

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 212**  
**96TH GENERAL ASSEMBLY**

0820L.03C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 173.608 and 173.618, RSMo, and to enact in lieu thereof two new sections relating to proprietary schools, with penalty provisions.

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

Section A. Sections 173.608 and 173.618, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 173.608 and 173.618, to read as follows:

173.608. 1. **The coordinating board shall establish appropriate fees as necessary**  
2 **to generate funding sufficient to cover the entirety of costs associated with the operation**  
3 **of the proprietary school certification program, with the advice of the proprietary school**  
4 **advisory committee. These fees shall be effective beginning July 1, 2012. Prior to July 1,**  
5 **2012,** the annual fee for a proprietary school certificate of approval shall be \$.001 per one dollar  
6 of net tuition and fees income (excluding refunds, books, tools and supplies), with a maximum  
7 of two thousand five hundred dollars and a minimum of two hundred fifty dollars per school.  
8 For a school having a certificate of approval for the sole purpose of recruiting students in  
9 Missouri, the net tuition used for this computation shall be only that paid to the school by  
10 students recruited from Missouri and the fee shall be two hundred fifty dollars plus the amount  
11 produced by the foundation calculation.

12 2. **Any school failing to submit renewal application materials within the time frame**  
13 **established for such submissions may be assessed a reasonable late fee, as established by**  
14 **the coordinating board.**

15 3. Any school which operates at two or more locations, or has franchised schools as  
16 provided in section 173.606, may combine tuition and fees for all locations for the purpose of  
17 determining the annual fee payable under sections 173.600 to 173.618. [All fees received shall  
18 be deposited in the state treasury to the credit of general revenue.]

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           **4. All revenue received by the coordinating board from such certification and late**  
20 **fees shall be deposited in the state treasury to the credit of the "Proprietary School**  
21 **Certification Fund" which is hereby created for the sole purpose of funding the costs**  
22 **associated with the operation of the proprietary school certification program.**  
23 **Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining**  
24 **in the fund at the end of the biennium shall not revert to the credit of the general revenue**  
25 **fund.**

          173.618. 1. Any act, method, or practice which violates the provisions of sections  
2 173.600 to 173.618 shall be an unlawful practice within the meaning of section 407.020, and **any**  
3 **action authorized in section 407.020 may be taken. In addition,** the board may seek an  
4 injunction in the manner provided in chapter 407. The board may exercise the authority granted  
5 in subdivision (2) of subsection 2 of section 173.612 without seeking injunction.

6           2. Any person convicted of operating a proprietary school without certificate of approval  
7 or a temporary certificate of approval, or of failure to file bond or security as required by sections  
8 173.600 to 173.618 or of violating any other provision of sections 173.600 to 173.618 is guilty  
9 of a class A misdemeanor and upon conviction shall be punished in the manner provided by law.