**The Constitution of the**

#### South Carolina Student Legislature

**Article I**

**Name**

**Section 1.** This organization shall be called the South Carolina Student Legislature.

# **Article II**

**Purpose**

**Section 1.** This organization shall be formed to provide a forum in which students may experience the full range of legislative activity, to promote student input into public policy-making in South Carolina, and to educate students about the functions of democratic government.

**Section 2.** The motto of this organization shall be “Our Freedom, Our Future, Our

Responsibility.”

## Article III

**Membership**

**Section 1.** The membership of the South Carolina Student Legislature shall be composed of delegates from South Carolina’s universities and colleges.

**Section 2.** Each delegation shall select its members from the student body of the institution that it represents.

**Section 3.** For the purpose of this document, “students” shall be interpreted to include all those with the privileges of an undergraduate student at the member institution. No student shall serve as a delegate for more than five (5) years.

**Section 4.** Delegations may reserve the right to dismiss a delegate during session solely on the basis that the delegate has violated the delegation and/or school conduct rules, has been arrested for a crime while at session, became ill or injured and must return home, or in case of emergency.

**Section 5.** A delegation shall obtain membership at such time as it pays its registration fees, registers with the Governor, and the state officers approve the registration.

**Section 6.** A new member delegation shall be defined as a school not having participated previously or for a period of three (3) consecutive years.

**Section 7.** Upon approval of the registration and the receipt of the dues, the Governor shall issue to the delegation an official letter recognizing it as a member delegation.

**Section 8.** All memberships are for the calendar year and shall expire upon the thirty-first day of December.

### Article IV

**Officers**

**Section 1.** The elected officers of the organization shall be the Governor, the Lieutenant Governor, the Speaker of the House, the President *Pro Tempore* of the Senate, and the Speaker *Pro Tempore* of the House. These officers shall be members of the Executive Committee. In addition, the Comptroller General and Fundraising Chair shall be elected officers, but shall not be members of the Executive Committee.

**Section 2.** In addition to the above officers, the Governor shall appoint, with the consent of the Executive Committee, a Secretary of State, an Attorney General, a Treasurer, and a Chief Justice of the Court. For the purpose of this document, “consent of the Executive Committee” shall mean a majority of the members of the committee.

**Section 3.** The Governor shall have full power, with the consent of the Executive Committee, to create and fill any other office that the Governor deems necessary to the South Carolina Student Legislature.

**Section 4.** No person shall hold more than one office at a time.

**Section 5.** The officer terms shall coincide with the calendar year.

**Section 6.** Each candidate for office shall be a student in good standing with the institution he attends.

**Section 7.** A candidate for Governor shall have attended two previous sessions prior to the session in which the election is being held. The Fall Session during which the elections are being held shall not count towards the total of two previous sessions needed. At least one of the previous sessions attended by the candidate shall have been a Fall Session.

**Section 8.**  A candidate for Lieutenant Governor, Speaker of the House, or Comptroller General shall have attended two previous sessions prior to the session in which the elections are being held shall not count towards the total of two previous sessions needed. Candidates for Lieutenant Governor shall be members of the Senate during in which the election is being held. Candidates for Speaker of the House shall be members of the House during the session in which the election is being.

**Section 9.** A candidate for President *Pro Tempore,* Speaker *Pro Tempore or Fundraising Chair* shall have attended one previous session prior to the session in which the election is being held. The Fall Session during which the elections are being held shall not count towards the previous session needed.

**Section 10.** In the event that the office of President *Pro Tempore* or Speaker *Pro Tempore* shall become vacant at any time other than that immediately preceding Fall Session, the Governor, with the consent of the Executive Committee, shall appoint a qualified replacement. Any appointment of a new President *Pro Tempore* or Speaker *Pro Tempore* shall be confirmed by the respective chamber at the next Fall Session. In the event that the office of President *Pro Tempore* or Speaker *Pro Tempore* shall become vacant at a time immediately preceding Fall Session, the chamber concerned, as its first order of business, shall hold nominations and elections to fill the vacancy. For the purpose of this document, “immediately preceding” shall mean a period of two (2) months prior to the first day of the upcoming event.

