

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO STUDENT ORGANIZATIONS AT
5 PUBLIC POSTSECONDARY INSTITUTIONS; ESTABLISHING THAT IF CERTAIN STUDENT
6 ORGANIZATIONS ARE FUNDED THROUGH ADDITIONAL OPTIONAL STUDENT FEES, THOSE FEES
7 MUST BE OPT-IN RATHER THAN OPT-OUT; ESTABLISHING THAT IF CERTAIN STUDENT
8 ORGANIZATIONS ARE FUNDED THROUGH ADDITIONAL OPTIONAL STUDENT FEES, THE
9 ORGANIZATION MUST PAY A MINIMUM ANNUAL FEE IF THE ORGANIZATION IS PROVIDED
10 PERMANENT OFFICE SPACE BY A PUBLIC POSTSECONDARY INSTITUTION; AND PROVIDING AN
11 EFFECTIVE DATE."

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13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14
15 **NEW SECTION. Section 1. Student organizations functioning as political committees --**

16 **funding.** (1) A student organization that is required to register as a political committee and is regularly active
17 may be funded in the same manner as other student organizations, except that if the organization is funded by
18 an additional optional student fee, the fee must be an opt-in fee.

19 (2) If a student organization that is required to register as a political committee, is regularly active, and
20 is funded by an additional optional student fee, is provided permanent office space at a public postsecondary
21 institution, the student organization shall pay a fee of no less than \$5,000 each year to the public
22 postsecondary institution for the permanent office space.

23 (3) As used in this section, the following definitions apply:

24 (a) "Benefit or privilege" means any type of advantage, including but not limited to:

25 (i) recognition;

26 (ii) registration;

27 (iii) the use of facilities of the public postsecondary institution for meetings or speaking purposes;

28 (iv) the use of channels of communication; and

1 (v) funding sources that are otherwise available to other student organizations at the public
2 postsecondary institution.

3 (b) "Political committee" has the meaning provided in 13-1-101.

4 (c) "Public postsecondary institution" means:

5 (i) a unit of the Montana university system as described in 20-25-201; or

6 (ii) a Montana community college defined and organized as provided in 20-15-101.

7 (d) "Regularly active" means having expended more than \$10,000 in each of two or more statewide
8 elections in the preceding 10 years.

9 (e) "Student organization" means an officially recognized group or a group seeking official recognition
10 at a public postsecondary institution that is comprised of students who receive or are seeking to receive a
11 benefit through the public postsecondary institution.

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13 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
14 integral part of Title 20, chapter 25, part 4, and the provisions of Title 20, chapter 25, part 4, apply to [section 1].

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16 **NEW SECTION. Section 3. Severability.** If a part of [this act] is invalid, all valid parts that are
17 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
18 the part remains in effect in all valid applications that are severable from the invalid applications.

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20 **NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 2021.

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