

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 67**  
**97TH GENERAL ASSEMBLY**

0052L.04C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 30.750, 37.005, 160.545, 173.003, 173.051, 173.236, 173.239, 173.250, 173.254, 173.260, 173.262, 173.778, 173.1104, 174.700, 174.703, 174.706, 174.770, and 544.157, RSMo, and to enact in lieu thereof twenty-one new sections relating to higher education, with an emergency clause for a certain section.

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

Section A. Sections 30.750, 37.005, 160.545, 173.003, 173.051, 173.236, 173.239,  
2 173.250, 173.254, 173.260, 173.262, 173.778, 173.1104, 174.700, 174.703, 174.706, 174.770,  
3 and 544.157, RSMo, are repealed and twenty-one new sections enacted in lieu thereof, to be  
4 known as sections 30.750, 37.005, 160.520, 160.545, 173.003, 173.051, 173.236, 173.239,  
5 173.250, 173.254, 173.260, 173.262, 173.778, 173.1104, 174.700, 174.703, 174.706, 174.709,  
6 174.712, 174.770, and 544.157, to read as follows:

30.750. As used in sections 30.750 to 30.765, the following terms mean:

- 2 (1) "Eligible agribusiness", a person engaged in the processing or adding of value to  
3 agricultural products produced in Missouri;
- 4 (2) "Eligible alternative energy consumer", an individual who wishes to borrow moneys  
5 for the purchase, installation, or construction of facilities or equipment related to the production  
6 of fuel or power primarily for the individual's own use from energy sources other than fossil  
7 fuels, including but not limited to solar, hydroelectric, wind, and qualified biomass;
- 8 (3) "Eligible alternative energy operation", a business enterprise engaged in the  
9 production of fuel or power from energy sources other than fossil fuels, including but not limited  
10 to solar, hydroelectric, wind, and qualified biomass. Such business enterprise shall conform to  
11 the characteristics of paragraphs (a), (b), and (d) of subdivision (6) of this section;
- 12 (4) "Eligible beginning farmer":

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.

- 13 (a) For any beginning farmer who seeks to participate in the linked deposit program  
14 alone, a farmer who:
- 15 a. Is a Missouri resident;
- 16 b. Wishes to borrow for a farm operation located in Missouri;
- 17 c. Is at least eighteen years old; and
- 18 d. In the preceding five years has not owned, either directly or indirectly, farm land  
19 greater than fifty percent of the average size farm in the county where the proposed farm  
20 operation is located or farm land with an appraised value greater than four hundred fifty thousand  
21 dollars. A farmer who qualifies as an eligible farmer under this provision may utilize the  
22 proceeds of a linked deposit loan to purchase agricultural land, farm buildings, new and used  
23 farm equipment, livestock and working capital;
- 24 (b) For any beginning farmer who is participating in both the linked deposit program and  
25 the beginning farmer loan program administered by the Missouri agriculture and small business  
26 development authority, a farmer who:
- 27 a. Qualifies under the definition of a beginning farmer utilized for eligibility for federal  
28 tax-exempt financing, including the limitations on the use of loan proceeds; and
- 29 b. Meets all other requirements established by the Missouri agriculture and small  
30 business development authority;
- 31 (5) "Eligible facility borrower", a borrower qualified under section 30.860 to apply for  
32 a reduced-rate loan under sections 30.750 to 30.765;
- 33 (6) "Eligible farming operation", any person engaged in farming in an authorized farm  
34 corporation, family farm, or family farm corporation as defined in section 350.010 that has all  
35 of the following characteristics:
- 36 (a) Is headquartered in this state;
- 37 (b) Maintains offices, operating facilities, or farming operations and transacts business  
38 in this state;
- 39 (c) Employs less than ten employees;
- 40 (d) Is organized for profit;
- 41 (7) "Eligible governmental entity", any political subdivision of the state seeking to  
42 finance capital improvements, capital outlay, or other significant programs through an eligible  
43 lending institution;
- 44 (8) "Eligible higher education institution", any approved public or private institution as  
45 defined in section [173.205] **173.1102**;
- 46 (9) "Eligible job enhancement business", a new, existing, or expanding firm operating  
47 in Missouri, or as a condition of accepting the linked deposit, will locate a facility or office in  
48 Missouri associated with said linked deposit, which employs ten or more employees in Missouri

49 on a yearly average and which, as nearly as possible, is able to establish or retain at least one job  
50 in Missouri for each fifty thousand dollars received from a linked deposit loan except when the  
51 applicant can demonstrate significant costs for equipment, capital outlay, or capital  
52 improvements associated with the physical expansion, renovation, or modernization of a facility  
53 or equipment. In such cases, the maximum amount of the linked deposit shall not exceed fifty  
54 thousand dollars per job created or retained plus the initial cost of the physical expansion,  
55 renovation or capital outlay;

56 (10) "Eligible lending institution", a financial institution that is eligible to make  
57 commercial or agricultural or student loans or discount or purchase such loans, is a public  
58 depository of state funds or obtains its funds through the issuance of obligations, either directly  
59 or through a related entity, eligible for the placement of state funds under the provisions of  
60 section 15, article IV, Constitution of Missouri, and agrees to participate in the linked deposit  
61 program;

62 (11) "Eligible livestock operation", any person engaged in production of livestock or  
63 poultry in an authorized farm corporation, family farm, or family farm corporation as defined in  
64 section 350.010;

65 (12) "Eligible locally owned business", any person seeking to establish a new firm,  
66 partnership, cooperative company, or corporation that shall retain at least fifty-one percent  
67 ownership by residents in a county in which the business is headquartered, that consists of the  
68 following characteristics:

69 (a) The county has a median population of twelve thousand five hundred or less; and

70 (b) The median income of residents in the county are equal to or less than the state  
71 median income; or

72 (c) The unemployment rate of the county is equal to or greater than the state's  
73 unemployment rate;

74 (13) "Eligible marketing enterprise", a business enterprise operating in this state which  
75 is in the process of marketing its goods, products or services within or outside of this state or  
76 overseas, which marketing is designed to increase manufacturing, transportation, mining,  
77 communications, or other enterprises in this state, which has proposed its marketing plan and  
78 strategy to the department of economic development and which plan and strategy has been  
79 approved by the department for purposes of eligibility pursuant to sections 30.750 to 30.765.  
80 Such business enterprise shall conform to the characteristics of paragraphs (a), (b) and (d) of  
81 subdivision (6) of this section and also employ less than twenty-five employees;

82 (14) "Eligible multitenant development enterprise", a new enterprise that develops  
83 multitenant space for targeted industries as determined by the department of economic

84 development and approved by the department for the purposes of eligibility pursuant to sections  
85 30.750 to 30.765;

86 (15) "Eligible residential property developer", an individual who purchases and develops  
87 a residential structure of either two or four units, if such residential property developer uses and  
88 agrees to continue to use, for at least the five years immediately following the date of issuance  
89 of the linked deposit loan, one of the units as his principal residence or if such person's principal  
90 residence is located within one-half mile from the developed structure and such person agrees  
91 to maintain the principal residence within one-half mile of the developed structure for at least  
92 the five years immediately following the date of issuance of the linked deposit loan;

93 (16) "Eligible residential property owner", a person, firm or corporation who purchases,  
94 develops or rehabilitates a multifamily residential structure;

95 (17) "Eligible small business", a person engaged in an activity with the purpose of  
96 obtaining, directly or indirectly, a gain, benefit or advantage and which conforms to the  
97 characteristics of paragraphs (a), (b) and (d) of subdivision (6) of this section, and also employs  
98 less than one hundred employees;

99 (18) "Eligible student borrower", any person attending, or the parent of a dependent  
100 undergraduate attending, an eligible higher education institution in Missouri who may or may  
101 not qualify for need-based student financial aid calculated by the federal analysis called  
102 Congressional Methodology Formula pursuant to 20 U.S.C. 1078, as amended (the Higher  
103 Education Amendments of 1986);

104 (19) "Eligible water supply system", a water system which serves fewer than fifty  
105 thousand persons and which is owned and operated by:

106 (a) A public water supply district established pursuant to chapter 247; or

107 (b) A municipality or other political subdivision; or

108 (c) A water corporation; and which is certified by the department of natural resources  
109 in accordance with its rules and regulations to have suffered a significant decrease in its capacity  
110 to meet its service needs as a result of drought;

111 (20) "Farming", using or cultivating land for the production of agricultural crops,  
112 livestock or livestock products, forest products, poultry or poultry products, milk or dairy  
113 products, or fruit or other horticultural products;

114 (21) "Linked deposit", a certificate of deposit, or in the case of production credit  
115 associations, the subscription or purchase outright of obligations described in section 15, article  
116 IV, Constitution of Missouri, placed by the state treasurer with an eligible lending institution at  
117 rates otherwise provided by law in section 30.758, provided the institution agrees to lend the  
118 value of such deposit, according to the deposit agreement provided in sections 30.750 to 30.765,  
119 to eligible multitenant development enterprises, eligible small businesses, eligible alternative

120 energy operations, eligible alternative energy consumers, eligible locally owned businesses,  
121 farming operations, eligible job enhancement businesses, eligible marketing enterprises, eligible  
122 residential property developers, eligible residential property owners, eligible governmental  
123 entities, eligible agribusinesses, eligible beginning farmers, eligible livestock operations, eligible  
124 student borrowers, eligible facility borrowers, or eligible water supply systems at below the  
125 present borrowing rate applicable to each multitenant development enterprise, small business,  
126 alternative energy operation, alternative energy consumer, farming operation, eligible job  
127 enhancement business, eligible marketing enterprise, eligible residential property developer,  
128 eligible residential property owner, eligible governmental entity, eligible agribusiness, eligible  
129 beginning farmer, eligible livestock operation, eligible student borrower, or supply system at the  
130 time of the deposit of state funds in the institution;

131 (22) "Market rate", the interest rate more specifically described in subsection 6 of section  
132 30.260;

133 (23) "Professional forester", any individual who holds a bachelor of science degree in  
134 forestry from a regionally accredited college or university with a minimum of two years of  
135 professional forest management experience;

136 (24) "Qualified biomass", any agriculture-derived organic material or any wood-derived  
137 organic material harvested in accordance with a site-specific forest management plan focused  
138 on long-term forest sustainability developed by a professional forester and qualified, in  
139 consultation with the conservation commission, by the agriculture and small business  
140 development authority;

141 (25) "Water corporation", as such term is defined in section 386.020;

142 (26) "Water system", as such term is defined in section 386.020.