## Article V

**Powers and Duties of Officers**

**Section 1.** The Governor shall:

1. With the advice and consent of the Executive Committee, have the power to form a Cabinet to perform the duties of the Executive Branch designated to them by the Governor, to include the following positions and any others designated by the Governor as necessary to the operations of the South Carolina Student Legislature:
2. Secretary of State
3. Attorney General
4. Chief Justice
5. Treasurer
6. Have full power, with the consent of the Executive Committee, to create and fill any other office which the Governor deems necessary to the South Carolina Student Legislature;
7. With the advice of the Executive Committee, have full power to establish and maintain an “Office of the Governor” for his assistance and to perform the duties designated by the Governor as necessary to the operations and execution of the powers of the Governor of the South Carolina Student Legislature
8. The Governor shall have full power to appoint a Chief of Staff to manage and coordinate the operations of the Office of the Governor
9. Represent South Carolina Student Legislature throughout the State of South Carolina and the United States;
10. Present the “Journal of Acts and Resolutions” to the Governor and the General Assembly of South Carolina;
11. Report to the South Carolina Student Legislature at the Fall Session on the state of the organization;
12. Preside over all Interim Meetings;
13. Serve as a member of the Finance Committee;
14. Sign or veto all legislation that has passed the House and the Senate during Session.

**Section 2.** The Lieutenant Governor shall:

1. Assume the duties of the Governor in the event the Governor vacates the office of Governor or is incapable of fulfilling the duties of the office;
2. Serve as a member of the Executive Committee;
3. Preside over the Senate, but shall have no vote except in the event of a tie;
4. With the consent of the Senate, appoint three (3) members of that body, no two (2) of whom shall be from the same school, to serve on the Conference Committee;
5. Serve as a member of the Finance Committee;
6. Be responsible for the publication of the “Journal of Acts and Resolutions;”
7. Be responsible for the compilation and publication of the Bill Book;
8. Be responsible, with the Speaker of the House, for the organization and distribution of a legislation calendar for Fall Session.

**Section 3.** The Speaker of the House shall:

1. Serve as a member of the Executive Committee;
2. Preside over the House as a member of the House;
3. With the consent of the House, appoint four (4) members or that body, no two (2) of whom shall be from the same school, to serve on the Conference Committee;
4. Serve as a member of the Finance Committee;
5. Be responsible, with the Lieutenant Governor, for the organization and distribution of a legislation calendar for Fall Session.

**Section 4.** The President *Pro Tempore* shall:

1. Assume the duties of the Lieutenant Governor in the event that the Lieutenant Governor vacates the office of Lieutenant Governor or is incapable of fulfilling the duties of the office;
2. Serve as a member of the Executive Committee;
3. Preside over the Senate in the absence of the Lieutenant Governor;

**Section 5.** The Speaker *Pro Tempore* shall:

1. Assume the duties of the Speaker of the House in the event the Speaker of the House vacates the office of Speaker of the House or is incapable of fulfilling the duties of the office;
2. Serve as a member of the Executive Committee;
3. Preside over the House in the absence of the Speaker of the House;

**Section 6.** The Secretary of State shall:

1. Assist and advise the Governor in all matters in which the Governor shall need aid;
2. Prepare the minutes and records of interim meetings and Spring Session;
3. Be responsible, with the Attorney General, for the reapportionment of each Delegation prior to Fall Session;
4. Assist the Election and Awards Committee in the execution of their duties as that committee may deem appropriate;
5. Receive the certified results from the Election Chair of the Election and Awards Committee.

**Section 7.** The Attorney General shall:

1. Serve as Prosecutor before the Trial Committee;
2. Be replaced as Prosecutor if impeached;
3. Serve as a member of the Constitutional Committee;
4. Be responsible, with the Secretary of State, for the reapportionment of each Delegation prior to Fall Session.
5. Shall determine the constitutionality of legislation, under the Constitution the State of South Carolina, whose constitutionality has been called into question on the floor. The legislation shall be tabled for review by the Attorney General. Upon a decision The Attorney General shall recommend to the body a course of action based on his decision within one hour from when he receives it. In the absence of the Attorney General, the Chief Justice of the Supreme Court shall perform these duties.

