

SECOND REGULAR SESSION

# HOUSE BILL NO. 1678

98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SOLON.

4824H.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to student safety at public institutions of higher education.

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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 one new section, to be known as section 173.2050, to read as follows:

2           **173.2050. 1. The governing board of each public institution of higher education in**  
3 **this state shall engage in discussions with law enforcement agencies with jurisdiction over**  
4 **the premises of an institution to develop and enter into a memorandum of understanding**  
5 **concerning sexual assault, domestic violence, dating violence, and stalking, as defined in**  
6 **the federal Higher Education Act of 1965, 20 U.S.C. Section 1092(f), involving students**  
7 **both on and off campus.**

8           **2. The memorandum of understanding shall contain detailed policies and protocols**  
9 **regarding sexual assault, domestic violence, dating violence, and stalking involving a**  
10 **student that comport with best practices and current professional practices. At a**  
11 **minimum, the memorandum shall set out procedural requirements for the reporting of an**  
12 **offense, protocol for establishing who has jurisdiction over an offense, and criteria for**  
13 **determining when an offense is to be reported to law enforcement.**

14           **3. The department of public safety in cooperation with the department of higher**  
15 **education shall promulgate rules and regulations to facilitate the implementation of this**  
16 **section. Any rule or portion of a rule, as that term is defined in section 536.010, that is**  
17 **created under the authority delegated in this section shall become effective only if it**  
**complies with and is subject to all of the provisions of chapter 536 and, if applicable,**

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.

18 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**  
19 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**  
20 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**  
21 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2016,**  
22 **shall be invalid and void.**

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