37.005. 1. Except as provided herein, the office of administration shall be continued as  
2 set forth in house bill 384, seventy-sixth general assembly and shall be considered as a  
3 department within the meaning used in the Omnibus State Reorganization Act of 1974. The  
4 commissioner of administration shall appoint directors of all major divisions within the office  
5 of administration.

6 2. The commissioner of administration shall be a member of the governmental  
7 emergency fund committee as ex officio comptroller and the director of the department of  
8 revenue shall be a member in place of the chief of the planning and construction division.

9 3. The office of administration is designated the "Missouri State Agency for Surplus  
10 Property" as required by Public Law 152, eighty-first Congress as amended, and related laws for  
11 disposal of surplus federal property. All the powers, duties and functions vested by sections  
12 37.075 and 37.080, and others, are transferred by type I transfer to the office of administration  
13 as well as all property and personnel related to the duties. The commissioner shall integrate the

14 program of disposal of federal surplus property with the processes of disposal of state surplus  
15 property to provide economical and improved service to state and local agencies of government.  
16 The governor shall fix the amount of bond required by section 37.080. All employees transferred  
17 shall be covered by the provisions of chapter 36 and the Omnibus State Reorganization Act of  
18 1974.

19 4. The commissioner of administration shall replace the director of revenue as a member  
20 of the board of fund commissioners and assume all duties and responsibilities assigned to the  
21 director of revenue by sections 33.300 to 33.540 relating to duties as a member of the board and  
22 matters relating to bonds and bond coupons.

23 5. All the powers, duties and functions of the administrative services section, section  
24 33.580 and others, are transferred by a type I transfer to the office of administration and the  
25 administrative services section is abolished.

26 6. The commissioner of administration shall, in addition to his or her other duties, cause  
27 to be prepared a comprehensive plan of the state's field operations, buildings owned or rented  
28 and the communications systems of state agencies. Such a plan shall place priority on improved  
29 availability of services throughout the state, consolidation of space occupancy and economy in  
30 operations.

31 7. The commissioner of administration shall from time to time examine the space needs  
32 of the agencies of state government and space available and shall, with the approval of the board  
33 of public buildings, assign and reassign space in property owned, leased or otherwise controlled  
34 by the state. Any other law to the contrary notwithstanding, upon a determination by the  
35 commissioner that all or part of any property is in excess of the needs of any state agency, the  
36 commissioner may lease such property to a private or government entity. Any revenue received  
37 from the lease of such property shall be deposited into the fund or funds from which moneys for  
38 rent, operations or purchase have been appropriated. The commissioner shall establish by rule  
39 the procedures for leasing excess property.

40 8. The commissioner of administration is hereby authorized to coordinate and control  
41 the acquisition and use of electronic data processing (EDP) and automatic data processing (ADP)  
42 in the executive branch of state government. For this purpose, the office of administration will  
43 have authority to:

44 (1) Develop and implement a long-range computer facilities plan for the use of EDP and  
45 ADP in Missouri state government. Such plan may cover, but is not limited to, operational  
46 standards, standards for the establishment, function and management of service centers,  
47 coordination of the data processing education, and planning standards for application  
48 development and implementation;

49 (2) Approve all additions and deletions of EDP and ADP hardware, software, and  
50 support services, and service centers;

51 (3) Establish standards for the development of annual data processing application plans  
52 for each of the service centers. These standards shall include review of post-implementation  
53 audits. These annual plans shall be on file in the office of administration and shall be the basis  
54 for equipment approval requests;

55 (4) Review of all state EDP and ADP applications to assure conformance with the state  
56 information systems plan, and the information systems plans of state agencies and service  
57 centers;

58 (5) Establish procurement procedures for EDP and ADP hardware, software, and support  
59 service;

60 (6) Establish a charging system to be used by all service centers when performing work  
61 for any agency;

62 (7) Establish procedures for the receipt of service center charges and payments for  
63 operation of the service centers. The commissioner shall maintain a complete inventory of all  
64 state-owned or -leased EDP and ADP equipment, and annually submit a report to the general  
65 assembly which shall include starting and ending EDP and ADP costs for the fiscal year  
66 previously ended, and the reasons for major increases or variances between starting and ending  
67 costs. The commissioner shall also adopt, after public hearing, rules and regulations designed  
68 to protect the rights of privacy of the citizens of this state and the confidentiality of information  
69 contained in computer tapes or other storage devices to the maximum extent possible consistent  
70 with the efficient operation of the office of administration and contracting state agencies.

71 9. Except as provided in subsection 12 of this section, the fee title to all real property  
72 now owned or hereafter acquired by the state of Missouri, or any department, division,  
73 commission, board or agency of state government, other than real property owned or possessed  
74 by the state highways and transportation commission, conservation commission, state department  
75 of natural resources, and the University of Missouri, shall on May 2, 1974, vest in the governor.  
76 The governor may not convey or otherwise transfer the title to such real property, unless such  
77 conveyance or transfer is first authorized by an act of the general assembly. The provisions of  
78 this subsection requiring authorization of a conveyance or transfer by an act of the general  
79 assembly shall not, however, apply to the granting or conveyance of an easement to any rural  
80 electric cooperative as defined in chapter 394, municipal corporation, quasi-governmental  
81 corporation owning or operating a public utility, or a public utility, except railroads, as defined  
82 in chapter 386. The governor, with the approval of the board of public buildings, may, upon the  
83 request of any state department, agency, board or commission not otherwise being empowered  
84 to make its own transfer or conveyance of any land belonging to the state of Missouri which is

85 under the control and custody of such department, agency, board or commission, grant or convey  
86 without further legislative action, for such consideration as may be agreed upon, easements  
87 across, over, upon or under any such state land to any rural electric cooperative, as governed in  
88 chapter 394, municipal corporation, or quasi-governmental corporation owning or operating a  
89 public utility, or a public utility, except railroad, as defined in chapter 386. The easement shall  
90 be for the purpose of promoting the general health, welfare and safety of the public and shall  
91 include the right of ingress or egress for the purpose of constructing, maintaining or removing  
92 any pipeline, power line, sewer or other similar public utility installation or any equipment or  
93 appurtenances necessary to the operation thereof, except that railroad as defined in chapter 386  
94 shall not be included in the provisions of this subsection unless such conveyance or transfer is  
95 first authorized by an act of the general assembly. The easement shall be for such consideration  
96 as may be agreed upon by the parties and approved by the board of public buildings. The  
97 attorney general shall approve the form of the instrument of conveyance. The commissioner of  
98 administration shall prepare management plans for such properties in the manner set out in  
99 subsection 7 of this section.

100       10. The commissioner of administration shall administer a revolving "Administrative  
101 Trust Fund" which shall be established by the state treasurer which shall be funded annually by  
102 appropriation and which shall contain moneys transferred or paid to the office of administration  
103 in return for goods and services provided by the office of administration to any governmental  
104 entity or to the public. The state treasurer shall be the custodian of the fund, and shall approve  
105 disbursements from the fund for the purchase of goods or services at the request of the  
106 commissioner of administration or the commissioner's designee. The provisions of section  
107 33.080 notwithstanding, moneys in the fund shall not lapse, unless and then only to the extent  
108 to which the unencumbered balance at the close of any fiscal year exceeds one-eighth of the total  
109 amount appropriated, paid, or transferred to the fund during such fiscal year, and upon approval  
110 of the oversight division of the joint committee on legislative research. The commissioner shall  
111 prepare an annual report of all receipts and expenditures from the fund.

112       11. All the powers, duties and functions of the department of community affairs relating  
113 to statewide planning are transferred by type I transfer to the office of administration.

114       12. The titles which are vested in the governor by or pursuant to this section to real  
115 property assigned to any of the educational institutions referred to in section 174.020 on June 15,  
116 1983, are hereby transferred to and vested in the board of regents of the respective educational  
117 institutions, and the titles to real property and other interests therein hereafter acquired by or for  
118 the use of any such educational institution, notwithstanding provisions of this section, shall vest  
119 in the board of regents of the educational institution. The board of regents may not convey or  
120 otherwise transfer the title to or other interest in such real property unless the conveyance or



121 transfer is first authorized by an act of the general assembly, except as provided in section  
122 174.042, and except that the board of regents may grant easements over, in and under such real  
123 property without further legislative action.