**Section 8.** Chief Justice of the Court shall:

1. Rule on the constitutionality of legislation under the Constitution of the State of South Carolina in the absence of the Attorney General.
2. Preside over special sessions of the Supreme Court as outlined in Article VII.
3. Serve as Chairman of the Trial Committee;
4. Serve as Chairman of the Constitutional Committee;
5. Obtain and distribute the trial case to be used in the Supreme Court hearings at session no later than 30 days prior to session.

**Section 9.** The Treasurer shall:

1. Keep a current account of all funds of the South Carolina Student Legislature;
2. Serve as Chairman of the Finance Committee;
3. Prepare and present the annual operating budget;
4. Abide by the Policies and Procedures set forth in the Treasurer Manual;

**Section 10.** The Fall Session Committee Chairmen shall:

1. Chair their respective committees at Fall Session;
2. Serve on the Trial Committee.
3. Serve as members of the Election and Awards Committee.

**Section 11.** The Comptroller General shall:

1. Perform an annual internal audit of the organization and prepare an audit report to be presented to the SCSL General Assembly in Joint Session.
2. Present the audit report to the General Assembly as the first order of business at the first joint session of the first full day of the Fall Session.
3. Coordinate with external auditors through the course of any external audit of SCSL.
4. Documented approval from the Comptroller General shall be required for disbursements of more than $150. A documented unanimous vote of the Finance Committee may override disapproval from the Comptroller General. Email or written notation is sufficient to constitute documentation.

**Article VI**

**Meetings**

**Section 1.** The Executive Committee shall call all meetings.

**Section 2.** The Executive Committee shall propose the order of business and business to be conducted.

**Section 3.** The meetings shall be:

1. Spring Session;
2. Fall Session;
3. Interim Meetings.

**Section 4.** Spring Session:

1. Spring Session shall be presided over by all presiding officers of the Executive Committee*;*
2. Legislation:
3. Legislation shall be turned in no later than the date appointed by order of the Executive Committee;
4. Any legislation not found in the Bill Book must:
5. Be approved by the Executive Committee before the last day of session.
6. Approved legislation will only take place upon completion of all legislation found in bill book.
7. The Lieutenant Governor and the Speaker of the House shall, with the aid of the President *Pro Tempore* and the Speaker *Pro Tempore*, form calendars of legislation for the chambers;
8. A bill or resolution passing the joint session shall be presented to the Governor for approval;
9. All legislation signed by the Governor or passed over the Governor’s veto shall be included in the “Journal of Acts and Resolutions;”
10. Registration Fees

1. Member dues will be collected at the beginning of session at the discretion of the Finance Committee.

**Section 5.** Fall Session:

1. Fall Session shall be an annual student legislature, modeled after the General Assembly of South Carolina and shall be comprised of a Senate, a House of Representatives, and a Supreme Court;
2. Elections for the offices of Governor, Lieutenant Governor, Speaker of the House, President *Pro Tempore* of the Senate, and Speaker *Pro Tempore* of the House shall be held as the first order of business at the first joint session on the last day.
3. Each member school shall be represented by a delegation consisting of:
4. A chairman, and;
5. Two (2) delegates per school, and;
6. One delegate for each 200 full time undergraduate students for the first 1,000 students (5 possible), and;
7. One delegate for each 1,000 full time undergraduate students from 1,000 to 10,000 (9 possible), and;
8. One delegate for each 3,000 full time undergraduate students from 10,000 up;
9. All numbers shall be rounded up if the numbers exceed by more than 50 percent (50 percent plus 1) the previous population bracket.
10. Legislation:
11. The Lieutenant Governor and the Speaker of the House shall assign each bill or resolution to a committee.
12. Legislation which passes committee shall be assigned to its chamber by the Lieutenant Governor and the Speaker of the House;
13. The Lieutenant Governor and the Speaker of the House shall, with the aid of the President *Pro Tempore* and the Speaker *Pro Tempore*, form calendars of legislation for their respective chambers;
14. Once a bill or resolution passes one chamber, it shall be transferred to the calendar of the opposite chamber;
15. A bill or resolution passing both chambers shall be presented to the Governor for approval;
16. All legislation signed by the Governor or passed over the Governor’s veto shall be included in the “Journal of Acts and Resolutions;”
17. All legislation passed in differing forms in the chambers shall be reviewed and revised by the Conference Committee.
18. Both chambers shall abide by their respective rules, which shall be amended or revised as the first order of business when the chambers convene.
19. Only voting members of the Senate and House may be present on their respective floors unless presenting legislation or appearing by the body.
20. Registration fees

