BYLAWS OF THE SOUTHERN METHODIST UNIVERSITY
DEDMAN SCHOOL OF LAW STUDENT BAR ASSOCIATION

MODIFICATION HISTORY
- After 5th Amendment (August 24, 2016)
- After 4th Amendment (April 20, 2016)
- After 3rd Amendment (March 4, 2015)
- After 2nd Amendment (January 14, 2015)
- After 1st Amendment (April 16, 2014)
- Originally Ratified April 11, 2012

ARTICLE 1 – STUDENT BAR ASSOCIATION BYLAWS

§1. Bylaws Authority
(a) Art. IV, Sec. 3(d) of the Student Bar Association (“SBA”) Constitution (“Constitution”) empowers the Voting Council (“VC”) to create, maintain, and amend these SBA Bylaws (“Bylaws”).
   (1) The VC’s authority to create these Bylaws is contingent upon any limitations imposed by the Constitution. See Constitution Art. IV, Sec. 3.
   (2) The SBA must defer to the Constitution in conflicts between the Bylaws and the Constitution.
(b) Each Bylaw Article references its constitutional authority or falls under Constitution Art. IV, Sec. 3(d)(i)(4)’s “other procedures and guidelines necessary to the operation of the SBA.”
(c) Each VC may only bind future VCs by changing the Constitution and/or Bylaws.

§2. Definitions
These definitions apply to the Constitution and Bylaws.
(a) Majority vote: Greater than 50% of the votes cast.
(b) Allocated funds: Funds received by the SBA from the SMU Student Senate (“Senate”).
(c) Non-allocated funds: Any funds received by the SBA not received from Southern Methodist University (“SMU”).
(d) Bill: a request for SBA allocated funds.
(e) Resolution: all other legislation that does not request SBA-allocated funds.
(f) Chartered organization: An organization officially recognized by the SBA.

ARTICLE 2 – LEGISLATION

§1. Legislative Labeling
(a) A bill shall be labeled S.B.A.B. and a resolution shall be labeled S.B.A.R.
(b) The label shall continue with the calendar year’s last two digits.
(c) Following that shall be the first letter of the semester’s during which it is drafted, capitalized in parentheses [(F) for fall and (S) for spring],
(d) The label shall continue with a hyphen, and then the legislation’s ascending cardinal number.
ARTICLE 3 – ORGANIZATIONS

Constitution Art. IV, Sec. 3(d)(i)(2) empowers the VC to recognize organizations.

§1. Recognizing Organizations

(a) A VC resolution or bill (if requesting recognition and funds) recognizes an organization as a Chartered Organization.

(b) A Chartered Organization must adhere to the SBA Constitution and Bylaws and its own constitution and/or bylaws.

§2. Process for Chartering an Organization

Organizations seeking Chartered status must first make a presentation to the Executive Committee (“EC”). The EC must then make a recommendation to the VC before the VC may vote on the Organization’s status.

(a) When considering an organization for Chartered status, the VC shall consider certain criteria, including, but not limited to:

   (1) The organization’s:
       (A) Membership numbers,
       (B) Proposed activities,
       (C) National affiliations,
       (D) Constitution and bylaws, and
       (E) Overall benefit to the Dedman School of Law’s quality, reputation, and diversity, and
       (F) Full membership rights and privileges being open to the entire student population of the Dedman School of Law;

   (2) The need for the organization.

(b) The VC is not empowered to grant Chartered status to any of the Law Review Associations or the Board of Advocates and none of the Law Review Associations or the Board of Advocates may receive Chartered status from the VC or the SBA.

(c) The VC approves a Chartered organization by a two-thirds vote, however, no organization (1) whose request for Chartered status is rejected by the VC, (2) whose Chartered status is revoked by the VC, or (3) that members of the VC determine is substantially similar to an organization whose request for Chartered status was denied or whose Chartered status was revoked, may seek or be granted Chartered status until the start of the next academic year when a new VC has taken office.

(d) The SBA Secretary must maintain a list of Chartered Organizations in the SBA office.

§3. Rights and Privileges of Chartered Organizations

(a) A Chartered Organization has rights and privileges including requests for:

   (1) An annual allocation through the SBA budgeting process;
   (2) Rolling SBA allocations through VC bills;
   (3) Rolling Senate allocations;
   (4) Law school room reservations for events and meetings; and
   (5) Bulletin board space in the basement of Storey Hall.

§4. Penalties for Organizations
(a) SBA organizations shall answer to the VC for their activities and expenditures.
(b) The VC may penalize an organization for failure to:
   (1) Comply with the requirements set forth in the SBA Constitution and Bylaws.
   (2) Perform its obligations and activities in the best interest of the Dedman School of Law and the SBA.
(c) If an organization’s activities bring the organization’s status into question, the EC shall recommend a penalty to the VC.
(d) The VC may impose the following penalties for an organization including:
   (1) Rescinding its status as a Chartered Organization;
   (2) Forfeiting SBA allocated funds to the SBA General Account;
   (3) Imposing probation; or
   (4) Announcing a public warning.
(e) A penalty shall be imposed by a two-third vote of the VC.

