

## SGA Bill 1-17-F

### **A Bill to include an Impeachment Process for Executive Board Members in the Student Government Association (SGA) Constitution.**

**Whereas:** An Executive Board Member may not be Impeached due to the lack of language and protocol for Impeachment Procedures in the current wording of the SGA Constitution.

**Whereas:** Any elected official could become corrupt or unethical during their tenure in office.

**Whereas:** Executive Board Members may exert their power in any way that they see fit without repercussions due to lack of ability to be removed from office in the current SGA Constitution.

**Whereas:** Executive Board Members are the highest ranking members of the Student Government Association and should be held to the highest standard of any SGA personnel.

**Whereas:** Executive Board Members should be held accountable for their actions and have a swift and just punishment for violating the integrity of their elected position or appointed office.

### **THEREFORE, LET IT BE RESOLVED BY THE 80TH CONGRESS OF THE STUDENT GOVERNMENT ASSOCIATION OF MIDDLE TENNESSEE STATE UNIVERSITY THAT:**

**Section 1:** Article IX, Removal from Office, be amended to read Article X Removal of an SGA Senator from Office.

**Section 2:** Article X, Amendments, be amended to read Article XI Amendments.

**Section 3:** Article XI, Enactment, be amended to read Article XII Enactment.

**Section 4:** A new article, Article IX, be added to the SGA Constitution and be titled Article IX Removal of an SGA Executive Board Member from Office and shall read:

Section 1: Any Executive Board member may be removed from office by means of impeachment by the SGA Senate.

Section 2: Any Senator may create Articles of Impeachment, though the articles they create can only be presented by a member of the Internal Affairs committee.

Section 3: The Internal Affairs committee shall have the sole power to draw up Articles of Impeachment. The committee will review and vote on the proposed Articles of Impeachment and if passed by a 2/3 majority of the committee the Articles of Impeachment will be presented to the full Senate.

Section 4: An impeachable offense will be classified as any act of the Executive Board member in questions' failure to faithfully execute the duties and responsibilities of their respective office listed in the SGA Constitution.

Section 5: Impeachment proceedings to remove an Executive Board member from office shall be handled as follows:

- A. A member of the Internal Affairs Committee will create Articles of Impeachment in the form of a bill and submit the bill to their committee.
- B. The member shall then file a formal complaint to the SGA Attorney General and the Attorney General shall submit a letter to the SGA Advisor asking for permission to investigate the Executive Board member(s) named in the formal complaint.
- C. Should the Attorney General be approved to investigate, they will have the authority to access any documents, testimonies, or other mentions of evidence that they require to further their investigation.
- D. When the investigation is completed, the Attorney General will turn all evidence gathered from the investigation to the Internal Affairs Committee.
- E. The Internal Affairs Committee will receive all of the evidence gathered by the Attorney General and conduct a meeting to determine if the offense is feasible enough to impeach the member in question.
- F. During a meeting of the Internal Affairs committee, quorum must be met and the Internal Affairs Committee will amend, debate, and vote on the submitted Articles of Impeachment. The vote shall require a 2/3 majority in favor of the Articles of Impeachment to pass and send the legislation to the full Senate for consideration and removal of the Executive Board member in question.
- G. Should the Articles of Impeachment bill pass through committee, it will be brought before the full Senate which will hold a hearing with the only business being the Articles of Impeachment and the member(s) in question.

- H. During the Impeachment Hearing, the Attorney General shall present the case against the accused using the grievances listed in the Articles of Impeachment bill and any form of incriminating evidence uncovered by the Attorney General in his/her investigation. After the Executive Board member(s) in question and the Attorney General have presented their cases, if they are present, the Executive Board member(s) with charges filed against them may present their case to the full Senate. After the Executive Board member(s) in question and the Attorney General have presented their cases, the Senate will vote on the Articles of Impeachment.
- I. If a 2/3 majority of Senators vote in favor of impeachment, the Executive Board member(s) in question will be removed from their elected/appointed office(s) effective immediately.
- J. Should the Articles of Impeachment be brought against the Attorney General, the Chairman of the Internal Affairs committee will take over all investigative matters as well as presenting the case against the accused.

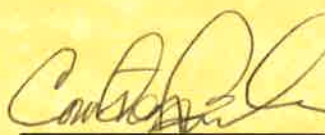
**Section 6:** Any official who has been removed from office pursuant to Article IX shall not be permitted to hold any office or serve in any other capacity within the Student Government Association for the remainder of their attendance at Middle Tennessee State University.

**Section 7:** This bill shall go to referendum immediately upon favorable passage, but shall not take effect until the SGA Spring 2018 Election have concluded.

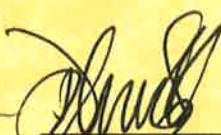
**Sponsor: Senator Nathan Watkins**



**Speaker of the Senate**



**SGA President**



**VP of Student Affairs**