1. Registration fees will be collected at the beginning of session at the discretion of the Finance Committee.

**Article VII**

**The Supreme Court**

**SECTION 1.** Supreme Court.

The Supreme Court shall consist of a Chief Justice and four Associate Justices, any three of whom shall constitute a quorum for the transaction of business. The Chief Justice shall preside, and in his absence the senior Associate Justice. In all cases decided by the Supreme Court, the concurrence of three of the Justices shall be necessary for a reversal of the judgment below.

**SECTION 2.** Jurisdiction of Supreme Court.

1. The Supreme Court shall have power to review the trial case presented by the Chief Justice. The ruling of the Supreme Court will determine brief awards which are outlined in Article XII of the Constitution of Student Legislature.
2. The Supreme Court shall constitute a court for the correction of errors at law under such regulations as the General Assembly may prescribe.
3. If legislation is passed and signed into law but its constitutionality under the Constitution of the State of South Carolina is contested, The Chief Justice shall call a special session of the Supreme Court to review the law. The special session may be called no sooner than six (6) hours following the question of the law’s constitutionality with exception to the last day of session. Where it will be reviewed at the earliest possible time. The review process will allow the delegate who has questioned the constitutionality of legislation to present his argument before the Supreme Court and the legislation author to refute those arguments. The legislation author may receive help from his delegation for his defense. The Supreme Court shall publish a decision no later than one (1) hour following the hearing.

## Article VIII

**Committees**

**Section 1.** The Fall Session Committees shall:

1. Consist of:
2. The Committee on Agriculture and Natural Resources;
3. The Committee on Education;
4. The Committee on Judiciary;
5. The Committee on Labor, Commerce, and Industry;
6. The Committee on Medical, Municipal, Military, Transportation, and Public Administration;
7. The Committee on Miscellaneous;
8. The Committee on Ways and Means.

**Article IX**

**Finances**

**Section 1**: The Executive Committee shall, each year, through the office of the Treasurer, provide the South Carolina Student Legislature with an annual operating budget. The presentation of the annual operating budget shall be done by the Treasurer to the General Assembly during Fall Session.

**Article X**

**Elections**

**Section 1.** An officer shall be elected by a majority of the legal ballots cast.

**Section 2.** The Senate and the House of Representatives shall elect the Governor, and the Lieutenant Governor.

**Section 3.** The Senate shall elect the President *Pro Tempore* of the Senate.

**Section 4.** The House of Representatives shall elect the Speaker of the House and the Speaker *Pro Tempore* of the House.

**Section 5.** The Chair of the Election and Awards Committee shall preside over the elections. In the event that the Chair of the Election and Awards Committee is running for office, he shall resign as Chair of the Election and Awards Committee, and the Governor shall appoint a replacement with the consent of the Executive Committee.

**Section 6**. The Elections shall be conducted as follows:

1. All candidates shall be listed on an official election ballot(s) as deemed official by the Election and Awards Committee.
2. All Ballots shall be handed out to the respective delegation chairs following the last joint session of the session.
3. One ballot shall be given to each delegation chair for each member of that delegation, based on the number of votes assigned to that delegation in accordance with Article VI of this Constitution.
4. A delegate can only place his name on the ballot for a single office and cannot be listed more than once.
5. The candidates will be listed on the Ballot in the order that their nominations are received by the assembly.
6. Ballots which do not clearly identify the preference of the voter shall not be counted.

**Article XI**

**Discipline of Officers**

**Section 1.** Any elected or appointed officer may be removed from office for the following:

1. Failure to discharge the duties of his office;
2. Behavior determined by the body to be demeaning to the integrity of the South Carolina Student Legislature.