ARTICLE 4 – BUDGET AND FINANCE PROCEDURES

Constitution Art. IV, Sec. 3(d)(i)(1) and Art. IX, Sec. 1(b) empowers the VC to create budget and finance procedures.

§1. SMU Bonding Procedures
(a) The EC ensures that the SBA complies with SMU bonding procedures by filling out an SMU Financial Bonding Document for the academic year.
   (1) The Treasurer shall inform the Treasurer-elect of the bonding procedures and these Bylaws no later than the conclusion of the hooding ceremony.
      (A) The Treasurer-elect shall submit the EC members’ names and contact information to the Student Senate Advisor no later than May 31.
(b) The EC must report to the VC its failure to:
   (1) Comply with this Section or
   (2) Retrieve monies due to the SBA.
(c) Failure to comply with this Section’s subsection (a) or (b) shall constitute “cause” to remove the Treasurer under Constitution Art. XI, Sec. 1.

§2. The SBA Budget and Annual Allocations
(a) This Section contains the Finance Committee’s budgeting and annual allocation process.
(b) The Finance Committee shall draft a budget not to exceed the total of the estimated SBA Allocated Funds (based upon the prior year’s number) plus any residual funds in the SBA General Account.
(c) During the spring semester, each SBA Chartered Organization shall submit the next year’s list of officers to the Secretary-elect.
(d) No later than May 31st, each Chartered Organization shall submit any remaining check requests to the Treasurer. Any funds remaining in a Chartered Organization’s account after this deadline will revert back to the SBA General Account.
(e) The SBA Treasurer must send out the next year’s budget request package to each
SBA Student Organization’s President and Treasurer no later than one week after SBA Executive Committee elections have concluded, and the results have been verified.

(1) The current SBA Treasurer and the SBA Treasurer-elect must create a budget request package and send it to all student organizations no later than one week after the SBA Executive Committee elections have concluded, and the results being verified.

(2) All SBA Student Organizations must select new officers for the upcoming academic year by the week after the SBA Executive Committee elections are concluded and the results are verified. The selection process of these student organization officers shall be done in accordance with the selection process of each individual student organization. However, all existing selection process dates and timelines in place before the ratification of subsection on January 14th 2015 are void, and all organizations must now comply with the SBA guidelines set forth here in this subsection.

(3) The SBA Secretary-elect must collect contact information for newly elected SBA Student Organization officers’ no later than one week after the SBA Student Organization selection process (which must be no later than one week after the SBA Executive Committee elections have concluded and results being verified) is to occur.

(4) The SBA Secretary-Elect must forward all new SBA Student Organization officers’ contact information to the current SBA Executive Committee, and the SBA Treasurer-elect.

(5) All SBA Student Organizations must complete the budget request package sent by the SBA Treasurer-elect to their officers-elect within one week of the budget request package being sent to them. Any SBA Student Organization that misses this deadline forfeits the right to an initial budget allocation from the SBA Voting Council. To be clear, the SBA Treasurer-elect shall no later than one week after the SBA Executive Committee elections have been concluded and verified send budget request packages to the officers elect of all SBA Student Organizations and the budget request packages must be completed and returned no later than one week after they are sent out.

(6) The budget request package must be submitted by email. The SBA Treasurer-elect must provide these documents via email to the student organization officers-elect, and may also choose to provide a hyperlink via the SBA website to a form or other electronic method by which the budget request package may be completed.

(7) Before finals commence in the spring semester, all newly elected and outgoing SBA Student Organization presidents and treasurers, must attend a meeting, which may be conducted by either the Finance Committee or the SBA Treasurer, specifically regarding Finance Committee budget applications for the upcoming academic year.

(f) To be eligible for an annual budget, each Committee and Chartered Organization shall submit its budget request to the Treasurer by the deadline set by the Treasurer. The deadline, however, shall not be less than two weeks after the Treasurer sent out the budget packets.

(g) After consultation with the EC, the President shall submit annual budgets for the
EC and the VC.

(h) The Finance Committee shall hold budget hearings with each interested Chartered Organization and committee that submits a budget.

(i) At least one week before budget hearings, the Treasurer shall hold an introductory meeting for Chartered Organizations and committees applying for SBA allocated funds.

1. In this introductory meeting, the Treasurer shall provide example budget proposals and any factors the Finance Committee will use in recommending a budget.

2. In lieu of a meeting, the Treasurer may send the information listed in the above subsection electronically. If the Treasurer elects to send out the information electronically, the Treasurer must include a telephone number and e-mail address and provide an opportunity for organization representatives and committee members to ask questions concerning the budgeting process.

(j) When evaluating budget requests, the Finance Committee may assess factors including but not limited to:

1. An organization’s or committee’s
   (A) Historical strength,
   (B) Current size,
   (C) Inherent needs, and
   (D) Independent fund-raising efforts.

