

## SGA Bill 1-12-S

### **A bill to amend Article IV of the SGA constitution, relative to the rules and responsibilities of the Attorney General**

**Whereas:** The duties of the Attorney General are not clearly defined in the Constitution.

**Whereas:** A specific explanation of the rights and responsibilities of the Attorney General will greatly benefit the next person appointed to the position.

**Whereas:** A more clearly defined role for the Attorney General will show the students exactly what Attorney General can/cannot do.

### **THEREFORE, LET IT BE RESOLVED BY THE 74<sup>th</sup> CONGRESS OF THE STUDENT GOVERNMENT ASSOCIATION OF MIDDLE TENNESSEE STATE UNIVERSITY THAT:**

**Section 1:** Article IV of the SGA constitution is amended by striking section 4(B)(1) and adding a new section 4(B)(1), which shall read as follows: **Section 4 (B)(1)**

#### 1. Attorney General

a. Policies and Procedures for the Attorney General are as follows:

1. No citation appeal shall be heard by the Attorney General or the Court of Traffic Appeals if the appeal is not submitted within fifteen (15) calendar days of the given citation date. Exceptions of extenuating circumstances conflicting with this time limit will be taken into consideration and determined by the Attorney General and/or the Court of Traffic Appeals on a case-by-case basis.

2. Citations shall only be voided if the reason for appeal falls under one of three categories:

A. An emergency situation occurred hindering proper parking and resulting in a citation

B. An erroneous citation was given to the student.

C. A student receives a "No Campus Permit" violation and was parked in the appropriate lot according to the student's MTSU issued decal.

3. A student can have up to three (3) citations voided for an alleged violation of "No Campus Permit" and parked in a lot denoted for students (Green) per semester by the Parking Services Office. If the citation is taken to the Parking Services Office within seven (7) days of receiving the citation, the citation will be taken off of the student's account and an appeal is not necessary. However, if the student is unable to take the citation(s) to Parking Services within the seven (7) day time frame, an appeal to the Attorney General within fifteen (15) calendar days of the citation issuance will be necessary in order for the citation(s) to be taken off of the student's account. Parking Services will void three (3) "No Campus Permit" citations (as long as the citations were given in a "Green" lot and taken to the Parking Services Office within 7 days), and the Attorney General/Court of Traffic Appeals will void an additional three (3) citations (as long as the citations were given in a "Green" lot and the appeal was submitted

- within 15 calendar days of the citation issuance) with a total of six (6) “No Campus Permit” citation (parked in Green) voids per semester.
4. Only citations issued to students shall be heard by the Attorney General and/or the Court of Traffic Appeals. Appeals made by faculty, staff, or visitors shall be heard by the University Traffic Committee.
  5. Once a decision on a citation appeal is made by the Attorney General or the Court of Traffic Appeals, the decision is final and cannot be repeatedly appealed.
  6. Students are not required to attend a hearing for their appeal to be processed. The same standards and decision-making requirements are applied with or without a hearing. If the hearing is waived, the decision is made solely by the Attorney General based off the information provided by the student in the online appeal.
  7. Students may provide pictures or other documentation as evidence of an emergency or erroneous citation to further prove their case.
  8. Students may pay their citations in order to remove the hold from their account before the appeal is made or before an appeal decision is made. Paying the citation is not an admittance of guilt, and if the student is found to not be responsible for the citation, the student’s account will be reimbursed the amount of the citation.
  9. The Attorney General may refer any appeal to the Court of Traffic Appeals for any reason, even if the student chose to waive their hearing. However, the student is not required to attend the hearing.
  10. If a student chooses to have a hearing and fails to appear for that hearing, then the appeal is automatically denied.
  11. The Attorney General and Court of Traffic Appeals retain the right to receive additional information about a case from the Parking Services Office.
  12. The Attorney General and Court of Traffic Appeals retain the right to make exceptions to any of the above policies due to extenuating circumstances and exceptions will be considered on a case-by-case basis.
  13. Additional parking rules and regulations can be found in the “Traffic and Parking Regulations” handbook provided by the Parking Services Office.
  14. Student appeals are to be submitted online at [www.mtsu.edu/sga](http://www.mtsu.edu/sga) under “Court of Traffic Appeals.”

**Section 2:** These Constitutional amendments shall go into effect on May 1, 2012.

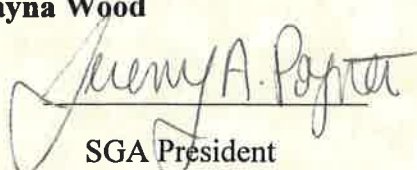
**Sponsored by: Senator Jared Adams**

**Co-Sponsors: Senator Laura Clinton  
 Senator Matthew Hibdon  
 Senator Rachel Lee  
 Senator Krystal Owens  
 Senator Jacqueline Smith  
 Senator Shayna Wood**

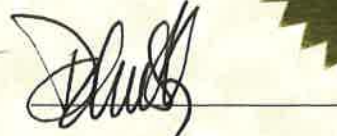
**Senator Coby Sherlock  
 Senator Meredith Holt  
 Senator Chris Townseno  
 Senator Jordan Hall  
 Senator Nicholas Goff**



Speaker of the Senate



SGA President




VP of Student Affairs



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**TO:** Mr. Jeremy Poynter, President  
Student Government Association

**FROM:** Debra Sells, Ed.D.   
Vice President for Student Affairs and  
Vice Provost for Enrollment and Academic Services

**RE:** SGA Bill 01-12-S

**DATE:** April 3, 2012

I have reviewed the attached legislation and herewith note my approval for the Student Government Association to amend the SGA Constitution outlining the duties of the SGA Attorney General. I commend the SGA for passing this legislation. Upon receipt of this approval, the SGA may move forward with making this revision to the SGA Constitution.

c: Mr. Shaun Luber ✓  
Ms. Erika Maclin  
Mr. John Thomas  
Dr. Danny Kelley

