

FIRST REGULAR SESSION

HOUSE BILL NO. 989

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES TALBOY (Sponsor), HUGHES, LOW,
SKAGGS AND KANDER (Co-sponsors).

0043L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to professors at state institutions of higher education, with a penalty provision.

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 173.1115, to read as follows:

3 **173.1115. 1. Notwithstanding any other law, beginning January 1, 2010, all**
4 **professors employed full time at any public institution of higher education in this state, and**
5 **all tenured professors employed full time or less than full time at any public institution of**
6 **higher education in this state, shall be residents of the state of Missouri.**

7 **2. Professors currently employed who are required to meet the residency**
8 **requirement of subsection 1 of this section shall present proof of residency to the employing**
9 **institution prior to January 1, 2010. Professors hired on or after January 1, 2010, shall**
10 **submit residency documentation on the starting date of employment. The employment of**
11 **any professor failing to provide the required residency documentation of this section shall**
12 **be immediately terminated by the employing institution.**

13 **3. Prior to approval of any appropriations by the general assembly for the**
14 **employing institution, the registrar for each institution shall annually certify to the**
15 **education appropriations committee of the house of representatives and the appropriations**
16 **committee of the senate that the institution has not knowingly employed any person failing**
to meet the residency requirements of this section. Any employing institution who knows
or should have known that individuals in their employ have failed to meet the residency

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.

17 requirements of this section shall be subject to a fine equal to the yearly salary of the
18 professor or professors employed in violation of this section.

19 **4. Professors classified as "visiting professors" by the employing institution of**
20 **higher education shall be exempt from the residency requirements of this section.**

21 **5. The department of higher education may promulgate rules and regulations for**
22 **the purpose of carrying out the provisions of this section. Any rule or portion of a rule, as**
23 **that term is defined in section 536.010, RSMo, that is created under the authority delegated**
24 **in this section shall become effective only if it complies with and is subject to all of the**
25 **provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section**
26 **and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general**
27 **assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to**
28 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
29 **rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be**
30 **invalid and void.**

✓