



**General Counsel Opinion**  
**GC 2025–006**  
**November 11, 2025**

**Question Presented**

1) May a Congress Officer (a high office of the Legislative Branch, e.g., Chair, Vice Chair, Secretary) serve concurrently as a Representative under the current University of Oklahoma SGA Code Annotated and Congress Bylaws?

**Brief Answer**

**Active Congress Officers:** Active high officers cannot serve at the same time as a Representative. While the Code only prohibits holding multiple high offices and does not list Representatives as high offices, the Undergraduate Student Congress Bylaws require any Representative who is appointed to a high office to resign. Because the Bylaws govern Congress-specific rules, they effectively prevent active officers from serving concurrently as Representatives.

**Background**

The General Counsel’s Office issues this opinion at the request of Caleb Robinson, SGA Congress Chair, in light of two pieces of legislation that appear to be in conflict. Although neither has been passed, the General Counsel’s Office has been asked to provide guidance to help prevent any conflicts in enacted legislation.

**Analysis**

The key question is whether a Legislative Officer may simultaneously hold a Representative seat within the Undergraduate Student Congress. The governing documents of the Student Government Association Code Annotated (SGACA) and the Undergraduate Student Congress Bylaws offer guidance but also create some ambiguity.

The SGA Code Annotated restricts individuals from holding multiple *high offices* at the same time and explicitly identifies Congressional Officer positions as high offices. The Code provides: “No person serving in a high office may simultaneously serve in another high office. In addition, no

seated member of Congress nor any Graduate Student Senator shall serve in any of the high executive or judicial offices listed below.”<sup>1</sup>

The Code further defines the *high offices of the Legislative Branch* as: “Chair of Undergraduate Student Congress; Vice Chair of Undergraduate Student Congress; Secretary of Undergraduate Student Congress; Ways and Means Committee Chair of Undergraduate Student Congress; Chair of Graduate Student Senate; Vice Chair of Graduate Student Senate; and Secretary of Graduate Student Senate.”<sup>2</sup>

Notably, Representatives are not listed among the high offices. On its face, this could suggest that a high officer might serve concurrently as a Representative, since Representatives are not included among the explicitly prohibited combinations.

However, the Undergraduate Student Congress Bylaws provide more specific guidance concerning legislative membership. Section 3 §2(6)(c) states that: “Representatives shall resign their seat if they are appointed or elected to a higher office.”<sup>3</sup>

This provision directly addresses the transition from Representative to higher office, requiring resignation to prevent overlapping authority. The Bylaws’ specificity regarding internal Congressional operations suggests that this provision governs in cases where the Code’s broader language leaves ambiguity. When read together, the Code and Bylaws indicate that active Congressional Officers—those currently serving in high office—cannot simultaneously serve as Representatives.

These structural rules are designed to preserve clear lines of authority within the Undergraduate Student Congress and to prevent conflicts of interest or dual representation.

Currently, two pending bills attempt to clarify this issue, but they adopt conflicting approaches:

1. **CB Bill 114-16 (“Congress Vice Chair and Secretary Representative Seat Clarification Act”)** seeks to *permit* concurrent service, stating: “The Vice Chair, in accordance with the Student Government Association Constitution, Code Annotated, and Undergraduate Student Congress Bylaws, is permitted to hold a representative seat.”<sup>4</sup>

However, based on **Bylaws §3 §2(6)(c)**, this provision would directly contradict existing requirements that Representatives must resign upon election or appointment to higher office. Thus, this bill would not align with current governing documents.

2. **CB Bill 114-18 (“BIG Act”)** proposes language that reinforces the existing restriction:

“1. Whomever holds the Chair shall abstain from voting except as necessary to break a tie.  
2. The Congress Chair, Vice-Chair, and Secretary shall resign, for the duration of their term, from

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<sup>1</sup> *SGA Code Annotated, Title I, Chapter 2, §4(a–d)*

<sup>2</sup> *Id.*

<sup>3</sup> *Undergraduate Student Congress Bylaws, §3 §2(6)(c)*



<sup>4</sup> *CB Bill 114-16*

any held Representative seat in Congress effective immediately upon assuming office as the Congress Chair, Vice-Chair, or Secretary.”<sup>5</sup>

While this bill aims to clarify an already implied rule, it is consistent with the current Bylaws and Code Annotated, both of which prevent active high officers from holding Representative seats concurrently.

When the SGA Code Annotated and Undergraduate Student Congress Bylaws are read together, they establish a clear framework to preserve separation of roles within Congress. Although the Code does not explicitly prohibit a high officer from holding a Representative seat, the Bylaws’ requirement that Representatives resign upon elevation to a higher office, combined with the Code’s delineation of high offices, demonstrates a unified intent that active high officers cannot hold Representative seats concurrently. This structure maintains clear organizational boundaries, ensures consistent representation, and prevents conflicts of duty within the Legislative Branch.

**This is the opinion of the General Counsel.**

  
Mary McNeal, General Counsel  
Vignesh Anand, Associate General Counsel

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<sup>5</sup> *CB Bill 114-18*