Legal Opinion (S) (55-009)

Subject: Travel Allocations and Account Freezing

Date: October 2nd, 2014

Senator Chairmen on Special Funding Corey Ulloa requested a legal opinion on October 2nd, 2014. Chairman Ulloa asked can an organization receive travel funds if their A&S (Activity and Service Fee) account gets frozen?

Statute 801.9 states the following: Any A&S account may be frozen by the Activity & Service Fee Management Bureau (ASMB) Director, a simple majority vote of the Senate or Student Body President in conjunction with the CFO for a period of five (5) business days.

Furthermore,

Statute 801.10 states the following: Any A&S account may be frozen for an indefinite time by the Student Senate, after consultation with the ASMB Director, by a 3/4ths vote at a regular meeting.

Furthermore,

Statute 801.11 states the following: Any A&S account may be unfrozen by the Student Senate with a simple majority at a regular meeting.

Furthermore,

Statute 801.22 states the following: ASRC shall determine the total budget for the Travel Grant. The budget shall be funded as its own separate line item.

Furthermore,

Statute 810.24 states the following: The expenditure of the Travel Grant shall be determined by the Senate Committee on Special Funding.

Therefore, it is the opinion of the Attorney General that there is no language that prevents an organization from receiving travel funding if their annual/interim account is frozen. In addition, since there is a separation between organization A&S accounts and the travel account in the annual budget, the money from the travel account may be allocated to an organization which has their account has been frozen at the discretion of the Senate Committee on Special Funding since the travel account is not the account that is frozen.
CC:
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