

FIRST REGULAR SESSION

# HOUSE BILL NO. 683

## 91ST GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVES BOYKINS, BARRY, JOHNSON (61), CURLS, COLEMAN, CUNNINGHAM (Co-sponsors), WALTON, McKENNA, HOLLINGSWORTH, MAYS (50), FARNEN, GREEN (73), VAN ZANDT, HILGEMANN, TROUPE, SHIELDS, JOHNSON (90), THOMPSON, HAYWOOD, MONACO, SMITH, WILLIAMS, COPENHAVER, CIERPIOT, OVERSCHMIDT, KOLLER, BRITT, VILLA, BOWMAN, SEIGFREID, O'TOOLE, GEORGE AND FRASER.

Read 1<sup>st</sup> time February 7, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

0710L.011

---

### AN ACT

To amend chapter 173, RSMo, by adding thereto five new sections relating to consumer and credit protections for postsecondary students.

---

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

Section A. Chapter 173, RSMo, is amended by adding thereto five new sections, to be known as sections 173.860, 173.862, 173.864, 173.866 and 173.868, to read as follows:

**173.860. 1. Every public institution of higher education in this state which collects personal information from students, including but not limited to names, campus or home addresses, telephone numbers or other identifying information, for the purpose of using such information in student or campus directories, shall include in any forms, telephone services or computer services used in the student's registration for each fall semester a provision in which the student shall indicate whether the student wishes to receive solicitations, offers or other advertisements, by mail or otherwise, based on such directory listing. Such forms, telephone services or computer services shall also include a provision in which the student shall choose whether to have his or her name listed in such directory, and the institution shall not list any student who chooses not to be listed.**

**2. If a student indicates pursuant to subsection 1 of this section that he or she does not wish to receive such solicitations or other offers, then:**

**(1) In the event such student chooses to be included in the directory, that preference shall be marked by the student's name and the directory shall contain an explanation of the marking; or**

**(2) In the event such student chooses not to be included in the directory, that**

17 preference shall be marked in the institution's internal records and the institution shall not  
18 knowingly sell or distribute the name of such student to any entity that, in the ordinary  
19 course of business, uses such information either to engage in advertising, trade or  
20 commerce, as those terms are defined in section 407.010, RSMo, or for offers of credit.

173.862. The coordinating board of higher education shall adopt policies to provide  
2 for dissemination of information to all public institutions of higher education in this state  
3 regarding the responsible use of credit by the students at such institutions. Such policies  
4 shall, at a minimum, provide for the following:

5 (1) If an institution conducts a new student orientation program for students,  
6 parents or both, the institution shall include in such session information on the responsible  
7 handling of credit and shall strongly encourage full attendance by all incoming students;

8 (2) All institutions shall provide an educational seminar on the responsible  
9 handling of credit and the consequences of its abuse, which shall occur not less than once  
10 each semester or quarter, whichever is applicable;

11 (3) All institutions shall include within their student conduct guide or comparable  
12 standards manual a chapter or section on the responsible handling of credit. This guide  
13 or manual shall also list contact information that a student in need of counseling may  
14 consult; and

15 (4) Any other information that the coordinating board deems necessary.

173.864. 1. Every public institution of higher education in this state shall adopt and  
2 enforce a policy governing the solicitation and marketing of commercial and  
3 noncommercial products and services, including but not limited to credit-related products  
4 to its students, faculty, alumni and guest members, provided that such policy shall:

5 (1) Be nondiscriminatory;

6 (2) Protect the best interests and welfare of its students;

7 (3) Be consistent with the provisions of sections 173.860 to 173.868 and with all  
8 applicable state and federal law; and

9 (4) Conform to all provisions protecting freedom of speech in the Constitutions of  
10 Missouri and the United States.

11 2. Any policy adopted pursuant to this section may include limitations on the  
12 number and frequency of solicitations and marketing events allowed on the physical  
13 grounds of the campus at any such school.

14 3. The coordinating board of higher education may adopt rules establishing  
15 minimum standards for the policies to be adopted pursuant to this section. Such rules may  
16 include a numerical limit on the number of activities described in subsection 2 of this  
17 section that will be allowed at any such campus.

2       **173.866. Every public institution of higher education in this state which receives**  
3 **either moneys from the distribution of credit cards to its students or any percentage of**  
4 **moneys from the use of credit cards bearing the college or university name or logo, shall:**

5       **(1) Report the amount of such moneys or any percentage which it received, as well**  
6 **as how such moneys were expended during the previous fiscal year, to the coordinating**  
7 **board of higher education by the first day of October of each year. Such information shall**  
8 **be made available pursuant to chapter 610, RSMo; and**

9       **(2) Use at least fifty percent of the moneys received pursuant to this subsection**  
10 **toward individualized credit counseling programs at such school. The coordinating board**  
11 **for higher education shall determine compliance of a school's program with this**  
12 **subdivision; and the moneys spent pursuant to this subdivision shall be documented**  
13 **pursuant to subdivision (1) of this section.**

14       **173.868. The coordinating board of higher education shall adopt rules for the**  
15 **enforcement of sections 173.860 to 173.866 pursuant to the authority granted in section**  
16 **173.081.**