2. The estimated number of students that would benefit from the requested funds; and

3. The overall benefit to the Dedman School of Law’s quality, reputation, and diversity.

(k) Before VC’s first regular fall meeting, the Finance Committee shall:

1. Review all timely-submitted budgets and annual allocation requests,
2. Draft the SBA budget, and
3. Submit the budget to the EC for VC approval.

(l) The VC must approve the Treasurer’s budget by a majority vote before the budget becomes effective.

§3. Spending Guidelines

(a) Each fall and spring semester, the Treasurer or President shall contact the Students’ Association Comptroller or Senate Advisor to determine when the Allocated Funds will be deposited into the SBA General Account.

(b) The Treasurer shall state the balance in the SBA General Account and the SBA non-allocated funds checking account at each regular VC meeting.

(c) Without a 3/4 majority vote of the VC, the SBA shall not allocate funds from the SBA General Account or the non-allocated funds checking account to:

1. Incur debt, or
2. Reimburse an organization or committee for funds the VC had not previously allocated.

§4. Rolling Allocations

(a) An SBA Chartered Organization or Committee may request SBA funds outside the annual budgeting process by requesting an allocation from any VC member.
(1) A VC member may submit a bill to the EC requesting a rolling allocation. To be considered at the next VC meeting, the proposed bill shall be submitted to the EC no later than its regularly scheduled meeting.

(2) The EC may make a recommendation to the VC regarding whether the VC should approve the funds. In making its recommendation, the EC may consider, the criteria in Article 4 Sec. 2(e).

(b) An SBA Chartered Organization or Committee may request funds directly from the Senate by contacting one of the law school’s Representatives to the Student Senate. The VC, however, will not consider a funding request currently before the Senate.

(c) An SBA Chartered Organization or Committee receiving Senate funds shall send the request to and inform the Treasurer of the amount allocated by the Senate.

ARTICLE 5 – ELECTION GUIDELINES AND PROCEDURES

Constitution Art. IV, Sec. 3(d)(i)(3) authorizes the VC to enact election procedures. Art. X, Sec. I(f) authorizes the VC, with the Elections Committee’s assistance, to govern SBA elections. Pursuant to Art. VIII, Sec. 4(e), the following are the election rules:

§1. Election Frequency and Governance

(a) The SBA shall hold elections when constitutionally required or deemed necessary by a majority vote of the VC.

(1) Each year, the President shall negotiate with the Student Body President, and, if necessary, the Senate Advisor and Membership Committee Chair, to ensure that the law school’s Representatives to the Student Senate are elected during the SBA elections.

(2) The DAYL Committee Chair, appointed by the DAYL, shall serve as an *ex officio* chair of the DAYL Committee.

(b) The Elections Committee Chair ("Chair") has broad discretion in election matters.

(c) With the EC’s consent, the Chair shall appoint a Vice Chair ("Vice Chair").

(1) If the Chair is unavailable, the Vice Chair shall serve as Acting Chair.

(2) If both the Chair and the Vice Chair are unavailable, the Chair may designate other Elections Committee members to serve as Acting Chair and/or Acting Vice Chair.

(3) If there are no Elections Committee members available to serve as described in Sec. 1 (c)(2) the President shall appoint an Acting Chair and/or Acting Vice Chair.

§2. Candidates

(a) To become a declared candidate, a student constitutionally-eligible for a position shall notify the Chair of his or her intent to run prior to the candidate declaration deadline.

(b) A candidate may declare his or her intent to run beginning two weeks prior to the election.

(1) A student may notify the Chair of his or her intent to run in writing or e-mail.

(2) A candidate may only declare his or her intent to run for one position in the EC election.
(3) A candidate may only declare his or her intent to run for one position in the General Election.
(c) The Chair shall list each declared candidate’s name on the ballot.
   (1) The ballot shall not include the names of:
      (A) Students who fail to timely notify the Chair or
      (B) Declared candidates who timely notify the Chair—of his or her intent to withdraw before the candidate declaration deadline.
(d) A student may be a write-in candidate but is subject to the Bylaws.
(e) A declared candidate who withdraws is eligible to run as write-in candidate.
(f) An Elections Committee member who is a declared candidate or a self-determined write-in shall temporarily resign from the Elections Committee until the VC approves the election results. The committee member is then automatically reinstated.

