

1 **2SHB 2605 - H AMD 1021 WITHDRAWN 02/14/94**

2 By Representative Mielke

3 On page 1, strike everything after the enacting clause and
4 insert the following new sections:

5 "NEW SECTION. **Sec. 1.** A new section is added to chapter
6 28B.15 RCW to read as follows:

7 It is the intent of the legislature that recognized student
8 organizations have access to higher education institutions'
9 registration and student account systems for the purpose of
10 collecting voluntary student fees. The legislature finds that
11 recognized student organizations should have the opportunity to
12 request use of registration or student account systems, by a vote
13 of students in a general election, and that the institution should
14 permit and facilitate such access upon a favorable vote of the
15 students.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter
17 28B.15 RCW to read as follows:

18 Unless the context clearly requires otherwise, the definitions
19 in this section apply throughout sections 1 through 3 of this act.

20 (1) "Criteria for recognition" may include the student
21 organization's name, address, purpose, at least five officers and
22 their addresses; proposed or actual means of financing; proposed
23 annual level of voluntary check-off; and budget.

24 (2) "Positive check-off" means students that do want to
25 participate exercise their option by a response in the registration
26 or student account system.

27 (3) "Recognized student organization" means an organization of
28 students registered with and recognized by the higher education
29 institution as having provided and, if appropriate, updated on an
30 annual basis, the criteria for recognition.

1 (4) "User fee" means an amount of money a higher education
2 institution may charge a recognized student organization for the
3 purpose of cost recovery of the expense of establishing and
4 operating a positive check-off for fund-raising in the registration
5 or student account system on behalf of that recognized student
6 organization.

7 (5) "Voluntary student fee" means fees, including the costs of
8 collecting such fees, other than tuition or service and activities
9 fees, that students may voluntarily elect to pay through a positive
10 check-off during the registration process or in the student account
11 system at community colleges, The Evergreen State College, regional
12 universities, and state universities.

13 NEW SECTION. **Sec. 3.** A new section is added to chapter
14 28B.15 RCW to read as follows:

15 Recognized student organizations may solicit voluntary student
16 fees through a positive check-off in registration or student
17 account systems as a means of fund-raising. In order for a
18 recognized student organization to have access to a higher
19 education institution's registration and student account system for
20 the purpose of collecting voluntary student fees, the recognized
21 student organization shall request the use of a registration or
22 student account system by a vote of the students. If such a
23 request is sustained by a majority vote of students in a general
24 election, then the institution shall permit and facilitate such
25 access, subject to this section and section 2 of this act.

26 (1) Such recognized student organizations shall disclose their
27 purpose, the intended use of funds raised, and the method of check-
28 off during the application and qualification process for access to
29 the registration or student account system of a higher education
30 institution.

31 (2) Recognized student organizations must meet the following
32 conditions before qualifying for and being provided access to the

1 registration or student account systems of a higher education
2 institution:

3 (a) Register with and be recognized by the higher education
4 institution, meeting the criteria set forth in section 2(1) of this
5 act;

6 (b) Obtain the signatures of fifteen percent of currently
7 registered full-time students on petitions supporting placing the
8 proposal on a general election ballot;

9 (c) Obtain approval by a majority of the voters in a student
10 body general election; and

11 (d) Complete the process no less than ninety days prior to the
12 opening of the registration cycle to which the recognized student
13 organization is requesting access.

14 (3) Upon successful completion of the process in subsection
15 (2) of this section, the recognized student organization shall have
16 access to the registration or student account system during each
17 registration cycle for three years after the successful general
18 election.

19 (4) Recognized student organizations may withdraw from access
20 to a registration or student account system by so stating in
21 writing to the higher education institution no less than ninety
22 days prior to the opening of the next registration cycle.

23 (5) Higher education institutions may deny access to a
24 recognized student organization if the recognized student
25 organization fails to meet on an annual basis the criteria for
26 recognition set forth in section 2(1) of this act.

27 (6) Higher education institutions shall calculate any user fee
28 and notify the recognized student organization in advance of any
29 registration cycle during which such a user fee will be imposed.
30 No user fee shall exceed twenty percent of the yield of the check-
31 off. The higher education institutions shall calculate the user
32 fee, deduct it from the yield accrued during the registration
33 cycle, and provide the net proceeds to the recognized student

1 organization no later than the last day of the term or semester for
2 which the funds are collected.

3 (7) At the end of a three-year cycle, a recognized student
4 organization desiring continued access to the registration or
5 student account system shall:

6 (a) Continue to meet the criteria for recognition set forth in
7 section 2(1) of this act;

8 (b) Obtain the signatures of ten percent of currently
9 registered full-time students on petitions supporting placing the
10 proposed continuation of access on a general election ballot;

11 (c) Obtain approval by a majority of voters in a student body
12 general election; and

13 (d) Complete the process no less than ninety days prior to the
14 opening of the registration cycle to which the recognized student
15 organization desires continued access.

16 (8) Student organizations currently having access to
17 registration or student account systems through positive or
18 negative check-offs or through a mandatory refundable voluntary fee
19 shall retain such access for five years after the effective date of
20 this act or until expiration of a contract valid on the effective
21 date of this act, without needing to comply with the conditions set
22 forth in subsection (2) (b) through (d) of this section."

23 Renumber the remaining sections consecutively and correct any
24 internal references accordingly