124 13. Notwithstanding any provision of subsection 12 of this section to the contrary, the  
125 board of governors of Missouri Western State University, University of Central Missouri,  
126 Missouri State University, or Missouri Southern State University, or the board of regents of  
127 Southeast Missouri State University, Northwest Missouri State University, or Harris-Stowe State  
128 University, or the board of curators of Lincoln University may convey or otherwise transfer for  
129 fair market value, except in fee simple, the title to or other interest in such real property without  
130 authorization by an act of the general assembly. [The provisions of this subsection shall expire  
131 August 28, 2017.]

132 14. All county sports complex authorities, and any sports complex authority located in  
133 a city not within a county, in existence on August 13, 1986, and organized under the provisions  
134 of sections 64.920 to 64.950, are assigned to the office of administration, but such authorities  
135 shall not be subject to the provisions of subdivision (4) of subsection 6 of section 1 of the  
136 Omnibus State Reorganization Act of 1974, Appendix B, RSMo, as amended.

137 15. All powers, duties, and functions vested in the administrative hearing commission,  
138 sections 621.015 to 621.205 and others, are transferred to the office of administration by a type  
139 III transfer.

**160.520. When eligibility for a scholarship or financial aid program established  
2 under section 160.645, 173.250, or 173.1104 is conditioned upon achievement of a specific  
3 level of attainment on a Missouri assessment program instrument, the department of  
4 elementary and secondary education shall provide guidance to the school districts for  
5 allowing a student to retake the instrument. The department shall include best practices  
6 information for increasing the probability that the student will successfully achieve the  
7 required level.**

160.545. 1. There is hereby established within the department of elementary and  
2 secondary education the "A+ Schools Program" to be administered by the commissioner of  
3 education. The program shall consist of grant awards made to public secondary schools that  
4 demonstrate a commitment to ensure that:

5 (1) All students be graduated from school;

6 (2) All students complete a selection of high school studies that is challenging and for  
7 which there are identified learning expectations; and

8 (3) All students proceed from high school graduation to a college or postsecondary  
9 vocational or technical school or high-wage job with work place skill development opportunities.

10           2. The state board of education shall promulgate rules and regulations for the approval  
11 of grants made under the program to schools that:

12           (1) Establish measurable districtwide performance standards for the goals of the program  
13 outlined in subsection 1 of this section; and

14           (2) Specify the knowledge, skills and competencies, in measurable terms, that students  
15 must demonstrate to successfully complete any individual course offered by the school, and any  
16 course of studies which will qualify a student for graduation from the school; and

17           (3) Do not offer a general track of courses that, upon completion, can lead to a high  
18 school diploma; and

19           (4) Require rigorous coursework with standards of competency in basic academic  
20 subjects for students pursuing vocational and technical education as prescribed by rule and  
21 regulation of the state board of education; and

22           (5) Have a partnership plan developed in cooperation and with the advice of local  
23 business persons, labor leaders, parents, and representatives of college and postsecondary  
24 vocational and technical school representatives, with the plan then approved by the local board  
25 of education. The plan shall specify a mechanism to receive information on an annual basis from  
26 those who developed the plan in addition to senior citizens, community leaders, and teachers to  
27 update the plan in order to best meet the goals of the program as provided in subsection 1 of this  
28 section. Further, the plan shall detail the procedures used in the school to identify students that  
29 may drop out of school and the intervention services to be used to meet the needs of such  
30 students. The plan shall outline counseling and mentoring services provided to students who will  
31 enter the work force upon graduation from high school, address apprenticeship and intern  
32 programs, and shall contain procedures for the recruitment of volunteers from the community  
33 of the school to serve in schools receiving program grants.

34           3. A school district may participate in the program irrespective of its accreditation  
35 classification by the state board of education, provided it meets all other requirements.

36           4. By rule and regulation, the state board of education may determine a local school  
37 district variable fund match requirement in order for a school or schools in the district to receive  
38 a grant under the program. However, no school in any district shall receive a grant under the  
39 program unless the district designates a salaried employee to serve as the program coordinator,  
40 with the district assuming a minimum of one-half the cost of the salary and other benefits  
41 provided to the coordinator. Further, no school in any district shall receive a grant under the  
42 program unless the district makes available facilities and services for adult literacy training as  
43 specified by rule of the state board of education.

44           5. For any school that meets the requirements for the approval of the grants authorized  
45 by this section and specified in subsection 2 of this section for three successive school years, by

46 August first following the third such school year, the commissioner of education shall present  
47 a plan to the superintendent of the school district in which such school is located for the waiver  
48 of rules and regulations to promote flexibility in the operations of the school and to enhance and  
49 encourage efficiency in the delivery of instructional services in the school. The provisions of  
50 other law to the contrary notwithstanding, the plan presented to the superintendent shall provide  
51 a summary waiver, with no conditions, for the pupil testing requirements pursuant to section  
52 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the  
53 plan shall detail a means for the waiver of requirements otherwise imposed on the school related  
54 to the authority of the state board of education to classify school districts pursuant to subdivision  
55 (9) of section 161.092 and such other rules and regulations as determined by the commissioner  
56 of education, except such waivers shall be confined to the school and not other schools in the  
57 school district unless such other schools meet the requirements of this subsection. However, any  
58 waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any  
59 school year in which the school fails to meet the requirements for the approval of the grants  
60 authorized by this section as specified in subsection 2 of this section.

61         6. For any school year, grants authorized by subsections 1 [to 3] , **2, and 4** of this section  
62 shall be funded with the amount appropriated for this program, less those funds necessary to  
63 reimburse eligible students pursuant to subsection 7 of this section.

64         7. The [commissioner] **department** of **higher** education shall, by rule [and regulation  
65 of the state board of education and with the advice of the coordinating board for higher  
66 education], establish a procedure for the reimbursement of the cost of tuition, books and fees to  
67 any public community college or vocational or technical school or within the limits established  
68 in subsection [9] **10** of this section for any two-year private vocational or technical school for any  
69 student:

70         (1) Who has attended a public high school in the state for at least three years immediately  
71 prior to graduation that meets the requirements of subsection 2 of this section, except that  
72 students who are active duty military dependents, and students who are dependants of retired  
73 military who relocate to Missouri within one year of the date of the parent's retirement from  
74 active duty, who, in the school year immediately preceding graduation, meet all other  
75 requirements of this subsection and are attending a school that meets the requirements of  
76 subsection 2 of this section shall be exempt from the three-year attendance requirement of this  
77 subdivision; [and]

78         (2) Who has made a good faith effort to first secure all available federal sources of  
79 funding that could be applied to the reimbursement described in this subsection; [and]

80 (3) Who has earned a minimal grade average while in high school as determined by rule  
81 of the [state board] **department** of **higher** education, and other requirements for the  
82 reimbursement authorized by this subsection as determined by rule and regulation of said board;

83 (4) **Who graduates during the 2016-17 academic year or after and who has**  
84 **achieved:**

85 (a) **A score of proficient or advanced on the official Algebra I end-of-course**  
86 **assessment or the equivalent level on a higher level department of elementary and**  
87 **secondary education-approved end-of-course assessment in the field of mathematics, unless**  
88 **the student's high school has met all of the department of elementary and secondary**  
89 **education's requirements for waiver of the Algebra I end-of-course assessment for the**  
90 **recipient; or**

91 (b) **A qualifying score, as established annually by the coordinating board for higher**  
92 **education, on the COMPASS exam published by ACT or the mathematics component of**  
93 **the ACT test as a high school or postsecondary student; except that the provisions of this**  
94 **subdivision shall not be required of a student who is enrolling in a certificate program;**

95 (5) **Who graduates during the 2016-17 academic year or after and who has**  
96 **achieved:**

97 (a) **A score of proficient or advanced on the official English I end-of-course**  
98 **assessment, or the equivalent level on a higher level department of elementary and**  
99 **secondary education-approved end-of-course assessment in the field of English, unless the**  
100 **student's high school district has met all of the department of elementary and secondary**  
101 **education's requirements for waiver of the English I end-of-course assessment for the**  
102 **recipient; or**

103 (b) **A qualifying score, as established annually by the coordinating board for higher**  
104 **education, on the COMPASS exam published by ACT or the English component of the**  
105 **ACT test as a high school or postsecondary student; except that the provisions of this**  
106 **subdivision shall not be required of a student who is enrolling in a certificate program; and**

107 (6) **For a student who remains continuously enrolled in postsecondary education,**  
108 **the successful completion of at least twenty-four semester credit hours during the twelve**  
109 **months following their initial enrollment and twenty-four semester credit hours during**  
110 **each subsequent twelve-month period. If an eligible student is unable to successfully**  
111 **complete at least twenty-four semester credit hours in a twelve-month period due to serious**  
112 **and unusual personal circumstances, such student may seek a waiver of this provision by**  
113 **appealing to the person or committee the institution the student attends has designated to**  
114 **consider appeals from students who are not in compliance with federal requirements**  
115 **regarding satisfactory academic progress.**