§3. Campaigning
   (a) Campaigning may be active or passive.
   (b) Active campaigning includes:
      (1) Speaking to a person, assembly, student group, or organization,
      (2) Distributing or posting campaign items,
      (3) Sending campaign emails to multiple recipients,
      (4) Posting campaign messages on social media sites, e.g., Facebook, Twitter, Google+, etc.
   (c) Passive campaigning includes displaying items identifying a candidate, e.g., t-shirts, buttons, stickers, leaflets, etc.
   (d) A candidate may:
      (1) Campaign beginning at 8:00 AM the Monday following the Executive Committee Elections meeting.
      (2) Spend no more than $75 on campaign items.
      (3) Post up to two posters no larger than 22 inches by 28 inches and eight letter-sized flyers no larger than 8.5 inches by 11 inches in the following areas:
         (A) The glass surrounding the ramp in the Pit.
         (B) The locked bulletin boards outside the library on the ground floor, the Election Chair and/or Vice President will provide the keys.
         (C) The tile walls of the bathrooms in the Pit and Florence Hall.
         (D) A copy of your poster may be emailed to Betty Alexander (bettya@smu.edu) for inclusion on the electronic bulletin boards in the Pit and Lawyer’s Inn.
      (4) Send mass campaign e-mails, provided each e-mail begins with the subject line: [CAMPAIGN] and include opt-out language.
         (A) A mass campaign e-mail has more than ten recipients and includes the sender’s campaign information.
         (B) A candidate must respect an opt-out request.
         (C) Candidates must make their own e-mail list(s) for mass campaign e-mails.
            (i) Candidates may not use listservs from any student organization or TWEN.
            (ii) Candidates may use TWEN to copy e-mail addresses into their list, but may not send out emails using the TWEN e-mail feature.
(5) Send campaign messages using social media sites (e.g., Tweets, Facebook status updates, etc.), provided that each posting begins with [CAMPAIGN].

(A) No candidate may post any social media messages to an SMU or SBA-sponsored page except for the SMU Current Students Page.

(e) A candidate must provide the Chair an expenditure statement within two hours after the polls close.

(1) The expenditure statement should describe each campaign item’s fair market value, as evidenced by a receipt, advertised price, or other reasonable method.

(f) A candidate may not:

(1) Disturb a class with campaigning or display any unreasonably distracting item in a classroom,
(2) Actively campaign in a classroom before, during, or after a class. This prohibition does not bar candidates from speaking to an organization in a classroom during its meeting,
(3) Distribute any food or drink items, (i.e. no snacks, refreshments, gum, candy, etc.).
(4) Actively campaign in the Pit on Election Day, or
(5) Post any campaign paraphernalia on:

(A) A painted surface (including lockers),
(B) Any doors or windows anywhere in the law school, though signs and flyers may be posted on bulletin boards (except for bulletin boards inside any classroom or the Underwood Law Library) or as outdoor stake signs,
(C) The inside of any classroom or the Underwood Law Library, or
(D) A vending machine.

(6) Solicit or receive any organization’s official endorsement.

(7) Collude with other candidates or engage in “ticketing.” Some examples of ticketing include:

(A) Cross-promoting other candidates in official campaign materials, including sharing social media posts or endorsing in social media posts
(B) Using coordinated campaign materials (i.e., matching posters)

(g) During EC campaigning, the Chair shall provide EC candidates an opportunity to address students in a public assembly. The Chair shall determine the program’s format and organize the program.

§4. Ballots and Voting

(a) Voting may be conducted using either paper and/or electronic ballots.

(b) If paper ballots are used, voting must take place in the Pit, unless the Pit is closed by the university. In the event that the Pit is closed, an alternate location will be selected at the Chair’s discretion.

(c) At a minimum, the polls shall be open from 8:00 AM to 8:00 PM on Election Day.

(d) After the candidate declaration deadline, the Chair shall determine each candidate’s ballot position using a random selection method of the Chair’s choosing. The Chair shall not include class designations next to names.

(e) After consultation with the EC, the Chair shall determine:

(1) The ballot layout,
(2) Whether ballots will be paper or electronic, and
§6. Election

(f) A student may submit an absentee ballot if the student writes a letter or sends an email to the Chair. The e-mail or letter must include the position and candidates for which the student is voting.

(1) The Chair shall certify a hard copy absentee ballot as valid if it contains the absentee voter’s signature.

(2) The Chair shall certify an electronic absentee ballot as valid if it is sent from the absentee voter’s SMU e-mail account.

§5. Election Results

(a) The President, Secretary, Chair, and Vice-Chair, shall count the votes as soon as reasonably practical.

(b) All paper ballots shall be counted twice for accuracy.

(c) All electronic ballots must be certified as accurate in a reasonably practical manner.

(d) The Secretary shall post a signed notice of the election results outside the SBA office.

(e) The Secretary shall send the election results using the “all law” email list.

(f) If the President, Secretary, Chair, or Vice-Chair becomes a declared or self-determined write-in candidate, that person is “unavailable” and shall not count votes.

   (1) Article 5, Sec. 1(c) establishes how to replace the Chair and/or Vice Chair;
   (2) The President shall appoint a temporary Secretary from the EC if available;
   (3) SBA Constitution Art. VI, Sec. 2(a) requires the Vice President to serve for the President if the President is unavailable.

(g) Each candidate may appoint a representative to witness the ballots being counted. Candidates may not be present while votes are being counted.

(h) The VC shall certify the election results by a majority vote.

§6. Election Infractions

(a) To allege an elections infraction, a student must submit a written or electronic complaint to the Chair before the polls close.

   (1) The student must date and sign a written complaint. Complaints submitted electronically must be sent from the complaining student’s SMU e-mail account.
   (2) The complaint must include the rule allegedly broken and the party allegedly breaking the rule.
   (3) The Chair shall immediately forward the complaint to the President and Secretary.
   (4) The Secretary shall immediately post the complaint outside the SBA office.

