

**SUPREME COURT FOR THE ASSOCIATED STUDENTS OF COLORADO STATE  
UNIVERSITY**

February 4, 2026

CLARIFICATION ON OVER-BUDGETED LINE ITEMS

CHIEF JUSTICE MELANIE BROUSSEAU delivered the opinion of the Court

SENATOR FOR THE COLLEGE OF LIBERAL ARTS, HAYDEN TAYLOR, requested an opinion regarding if over-budgeted contract funds must be immediately transferred to Senate Discretionary.

The following question was submitted for clarification:

1. Does funding that was over budgeted to a line item and is unable to go to that line item (like funds budgeted to an expected increase in contractual payments that are later denied) go to the senate discretionary fund or can that be allocated to other projects without going through the senate discretionary fund?

The ASCSU Supreme Court has determined the following:

1. In a vote of 5-0-1, the Court has determined that funding that was overbudgeted to a line item and therefore unable to go to that line item (like funds budgeted to an expected increase in contractual payments that are later denied) can be allocated to other projects without going through the senate discretionary fund. According to Article X, Section 1002, Part C of the ASCSU Constitution, “All unbudgeted funds from the ASCSU Fee, from either the initial budgeting, roll-over funds, or any other source of unbudgeted revenue, shall be immediately transferred to the Senate Discretionary Fund by the Director of Finance.” This specifically requires the Court to consider the status of “overbudgeted” funds as mentioned in the question. If funds were specifically allocated to a line item in the budget, they are definitionally no longer unbudgeted funds, but can be considered unspent. If they remain unspent for the entirety of the fiscal year, they become roll-over funds and at that point only are classified as “unbudgeted.” Historically, such as in Bill 5316, funds that were unspent have been reallocated by the President according to Article X, Section 1002, Part A of the ASCSU Constitution: “Funds may be transferred between ASCSU departments by the President, only with the approval of Senate in the form of a Supplemental Funding Bill that shall be written and presented by the President and/or their designee.” In that case, the transferred funds were originally

budgeted to a financial advisor position that was never filled. Although those funds were budgeted to a line item, they were unspent and therefore eligible to be transferred between departments at the President's discretion and with the approval of the Senate. This implies that the President may propose the transfer of funds to specific projects within ASCSU departments.