

HOUSE No. 1162

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to student fees..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 29 of chapter 15A of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by striking out paragraphs (a), (b) and (c) and inserting in
3 place thereof the following 3 paragraphs:—(a) as used in this chapter and in chapters 73 and 75
4 the following words shall have the following meanings:“Nonpartisan”, as applied to student
5 organizations not endorsing or adhering to particular. ideological or religious positions in the
6 articles of incorporation, charter, constitution, or bylaws.“Official student referendum”, a
7 referendum vote of the student body which is sanctioned by the college-recognized student
8 governmental association and certified by said student governmental association as valid.

9 “Optional fee”, any amount payable on a student tuition bill, but not a mandatory charge
10 or waivable fee, appearing as a separately assessed item, accompanied by a statement as to the
11 nature of said item and that said item is not a charge required to be paid by the student but rather
12 the student may add said charge to the total amount due, and that said item is displayed on the
13 bill at the request of the student body and does not necessarily reflect the endorsement of the
14 board of trustees.“Student organization”, any organization of students at public post-secondary

15 educational institutions which is open to membership of all students who pay the optional fee
16 and is controlled by its students.(b) Non-mandatory student fees to nonpartisan student
17 organizations which employs legislative agents as defined in section 39 of chapter 3 or to
18 nonpartisan student organizations attempting to influence legislation as defined in section 44 of
19 said chapter 3 shall be paid on student tuition bills by an optional fee whenever students have
20 authorized said optional fee on the tuition bill by a majority vote of the students voting in an
21 official student referendum. The continuation of said optional fee on the student tuition bill may
22 be subject to reauthorization by an official student referendum every 2 years. Necessary
23 administrative costs arising in connection with the collection of said fee may be billed by the
24 board of trustees to the student organization at the time of the transfer of funds collected to said
25 student organization.

26 (c) The board of trustees shall not allow any funds for legislative agents as defined in
27 section 39 of said chapter 3 or organizations attempting to influence legislation as defined in
28 section 44 of said chapter 3 to be assessed on student tuition bills; provided, however, that
29 optional fees for nonpartisan student organizations which employ said legislative agents or
30 attempt to influence legislation shall be collected by the boards of trustees whenever students
31 have authorized an optional fee by a majority vote of those students voting in an official student
32 referendum. Said optional fees shall be collected as provided in paragraph (b).