116           **8. If an eligible student is unable to enroll or ceases attendance at an approved**  
117 **institution because of illness, disability, pregnancy, or other medical need or for the**  
118 **purpose of providing service to a nonprofit organization, a state or federal government**  
119 **agency, or any branch of the Armed Forces of the United States, such student shall be**  
120 **eligible for A+ reimbursements upon enrollment in any approved institution if the student**  
121 **meets all other requirements for an initial or renewal award and if the following criteria**  
122 **are met:**

123           **(1) For an eligible student who cannot attend an approved institution as a result of**  
124 **service to a nonprofit organization or the state or federal government, the student returns**  
125 **to full-time status within twenty-seven months and provides verification to the**  
126 **coordinating board for higher education that the service to the nonprofit organization was**  
127 **satisfactorily completed and was not compensated other than for expenses, or that the**  
128 **service to the state or federal government was satisfactorily completed; or**

129           **(2) For an eligible student who cannot attend an approved institution as a result of**  
130 **military service in the Armed Forces of the United States, the student returns to full-time**  
131 **status within six months after the eligible student first ceases service to the Armed Forces**  
132 **and provides verification to the coordinating board for higher education that the military**  
133 **service was satisfactorily completed; or**

134           **(3) For an eligible student who cannot attend an approved institution as a result of**  
135 **a medical need, the student returns to full-time status within twenty-seven months and**  
136 **provides verification in compliance with coordinating board for higher education rules of**  
137 **sufficient medical evidence documenting an illness, disability, pregnancy, or other medical**  
138 **need of such person to require that the person cannot enroll at an approved institution.**

139           **9.** The commissioner of education shall develop a procedure for evaluating the  
140 effectiveness of the program described in this section. Such evaluation shall be conducted  
141 annually with the results of the evaluation provided to the governor, speaker of the house, and  
142 president pro tempore of the senate.

143           **[9.] 10.** For a two-year private vocational or technical school to obtain reimbursements  
144 under subsection 7 of this section, the following requirements shall be satisfied:

145           **(1)** Such two-year private vocational or technical school shall be a member of the North  
146 Central Association and be accredited by the Higher Learning Commission as of July 1, 2008,  
147 and maintain such accreditation;

148           **(2)** Such two-year private vocational or technical school shall be designated as a  
149 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

150           **(3)** No two-year private vocational or technical school shall receive tuition  
151 reimbursements in excess of the tuition rate charged by a public community college for course

152 work offered by the private vocational or technical school within the service area of such college;  
153 and

154 (4) The reimbursements provided to any two-year private vocational or technical school  
155 shall not violate the provisions of article IX, section 8, or article I, section 7, of the Missouri  
156 Constitution or the first amendment of the United States Constitution.

173.003. Retirement, severance and associated salary continuance policies and plans of  
2 approved public institutions, as defined in section [173.205] **173.1102**, shall be applied  
3 uniformly, consistently and fairly to all similarly situated officials and employees of such  
4 approved public institutions; and no employee or official shall be singled out for retirement or  
5 severance benefits which are inconsistent with the formally adopted policies and plans of such  
6 approved public institutions.

173.051. 1. The coordinating board for higher education may submit requests for  
2 appropriations for the purposes of the coordinating board contracting with Missouri independent  
3 colleges and universities or publicly supported higher education institutions or coordinating  
4 agencies located outside the state of Missouri to provide professional or graduate programs of  
5 instruction for Missouri citizens or research services for the state of Missouri. At the time of  
6 submission for appropriations, the coordinating board shall demonstrate to the general assembly  
7 that the program or service fulfills a state manpower or research need that is not available in  
8 Missouri's public universities in the area in which such is located. Such agreements or contracts  
9 shall be entered into and approved as otherwise provided by law.

10 2. A Missouri independent college or university to be eligible to enter into such a  
11 contract shall be designated as an approved private institution as defined in the provisions of  
12 section [173.205] **173.1102**. Publicly supported institutions of higher education located outside  
13 the state of Missouri shall possess the equivalent approval of what would be required if such  
14 institutions were located in this state.

15 3. Nothing in this section shall be construed so as to prohibit the coordinating board for  
16 higher education from approving the development of a new program of instruction at a public  
17 college or university if in the judgment of the coordinating board the development of a new  
18 program is in the best educational and fiscal interests of the state of Missouri.

173.236. 1. As used in this section, unless the context clearly requires otherwise, the  
2 following terms mean:

3 (1) "Board", the coordinating board for higher education;

4 (2) "Grant", the Vietnam veteran's survivors grant as established in this section;

5 (3) "Institution of postsecondary education", any approved public or private institution  
6 as defined in section [173.205] **173.1102**;

7 (4) "Survivor", a child or spouse of a Vietnam veteran as defined in this section;

8           (5) "Tuition", any tuition or incidental fee or both charged by an institution of  
9 postsecondary education, as defined in this section, for attendance at the institution by a student  
10 as a resident of this state;

11           (6) "Vietnam veteran", a person who served in the military in Vietnam or the war zone  
12 in Southeast Asia and to whom the following criteria shall apply:

13           (a) The veteran was a Missouri resident when first entering the military service and at  
14 the time of death;

15           (b) The veteran's death was attributable to illness that could possibly be a result of  
16 exposure to toxic chemicals during the Vietnam Conflict; and

17           (c) The veteran served in the Vietnam theater between 1961 and 1972.

18           2. Within the limits of the amounts appropriated therefor, the coordinating board for  
19 higher education shall award annually up to twelve grants to survivors of Vietnam veterans to  
20 attend institutions of postsecondary education in this state. If the waiting list of eligible  
21 survivors exceeds fifty, the coordinating board may petition the general assembly to expand the  
22 quota. If the quota is not expanded the eligibility of survivors on the waiting list shall be  
23 extended.

24           3. A survivor may receive a grant pursuant to this section only so long as the survivor  
25 is enrolled in a program leading to a certificate, or an associate or baccalaureate degree. In no  
26 event shall a survivor receive a grant beyond the completion of the first baccalaureate degree,  
27 regardless of age. No survivor shall receive more than one hundred percent of tuition when  
28 combined with similar funds made available to such survivor.

29           4. The coordinating board for higher education shall:

30           (1) Promulgate all necessary rules and regulations for the implementation of this section;

31           (2) Determine minimum standards of performance in order for a survivor to remain  
32 eligible to receive a grant under this program;

33           (3) Make available on behalf of a survivor an amount toward the survivor's tuition which  
34 is equal to the grant to which the survivor is entitled under the provisions of this section;

35           (4) Provide the forms and determine the procedures necessary for a survivor to apply for  
36 and receive a grant under this program.

37           5. In order to be eligible to receive a grant pursuant to this section, a survivor shall be  
38 certified as eligible by a Missouri state veterans service officer. Such certification shall be made  
39 upon qualified medical certification by a Veterans Administration medical authority that  
40 exposure to toxic chemicals contributed to or was the cause of death of the veteran, as defined  
41 in subsection 1 of this section.

42           6. A survivor who is enrolled or has been accepted for enrollment as an undergraduate  
43 postsecondary student at an approved institution of postsecondary education shall receive a grant  
44 in an amount not to exceed the least of the following:

45           (1) The actual tuition, as defined in this section, charged at an approved institution where  
46 the child is enrolled or accepted for enrollment; or

47           (2) The average amount of tuition charged a Missouri resident at the institutions  
48 identified in section 174.020 for attendance as a full-time student, as defined in section [173.205]  
49 **173.1102**.

50           7. A survivor who is a recipient of a grant may transfer from one approved public or  
51 private institution of postsecondary education to another without losing his entitlement under this  
52 section. The board shall make necessary adjustments in the amount of the grant. If a grant  
53 recipient at any time withdraws from the institution of postsecondary education so that under the  
54 rules and regulations of that institution he is entitled to a refund of any tuition, fees, or other  
55 charges, the institution shall pay the portion of the refund to which he is entitled attributable to  
56 the grant for that semester or similar grading period to the board.

57           8. If a survivor is granted financial assistance under any other student aid program,  
58 public or private, the full amount of such aid shall be reported to the board by the institution and  
59 the eligible survivor.

60           9. Nothing in this section shall be construed as a promise or guarantee that a person will  
61 be admitted to an institution of postsecondary education or to a particular institution of  
62 postsecondary education, will be allowed to continue to attend an institution of postsecondary  
63 education after having been admitted, or will be graduated from an institution of postsecondary  
64 education.

65           10. The benefits conferred by this section shall be available to any academically qualified  
66 surviving children and spouses of Vietnam veterans as defined in subsection 1 of this section,  
67 regardless of the survivor's age, until December 31, 1995. After December 31, 1995, the benefits  
68 conferred by this section shall not be available to such persons who are twenty-five years of age  
69 or older, except spouses will remain eligible until the fifth anniversary after the death of the  
70 veteran.

71           11. This section shall expire on December 31, 2015.

173.239. 1. Any member of the Missouri national guard who possesses the  
2 qualifications set forth in this section may be awarded an educational assistance grant to an  
3 approved public institution or an approved private institution, as those terms are defined in either  
4 section [173.205] **173.1102** or section 173.778, of his or her choice while he or she is a member  
5 of the Missouri national guard. Funding for educational assistance pursuant to this section may



6 be requested annually in the budget of the Missouri national guard. Educational assistance  
7 provided pursuant to this section shall not exceed funds appropriated for that purpose.

