

PER CURIAM

**SUPREME COURT OF THE  
STUDENT GOVERNMENT OF THE  
UNIVERSITY OF HOUSTON**

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No. Fall 2021 – 004

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**Background**

A complaint was filed by Attorney General Nadiia Hutcherson to the UH SGA Supreme Court concerning that members of the senate delegations violated the University of Houston Student Government Association Constitution by voting on Student Government Association Bill 58-008 titled “A Bill to Amend The Recall Special Election Code” on Monday, October 11th.

**Questions Before the Court**

Can the Department of Justice, specifically the Attorney General, suspend the following members of the Legislative Branch until December 31st, 2021?

**Court Analysis**

The Attorney General *can* suspend the following members of the Legislative Branch seeing that they violated the Student Government Association Constitution.

The University of Houston Student Government Association Bylaws, Title IV, Article I establishes the office of the Attorney General and Department of Justice.

Title IV, Article I, Section I, Clause I states that the Department of Justice is responsible for enforcing the law, defending the interests of the Student Government Association, and ensuring the fair and impartial administration of the Constitution and Bylaws of the Student Government Association.

Title IV, Article II, Section I, Clause I states that the Attorney General will be responsible for ensuring the legality of legislation and activities of the Student Government Association with the respect to the Student Government Association, Bylaws, and University policy.

Formal complaints are regularly made to the Attorney General about any alleged Constitutional, Bylaw, or University Policy infraction, and they are the one who makes determinations on legality based on complaints.

The Senators that introduced and those that voted in favor or against the Student Government Association Bill 58-008 were aware and notified of the Supreme Court's Advisory Opinion 58-002 and Declaratory Judgment 58-003, and knew that voting on the Recall Election Code is contrary to the University of Houston Supreme Court's previous decisions. Both decisions addressed the power granted to the Attorney General in the UH Constitution, Article VII, Section II, Clause 8. The referenced clause granted the Attorney General the exclusive power to fully organize special elections. By attempting to amend the Special Election Code granted to the Attorney General, the Senate has egregiously and intentionally violated the ruling of the Court and Constitution within the day that ruling 58-003 was published.

*It is so ordered.*

Justices Lee, Pham, and Rodriguez took no part in the consideration or decision of this case.