(b) The Chair shall make reasonable efforts to immediately notify a candidate of the complaint against that candidate.

(c) The President shall convene the Elections Infractions Board (“EIB”) to evaluate any complaints as soon as practical after the polls close.

   (1) The EIB shall consist of the Chair, President, Vice President, Secretary, Treasurer, and one Honor Council representative. No candidate may serve as an EIB member.
   (2) The President shall serve as the EIB’s presiding officer. If the President is unavailable, the Vice President shall serve as the presiding officer. If the President
and Vice President are unavailable, the Elections Committee Chair shall serve as
the presiding officer.
(3) If the presiding officer determines that an EIB member is unable to attend, then
the presiding officer shall assemble the available EIB members. Under no
circumstances may the EIB convene with fewer than three members.
(4) A candidate accused under this Section’s subsection (a) may speak to the
EIB.
(5) A candidate accused under this Section’s subsection (a) shall make
reasonable efforts to respond to the Chair’s notification in a timely manner.
(6) The EIB may decide to hear from relevant witnesses or interested parties.
(7) A candidate is not guilty of an election infraction if a candidate can clearly
demonstrate that:
   (A) The candidate acted in good faith and with ordinary care to comply
       with the Constitution and Bylaws.
   (B) If the candidate becomes aware of a violation, that the Elections
       Committee was duly notified
(8) Subject to this Section’s subsection (c)(6), the EIB shall classify
infractions as being either major or minor violations.
   (A) For major violations, the EIB shall disqualify a candidate.
   (B) For minor violations, the EIB may elect to impose any or all of the
following sanctions:
       (i).  Limiting the amount of campaigning materials,
       (ii). Decreasing a candidate’s spending limit,
       (iii). Revoking mass communication privileges.
(9) The Secretary shall timely post the EIB ruling outside the SBA office, and the
presiding officer shall timely notify the candidate in a reasonable manner.
(d) A candidate may appeal an EIB ruling to the VC. A candidate appealing an EIB ruling
must notify the Secretary within 24 hours of the posting of the EIB ruling.
   (1) By majority vote, the VC may decline to exercise jurisdiction over an
   appeal.
   (2) If the VC declines to exercise jurisdiction, the appeal is automatically
   referred to the Honor Council.
   (3) The Honor Council’s decision on the matter is final and binding upon all
parties.

§7. Oath of Office
   (a) The President shall administer the oath of office to each member-elect of the
Voting Council and confirmed member of the Honor Council.
   (b) The oath of office shall be administered to the members-elect at the first meeting
of the new Voting Council. The oath of office shall be administered to Judicial
Commission nominees after the Voting Council confirms their nominations.
   (c) The oath of office shall be administered to the President-elect at the conclusion of
the hooding ceremony.
   (d) **The oath of office shall be:**
I, [name], do solemnly swear [or affirm], that I will faithfully execute the duties of [office] of the Dedman School of Law Student Bar Association, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States, this State, and the Student Bar Association, so help me God.

ARTICLE 6 – VOTING COUNCIL STANDING COMMITTEES
Constitution Art. VIII, Sec. 3(b) authorizes the VC to create Standing Committees. The Screening Committee appoints representatives to these committees in accordance with Art. VIII.

§1. Standing Committees
(a) Web Committee. This committee shall maintain and update the SBA website.
(b) Social Events Committee. This Committee plans SBA social events.
(c) Bylaw Review Committee. When deemed appropriate, the President may appoint a committee to review these Bylaws. The committee’s size and composition shall be determined at the President’s discretion, but the committee must include at least one member from the Judicial Commission and one VC member who is not also a member of the VC.

ARTICLE 7 - RULES OF ORDER AND PROCEDURES OF THE VOTING COUNCIL

Introduction

1. The Rules of Order of the Voting Council exist to explain the list of acceptable parliamentary actions that may arise during a meeting of the Voting Council. They explain the purpose of each motion, and the procedures required to resolve each motion.
2. When any governing documents of the Voting Council are in conflict, the order of precedence shall be as follows:
   a. SBA Constitution,
   b. SBA By-Laws, and
   c. SBA Committee By-Laws.
3. The Eleventh Edition of Robert’s Rules of Order, Newly Revised may be consulted when interpreting these motions, but should be used as nothing more than a tool for guidance. In no way does any provision within Robert’s Rules of Order overrule any provision of this document, and no additional motions within the Rules of Order that are not provided for in this document may be considered before the Voting Council.
4. The term Chair refers to the SBA President, or the SBA Vice-President in situations where he/she is presiding over the Voting Council. In the absence of both the SBA President and the SBA Vice-President the Voting Council shall elect, by a majority vote, one of the Voting Council Representatives to serve as acting Chair for the duration of the meeting or until such time that the SBA President or the SBA Vice-President should arrive and take over as Chair from the acting Chair. In any situation where the phrase Chair is used, the term should be interpreted as referring to (1) the SBA President,(2) the SBA Vice-President when acting as Chair, or (3) a Representative on the Voting Council who has been elected acting Chair by the Voting Council in the absence of the SBA President and the SBA Vice-President.
§1. Privileges of Members When In Debate