8 2. Educational assistance provided under this section shall not exceed the least of the  
9 following:

10 (1) The actual tuition, as defined in section 173.260, charged at an approved institution  
11 where the individual is enrolled or accepted for enrollment; or

12 (2) The amount of tuition charged a Missouri resident at the University of Missouri for  
13 attendance];

14 (3)].

15 The grants provided under this section may be prorated subject to appropriations in an amount  
16 no less than fifty percent of the limits set forth in this section.

17 3. A member of the Missouri national guard seeking educational assistance pursuant to  
18 this section shall provide a certificate of satisfactory service of his or her Missouri national guard  
19 duties from his or her commanding officer and shall possess all other necessary entrance  
20 requirements of the school of his or her choice and shall maintain a cumulative grade point  
21 average (GPA) of at least two point five on a four point scale, or the equivalent on another scale  
22 approved by the program administrator, while attending the approved public or private  
23 institution.

24 4. If the grade point average of a member who is receiving educational assistance  
25 pursuant to this section falls below two point five on a four point scale, or the equivalent on  
26 another scale, such member shall retain the educational assistance and shall be placed on  
27 probation under the educational assistance program. Failure to achieve a current grade point  
28 average of at least two point five on a four point scale or the equivalent on another scale for  
29 future semesters or equivalent academic terms shall result in termination of the scholarship  
30 effective as of the next academic term. The member shall be removed from probation status  
31 upon achieving a cumulative grade point average of two point five on a four point scale or the  
32 equivalent on another scale.

33 5. If a recipient of educational assistance pursuant to this section ceases to maintain their  
34 active military affiliation while enrolled in an academic semester or term for any reason except  
35 death, disability, or medical disqualification the educational assistance shall be terminated and  
36 the recipient shall repay any amounts awarded for the academic semester or term.

37 6. Applicants for educational assistance pursuant to this section shall meet the  
38 qualifications established by section [173.215] **173.1104**, except the provisions of [subdivisions]  
39 **subdivision** (2) [and (4)] of subsection 1 of section [173.215] **173.1104**, and shall be qualified,  
40 full-time or part-time students.

41           7. The educational assistance program established pursuant to this section shall be  
42 administered by the office of the adjutant general of the Missouri national guard. The Missouri  
43 national guard shall establish guidelines for equitable administrative distribution of educational  
44 assistance.

          173.250. 1. There is hereby established a "Higher Education Academic Scholarship  
2 Program" and any moneys appropriated by the general assembly for this program shall be used  
3 to provide scholarships for Missouri citizens to attend a Missouri college or university of their  
4 choice pursuant to the provisions of this section.

          2. The definitions of terms set forth in section 173.1102 shall be applicable to such terms  
6 as used in this section. In addition, the following definitions shall apply:

          (1) "Academic scholarship", an amount of money paid by the state of Missouri to a  
8 student pursuant to the provisions of this section;

          (2) "ACT", the American College Testing program examination;

          (3) "Approved institution", an approved public or approved private institution as defined  
11 in section 173.1102;

          (4) "Eligible student", an individual who meets the criteria set forth in section 173.1104,  
13 excluding the requirements of financial need and undergraduate status and, in addition, meets  
14 the following requirements:

          (a) Has achieved a qualifying score on the ACT or SAT;

          (b) Is a Missouri resident who has completed secondary coursework through graduation  
17 from high school or the virtual public school established in section 161.670, receipt of a general  
18 education development (GED) diploma, completion of a program of study through  
19 homeschooling or any other program of academic instruction that satisfies the compulsory  
20 attendance requirement under section 167.031; [and]

          (c) Is enrolled full time or accepted for full-time enrollment as a postsecondary student  
22 at an approved institution during the academic year immediately following the completion of his  
23 or her secondary coursework;

**(d) For an applicant who graduates from high school during the 2016-17 academic  
25 year or after, has achieved:**

**a. A score of proficient or advanced on the official Algebra I end-of-course  
27 assessment, or the equivalent level on a higher level department of elementary and  
28 secondary education-approved end-of-course assessment in the field of mathematics, unless  
29 the student's high school has met all of the department of elementary and secondary  
30 education's requirements for waiver of the Algebra I end of course assessment for the  
31 recipient; or**

32           **b. A qualifying score, as established annually by the coordinating board for higher**  
33 **education, on the COMPASS exam published by ACT or the mathematics component of**  
34 **the ACT test as a high school or postsecondary student; except that the provisions of this**  
35 **paragraph shall not be required of a student who is enrolling in a certificate program; and**

36           **(e) For an applicant who graduates from high school during the 2016-17 academic**  
37 **year or after, has achieved:**

38           **a. A score of proficient or advanced on the official English I end-of-course**  
39 **assessment, or the equivalent level on a higher level department of elementary and**  
40 **secondary education-approved end-of-course assessment in the field of English, unless the**  
41 **student's high school has met all of the department of elementary and secondary**  
42 **education's requirements for waiver of the English I end-of-course assessment for the**  
43 **recipient; or**

44           **b. A qualifying score, as established annually by the coordinating board for higher**  
45 **education, on the COMPASS exam published by ACT or the English component of the**  
46 **ACT test as a high school or postsecondary student; except that the provisions of this**  
47 **paragraph shall not be required of a student who is enrolling in a certificate program;**

48           (5) "Missouri test-takers", all Missouri high school seniors who take the ACT or the  
49 SAT;

50           (6) "Qualifying score", a composite score on the ACT or the SAT achieved in an eligible  
51 student's high school sophomore, junior, or senior year that is in the top five percent of Missouri  
52 test-takers, as established at the beginning of an eligible student's final year of secondary  
53 coursework;

54           (7) "Recipient", an eligible or renewal student who receives an academic scholarship  
55 pursuant to this section;

56           (8) "Renewal student", an eligible student who remains in compliance with the  
57 provisions of section 173.1104, maintains continuous enrollment **by successfully completing**  
58 **at least twenty-four semester credit hours during the twelve months following his or her**  
59 **initial enrollment and twenty-four semester credit hours during each subsequent twelve-**  
60 **month period**, and makes satisfactory academic degree progress; and

61           (9) "SAT", the Scholastic Aptitude Test.

62           3. The coordinating board for higher education shall be the administrative agency for the  
63 implementation of the program established by this section, and shall:

64           (1) Promulgate reasonable rules and regulations for the exercise of its functions and the  
65 effectuation of the purposes of this section, including regulations for granting scholarship  
66 deferments;

67 (2) Prescribe the form and the time and method of awarding academic scholarships, and  
68 shall supervise the processing thereof; and

69 (3) Select qualified recipients to receive academic scholarships, make such awards of  
70 academic scholarships to qualified recipients and determine the manner and method of payment  
71 to the recipient.

72 4. Eligible students shall be offered academic scholarships in the following amounts and  
73 in the following order of priority, within the limits of the funds appropriated and made available:

74 (1) Each eligible student with a qualifying score in the top three percent of all Missouri  
75 test-takers shall be offered an academic scholarship of up to three thousand dollars per year. All  
76 students in the top three percent shall receive awards of three thousand dollars before any student  
77 in the top fourth and fifth percentiles receives any award;

78 (2) Provided sufficient funds are appropriated, each eligible student with a qualifying  
79 score in the top fourth and fifth percentiles shall be offered an academic scholarship of up to one  
80 thousand dollars per year.

81 5. Eligible students may renew academic scholarships for their second, third, and fourth  
82 years of postsecondary education, or as long as the recipient is in compliance with the criteria  
83 to be a renewal student.

84 6. If an eligible student is unable to enroll during the first academic year or a renewal  
85 student ceases attendance at an approved institution for the purpose of providing service to a  
86 nonprofit organization, a state or federal government agency, or any branch of the Armed Forces  
87 of the United States, such student shall be offered an academic scholarship upon enrollment in  
88 any approved institution after the completion of their service, if the student meets all other  
89 requirements for an initial or renewal award and if the following criteria are met:

90 (1) For an eligible student who cannot attend an approved institution as a result of  
91 service to a nonprofit organization or the state or federal government, the student returns to  
92 full-time status within twenty-seven months and provides verification to the coordinating board  
93 for higher education that the service to the nonprofit organization was satisfactorily completed  
94 and was not compensated other than for expenses, or that the service to the state or federal  
95 government was satisfactorily completed; or

96 (2) For an eligible student who cannot attend an approved institution as a result of  
97 military service in the Armed Forces of the United States, the student returns to full-time status  
98 within six months after the eligible student first ceases service to the Armed Forces and provides  
99 verification to the coordinating board for higher education that the military service was  
100 satisfactorily completed.

101 7. A recipient of an academic scholarship awarded under this section may transfer from  
102 one approved institution to another without losing eligibility for the academic scholarship.

103           8. If a recipient of an academic scholarship at any time withdraws from an approved  
104 institution so that under the rules and regulations of that institution he or she is entitled to a  
105 refund of any tuition, fees or other charges, the institution shall pay the portion of the refund  
106 attributable to the academic scholarship for that term to the coordinating board for higher  
107 education.

