



EXECUTIVE BRANCH

ATTORNEY GENERAL OPINION

Jorge Altuna

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To: Kirsten Courts, Speaker of the Senate

CC: Luci Blanco, Student Body President

Jarib Benitez, Student Body Vice President

Jason Hameed, Senate President Pro Tempore

Bella Pazera, Chief Justice

Collin Hoffner, Internal Associate Chief Justice Appointee

Victoria Marie Villadarez, External Associate Chief Justice Appointee

Anna Reed, External Legislative Assistant

Grace Rudie, Internal Legislative Assistant

James Kapinos, Deputy Pro Tempore of Senate Relations

Ryan Kaufman, Deputy Pro Tempore of Legislative Affairs

Zachary Gaudio, Legislative, Judicial, and Rules Committee Chair

Owen Sherman, Conference, Registration, and Travel Committee Chair

Niklas Luecht, Financial Allocations for Organizations Committee Chair

Samuel Rose, Operations Review & Sanctions Committee Chair

Bobby Escobar, Elections and Appointments Committee Chair

Juan Varela, Government Affairs and Policy Committee Chair

Mila Teodorescu, Student Body Advocacy Committee Chair

From: Jorge Altuna, Attorney General and Judicial Advisor

Date: June 26, 2025

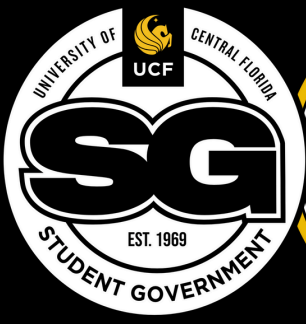
Subject: Opinion on Non-Elected Members in Legislative Branch Committees

Time: 3:00 PM EST

I. Foreword

I, Jorge Altuna, the Student Government Attorney General, in accordance with the Student Body Constitution, Statutes, and Senate Rules, hereby issue the following opinion:

The question presented is whether an individual not elected to the Student Body Senate, but who is a member of a Student Government Entity, can constitutionally sit on and vote in a Legislative Branch Committee. For the reasons detailed below, it is the opinion of the office of the Attorney General that, under specific and explicitly defined circumstances, such an individual can indeed sit on and vote in a Legislative Branch Committee. This is permissible when the Student Body Senate, acting within its constitutional authority to determine its own rules of proceedings, has explicitly granted such rights.



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II. Question Presented

This opinion is issued in response to a request from the Senate President, seeking clarification on a matter that has arisen in previous sessions without a definitive answer. The core question is: Can someone who is not elected to serve in the Student Body Senate, even if they are a member of a Student Government Entity, constitutionally have the ability to sit on and vote in a Legislative Branch Committee? The specific example provided for analysis is the Supervisor of Elections' ability to count for quorum and vote on specific Title VI matters within the Elections and Appointments Committee. The purpose of this opinion is to provide a clear and sound answer to this question.

III. Background and Statutory Framework

A. Student Body Constitution

The UCF Student Body Constitution stands as the supreme internal law, establishing the foundational principles, structure, and powers of the Student Government. Its authority is paramount, and all other internal governing documents must derive their legitimacy from it.

Article II, The Legislative Branch, vests legislative powers in the Student Body Senate. This Article is particularly significant as it explicitly grants the Senate the authority to "Enact, by majority vote of the Student Body Senate, constitutional bylaws to be known as Student Body Statutes". Concurrently, it empowers the Senate to "Determine the rules of its proceedings which shall be known as Senate Rules". This dual delegation of authority is critical.

The Constitution not only empowers the Senate to create subordinate laws and procedures but also inherently constrains these documents. Statutes and Senate Rules, while essential for detailed governance, must operate strictly within the boundaries and principles set forth by the Constitution. Any action taken under a Statute or Rule that exceeds or conflicts with a Constitutional provision is without proper authority.



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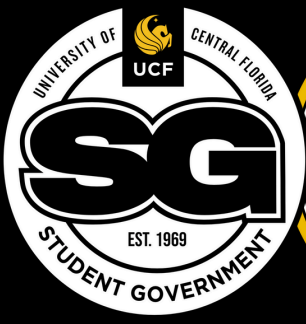
Furthermore, Article II, Section 2.02, outlines the composition of the Student Body Senate, stating it "shall be comprised of A. A number of students who shall be known as Student Senators. B. A Senate President, elected from the Student Body Senate. C. A Senate President Pro Tempore, elected from the Student Body Senate. D. A number of agents elected or appointed as stated in the Student Body Statutes and Senate Rules". This last clause, 2.02.D, is crucial as it explicitly allows for individuals who are appointed as stated in the Student Body Statutes and Senate Rules, to be part of the Senate's composition, which can extend to its committees.

B. Student Body Statutes

The UCF Student Body Statutes serve as the legislative implementation of the broad principles and powers articulated in the Constitution. They provide the detailed operational rules and specific procedures necessary to carry out the broader mandates of the Student Government. Title VI, "The Election Statutes," defines the Election Commission and its members, including the Supervisor of Elections. Chapter 601.2 states that the Supervisor of Elections "Shall submit a memorandum to the Senate designated committee, listing problems, solutions, and/or possible changes to the Election Statutes by the end of each election period, as defined by Title VI." The legislative intent is clear, as allowing the Supervisor to have membership in a designated committee is a vehicle to comply with statutory duties.

