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**SUBSTITUTE HOUSE BILL 1364**

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**State of Washington**

**53rd Legislature**

**1994 Regular Session**

**By** House Committee on Higher Education (originally sponsored by Representatives Jacobsen, Brumsickle, Wood, Dunshee, Ludwig, Basich, L. Johnson, Fuhrman, Johanson, Rayburn, Grant, Quall, Morton, Morris, Bray, Finkbeiner, Kessler, Flemming, J. Kohl, Shin, Ogden, Sheahan, King and Wineberry)

Read first time 02/04/94.

1 AN ACT Relating to student organizations' access to higher  
2 education institutions' registration and account systems; and adding  
3 new sections to chapter 28B.15 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.15 RCW  
6 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 collecting  
10 voluntary student fees. The legislature finds that recognized student  
11 organizations should have the opportunity to request use of  
12 registration or student account systems, by a vote of students in a  
13 general election, and that the institution of higher education 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 28B.15 RCW  
17 to read as follows:

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

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

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

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

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

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

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

27 Recognized student organizations may solicit voluntary student fees  
28 through a positive check-off in registration or student account systems  
29 as a means of fund-raising. In order for a recognized student  
30 organization to have access to an institution of higher education's  
31 registration and student account system for the purpose of collecting  
32 voluntary student fees, the recognized student organization shall  
33 request the use of a registration or student account system by a vote  
34 of the students. If such a request is sustained by a majority vote of  
35 students in a general election, then the institution of higher  
36 education shall permit and facilitate such access, subject to this  
37 section and section 2 of this act.

1 (1) Such recognized student organizations shall disclose their  
2 purpose, the intended use of funds raised, and the method of check-off  
3 during the application and qualification process for access to the  
4 registration or student account system of an institution of higher  
5 education.

6 (2) Recognized student organizations shall meet the following  
7 conditions before qualifying for and being provided access to the  
8 registration or student account systems of an institution of higher  
9 education:

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

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

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

17 (d) Complete the process no less than ninety days before the  
18 opening of the registration cycle to which the recognized student  
19 organization is requesting access.

20 (3) Upon successful completion of the process in subsection (2) of  
21 this section, the recognized student organization shall have access to  
22 the registration or student account system during each registration  
23 cycle for three years after the successful general election. Student  
24 organizations currently having access to registration or student  
25 account systems through positive or negative check-off shall retain  
26 such access for three years after the effective date of this section or  
27 until expiration of a contract valid on the effective date of this  
28 section, without needing to comply with the conditions set forth in  
29 subsection (2) (b) through (d) of this section.

30 (4) Recognized student organizations may withdraw from access to a  
31 registration or student account system by so stating in writing to the  
32 institution of higher education no less than ninety days before the  
33 opening of the next registration cycle.

34 (5) Institutions of higher education may deny access to a  
35 recognized student organization if the recognized student organization  
36 fails to meet on an annual basis the criteria for recognition set forth  
37 in section 2(1) of this act.

38 (6) Institutions of higher education shall calculate any user fee  
39 and notify the recognized student organization in advance of any

1 registration cycle during which such a user fee will be imposed. No  
2 user fee may exceed twenty percent of the yield of the check-off. The  
3 institutions of higher education shall calculate the user fee, deduct  
4 it from the yield accrued during the registration cycle, and provide  
5 the net proceeds to the recognized student organization no later than  
6 the last day of the term or semester for which the funds are collected.

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

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

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

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

17 (d) Complete the process no less than ninety days before the  
18 opening of the registration cycle to which the recognized student  
19 organization desires continued access.

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