

FIRST REGULAR SESSION

# HOUSE BILL NO. 986

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE PETERS.

2157L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 173, RSMo, by adding thereto two new sections relating to the establishment of the Missouri promise scholarship program.

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

Section A. Chapter 173, RSMo, is amended by adding thereto two new sections, to be known as sections 173.1570 and 173.1572, to read as follows:

**173.1570. 1. The provisions of sections 173.1570 and 173.1572 shall be known and cited as the "Missouri Promise Scholarship Act".**

**2. As used in sections 173.1570 and 173.1572, the following terms mean:**

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

**(2) "Continuous enrollment", attending classes in the fall and spring semester of a single academic year; enrollment in summer semester or intersession terms is not required;**

**(3) "Eligible high school":**

**(a) A Missouri public secondary school;**

**(b) A private secondary school that is located in Missouri and is approved by the coordinating board for higher education;**

**(c) An out-of-state public secondary school located in a county bordering the state of Missouri; or**

**(d) An out-of-state boarding school accredited by a regional accrediting association that is attended by a Missouri state resident;**

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.

16           (4) "Eligible postsecondary institution", any public or private two-year or four-  
17 year institution of higher education, including community colleges and two-year private  
18 vocational or technical schools;

19           (5) "Full-time student", a student at an eligible postsecondary institution who is  
20 enrolled for at least twelve semester hours during each semester of attendance;

21           (6) "Gift aid", scholarships and grants from any source that do not require  
22 repayment, including funds provided through the federal Foster Care Independence Act  
23 of 1999, compiled generally in Title 42 U.S.C., and other similar programs; student loans  
24 and work-study awards shall not be considered gift aid;

25           (7) "Home school student", a student who completed home school study in  
26 accordance with section 167.031;

27           (8) "Resident", a resident of this state as determined under standards promulgated  
28 as provided under section 173.005.

29           3. The coordinating board for higher education shall administer the Missouri  
30 promise scholarship program for Missouri residents seeking an associate's degree,  
31 certificate, or diploma from an eligible postsecondary institution under the following terms  
32 and conditions:

33           (1) To be eligible for the scholarship a student shall be admitted to and enrolled full  
34 time in an eligible postsecondary institution in the fall term after receiving a high school  
35 diploma, a certificate of high school graduation, or a high school equivalency certificate,  
36 or completion of high school as a home school student. Exceptions to initial enrollment  
37 may be made for extenuating circumstances as provided in rules and regulations  
38 promulgated by the board;

39           (2) Students applying for the scholarship shall complete the Missouri promise  
40 application in their initial year of enrollment. Students shall complete the free application  
41 for federal student aid each academic year in which they seek to receive the Missouri  
42 promise scholarship;

43           (3) To continue to receive a Missouri promise scholarship, a student shall maintain  
44 satisfactory academic progress as determined by the rules and regulations promulgated by  
45 the board;

46           (4) Scholarship recipients shall participate in mentoring and community service  
47 programs under the rules and regulations promulgated by the board. The board shall  
48 develop the selection and renewal criteria for students and shall have the authority to work  
49 with outside organizations to develop the most effective means for delivering the  
50 scholarships;

51           **(5) Subject to the amounts appropriated by the general assembly, a Missouri**  
52 **promise scholarship shall be the cost of tuition and mandatory fees at the eligible**  
53 **postsecondary institution attended less all other gift aid, as defined in subsection 2 of this**  
54 **section. Gift aid shall be credited first to the student's tuition and mandatory fees;**

55           **(6) The amount of the Missouri promise scholarship at an eligible four-year public**  
56 **postsecondary institution or an eligible private institution shall not exceed the average cost**  
57 **of tuition and mandatory fees at public two-year postsecondary institutions;**

58           **(7) A Missouri promise scholarship student who has an approved medical or**  
59 **personal leave of absence from an eligible postsecondary institution may continue to**  
60 **receive the scholarship upon resuming the student's education at an eligible postsecondary**  
61 **institution so long as the student continues to meet all applicable eligibility requirements.**  
62 **The sum of all approved leaves of absence shall not exceed six months;**

63           **(8) The student shall be eligible for the scholarship until the occurrence of the first**  
64 **of the following events:**

65           **(a) The student has earned a certificate, diploma, or associate degree; or**

66           **(b) The sum of the number of years the student attended a postsecondary**  
67 **institution, exclusive of approved leaves of absence, equals two and one-half years from the**  
68 **date of the student's initial enrollment at an eligible postsecondary institution; and**

69           **(9) Except for a medical or personal leave of absence, as approved by an eligible**  
70 **postsecondary institution, a Missouri promise scholarship student shall maintain**  
71 **continuous enrollment at an eligible postsecondary institution.**

72           **4. Notwithstanding any other provision of law, students who participate in the A+**  
73 **schools program, as defined in section 160.545, shall not be considered eligible for a**  
74 **scholarship under the Missouri promise scholarship program.**

**173.1572. 1. There is hereby created in the state treasury the "Missouri Promise**  
2 **Scholarship Fund", which shall consist of money appropriated annually by the general**  
3 **assembly from general revenue and any gifts, bequests, or donations. The state treasurer**  
4 **shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state**  
5 **treasurer may approve disbursements. The fund shall be a dedicated fund and, upon**  
6 **appropriation, money in the fund shall be used solely for the administration of the**  
7 **Missouri promise scholarship program. Notwithstanding the provisions of section 33.080**  
8 **to the contrary, any moneys remaining in the fund at the end of the biennium shall not**  
9 **revert to the credit of the general revenue fund. The state treasurer shall invest moneys**  
10 **in the fund in the same manner as other funds are invested. Any interest and moneys**  
11 **earned on such investments shall be credited to the fund.**

12           **2. The coordinating board for higher education shall promulgate rules to**  
13 **implement the provisions of sections 173.1570 and 173.1572. Any rule or portion of a rule,**  
14 **as that term is defined in section 536.010, that is created under the authority delegated in**  
15 **this section shall become effective only if it complies with and is subject to all of the**  
16 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536**  
17 **are nonseverable and if any of the powers vested with the general assembly pursuant to**  
18 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**  
19 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**  
20 **proposed or adopted after August 28, 2015, shall be invalid and void.**

21           **3. Under section 23.253 of the Missouri sunset act:**

22           **(1) The provisions of the new program authorized under sections 173.1570 and**  
23 **173.1572 shall automatically sunset six years after the effective date of sections 173.1570**  
24 **and 173.1572 unless reauthorized by an act of the general assembly; and**

25           **(2) If such program is reauthorized, the program authorized under sections**  
26 **173.1570 and 173.1572 shall automatically sunset twelve years after the effective date of the**  
27 **reauthorization of sections 173.1570 and 173.1572; and**

28           **(3) Sections 173.1570 and 173.1572 shall terminate on September first of the**  
29 **calendar year immediately following the calendar year in which the program authorized**  
30 **under sections 173.1570 and 173.1572 is sunset.**

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