
SENATE BILL 6456

State of Washington

62nd Legislature

2012 Regular Session

By Senators Haugen, Fraser, Kilmer, and Shin

Read first time 01/24/12. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to prohibiting the use of state funds and tuition
2 fees for intercollegiate athletic expenses at the University of
3 Washington and Washington State University; amending RCW 28B.10.703;
4 and reenacting and amending RCW 28B.15.031.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 28B.10.703 and 1977 ex.s. c 169 s 32 are each amended
7 to read as follows:

8 The governing boards of each of the state universities, the
9 regional universities, The Evergreen State College, and community
10 colleges in addition to their other duties prescribed by law shall have
11 the power and authority to establish programs for intercollegiate
12 athletic competition; however, such programs at the University of
13 Washington and Washington State University shall not be funded with
14 state appropriations or operating fees as defined in RCW 28B.15.031.
15 Such competition may include participation as a member of an athletic
16 conference or conferences, in accordance with conference rules.

17 **Sec. 2.** RCW 28B.15.031 and 2011 1st sp.s. c 10 s 2 and 2011 c 274
18 s 2 are each reenacted and amended to read as follows:

1 (1) The term "operating fees" as used in this chapter shall include
2 the fees, other than building fees, charged all students registering at
3 the state's colleges and universities but shall not include fees for
4 short courses, self-supporting degree credit programs and courses,
5 marine station work, experimental station work, correspondence or
6 extension courses, and individual instruction and student deposits or
7 rentals, disciplinary and library fines, which colleges and
8 universities shall have the right to impose, laboratory, gymnasium,
9 health, technology and student activity fees, or fees, charges,
10 rentals, and other income derived from any or all revenue producing
11 lands, buildings and facilities of the colleges or universities
12 heretofore or hereafter acquired, constructed or installed, including
13 but not limited to income from rooms, dormitories, dining rooms,
14 hospitals, infirmaries, housing or student activity buildings,
15 vehicular parking facilities, land, or the appurtenances thereon, or
16 such other special fees as may be established by any college or
17 university board of trustees or regents from time to time. All moneys
18 received as operating fees at any institution of higher education shall
19 be deposited in a local account containing only operating fees revenue
20 and related interest: PROVIDED, That: (a) A minimum of five percent
21 of operating fees shall be retained by the four-year institutions of
22 higher education that increase tuition for resident undergraduate
23 students above assumed tuition increases in the omnibus appropriations
24 act(~~(7)~~); (b) a minimum of four percent of operating fees shall be
25 retained by four-year institutions of higher education that do not
26 increase tuition for resident undergraduates above assumed increases in
27 the omnibus appropriations act(~~(7) and~~); (c) a minimum of three and
28 one-half percent of operating fees shall be retained by the community
29 and technical colleges for the purposes of RCW 28B.15.820; and (d)
30 operating fees of the University of Washington and Washington State
31 University shall not be used to fund programs established for
32 intercollegiate athletic competition authorized under RCW 28B.10.703,
33 except that this prohibition on the use of operating fees is not
34 applicable to tuition waivers provided to achieve gender equity in
35 intercollegiate athletic competition in accordance with RCW 28B.15.740.
36 At least thirty percent of operating fees required to be retained by
37 the four-year institutions for purposes of RCW 28B.15.820 shall be used
38 only for the purposes of RCW 28B.15.820(10).

1 (2) In addition to the three and one-half percent of operating fees
2 retained by the institutions under subsection (1) of this section, up
3 to three percent of operating fees charged to students at community and
4 technical colleges shall be transferred to the community and technical
5 college innovation account for the implementation of the college
6 board's strategic technology plan in RCW 28B.50.515. The percentage to
7 be transferred to the community and technical college innovation
8 account shall be determined by the college board each year but shall
9 not exceed three percent of the operating fees collected each year.

10 (3) Local operating fee accounts shall not be subject to
11 appropriation by the legislature or allotment procedures under chapter
12 43.88 RCW.

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