An Amendment Clarifying the Establishment of Constitutionality in regard to Bills and Resolutions

WHEREAS the University of Alabama at Birmingham Undergraduate Student Government Association has the honor and responsibility of representing the entire undergraduate student voice; and

WHEREAS it is the duty of the USGA to lead the undergraduate student body towards positive and relevant changes; and

WHEREAS the Undergraduate Student Government Association does not have a proper system in which Bills and Resolutions passed by Senators are verified to be Constitutional; and

WHEREAS having said system would ensure that the Bills and Resolutions of the Senators is in accordance of the UAB USGA Constitution; and

WHEREAS establishing a system in which Bills and Resolutions passed after a two-thirds majority vote by Senate must be reviewed by the Judicial Branch for constitutionality; and

WHEREAS the Judicial Branch’s role is to interpret the UAB USGA Constitution; and

WHEREAS the Judicial Branch would review Bills and Resolutions in its accordance to the UAB USGA Constitution; and

WHEREAS the Judicial Branch would be prohibited from altering the Bills and Resolutions; and

WHEREAS the Bill or Resolution can be deemed unconstitutional and returned to the Senate for reworking; and

WHEREAS the Judicial Branch can only submit a written denial of a Bill or Resolution on the basis of unconstitutionality within two (2) weeks of the Senate vote at a hearing of the Bill or Resolution Constitutionality Ruling; and

WHEREAS the Chief Justice and at least three of the four Associate Justices must be present at the hearing of the Bill or Resolution Constitutionality Ruling; and

WHEREAS there must be a three-fourths majority vote by the Student Court and with the Chief Justice serving as a tie-breaking vote to rule on the Bill or Resolution when deemed as constitutional or unconstitutional.

THEREFORE BE IT RESOLVED, that the UAB USGA, representing the undergraduate student population, will establish this system in the UAB USGA Constitution and follow through with the procedures.
BE IT FURTHER RESOLVED, that these changes will be implemented into the Code of Laws through the Judicial Branch within two (2) weeks of the passing of this bill.

Author: Hanh Huynh, College of Arts and Sciences Senator
       Renuka Srivastava, College of Arts and Sciences Senator

Sponsor: Gopiann Shah, College of Arts and Sciences Senator
         Madison March, USGA Chief Justice

Contact: Madison March, USGA Chief Justice