108           9. Other provisions of this section to the contrary notwithstanding, if an eligible student  
109 has been awarded an initial academic scholarship pursuant to the provisions of this section but  
110 is unable to attend an approved institution during the first academic year because of illness,  
111 disability, pregnancy or other medical need or if a renewal student ceases all attendance at an  
112 approved institution because of illness, disability, pregnancy or other medical need, the recipient  
113 shall be eligible for an initial or renewal academic scholarship upon enrollment in or return to  
114 any approved institution, provided the recipient:

115           (1) Enrolls in or returns to full-time status within twenty-seven months;

116           (2) Provides verification in compliance with coordinating board for higher education  
117 rules of sufficient medical evidence documenting an illness, disability, pregnancy or other  
118 medical need of such person to require that that person will not be able to use the academic  
119 scholarship during the time period for which it was originally offered; and

120           (3) Meets all other requirements established for eligibility to receive an academic  
121 scholarship.

122           **10. If an eligible student is unable to successfully complete at least twenty-four**  
123 **semester credit hours in a twelve-month period due to serious and unusual personal**  
124 **circumstances, such student may seek a waiver of this provision by appealing to the person**  
125 **or committee the institution the student attends has designated to consider appeals from**  
126 **students who are not in compliance with federal requirements regarding satisfactory**  
127 **academic progress.**

173.254. 1. There is hereby established the "Kids' Chance Scholarship Program", to  
2 provide scholarships for the children of workers who were seriously injured or died in a  
3 work-related accident or occupational disease covered by workers' compensation and  
4 compensable pursuant to chapter 287 to attend a college, university or accredited vocational  
5 institution of their choice pursuant to the provisions of this section.

6           2. The definitions of terms set forth in section [173.205] **173.1102** shall be applicable  
7 to such terms as used in this section.

8           3. The department of higher education shall be the administrative agency for the  
9 implementation of the program established by this section, and shall:

10           (1) Promulgate reasonable rules for the exercise of its functions and the effectuation of  
11 the purposes of this section;

12 (2) Prescribe the form and the time and method of awarding the scholarships after  
13 reasonably considering the recommendations, if any, of the board of directors of KIDS'  
14 CHANCE Inc. of Missouri, and shall supervise the processing thereof; and

15 (3) Select qualified recipients to receive the scholarships, make such awards of  
16 scholarships to qualified recipients and determine the use, the manner and the method of  
17 payment to the recipient after reasonably considering the recommendations, if any, of the board  
18 of directors of KIDS' CHANCE Inc. of Missouri.

19 4. A student shall be eligible for an initial or renewed scholarship if, at the time of  
20 application and throughout the period during which the student is receiving such assistance, he  
21 or she is a part-time or full-time student who:

22 (1) Is at least seventeen and not more than twenty-two years of age;

23 (2) Is a Missouri citizen;

24 (3) Is a child of an employee who was seriously injured or died in a work-related  
25 accident or occupational disease covered by workers' compensation and compensable pursuant  
26 to chapter 287;

27 (4) Is enrolled, or has been accepted for enrollment, as a student in a private or public  
28 institution in Missouri or an accredited vocational institution in Missouri; and

29 (5) Establishes financial need.

30 5. A recipient of a scholarship awarded pursuant to the provisions of this section may  
31 transfer from one public or private institution in Missouri or accredited vocational institution in  
32 Missouri to another without losing eligibility for the scholarship. If a recipient of the scholarship  
33 at any time withdraws from a private or public institution in Missouri or accredited vocational  
34 institution in Missouri so that under the rules and regulations of that institution he or she is  
35 entitled to a refund of any tuition, fees or other charges, the institution shall pay the portion of  
36 the refund attributable to the scholarship for that term to the department of higher education for  
37 deposit in this program.

38 6. The provisions of sections 173.254 to 173.258 shall only apply to moneys received  
39 by the kids' chance scholarship fund or program pursuant to section 173.258 and shall not apply  
40 to any moneys received by the kids' chance scholarship fund or program from sources other than  
41 the state.

42 7. Scholarships provided pursuant to the provisions of sections 173.254 to 173.258 shall  
43 not exceed the least of the following:

44 (1) The actual tuition, as defined in section 173.260, charged at an approved institution  
45 pursuant to this section where the individual is enrolled or accepted for enrollment; or

46 (2) The amount of tuition charged a Missouri resident at the University of Missouri for  
47 attendance.

48           8. No rule or portion of a rule promulgated pursuant to the authority of this section shall  
49 become effective unless it has been promulgated pursuant to the provisions of chapter 536.

          173.260. 1. As used in this section, unless the context clearly requires otherwise, the  
2 following terms mean:

3           (1) "Board", the coordinating board for higher education;

4           (2) "Eligible child", the natural, adopted or stepchild of a public safety officer or  
5 employee, as defined in this section, who is less than twenty-four years of age and who is a  
6 dependent of a public safety officer or employee or was a dependent at the time of death or  
7 permanent and total disability of a public safety officer or employee;

8           (3) "Employee", any full-time employee of the department of transportation engaged in  
9 the construction or maintenance of the state's highways, roads and bridges;

10          (4) "Grant", the public safety officer or employee survivor grant as established by this  
11 section;

12          (5) "Institution of postsecondary education", any approved public or private institution  
13 as defined in section [173.205] **173.1102**;

14          (6) "Line of duty", any action of a public safety officer, whose primary function is crime  
15 control or reduction, enforcement of the criminal law, or suppression of fires, is authorized or  
16 obligated by law, rule, regulation or condition of employment or service to perform;

17          (7) "Public safety officer", any firefighter, police officer, capitol police officer, parole  
18 officer, probation officer, state correctional employee, water safety officer, park ranger,  
19 conservation officer or highway patrolman employed by the state of Missouri or a political  
20 subdivision thereof who is killed or permanently and totally disabled in the line of duty;

21          (8) "Permanent and total disability", a disability which renders a person unable to engage  
22 in any gainful work;

23          (9) "Spouse", the husband, wife, widow or widower of a public safety officer or  
24 employee at the time of death or permanent and total disability of such public safety officer;

25          (10) "Tuition", any tuition or incidental fee or both charged by an institution of  
26 postsecondary education, as defined in this section, for attendance at that institution by a student  
27 as a resident of this state.

28          2. Within the limits of the amounts appropriated therefor, the coordinating board for  
29 higher education shall provide, as defined in this section, a grant for either of the following to  
30 attend an institution of postsecondary education:

31          (1) An eligible child of a public safety officer or employee killed or permanently and  
32 totally disabled in the line of duty; or

33          (2) A spouse of a public safety officer killed or permanently and totally disabled in the  
34 line of duty.

35           3. An eligible child or spouse may receive a grant under this section only so long as the  
36 child or spouse is enrolled in a program leading to a certificate, or an associate or baccalaureate  
37 degree. In no event shall a child or spouse receive a grant beyond the completion of the first  
38 baccalaureate degree or, in the case of a child, age twenty-four years, except that the child may  
39 receive a grant through the completion of the semester or similar grading period in which the  
40 child reaches his twenty-fourth year. No child or spouse shall receive more than one hundred  
41 percent of tuition when combined with similar funds made available to such child or spouse.

42           4. The coordinating board for higher education shall:

43           (1) Promulgate all necessary rules and regulations for the implementation of this section;

44           (2) Determine minimum standards of performance in order for a child or spouse to  
45 remain eligible to receive a grant under this program;

46           (3) Make available on behalf of an eligible child or spouse an amount toward the child's  
47 or spouse's tuition which is equal to the grant to which the child or spouse is entitled under the  
48 provisions of this section;

49           (4) Provide the forms and determine the procedures necessary for an eligible child or  
50 spouse to apply for and receive a grant under this program.

51           5. An eligible child or spouse who is enrolled or has been accepted for enrollment as an  
52 undergraduate postsecondary student at an approved institution of postsecondary education shall  
53 receive a grant in an amount not to exceed the least of the following:

54           (1) The actual tuition, as defined in this section, charged at an approved institution where  
55 the child or spouse is enrolled or accepted for enrollment; or

56           (2) The amount of tuition charged a Missouri resident at the University of Missouri for  
57 attendance as a full-time student, as defined in section [173.205] **173.1102**.

58           6. An eligible child or spouse who is a recipient of a grant may transfer from one  
59 approved public or private institution of postsecondary education to another without losing his  
60 entitlement under this section. The board shall make necessary adjustments in the amount of the  
61 grant. If a grant recipient at anytime withdraws from the institution of postsecondary education  
62 so that under the rules and regulations of that institution he is entitled to a refund of any tuition,  
63 fees, or other charges, the institution shall pay the portion of the refund to which he is entitled  
64 attributable to the grant for that semester or similar grading period to the board.

65           7. If an eligible child or spouse is granted financial assistance under any other student  
66 aid program, public or private, the full amount of such aid shall be reported to the board by the  
67 institution and the eligible child or spouse.

68           8. Nothing in this section shall be construed as a promise or guarantee that a person will  
69 be admitted to an institution of postsecondary education or to a particular institution of  
70 postsecondary education, will be allowed to continue to attend an institution of postsecondary



71 education after having been admitted, or will be graduated from an institution of postsecondary  
72 education.

73 9. A public safety officer who is permanently and totally disabled shall be eligible for  
74 a grant pursuant to the provisions of this section.

