

SCSL Precedents

To the officers and body of South Carolina Student Legislature:

This document is intended purely as a guide for you in future sessions of SCSL. Precedents are simply notes of the ways that things have traditionally been done. Past legislative precedents are not necessarily binding in the way that rules are, but they are generally followed by future iterations of the body. Precedents are usually made by rulings of the Chair, Parliamentarian, or Attorney General, but stronger precedents can be made by the body on parliamentary issues or the Supreme Court on constitutional issues. I hope that by creating a written record of precedents, our procedures can have more continuity and stability from year to year. Of course, since new precedents can always be set, this document may expand each new session.

Dum spiro spero,
Zach McClure
Lieutenant Governor 2023
University of South Carolina

1. Fall 2021, House: The Speaker refused to allow a member to approach the well because she deemed him to be in violation of the dress code as he was wearing jeans. The member debated this, and another member noted that the rules of dress code are in the sole discretion of the Chair. No one in the body moved to appeal the Speaker's ruling, and the member did not present his bill.

2. Fall 2021, Senate: A member noticed a typo in his purpose statement that called the germaneness of his bill into question. The Parliamentarian stated that a bill's sections must only be germane to the spirit of the purpose statement. The Chair accepted this ruling, and it was not appealed.

3. Fall 2021, Both Chambers: The Parliamentarian ruled that even if only one member requests a division, that request must be honored. This ruling was not appealed.

4. Fall 2021, Attorney General's Ruling: The Attorney General found that the Election and Awards Committee has discretion on whether or not to include a write-in option on election ballots through their role in certifying the official ballot. Here, the Committee chose to allow write-ins, and this decision was not challenged.

5. Spring 2022, Joint Session: The Parliamentarian stated that no amendments could be presented on a bill until there had been one opportunity for a pro speech and one opportunity on a con speech on the bill in question. This decision was not appealed.

6. Spring 2022, Joint Session: The Parliamentarian stated that bill authors may not vote on their bill. This decision was not appealed. This decision was later overruled by Precedent 9.

7. Spring 2022, Joint Session: The Speaker made a motion while presiding, and then recognized himself. The Parliamentarian made a point of order and stated that officers cannot make motions while presiding. The Speaker relented, and the Parliamentarian's ruling was not appealed.

8. Fall 2022, Attorney General's Ruling: The Attorney General found that the Speaker and the Speaker Pro Tempore have the right to vote on legislation being considered by the House. This decision only applied to House officers. This decision was not appealed.
9. Fall 2022, Both Chambers: The Parliamentarian ruled that bill and amendment authors have the right to vote on their own legislation when it is being presented in their chamber. This ruling was not appealed in either chamber.
10. Fall 2022, Senate: The Lieutenant Governor ruled that division may not be called for after the gavel has fallen on the announcement of the opinion of the Chair. This ruling was not appealed.
11. Spring 2023, Attorney General's Ruling: The Attorney General stated that officers of the Joint Session could debate bills as long as they are not presiding over the bill in question. This decision was not appealed.
12. Spring 2023, Joint Session: The Lieutenant Governor stated that votes on motions and legislation that require a supermajority to carry or pass cannot be carried out by voice vote. This ruling was not appealed.
13. Spring 2023, Joint Session: The Speaker of the House ruled that authorship periods were three minutes with an extendable one minute last rites. The ruling was not appealed.
14. Fall 2023, Joint Session: The Lieutenant Governor ruled that motions and legislation that require a supermajority may be adopted by unanimous consent. While the subsequent unanimous consent ruling was objected to and thus failed, the underlying ruling was not appealed.
15. Fall 2023, Senate: The Lieutenant Governor, after discussion with the body, held every vote as a hand vote due to the small size of the chamber. This decision was not objected to.
16. Fall 2023, Senate: The Lieutenant Governor declared the Senate to be standing at ease and then called the Senate back to order after the

resolution of a minor issue. This parliamentary procedure was not objected to.

17. Fall 2023, Senate: The Lieutenant Governor, after discussion with the body, allowed members to demonstrate that they wished to make a motion instead of speaking by raising one finger in the air. This parliamentary procedure was not objected to.

18. Fall 2023, Senate: The Lieutenant Governor asked if there was any objection to moving the previous question when he judged there to be no further debate, even though no member of the body had made such a motion. Hearing no objection, he declared the period elapsed. This parliamentary procedure was not objected to.