

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1678

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SOLON.

4824H.01P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to student safety at public institutions of higher education.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 173, RSMo, is amended by adding thereto one new section, to be
2 known as section 173.2050, to read as follows:

3 **173.2050. 1. The governing board of each public institution of higher education in**
4 **this state shall engage in discussions with law enforcement agencies with jurisdiction over**
5 **the premises of an institution to develop and enter into a memorandum of understanding**
6 **concerning sexual assault, domestic violence, dating violence, and stalking, as defined in**
7 **the federal Higher Education Act of 1965, 20 U.S.C. Section 1092(f), involving students**
8 **both on and off campus.**

9 **2. The memorandum of understanding shall contain detailed policies and protocols**
10 **regarding sexual assault, domestic violence, dating violence, and stalking involving a**
11 **student that comport with best practices and current professional practices. At a**
12 **minimum, the memorandum shall set out procedural requirements for the reporting of an**
13 **offense, protocol for establishing who has jurisdiction over an offense, and criteria for**
14 **determining when an offense is to be reported to law enforcement.**

15 **3. The department of public safety in cooperation with the department of higher**
16 **education shall promulgate rules and regulations to facilitate the implementation of this**
17 **section. Any rule or portion of a rule, as that term is defined in section 536.010, that is**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **created under the authority delegated in this section shall become effective only if it**
17 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
18 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**
19 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
20 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
21 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2016,**
22 **shall be invalid and void.**

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