



**The Associated Students of New Mexico State University**

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**Office of the Attorney General**

**Official Opinion**

**TO:** Kolby Graham Taylor, *ASNMSU ACES Senator*

**FROM:** Devon Harrison, *ASNMSU Attorney General*

**DATE:** July 29<sup>th</sup>, 2024

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**Subject:**

Clarification on how the terms ‘*Section*’ and ‘*Chapter*’ are to be used when writing or amending a Bills use of the terms.

**Applicable Bylaw:**

**ASNMSU Bylaws:**

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**Opinion Rendered:**

Upon reviewing Bills 198, 199, 200, 234, and 260 from the 67th Senate, it has come to my attention that there has been some confusion regarding the terms ‘*Chapter*’ and ‘*Section*’. The previous interpretation regarded these terms as interchangeable. However, this approach creates ambiguity in the structuring and referencing of legislation.



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To clarify:

- **Chapter:** Refers to a major division within the bylaws, typically representing a broad thematic area. For example, "1. THE CONSTITUTION OF THE ASNMSU" is a Chapter.
- **Section:** Denotes a subdivision within a Chapter, used to detail specific aspects or provisions. For instance, "1-1. NAME" and "2-2-1 DEFINITIONS" are Sections within a Chapter.

To prevent further confusion, I propose that, moving forward into the 68<sup>th</sup> Senate, we adhere strictly to the distinct definitions of these terms:

- **Chapters:** Major headings that denote significant parts of the Bylaws. Examples include:
  - 1. THE CONSTITUTION OF THE ASNMSU
  - 2. THE ELECTION CODE
  - 3. EXECUTIVE BYLAWS
- **Sections:** Subdivisions within Chapters. Examples include:
  - 2-2. PURPOSE OF ELECTION CODE
  - 2-3. ELECTION BOARD
- **Subsections:** Detailed components under Sections. Examples include:
  - 2-3-3

I. Attend all ASNMSU Election Board meetings set by the ASNMSU Chief Elections Officer:

1. Failure to attend set meetings will result in a fine of five percent (5%) of the current fiscal year's GAA Council Appropriation to be levied on that ASNMSU Election Board member's College Council. This fine will increase by an additional five percent (5%) with each additional meeting missed (e.g., One (1) meeting missed is a fine of five percent (5%) of that fiscal year's GAA appropriation, the second meeting missed will result in a total fine of ten percent (10%) of that fiscal year's GAA appropriation, etc.):

- a. This fine will be levied by the ASNMSU Comptroller, who will instruct the ASNMSU Fiscal Advisors to affect the transfer from the College Council's account and deposit it into the ASNMSU Principal Endowment Account; and

A **Chapter** is a major heading that encompasses a broad area of the Bylaws, serving as a primary division. Within each Chapter, **Sections** break down the content into specific areas of focus and are typically numbered in the format #-#-#. **Subsections** further detail the Sections and are labeled with either capital letters, numbers, or lowercase letters, depending on their level of detail.



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Thank you for your attention to this matter.

**Devon L. Harrison - he / him / his**

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