1. All SBA Officers (excluding the President), Voting Council Representatives, and the Advisor to the Voting Council may debate when appropriate. No guest of the Voting Council may debate at any time.
2. When debating, any member of the Voting Council entitled to debate may yield the balance of their time to any other member of the Voting Council entitled to debate. The exception to this is that in the event an individual that gained the floor by a yield from another person speaking may not yield their time to anyone other than the person who originally yielded their time.
3. In lieu of debating, a SBA Officer or Voting Council Representative may make a motion.
4. No individual may debate twice until all other members of the Voting Council that desire to speak have spoken at least once. Debaters will be called on in the order that they designated their desire to speak.
5. Any member of the Voting Council may interrupt another person speaking only when making a point of procedure (defined later in this article).

§2. Privileges of Members When In Questions

1. This section applies to the period of questions following any committee report, officer report, old legislative business, or new legislative business.
2. All SBA Officers (excluding the Chair), Voting Council Representatives, and the Advisor to the Voting Council may ask non-debatable questions when recognized by the Chair. Such recognition should occur after the report or speech has been concluded.
3. Individuals who are being questioned may yield their time when responding to a question to any member of the Voting Council, or to a guest present in the room.

§3. Motions

1. Adjourning a Meeting
   a. The motion to adjourn exists to end a meeting immediately. It is not a debatable motion, and is not amendable.
   b. The motion to adjourn requires a second. The motion passes with a majority vote.
   c. Appropriate forms of this motion include, but are not limited to “I move to adjourn the meeting.”
2. Amending a Motion
   a. The motion to amend exists to modify a motion. It is a debatable motion, and is amendable. However, an amendment to an amendment may not be amended.
   b. The motion to amend requires a second. The motion passes with a majority vote. (or a 2/3 majority vote to amend a recommendation made by the Finance Committee).
   c. Appropriate forms of this motion include, but are not limited to “I move to formally amend the resolution to read [x],” or “I move to fund [x]” (when a Finance Committee recommendation was to fund a value other than x).
d. The motion to amend is not the same as a “friendly amendment,” which should be treated as a person speaking offering debate (justifying the need to amend the motion in question) and then yielding to the maker of the motion who may either accept in total, accept in part or reject the requested amendment.
e. The author of a piece of legislation or motion may amend the piece of legislation or motion at any time (unless in debate on a formal amendment to amend such legislation or motion).

3. Calling the Question
   a. The motion to call the question exists to end debate on any motion. It is not a debatable motion, and is not amendable.
   b. The motion to call the question requires a second. The motion passes with a 2/3 majority vote. If the motion passes debate resumes to allow all persons who have already conveyed to the Chair a desire to speak, to actually speak, after which the Chair will call the vote.
   c. Appropriate forms of this motion include, but are not limited to “I call the question,” or “I so move,” etc.

4. Dividing the Motion
   a. The motion to divide exists to sever sections of a resolution or a motion from the remainder of that resolution or motion, so as to treat them as distinct motions.
   b. The practical use of the motion to divide is to split a contentious portion of a resolution from a generally agreeable portion so as to debate on the contentious portion while not jeopardizing the agreeable portion.
   c. An example would be a generally agreeable resolution that contains a section that is so contentious that the possibility of passing the entire piece is jeopardized by its presence. A speaker moves to divide the question so as to treat the contentious portion separately from the rest of the entire piece is jeopardized by its presence. The Voting Council will resume debating the resolution, but will not address the contentious section. After the question is called on the resolution, and the legislation passes, the Voting Council will then go back into debate on the contentious section. Debate would proceed as though it would for a normal piece of legislation. The question must again be called. If the contentious section passes, it will be re-inserted into the resolution. If it fails, the resolution will still count as having passed, but the contentious section will not be included in the legislation.
   d. The motion to divide requires a second. It may be amended, although not debated. The motion passes with a majority vote.
   e. In the event that a section of a question is divided and then formally amended, the maker of the formal amendment will be listed as a co-author on the final copy of the whole resolution if the amended section passes. The maker of the amendment on the divided section will not replace the original authors on the entire resolution, and will not have friendly amendments directed at them that are germane to the portions of the resolution not divided.
5. General Motion
   a. The general motion (or main motion) includes any piece of legislation, any motion to approve a committee’s recommendation, or any motion other than the motions listed in these rules of order.
   b. The general motion requires a second, unless the motion is a piece of legislation. The motion passes with a majority vote. The motion is amendable and debatable, and passes only by majority vote. (Exception: Binding committee recommendations that are not complained against will not be debated.)
   c. An example of motions that are neither pieces of legislation, nor have anything to do with committee recommendations includes “I move to excuse Representative [x]’s absence.” These motion could be amended by reducing Representative [x]’s absence to merely a tardy.
   d. Note that making a general motion to approve a committee recommendation during debate is not the same as calling the question. Moving to approve a committee recommendation is a valid motion only when not in debate on that recommendation.