C. Senate Rules

The UCF Senate Rules represent the most granular level of internal governance, providing the practical procedures for the daily operations of the Student Body Senate. Senate Rule 3.01.B.1 designates the Elections and Appointments Committee as the committee for "all business pertaining to Chapter 302, Chapter 306, and Title VI". This confirms the committee's direct jurisdiction over election-related matters. Most critically, Senate Rule 3.04.B.8 explicitly addresses the membership of the Supervisor of Elections on the E&A Committee: "The E&A Committee shall be allotted an additional seat, which is reserved for the Supervisor of Elections or their designee, who shall have full debating rights for all business and voting rights pertaining to Title VI only". This rule further clarifies that the Supervisor of Elections' "membership shall not count against quorum; however, it shall count for it". This provision is a direct and specific grant of authority to a non-elected Student Government agent to participate in a legislative committee.



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IV. Analysis of the Question

A. Constitutional Authority of the Senate

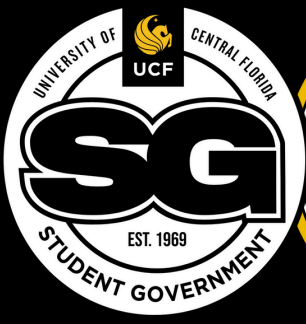
The UCF Student Body Constitution, as the supreme internal law, vests legislative powers in the Student Body Senate. Crucially, Article II, Section 2.05.G, explicitly grants the Student Body Senate the power to "Determine the rules of its proceedings which shall be known as Senate Rules". This broad grant of authority allows the Senate to establish its internal operational procedures, including the composition and function of its committees.

Furthermore, Article II, Section 2.02.D, states that the Student Body Senate "shall be comprised of... a number of **agents elected or appointed** as stated in the Student Body Statutes and Senate Rules". This constitutional provision directly contemplates the inclusion of appointed agents within the broader structure of the Student Body Senate, which can extend to its committees, provided such inclusion is properly defined in the Statutes and Senate Rules. This demonstrates that the Constitution does not exclusively limit committee membership or voting rights to elected Senators.

B. Rule-Based Provisions for Non-Senator Committee Membership

The provision directly addressing the question is Senate Rule 3.04.B.8, which states: "The E&A Committee shall be allotted an additional seat, which is reserved for the Supervisor of Elections or their designee, who shall have full debating rights for all business and voting rights pertaining to Title VI only". This rule is a direct exercise of the Senate's constitutional power to determine its own proceedings. It specifically grants the Supervisor of Elections:

- An additional seat on the E&A Committee.
- Full debating rights for all business before the committee.
- Voting rights, explicitly and strictly limited to matters pertaining to Title VI (Election Statutes). This limitation is significant, as it restricts the SOE's voting power to their area of expertise and statutory jurisdiction.



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The Senate, through its rule-making authority, has deemed it appropriate for the Supervisor of Elections, an expert in election matters, to have a defined role, including voting, on the committee responsible for those very matters. Therefore, the ability of the Supervisor of Elections to sit on and vote in the E&A Committee, and count for quorum, is explicitly provided for and constitutionally permissible under the current UCF Student Government governing documents.

V. Opinion and Recommendations

A. Recommendations for Constitutional Compliance

- **Continued Adherence to Specificity:** The Senate should continue to ensure that any grants of voting or quorum-counting privileges to non-elected individuals on legislative committees are explicitly and narrowly defined within the Senate Rules, specifying the scope of their participation (e.g., "pertaining to Title VI only"). This precision prevents ambiguity and potential overreach.
- **Regular Review of Senate Rules:** The Senate, particularly through the Legislative, Judicial, and Rules Committee, in collaboration with the Attorney General, should continue to regularly review Senate Rules to ensure they remain consistent with the Constitution and Statutes, and accurately reflect the intended operational procedures of committees.
- **Separations of Power:** I must caution the Student Body Senate against extending voting privileges on the full floor to non-senatorial officers. While I concur that non-senatorial officers, such as the Supervisor of Elections, possess valuable expertise that warrants their participation, debate, and vote within committees, I firmly believe that the prerogative to vote on the full Senate floor, as opposed to committees, should remain exclusively to Student Body Senators. This stance is based on the principle of one person, one vote, which ensures that legislative actions are directly attributable to the Senate. The very legitimacy of legislative power in a Student Government is derived from a direct popular mandate by the student body, where, as per statute, there is one Senate seat per every 1,000 students of each college, thereby tying representation directly to the electorate. Therefore, rendering any non-elected participation on the full Senate floor contradictory to the foundational concept of popular sovereignty.



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VI. Conclusion

It is the opinion of the office of the Attorney General that, yes, an individual who is not elected to serve in the Student Body Senate, but is a member of a Student Government entity, can constitutionally have the ability to sit on and vote in a Legislative Branch Committee, provided such ability is explicitly granted through duly enacted Student Body Statutes and Senate Rules.

Specifically, regarding the example provided: The Supervisor of Elections, as an appointed Student Government agent, can constitutionally sit on the Elections and Appointments Committee, count for quorum, and vote on matters pertaining strictly to Title VI (Election Statutes). This is directly supported by Senate Rule 3.04.B.8, which is a valid exercise of the Student Body Senate's constitutional power to determine its own rules of proceedings (Article II, Section 2.05.G) and is consistent with the constitutional allowance for appointed agents to be part of the Senate's composition (Article II, Section 2.02.D).

Issued with due consideration and in service to the Constitution,

Jorge Altuna
Attorney General & Judicial Advisor
University of Central Florida Student Government



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VIII. References

Florida Legislature. (2024). Florida Statutes §1004.26 – Student Governments. Retrieved from <https://www.leg.state.fl.us>

University of Central Florida. (2025). UCF Student Body Constitution. University of Central Florida Student Government. Retrieved from <https://studentgovernment.ucf.edu>

University of Central Florida. (2025). UCF Student Body Statutes. University of Central Florida Student Government. Retrieved from <https://studentgovernment.ucf.edu>

University of Central Florida. (2025). UCF Senate Rules. University of Central Florida Student Government. Retrieved from <https://studentgovernment.ucf.edu>