



# The Associated Students of New Mexico State University

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## Office of the Attorney General

### Official Opinion

**TO:** Ala Alhalholy, *ASNMSU President*

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

**DATE:** August 30<sup>th</sup>, 2024

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**Subject:**

Clarification on the legality of Senator Avilucea's qualifications as outlined in the ASNMSU Bylaws, specifically Bylaw 6-3, Section C.

**Applicable Bylaw:**

6-3. LEGISLATIVE QUALIFICATIONS ACT

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B. ASNMSU Senate Officers shall be ASNMSU fee-paying members and continue to be so throughout the term of their employment; and

C. ASNMSU Senate Officers shall have been ASNMSU fee-paying members for the fall or spring semester prior to their election or hiring;

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**Opinion Rendered:**



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Upon reviewing Senator Avilucea's qualifications, it has come to my attention that, as a transfer student from the University of New Mexico (UNM), she did not meet the requirement of being an ASNMSU fee-paying member during the semester prior to her appointment. Therefore, according to Bylaw 6-3, Section C, Senator Avilucea's current status is not in compliance with our regulations.

To rectify this situation, I recommend that Senator Avilucea resign and seek re-election in the Fall 2024 election. By then, she will have fulfilled the necessary qualification of being a fee-paying member for the required period. Should she choose not to resign, ASNMSU will need to initiate the impeachment process to address this non-compliance.

Thank you for your attention to this matter. Please let me know if you have any further questions or need additional information.

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

*ASNMSU Attorney General*

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