6. Recessing a Meeting
   a. The motion to recess exists to stop the proceedings of a meeting for a given amount of time.
   b. The motion to recess requires a second. The motion is not debatable, but may be amended so as to change the proposed amount of time for which the Voting Council will recess. The motion passes with a majority vote.

7. Suspending the Rules
   a. The motion to suspend sections of the Voting Council By-Laws only applies to bypassing the one week between a committee recommendation or piece of legislation being presented to the Voting Council and the Voting Council voting on that piece of business.
   b. The motion to suspend the rules requires a second, and is not a debatable motion. The motion passes with a 2/3 majority vote in all cases.
   c. If the rules are suspended on any committee recommendation so as to bypass the one week complaint process, a Representative or officer may move to debate a request. The motion to debate requires a second, but will not be subjected to a vote. If a motion is made and seconded, the Voting Council will debate the recommendation.

§4. Points of Procedure

Points of Procedure may be used to interrupt any speaker at any time, after the Chair recognizes the individual making the point. Members of the Voting Council wishing to use a Point of Procedure should call out “Point of ___” or “Request for ___” as appropriate, and wait for the Chair to recognize them.

1. Request for Information
   a. Request for Information exist to permit a member of the Voting Council to ask a question to another person in the room that is germane to the debate at hand. Questions and answers must be non-debatable.
b. Requests for Information may ordinarily only be directed only to members of
the Voting Council, as defined by the SBA Constitution, or the Advisor of
the Voting Council. Requests for Information may be directed to guests, but
at the discretion of the Chair. Generally speaking, Requests for Information
should only be directed at guests if they are the only individuals in the room
that could answer the member’s question.

2. Point of Parliamentary Inquiry
   a. Points of Parliamentary Inquiry exist to inquire about appropriate procedures,
to allow a Representative or officer to have procedures explained to them, or
any question regarding the order of the meeting.
   b. An example of an appropriate form of a Point of Parliamentary Inquiry is
   “Point of Parliamentary Inquiry. [The person speaking is recognized by the
Chair:] How can I make a motion so as to amend the resolution?”

3. Point of Order
   a. Points of Order exist to correct the Chair of the meeting if an improper
procedure is being used, or if the Chair is deviating from the rules or the
procedures of the Voting Council.
   b. Points of Order should not be used to request information about
parliamentary procedure. Points of Order are not Points of Parliamentary
Inquiry.

4. Appealing a Decision of the Chair
   a. Appealing a Decision of the Chair exists for a Representative or officer who
believes that the procedure being followed by the individual chairing the
meeting is incorrect.
   b. Appeals concerning a decision of the Chair will be referred to the Rules
Tribunal. The meeting will be immediately halted and the issue will be
resolved in the meeting by members of the Tribunal prior to continuing.
   c. Appealing a Decision of the Chair should be used only if an individual has
textual support in Voting Council documents for the individual’s opposition
to the errant procedure being employed by the Chair, and a Point of Order to
remedy the situation proved unsuccessful.

5. Point of Personal Privilege
   a. Points of Personal Privilege exist so that members can defend their rights or
reputations against attack, to ask for the meeting to be called to order, to ask
that something be reflected in the minutes, or to have the debate list read.

§5. Special Motions

1. Laying an Item on the Table
   a. An item should be laid on the table (tabled) if the Voting Council does not
have a sufficient amount of information to make a well-informed and
reasoned decision.

2. Removing an Item from the Table
   a. The motion to remove an item from the table exists to finalize a decision on a
motion that had previously been tabled. It requires a second and a majority
vote, but is neither debatable, nor amendable.
3. Motion to Reconsider  
   a. The motion to reconsider exists to nullify the result of a previous vote and re-enter into debate on the matter in question. The motion to reconsider may be made only by an individual that voted on the winning side on the previous vote (put differently, only someone who voted for a measure that passed, or voted against a measure that failed, can reconsider the result of that measure). The motion to reconsider requires a second, also from a member who voted on the winning side on the previous vote, and is debatable. The motion to reconsider requires a majority vote.

4. Censure  
   a. Members may be censured for violating their oaths of office, violating rules, or neglecting the duties that their positions are charged with. The individual who moves to censure a member of the Voting Council must articulate the charges against the accused member. A second is required. The accused member will be permitted to debate against the censure immediately, but will not be permitted to debate or vote further. The Voting Council will debate the motion and vote. The vote requires only a simple majority. If the motion passes, the Voting Council may choose to impose penalties (e.g. restricted debate, an inability to vote for a meeting, etc.). Such penalties must pass by a 2/3 majority vote.
   
   b. Any member who is banned from the campus by the Administration or Police and Security forces of the University and is thus unable to discharge their duties may be removed from office by a majority vote of the voting members of the Voting Council following a motion to do so, that need not, but may, be seconded, by any Representative or Officer, other than the Chair. In the event that someone removed from office via this procedure is cleared of the charges against them that resulted in their being banned from campus, they may resume the office from which they were removed, if and only if a successor has not yet taken office. If unable to resume their prior office because of a lack of vacancy, they may immediately seek election or appointment amongst a regular field of candidates to any open Voting Council or SBA office or position to which they would otherwise be eligible. They may also run for or seek any position for which they would otherwise be eligible at the next general election.