**Section 2.** Specific charges against the officer must be presented at any meeting of the Trial Committee. Upon a two-thirds vote of the present committee members, the officer in question shall be impeached.

**Article XII**

**Awards**

**Section 1.** The Carlisle Award is given annually at Fall Session in honor of the founder of the South Carolina Student Legislature, Dr. Douglas Carlisle. The Carlisle Award is awarded to the delegate or Officer who, in the opinion of the Awards Committee, best represents the ideals of the South Carolina Student Legislature.

**Section 2.** The Best Senator Award is given annually at Fall Session to the Senator who shows himself to be an accomplished speaker and conscientious statesman. The Senators shall nominate candidates for the Best Senator Award and then each Senator shall cast one vote for one of the nominees. The Lieutenant Governor shall cast a vote in case of a tie. The Election and Awards Committee shall administer the ballots.

**Section 3.** The Best Representative Award is given annually at Fall Session to the Representative who shows himself to be an accomplished speaker and conscientious statesman. The Representatives shall nominate candidates for the Best Representative Award and then each Representative shall cast one vote for one of the nominees. The Speaker of the House shall cast a vote in case of a tie. The Election and Awards Committee shall administer the ballots.

**Section 4.** The Best Legislation Award is given annually at Fall Session to the Author whose legislation, in the opinion of Election and Awards Committee, best manifests thorough research, topicality, and excellent use of language. The committee is not limited to bills presented to the House or Senate.

**Section 5.** The Best Delegation Award is given annually at Fall Session to the small, medium, and large delegations that, in the opinion of the Election and Awards Committee, best exemplified cohesion and activity.

A. A small delegation shall be defined as a delegation whose school has a current population of 2,000 students or less.

B. A medium delegation shall be defined as a delegation whose school has a current population between 2,001 and 8,000 students.

C. A large delegation shall be defined as a delegation whose school has a current population over 8,001 students.

**Section 6.** The Chad M. Beatty Award is given annually at Fall Session to the outstanding non-officer senior as decided by the Elections and Awards Committee.

**Section 7.** The Blake Alexander Campbell Memorial Award is given annually at Fall Session to a freshman Representative or Senator who, in the opinion of the Election and Awards Committee and the Executive Council, shows himself to be a positive representative for the future of SCSL through statesmanship, honor, courage, and integrity.

**Section 8**. The Best Written Brief award is given annually at Fall Session to the delegate(s) who, in the opinion of the Justices of the Supreme Court, shows exceptional legal writing skills.

**Section 9.** The Best Oral Argument award is given annually at Fall Session to the delegate(s) who, in the opinion of the Justices of the Supreme Court, shows excellent use of language skills, communication skills, and the art of advocacy.

**Article XIII**

**Parliamentary Authority**

**Section 1.** The rules contained in the current edition of *Robert's Rules of Order; Newly Revised* shall govern the South Carolina Student Legislature in all cases to which they are applicable and in which they are not inconsistent with this Constitution and any special rules this organization may adopt.

**Section 2.** The parliamentary authority prescribed in their respective rules shall govern the Senate and House.

**Article XIV**

**Equality**

**Section 1.** Any occurrence of pronouns throughout this document shall not be deemed gender specific.

**Section 2.** No delegate shall be discriminated against in any way on the basis of gender, race, religion, creed, sexual orientation, gender identity, or age.

**Article XV**

**Amendment of the Constitution and Bylaws**

**Section 1.** Any member may present amendments to the constitution or bylaws at any joint meeting at either Fall or Spring Sessions.

**Section 2.** Approved Constitutional amendments must be ratified by two-thirds of the members of the South Carolina Student Legislature. Approved Bylaw amendments must be ratified by a majority vote of the delegation chairs. Upon approval, the Secretary of State shall declare such amendments to be in effect.

**Article XVI**

**Preemption of Constitution and Bylaws**

**Section 1**: Members of South Carolina Student Legislature are bound by the Constitution and Bylaws. The Constitution shall hold precedence over the Bylaws in all matters. The Bylaws shall not preempt or supersede the Constitution.