

SECOND REGULAR SESSION

# SENATE BILL NO. 1085

98TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR PEARCE.

Read 1st time February 24, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

6622S.011

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## AN ACT

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

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*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  
2 section, to be known as section 173.2050, to read as follows:

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

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

**16 3. The department of public safety in cooperation with the  
17 department of higher education shall promulgate rules and regulations  
18 to facilitate the implementation of this section. Any rule or portion of  
19 a rule, as that term is defined in section 536.010, that is created under  
20 the authority delegated in this section shall become effective only if it  
21 complies with and is subject to all of the provisions of chapter 536 and,**

22 if applicable, section 536.028. This section and chapter 536 are  
23 nonseverable, and if any of the powers vested with the general  
24 assembly pursuant to chapter 536 to review, to delay the effective date,  
25 or to disapprove and annul a rule are subsequently held  
26 unconstitutional, then the grant of rulemaking authority and any rule  
27 proposed or adopted after August 28, 2016, shall be invalid and void.

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Unofficial

Bill

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