

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

James H. Fagan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to student fees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James H. Fagan	3rd Bristol
Robert F. Fennell	10th Essex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1177 OF 2007-2008.]

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
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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 Official Edition, is hereby
2 amended by striking out paragraphs (a), (b) and (c) and inserting in place thereof the following 3 paragraphs:—
3 (a) as used in this chapter and in chapters 73 and 75 the following words shall have the following meanings:
4 “Nonpartisan”, as applied to student organizations not endorsing or adhering to particular, ideological or religious
5 positions in the articles of incorporation, charter, constitution, or bylaws.
6 “Official student referendum”, a referendum vote of the student body which is sanctioned by the college-recognized
7 student governmental association and certified by said student governmental association as valid.
- 8 “Optional fee”, any amount payable on a student tuition bill, but not a mandatory charge or waivable fee, appearing
9 as a separately assessed item, accompanied by a statement as to the nature of said item and that said item is not a
10 charge required to be paid by the student but rather the student may add said charge to the total amount due, and that
11 said item is displayed on the bill at the request of the student body and does not necessarily reflect the endorsement
12 of the board of trustees.
- 13 “Student organization”, any organization of students at public post-secondary educational institutions which is open
14 to membership of all students who pay the optional fee and is controlled by its students.
- 15 (b) Non-mandatory student fees to nonpartisan student organizations which employs legislative agents as defined in
16 section 39 of chapter 3 or to nonpartisan student organizations attempting to influence legislation as defined in
17 section 44 of said chapter 3 shall be paid on student tuition bills by an optional fee whenever students have
18 authorized said optional fee on the tuition bill by a majority vote of the students voting in an official student
19 referendum. The continuation of said optional fee on the student tuition bill may be subject to reauthorization by an
20 official student referendum every 2 years. Necessary administrative costs arising in connection with the collection of
21 said fee may be billed by the board of trustees to the student organization at the time of the transfer of funds
22 collected to said student organization.
- 23 (c) The board of trustees shall not allow any funds for legislative agents as defined in section 39 of said chapter 3 or
24 organizations attempting to influence legislation as defined in section 44 of said chapter 3 to be assessed on student
25 tuition bills; provided, however, that optional fees for nonpartisan student organizations which employ said
26 legislative agents or attempt to influence legislation shall be collected by the boards of trustees whenever students

27 have authorized an optional fee by a majority vote of those students voting in an official student referendum. Said
28 optional fees shall be collected as provided in paragraph (b).