

FIRST REGULAR SESSION

HOUSE BILL NO. 927

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DEATON.

1952H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 173, RSMo, by adding thereto two new sections relating to 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 two new sections, to be known as sections 173.1559 and 173.1560, to read as follows:

173.1559. As used in this section and section 173.1560, the following terms shall mean:

(1) **"Benefit", recognition, registration, the use of facilities of the public institution of higher learning for meetings or speaking purposes, the use of channels of communication of the public institution of higher learning, and the use of funding sources that are otherwise available to other student associations or organizations in the public institution of higher learning;**

(2) **"Exercise of religion", any practice or observance of religion, whether compelled or mandated by, or central to, a system of religious belief;**

(3) **"Public institution of higher learning", any state postsecondary educational institution governed or supervised by a board erected under chapter 172, 174, 175, or 178; a board of trustees of a community college; or any state board for any other technical school;**

(4) **"Substantially burden", an action by a public institution of higher learning that directly or indirectly:**

(a) **Penalizes conduct or expression that reflects a student's sincerely held religious beliefs;**

(b) **Denies a student an opportunity to engage in religious activities; or**

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.

19 (c) Pressures a student to engage in conduct or expression contrary to a sincerely
20 held religious belief or not to engage in conduct or expression motivated by a sincerely held
21 religious belief.

 173.1560. 1. No public institution of higher learning shall take any action or
2 enforce any policy that denies a religious student association any benefit available to any
3 other student association, or otherwise discriminate against a religious student association
4 with respect to such benefit, based on that association's requirement that its leaders or
5 members adhere to the association's sincerely held religious beliefs, comply with the
6 association's sincere religious observance requirements, comply with the association's
7 sincere religious standards of conduct, or be committed to furthering the association's
8 religious missions as such beliefs, requirements, standards, or missions are defined by the
9 association or religion upon which the association is based.

10 2. No public institution of higher learning shall substantially burden a student's
11 exercise of religion unless the institution can demonstrate that application of the burden
12 to the student is in furtherance of a compelling interest of the public institution of higher
13 learning and is the least restrictive means of furthering that compelling interest.

14 3. No public institution of higher learning shall deny a political or ideological
15 student organization any benefit or privilege available to any other student organization,
16 or otherwise discriminate against such an organization, based on the expression of the
17 organization, including any requirement that the leaders or members of such organization:

18 (1) Affirm and adhere to the organization's sincerely held beliefs;

19 (2) Comply with the organization's standards of conduct; or

20 (3) Further the organization's mission or purpose, as defined by the student
21 organization.

22 4. Any student, religious student association, or political or ideological student
23 organization that has been aggrieved as a result of a violation of this section may assert
24 that violation as a claim or defense in a judicial or administrative proceeding against the
25 public institution of higher learning and obtain appropriate relief, including damages,
26 against that institution.

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