75 10. An eligible child of a public safety officer or employee, spouse of a public safety  
76 officer or public safety officer shall cease to be eligible for a grant pursuant to this section when  
77 such public safety officer or employee is no longer permanently and totally disabled.

173.262. 1. There is hereby established the "Marguerite Ross Barnett Competitiveness  
2 Scholarship Program", and any moneys appropriated by the general assembly for this program  
3 shall be used to provide scholarships for Missouri citizens to attend a Missouri college or  
4 university of their choice pursuant to the provisions of this section.

5 2. The definitions of terms set forth in section [173.205] **173.1102** shall be applicable  
6 to such terms as used in this section. The term "competitiveness scholarship" means an amount  
7 of money paid by the state of Missouri to a qualified college or university student pursuant to the  
8 provisions of this section.

9 3. The coordinating board for higher education shall be the administrative agency for the  
10 implementation of the program established by this section, and shall:

11 (1) Promulgate reasonable rules and regulations for the exercise of its functions and the  
12 effectuation of the purposes of this section;

13 (2) Prescribe the form and the time and method of awarding competitiveness  
14 scholarships, and shall supervise the processing thereof; and

15 (3) Select qualified recipients to receive competitiveness scholarships, make such awards  
16 of competitiveness scholarships to qualified recipients and determine the manner and method of  
17 payment to the recipient.

18 4. A student shall be eligible for initial or renewed competitiveness scholarship if, at the  
19 time of his application and throughout the period during which he is receiving such assistance,  
20 he is a part-time student who:

21 (1) Is eighteen years of age or older;

22 (2) Is employed twenty hours or more per week;

23 (3) Is a citizen or a permanent resident of the United States;

24 (4) Is a resident of the state of Missouri, as determined by reference to standards  
25 promulgated pursuant to section [173.140] **173.005**;

26 (5) Is enrolled, or has been accepted for enrollment, as a part-time undergraduate student  
27 in an approved private or public institution; and

28 (6) Establishes financial need.

29           5. A recipient of competitiveness scholarship awarded under the provisions of this  
30 section may transfer from one approved Missouri public or private institution to another without  
31 losing eligibility for the scholarship. If a recipient of the scholarship at any time withdraws from  
32 an approved private or public institution so that under the rules and regulations of that institution  
33 he is entitled to a refund of any tuition, fees or other charges, the institution shall pay the portion  
34 of the refund attributable to the scholarship for that term to the coordinating board for higher  
35 education.

173.778. As used in sections 173.775 to 173.796, the following terms mean:

- 2           (1) "Board", the coordinating board for higher education;
- 3           (2) "Eligible institution", any approved public or private institution of postsecondary  
4 education, as defined in section [173.205] **173.1102** or any other Missouri private institution that:
  - 5           (a) Is required by statute to be certified to operate by the board;
  - 6           (b) Is institutionally accredited by a United States Department of Education recognized  
7 accrediting commission;
  - 8           (c) Has operated continuously in the state of Missouri for five or more years;
  - 9           (d) Has no more than fifty percent of its students in correspondence programs;
  - 10           (e) Offers a one-year or two-year certificate, associate or baccalaureate degree programs,  
11 or graduate or professional degree programs; and
  - 12           (f) Is approved for participation in the advantage Missouri program by the board;
- 13           (3) "Eligible student", an individual who is enrolled full time in an eligible institution,  
14 unless the board approves less than full-time enrollment, who meets the eligibility requirements  
15 pursuant to subsection 1 of section [173.215] **173.1104** and who meets the following additional  
16 requirements:
  - 17           (a) Has received a high school diploma, general educational development certificate  
18 (GED), or its equivalent;
  - 19           (b) Maintains satisfactory academic progress as determined by the eligible institution  
20 such student attends in pursuing a one-year or two-year certificate, associate or baccalaureate  
21 degree, or graduate or professional degree. Failure to maintain satisfactory academic progress  
22 shall result in ineligibility for continued participation in the program and ineligibility for  
23 forgiveness of any loan or loans received;
  - 24           (c) Is not currently confined in any federal or state correctional facility or jail;
  - 25           (d) Has not defaulted on the repayment of any previously granted higher education loan;
  - 26           and
  - 27           (e) Submits an application provided by the board for participation in the program;
  - 28           (4) "Fund", the advantage Missouri trust fund, established in section 173.775; and

29 (5) "Occupational areas of high demand", specific professions or skill areas for which  
30 the board determines that the state is experiencing a shortage of qualified employees;

31 (6) "Program", the advantage Missouri program established pursuant to sections 173.775  
32 to 173.796.

173.1104. 1. An applicant shall be eligible for initial or renewed financial assistance  
2 only if, at the time of application and throughout the period during which the applicant is  
3 receiving such assistance, the applicant:

4 (1) Is a citizen or a permanent resident of the United States;

5 (2) Is a resident of the state of Missouri, as determined by reference to standards  
6 promulgated by the coordinating board;

7 (3) Is enrolled, or has been accepted for enrollment, as a full-time undergraduate student  
8 in an approved private or public institution; [and]

9 (4) Is not enrolled or does not intend to use the award to enroll in a course of study  
10 leading to a degree in theology or divinity;

11 **(5) For an applicant who graduates from high school during the 2016-17 academic  
12 year or after, has achieved:**

13 **(a) A score of proficient or advanced on the official Algebra I end-of-course  
14 assessment, or the equivalent level on a higher level department of elementary and  
15 secondary education-approved end-of-course assessment in the field of mathematics, unless  
16 the student's high school has met all of the department of elementary and secondary  
17 education's requirements for waiver of the Algebra I end-of-course assessment for the  
18 recipient; or**

19 **(b) A qualifying score, as established annually by the coordinating board for higher  
20 education, on the COMPASS exam published by ACT or the mathematics component of  
21 the ACT test as a high school or postsecondary student; except that the provisions of this  
22 subdivision shall not be required of a student who is enrolling in a certificate program; and**

23 **(6) For an applicant who graduates from high school during the 2016-17 academic  
24 year or after, has achieved:**

25 **(a) A score of proficient or advanced on the official English I end-of-course  
26 assessment, or the equivalent level on a higher level department of elementary and  
27 secondary education-approved end-of-course assessment in the field of English, unless the  
28 student's high school has met all of the department of elementary and secondary  
29 education's requirements for waiver of the English I end-of-course assessment for the  
30 recipient; or**

31 **(b) A qualifying score, as established annually by the coordinating board for higher  
32 education, on the COMPASS exam published by ACT or the English component of the**

33 **ACT test as a high school or postsecondary student; except that the provisions of this**  
34 **subdivision shall not be required of a student who is enrolling in a certificate program.**

35 2. If an applicant is found guilty of or pleads guilty to any criminal offense during the  
36 period of time in which the applicant is receiving financial assistance, such applicant shall not  
37 be eligible for renewal of such assistance, provided such offense would disqualify the applicant  
38 from receiving federal student aid under Title IV of the Higher Education Act of 1965, as  
39 amended.

40 3. Financial assistance shall be allotted for one academic year, but a recipient shall be  
41 eligible for renewed assistance until he or she has obtained a baccalaureate degree, provided such  
42 financial assistance shall not exceed a total of ten semesters or fifteen quarters or their  
43 equivalent. Standards of eligibility for renewed assistance shall be the same as for an initial  
44 award of financial assistance, except that for renewal, an applicant shall demonstrate a  
45 grade-point average of two and five-tenths on a four-point scale, or the equivalent on another  
46 scale **and, beginning with the 2014-15 academic year, has successfully completed the**  
47 **following number of semester credit hours or an equivalent:**

- 48 (1) **For the first renewal, twenty-four semester hours;**  
49 (2) **For the second renewal, forty-eight semester credit hours;**  
50 (3) **For the third renewal, seventy-two semester credit hours;**  
51 (4) **For the fourth renewal, ninety-six semester credit hours.**

52

53 This subsection shall be construed as the successor to section 173.215 for purposes of eligibility  
54 requirements of other financial assistance programs that refer to section 173.215.

55 4. **If an eligible student is unable to enroll or ceases attendance at an approved**  
56 **institution because of illness, disability, pregnancy, or other medical need or for the**  
57 **purpose of providing service to a nonprofit organization, a state or federal government**  
58 **agency, or any branch of the Armed Forces of the United States, such student shall be**  
59 **eligible for an access Missouri award upon enrollment in any approved institution if the**  
60 **student meets all other requirements for an initial or renewal award and if the following**  
61 **criteria are met:**

- 62 (1) **For an eligible student who cannot attend an approved institution as a result of**  
63 **service to a nonprofit organization or the state or federal government, the student returns**  
64 **to full-time status within twenty-seven months and provides verification to the**  
65 **coordinating board for higher education that the service to the nonprofit organization was**  
66 **satisfactorily completed and was not compensated other than for expenses, or that the**  
67 **service to the state or federal government was satisfactorily completed; or**

68           **(2) For an eligible student who cannot attend an approved institution as a result of**  
69 **military service in the Armed Forces of the United States, the student returns to full-time**  
70 **status within six months after the eligible student first ceases service to the Armed Forces**  
71 **and provides verification to the coordinating board for higher education that the military**  
72 **service was satisfactorily completed; or**

73           **(3) For an eligible student who cannot attend an approved institution as a result of**  
74 **a medical need, the student returns to full-time status within twenty-seven months and**  
75 **provides verification in compliance with coordinating board for higher education rules of**  
76 **sufficient medical evidence documenting an illness, disability, pregnancy, or other medical**  
77 **need of such person to require that the person cannot enroll at an approved institution.**

78           **5. If an eligible student is unable to successfully complete at least twenty-four**  
79 **semester credit hours in a twelve-month period due to serious and unusual personal**  
80 **circumstances, such student may seek a waiver of this provision by appealing to the person**  
81 **or committee the institution the student attends has designated to consider appeals from**  
82 **students who are not in compliance with federal requirements regarding satisfactory**  
83 **academic progress.**

174.700. The board of regents or board of governors of any state college or university  
2 may appoint and employ as many college or university police officers as it may deem necessary  
3 to **enforce regulations established under section 174.709 and general motor vehicle laws of**  
4 **this state in accordance with section 174.712**, protect persons, property, and to preserve peace  
5 and good order only in the public buildings, properties, grounds, and other facilities and locations  
6 over which it has charge or control and to respond to emergencies or natural disasters outside of  
7 the boundaries of university property and provide services if requested by the law enforcement  
8 agency with jurisdiction.

