



**General Counsel Opinion
GC 2025-004
September 26, 2025**

Question Presented

Does the proposed “SGA Compensation Alteration Delay Act” violate the SGA Constitution?

Brief Answer

No, neither Article IV, Section 3 nor Article III of the SGA Constitution prevents Congress from enacting the proposed legislation.

Background

This opinion was requested by the Budgetary Committee Chair to ensure the constitutionality of a proposed bill. The proposed bill would add the following language to the SGA Code

Annotated:

Stipend Alteration Delay. Any alteration to a salary/stipend amount, enacted in accordance with the SGA Constitution and Code Annotated, that is applicable to one or more Undergraduate Student Congress officer(s), Graduate Student Senate officer(s), the SGA President or Vice President, or any other elected or appointed committee Chair position, shall not go into effect until a regular election or appointment of the respective position has occurred.


Analysis

Article IV, Section 3 of the SGA Constitution only applies to the SGA President and Vice President, and, among other restrictions, it specifies that their salary shall not increase or decrease

during the period for which they have been elected. Given that the proposed legislation requires changes in the salary of the President and Vice President to go into effect after an election has occurred, the proposed legislation complies with this part of the Constitution.

There is no indication that the SGA President and Vice President are the only roles in the SGA for which a compensation alteration delay is allowed. Even if in general, lists may be presumed to be exhaustive, this presumption does not apply given that the provision is included in the article about the Executive Branch, and there is no reason why the Constitution would list legislative branch members in that article. Additionally, there are no provisions in Article III which require changes in compensation for legislative branch roles to take effect immediately or which otherwise preclude this legislation.

This is the opinion of the General Counsel.



Mary McNeal, General Counsel



Vignesh Anand, Associate General Counsel