

# HOUSE BILL REPORT

## SHB 2332

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### As Passed Legislature

**Title:** An act relating to associated student body fund-raising activities.

**Brief Description:** Authorizing student groups to conduct charitable fund-raising.

**Sponsors:** Representatives Schual-Berke, Edmonds, Dickerson, Keiser, Carlson, Hurst, Lantz and Stensen.

### Brief History:

#### Committee Activity:

Education: 1/20/00, 1/27/00 [DPS].

#### Floor Activity:

Passed House: 2/3/00, 95-0.

Senate Amended. 45-0.

House Concurred. 96-0.

Passed Legislature.

### Brief Summary of Substitute Bill

- The ability of students to raise funds for charitable purposes is clarified and expanded.

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## HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Quall, Democratic Co-Chair; Talcott, Republican Co-Chair; Haigh, Democratic Vice Chair; Schindler, Republican Vice Chair; Carlson; Cox; Keiser; Rockefeller; Santos; D. Schmidt; Schual-Berke; Stensen; Thomas and Wensman.

**Staff:** Charlie Gavigan (786-7340).

### Background:

An "associated student body" is a formal organization of students formed with the approval of and regulation by the school district. Associated student bodies, among

other things, provide optional non-credit extracurricular activities of a cultural, social, recreational, or athletic nature. Associated student body activities generally are funded by fees or student fundraisers.

Article 8, section 7 of the state constitution prohibits local public agencies, such as school districts, from making gifts of public funds except to aid the poor or infirm. Donations may be used by the associated student body for scholarship, student exchange, and charitable and other purposes. Donations typically mean gifts made without receiving any compensation. However, many student fundraisers, such as car washes and bake sales, provide a service or product to the person making the "donation."

Students may raise private funds, called nonassociated student body program funds, for private purposes that can be held in trust in an associated student body program fund. The school district must be compensated for the cost of administering the separate private account or accounts.

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**Summary of Substitute Bill:**

Specific authorization for the associated student body program fund to use donations for scholarship, student exchange, charitable, and other purposes is removed.

Subject to school board policy, student groups are authorized to conduct fund-raising activities as a private group to generate nonassociated student body funds. These nonassociated student body funds may be used for scholarship, student exchange, and charitable purposes; they cannot be used for political purposes. Nonassociated student body program funds are not public funds for purposes of lending of credit provisions. The student group raising the funds determines how the funds are used. These nonassociated student body funds must be held in trust in an associated student body program fund in separate accounts, and the school district reimbursed for the direct expenses of maintaining these separate accounts.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill clarifies and expands the ability of students to raise funds for charitable purposes. Efforts by students to help other students who have cancer or other serious illnesses, persons in their community who face disasters like their home

burning, and to assist other community and charitable causes have been hindered by current law. This bill removes these fund-raising hindrances and allows the students to be more involved in their community, which can inspire them to be better citizens.

**Testimony Against:** None.

**Testified:** (In support) Representative Schual-Berke, prime sponsor; Fred High, Kent School District; Jamie Weidenbach, Adria Chiu, and Suzanne Moellendorf, students (Kent School District); Barbara Mertens, Washington Association of School Administrators; Ken Kanikeberg, Office of the Superintendent of Public Instruction; and Audrey Donoghue, Jojo McWhinney, James Milnes, and Crystal Hurn, students (Tenino Elementary School).