174.703. **1.** The college or university police officers, before they enter upon their duties,  
2 shall take and subscribe an oath of office before some officer authorized to administer oaths, to  
3 faithfully and impartially discharge the duties thereof, which oath shall be filed in the office of  
4 the board, and the secretary of the board shall give each college police officer so appointed and  
5 qualified a certificate of appointment, under the seal of the board, which certificate shall  
6 empower him or her with the same authority to maintain order, preserve peace and make arrests  
7 as is now held by peace officers.

8           **2. The college or university police officers shall have the authority to enforce the**  
9 **regulations established in section 174.709 and general motor vehicle laws in accordance**  
10 **with section 174.712 on the campus as prescribed in chapter 304.** The college or university  
11 police officer may in addition expel from the public buildings, campuses, and grounds, persons

12 violating the rules and regulations that may be prescribed by the board or others under the  
13 authority of the board.

14 **3.** Such officer or employee of the state college or university as may be designated by  
15 the board shall have immediate charge, control and supervision of police officers appointed by  
16 authority of this section. Such college or university police officers shall have satisfactorily  
17 completed before appointment a training course for police officers as prescribed by chapter 590  
18 for state peace officers or, by virtue of previous experience or training, have met the  
19 requirements of chapter 590, **and have been certified under that chapter.**

174.706. Nothing in sections 174.700 to 174.706 shall be construed as denying the board  
2 the right to appoint guards or watchmen who shall not be given the authority and powers  
3 authorized by sections 174.700 to [174.706] **174.712.**

**174.709. 1. For the purpose of promoting public safety, health, and general welfare  
2 and to protect life and property, the board of regents or board of governors of any state  
3 college or university may establish regulations to control vehicular traffic, including speed  
4 regulations, on any thoroughfare owned or maintained by the state college or university  
5 and located within any of its campuses. Such regulations shall be consistent with the  
6 provisions of the general motor vehicle laws of this state. Upon adoption of such  
7 regulations, the state college or university shall have the authority to place official traffic  
8 control signals, as defined in section 300.010, on campus property.**

9 **2.** The regulations established by the board of regents or board of governors of any  
10 state college or university under subsection 1 of this section shall be codified, printed, and  
11 distributed for public use. Adequate signs displaying the speed limit shall be posted along  
12 such thoroughfares.

13 **3.** Violations of any regulation established under this section shall have the same  
14 effect as a violation of municipal ordinances adopted under section 304.120, with penalty  
15 provisions as provided in section 304.570. Points assessed against any person under section  
16 302.302, for a violation of this section shall be the same as provided for a violation of a  
17 county or municipal ordinance.

18 **4.** The provisions of this section shall apply only to moving violations.

**174.712. All motor vehicles operated upon any thoroughfare owned or maintained  
2 by the state college or university and located within any of its campuses shall be subject to  
3 the provisions of the general motor vehicle laws of this state, including chapters 301, 302,  
4 303, 304, 307, and 577. Violations shall have the same effect as though such had occurred  
5 on public roads, streets, or highways of this state.**

174.770. 1. There is hereby established the "Jim Sears Leadership Scholarship  
2 Program". Any moneys appropriated by the general assembly for this program shall be used to

3 provide scholarships for Missouri citizens to attend Truman State University pursuant to the  
4 provisions of this section.

5         2. The definitions of terms set forth in section [173.205] **173.1102** shall be applicable  
6 to such terms as used in this section.

7         3. The board of governors of Truman State University shall be the administrative agency  
8 for the implementation of the program established by this section, and shall:

9             (1) Promulgate reasonable rules for the exercise of its functions related to the purposes  
10 of this section;

11             (2) Prescribe the form, time and method of awarding academic scholarships, and shall  
12 supervise the processing thereof; and

13             (3) Select qualified recipients to receive the scholarships.

14         4. Subject to appropriations, a student shall be eligible for the scholarship, if such student  
15 is in compliance with the eligibility requirements set forth in section [173.215] **173.1104**  
16 excluding the requirement of financial need.

17         5. Initial scholarships shall be offered in the academic year immediately following  
18 graduation from high school to Missouri high school seniors who have shown a strong record  
19 of leadership or community service while in high school. The scholarships shall be distributed  
20 as evenly as possible throughout the state. During the freshman year of college, scholarship  
21 recipients are required to maintain status as a full-time student.

22         6. The scholarships are renewable for up to six additional semesters if the recipient  
23 remains in compliance with the applicable provisions of section [173.215] **173.1104**, the  
24 recipient makes satisfactory academic degree progress as a full-time student, and upon the  
25 provision of funds by Truman State University.

544.157. 1. Any law enforcement officer certified pursuant to chapter 590 of any  
2 political subdivision of this state, any authorized agent of the department of conservation, any  
3 commissioned member of the Missouri capitol police, **any college or university police officer**,  
4 and any commissioned member of the Missouri state park rangers in fresh pursuit of a person  
5 who is reasonably believed by such officer to have committed a felony in this state or who has  
6 committed, or attempted to commit, in the presence of such officer or agent, any criminal offense  
7 or violation of a municipal or county ordinance, or for whom such officer holds a warrant of  
8 arrest for a criminal offense, shall have the authority to arrest and hold in custody such person  
9 anywhere in this state. Fresh pursuit may only be initiated from within the pursuing peace  
10 officer's, conservation agent's, capitol police officer's, **college or university police officer's**, or  
11 state park ranger's jurisdiction and shall be terminated once the pursuing peace officer is outside  
12 of such officer's jurisdiction and has lost contact with the person being pursued. If the offense  
13 is a traffic violation, the uniform traffic ticket shall be used as if the violator had been  
14 apprehended in the municipality or county in which the offense occurred.

15           2. If such an arrest is made in obedience to a warrant, the disposition of the prisoner shall  
16 be made as in other cases of arrest under a warrant; if the violator is served with a uniform traffic  
17 ticket, the violator shall be directed to appear before a court having jurisdiction to try the offense;  
18 if the arrest is without a warrant, the prisoner shall be taken forthwith before a judge of a court  
19 with original criminal jurisdiction in the county wherein such arrest was made or before a  
20 municipal judge thereof having original jurisdiction to try such offense, who may release the  
21 person as provided in section 544.455, conditioned upon such person's appearance before the  
22 court having jurisdiction to try the offense. The person so arrested need not be taken before a  
23 judge as herein set out if given a summons by the arresting officer.

24           3. The term "fresh pursuit", as used in this section, shall include hot or fresh pursuit as  
25 defined by the common law and also the pursuit of a person who has committed a felony or is  
26 reasonably suspected of having committed a felony in this state, or who has committed or  
27 attempted to commit in this state a criminal offense or violation of municipal or county ordinance  
28 in the presence of the arresting officer referred to in subsection 1 of this section or for whom  
29 such officer holds a warrant of arrest for a criminal offense. It shall include also the pursuit of  
30 a person suspected of having committed a supposed felony in this state, though no felony has  
31 actually been committed, if there is reasonable ground for so believing. "Fresh pursuit" as used  
32 herein shall imply instant pursuit.

33           4. A public agency electing to institute vehicular pursuits shall adopt a policy for the safe  
34 conduct of vehicular pursuits by peace officers. Such policy shall meet the following minimum  
35 standards:

36           (1) There shall be supervisory control of the pursuit;

37           (2) There shall be procedures for designating the primary pursuit vehicle and for  
38 determining the total number of vehicles to be permitted to participate at one time in the pursuit;

39           (3) There shall be procedures for coordinating operation with other jurisdictions; and

40           (4) There shall be guidelines for determining when the interests of public safety and  
41 effective law enforcement justify a vehicular pursuit and when a vehicular pursuit should not be  
42 initiated or should be terminated.

Section B. Because of the importance of allowing higher education institutions to  
2 provide responses to potential property lessors in a timely manner, the repeal and reenactment  
3 of section 37.005, of this act is deemed necessary for the immediate preservation of the public  
4 health, welfare, peace and safety, and is hereby declared to be an emergency act within the  
5 meaning of the constitution, and the repeal and reenactment of section 37.005 of this act shall  
6 be in full force and effect upon its passage and approval.

✓