

**ADVISORY OPINION CONCERNING THE CHIEF ELECTION  
COMMISSIONER**

No. 2021-0001

[July 1, 2021]

An advisory opinion was petitioned by an anonymous member of Student Government Association to Chief Justice Muñoz concerning the Chief Election Commissioner.

**The questions brought forward regarding what office the Chief Election Commissioner falls under and whom do they report to?**

It is the opinion of the Student Government Association Supreme Court that the Chief Election Commissioner falls under the Department of Justice. Article 2 (1)(4) of the Student Government Association bylaws reads: The Attorney General will nominate the Chief Election Commissioner on or before the 2nd regular Senate meeting of each Fall semester and oversee the Election Commission. This means that the Attorney General is the superior of the Chief Election Commissioner.

**Is the office that appointed the Chief Election Commissioner also able to dismiss them if actions warrant removal?**

It is the opinion of the Student Government Association Supreme Court that the office of the Attorney General of the Student Government Association cannot dismiss the Chief Election Commissioner from their position. Article 2 (6)(1) of the Student Government Association Election Codes reads: Failure to fulfill the duties or responsibilities as outlined in this document will constitute grounds for removal. The Student Government Association Supreme Court will decide removal from the Commission. The Attorney General of the Student Government Association will serve as the prosecutor; any member of the Commission accused of failing to fulfill the duties and responsibilities will have a right to counsel.