.

Section 6: Petitions

(a) Any Law Center student body member may submit a petition for either proposing an initiative or referring an action of the SBA directly to the student body via the next general or special election ballot.
(b) Proposed petitions shall be submitted to the President and Internal Vice President to verify compliance with all university and SBA guidelines.
(c) Upon verification, the petition shall be formatted and given a title by the President within five (5) days. After this, the author(s) may begin circulating the petition to collect signatures.
(d) Signature thresholds shall be in accordance with the following:
    i. The proposal of an initiative shall be considered an expression of the Law Center student body's Right to Statutory Initiative and shall require the signature threshold outlined in Article IX, Section 1.
    ii. The referral of an action taken by the SBA shall be considered an expression of the student body's Right to Referendum and require the signature threshold outlined in Article IX, Section 2.
(e) The President, upon certification of the respective threshold being met, shall then function as a steward of the petition and ensure that all preparations are made to include the measure on the next general or special election ballot in accordance with university and SBA guidelines.

BY-LAW VI: ATTENDANCE

Section 1: General Provisions

(a) Each Representative is required to attend meetings of the Assembly. In addition, any event or meeting specifically designated by the President under By-Law VIII, shall require Officer, Associate, and/or Representative attendance.

(b) In a single semester, each Representative shall be allowed:
   i. Two (2) unexcused absences;
   ii. Three (3) excused absences; and
   iii. No more than four (4) absences of any kind.

(c) The Chief of Staff shall have the authority to determine what constitutes excused and unexcused absences. Representatives are responsible for communicating attendance issues with the Chief of Staff in advance.

(d) Roll shall be taken by the Chief of Staff, by any method of their choosing, at the beginning of each meeting of the Assembly.

(e) If a Representative is present only for the beginning or end of the Assembly meeting but not both, they will be attributed one (1) half-absence.
   i. Two (2) unexcused half-absences will be equivalent to one (1) unexcused absence.
   ii. Two (2) excused half-absences will be equivalent to one (1) excused absence.
   iii. An unexcused half-absence and an excused half-absence shall be combined at the discretion of the Chief of Staff.

(f) The Executive Board may provide opportunities for Representatives to make up absences.

BY-LAW VII: BY-LAW AMENDMENTS

Section 1: Process

(a) Proposed amendments to add or remove a portion of a By-Law or to add or remove an entire By-Law shall be submitted to the President and Internal Vice President to verify compliance with all university and SBA guidelines.

(b) Upon verification, the proposed amendment shall be considered at the next regularly scheduled meeting of the Executive Board to determine relevance to the organization.
    a. The Executive Board may either vote to deny the proposal, approve, or approve with changes.
    b. A simple majority vote of approval by the Executive Board is required to proceed with the rest of the process.

(c) Upon approval by the Executive Board, the legislation will be considered at the next Assembly meeting for discussion and decision-making.
    i. The Assembly may either vote to deny the legislation, approve it, approve it with changes, or postpone consideration until a determined date.
    ii. A simple majority vote of approval by the Assembly is required to proceed with the rest of the process.

(d) Upon approval by the Assembly, the proposal shall be sent to the President for either signing with their approval, vetoing, or vetoing by line item.
    iii. If signed, the proposal is considered passed and shall be distributed to all appropriate parties.
    iv. If vetoed, the Assembly may choose to overturn it by a two-thirds vote at its next meeting.
    v. If vetoed by line item, the Assembly may either accept the changes made or overturn the veto by a two-thirds vote at the Assembly's next meeting.
    vi. If the President takes no action within five (5) days, the legislation is considered passed and may be signed by the Internal Vice President.

Section 2: Implementation

(a) Upon completing the process outlined in Section of this By-Law, the adopted amendment shall be integrated into the applicable By-Laws by the Internal Vice President.

(b) A final copy of the adopted amendment shall be distributed to all Assembly members electronically.

(c) A final copy of the adopted amendment may be distributed to additional parties if deemed necessary.

BY-LAW VIII: MEETINGS

Section 1: General Provisions

(a) All SBA meetings, including closed sessions, shall comply with "open meeting" policies and laws set by the University, State, and/or Federal entities.
(b) The Chief of Staff shall make minutes and reports from all SBA meetings available in a timely manner and/or upon request.
(c) Upon motion of any elected official in a meeting and subsequent simple majority approval, the chair may remove any unruly individual(s) from SBA meetings.

Section 2: Assembly Meetings

(a) Assembly meetings approve organization decisions, provide a forum where students can speak, and conduct any necessary SBA affairs.
(b) The Internal Vice President or External Vice President shall chair the Assembly's meetings and determine their time, date, and place, with the Chief of Staff serving as the coordinator.
(c) The Assembly shall meet at least once a month during the academic year through the first study day of each semester, except for official university breaks and final exam periods.
(d) Except as otherwise designated, all members of the Assembly shall be designated as voting members, with the President only voting in the event of a tie.
(e) All other SBA officials, such as the SGA Law Center Senator and Liaisons, are non-voting members with a voice.
(f) All general members, active or inactive, shall have a voice in meetings of the Assembly.

Section 3: Executive Board Meetings

(a) The Executive Board shall meet monthly during the academic year through the first study day of each semester, except for official university breaks and final exam periods.
(b) The Executive Board meetings shall be called at the discretion of the President or, in their absence, the External Vice President.
(c) The President or External Vice President shall determine the time, date, and place of Executive Board meetings, with the Chief of Staff serving as the coordinator.
(d) Executive Officers shall serve as voting members during Executive Board meetings.
(e) Members invited by the President, Internal Vice President, or External Vice President shall have a voice in the meeting.
(f) The Executive Board may make decisions by a simple majority that typically require Assembly approval on an expedited basis when it is impracticable to convene a meeting of the entire Assembly. This authority supplements, but does not replace, the Assembly's decision-making authority, and the Executive Board cannot contradict an Assembly action.
(g) The President or External Vice President must report any action taken by the Executive Board at the next meeting of the Assembly.

Section 4: Events and Called Meetings

(a) The President may designate any University event for Executive Officers, Associates, and/or Representatives.
(b) If a University event is designated, attendance is required and subject to the policies set out in By-Law VI.
(c) Called meetings of the Assembly may occur during the Fall and Spring semesters, except for official university breaks and final exam periods, at the discretion of the President.
(d) Members of the Assembly must be given at least three (3) days' notice for attendance to be mandatory.

Section 5: Remote Participation

(a) Any SBA meeting may be held, partially or totally, virtually at the discretion of the Chair.
(b) Meeting participants must be notified of a modality change at least two (2) days prior.
(c) Rules and procedures for remote participation shall be outlined in the associated By-Laws.

Section 6: Summer Session

(a) The University summer session is not considered a regular session for the Assembly.
(b) SBA business during the summer session shall occur by a simple majority vote of the Executive Officers and will be reported at the first meeting of the Assembly in the Fall semester.

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