5. Reading Business as Read  
   a. A motion may be made to consider business as read. New Business that is seen as read will be treated the next week as Old Business. It requires a second and a majority vote, and is not debatable.

§6. Withdrawing a Piece of Legislation or a Motion

The author or maker of a piece of legislation or a motion may withdraw the piece of legislation or motion at any time, except when a properly made and seconded motion to amend that legislation or motion has been offered to amend that legislation or motion.
§7. The Inherent Motion

1. The Voting Council debates on motions, whether the motion is a resolution, a motion to reconsider, or when discussing a committee recommendation.
2. The motion that brought about the debate is the inherent motion. If the Voting Council is debating a Finance Committee recommendation, the motion inherent within that debate is to uphold the Finance Committee recommendation.
3. If for some reason a committee has declined to place a recommendation on an item that came before the Voting Council, a motion must be made prior to entering debate.
4. If the Voting Council is in debate, that debate may be terminated only by a motion to table (thus postponing finishing the debate until a later date), or by calling the question, or by time expiring during the meeting in which the debate is taking place.
   a. A meeting of the Voting Council automatically adjourns and time is considered to have expired when the Voting Council’s registration time for its meeting place has expired.
      (1) If a meeting adjourns due to the registration for the meeting place having expired, all motions are automatically tabled and carried over to the agenda for the next Voting Council meeting.
5. Any motion to call the question (and thereby end debate) that passes will precipitate a vote on the motion. Votes should always be framed around approving the motion presently before the Voting Council. (e.g. “All those in favor of the resolution,” or “All those in favor of approving the committee’s recommendation”)
6. The inherent motion is the motion on the floor at the beginning of debate. If no amendments are passed to that motion during the course of debate, then when the question is called, the final vote will be on the inherent motion. For example, if the Finance Committee wants to fund something in full, and a successful formal amendment is made to fund zero, then the final vote will be on the amount determined by the formal amendment which passed, not the committee recommendation.
7. If the inherent motion is unclear, the Chair may determine what the inherent motion is by the following order of precedence:
   a. If the debate is about something decided by the full Voting Council, the Inherent Motion should be framed so that the “ayes” are affirming the decision previously made by the Voting Council, and that the “nays” are opposed to it.
   b. If the debate is about a piece of legislation, then the Inherent Motion should be framed so that the “ayes” are affirming the legislation as it currently reads (including all amendments), and that the “nays” are opposed to it.
   c. If the debate is about a committee recommendation that was not formally amended during debate, then the Inherent Motion should be framed so that the “ayes” are affirming the committee recommendation, and that the “nays” are opposed to it.

§8. Methods of Voting

The Voting Council may accept any of the following types of voting at any time. The determination as to the type of vote will be made by the individual who is chairing the meeting; however, if an author of a piece of legislation or maker of a motion requests a
specific type of vote, the Chair must defer to their preference. Under no situation, at any time, will abstentions count as a negative vote.

1. Voice Vote
   a. The Voice Vote should be the most common form of vote.
   b. Voice votes should be taken in the following way. “All those in favor say ‘aye.’” Members affirming should say aye. “All those opposed say ‘nay.’” Members opposing should say nay. “All those abstaining.” Members abstaining should say present. The Chair should make the best decision in the Chair’s judgment and rule either “the ayes have it” or “the nays have it.” If a vote is close, prior to ruling which side has prevailed, a division of the house may be called for and a show of hands vote may be taken. This may be done at the Chair’s discretion, or once any member of the Voting Council has called “division.”

2. Show of Hands Vote
   a. Show of hands votes should be used if a matter is contentious or requires a 2/3 or 3/4 majority vote, or if a simple majority vote appears that it will be close, or if a division of the house is taken after a voice vote.
   b. Show of hands votes should be taken:
      (1) so that those in favor of a motion should put up their hands and are then counted, then
      (2) those opposed to it put up their hands and are counted, and
      (3) then those abstaining put up their hands and are counted.
   The Chair should then rule who has prevailed, and should read the vote tally.

3. Roll Call Vote
   a. Roll Call votes should be used in resolving the most important issues.
   b. The Secretary should call the roll, and each member should respond “aye,” “nay,” or “present.” As each member responds, the Secretary should call back their vote to ensure that it has been tabulated correctly. At the end, the Chair should state the tally of votes and make a determination as to which side has prevailed.

Notes: These bylaws were approved by the Voting Council on 4/11/2012 and effective 4/17/2012 at 11:59 p.m. as enacted in S.B.A.R. 12(S)-4.
These bylaws were amended by the Voting Council on 4/16/2014 through S.B.A.R. 14(S)-1 and the amendments went into immediate effect.
These bylaws were amended by the Voting Council on 1/14/2015 through S.B.A.R. 15(S)-1 and the amendments went into immediate effect.
These bylaws were amended by the Voting Council on 3/4/2015 through S.B.A.R. 15(S)-2 and the amendments went into immediate effect.