

FIRST REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 67

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR DIXON.

Pre-filed December 7, 2012, and ordered printed.

Read 2nd time January 17, 2013, and referred to the Committee on Education.

Reported from the Committee March 28, 2013, with recommendation that the bill do pass.

Taken up for Perfection April 10, 2013. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

0052S.01P

AN ACT

To repeal sections 30.750, 173.003, 173.051, 173.236, 173.239, 173.254, 173.260, 173.262, 173.778, 174.231, 174.700, 174.703, 174.706, 174.770, and 544.157, RSMo, and to enact in lieu thereof seventeen new sections relating to higher education.

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

Section A. Sections 30.750, 173.003, 173.051, 173.236, 173.239, 173.254, 2 173.260, 173.262, 173.778, 174.231, 174.700, 174.703, 174.706, 174.770, and 3 544.157, RSMo, are repealed and seventeen new sections enacted in lieu thereof, 4 to be known as sections 30.750, 173.003, 173.051, 173.236, 173.239, 173.254, 5 173.260, 173.262, 173.778, 174.231, 174.700, 174.703, 174.706, 174.709, 174.712, 6 174.770, 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
3 of value to agricultural products produced in Missouri;

4 (2) "Eligible alternative energy consumer", an individual who wishes to
5 borrow moneys for the purchase, installation, or construction of facilities or
6 equipment related to the production of fuel or power primarily for the individual's
7 own use from energy sources other than fossil fuels, including but not limited to
8 solar, hydroelectric, wind, and qualified biomass;

9 (3) "Eligible alternative energy operation", a business enterprise engaged
10 in the production of fuel or power from energy sources other than fossil fuels,

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

11 including but not limited to solar, hydroelectric, wind, and qualified biomass.
12 Such business enterprise shall conform to the characteristics of paragraphs (a),
13 (b), and (d) of subdivision (6) of this section;

14 (4) "Eligible beginning farmer":

15 (a) For any beginning farmer who seeks to participate in the linked
16 deposit program alone, a farmer who:

17 a. Is a Missouri resident;

18 b. Wishes to borrow for a farm operation located in Missouri;

19 c. Is at least eighteen years old; and

20 d. In the preceding five years has not owned, either directly or indirectly,
21 farm land greater than fifty percent of the average size farm in the county where
22 the proposed farm operation is located or farm land with an appraised value
23 greater than four hundred fifty thousand dollars. A farmer who qualifies as an
24 eligible farmer under this provision may utilize the proceeds of a linked deposit
25 loan to purchase agricultural land, farm buildings, new and used farm equipment,
26 livestock and working capital;

27 (b) For any beginning farmer who is participating in both the linked
28 deposit program and the beginning farmer loan program administered by the
29 Missouri agriculture and small business development authority, a farmer who:

30 a. Qualifies under the definition of a beginning farmer utilized for
31 eligibility for federal tax-exempt financing, including the limitations on the use
32 of loan proceeds; and

33 b. Meets all other requirements established by the Missouri agriculture
34 and small business development authority;

35 (5) "Eligible facility borrower", a borrower qualified under section 30.860
36 to apply for a reduced-rate loan under sections 30.750 to 30.765;

37 (6) "Eligible farming operation", any person engaged in farming in an
38 authorized farm corporation, family farm, or family farm corporation as defined
39 in section 350.010 that has all of the following characteristics:

40 (a) Is headquartered in this state;

41 (b) Maintains offices, operating facilities, or farming operations and
42 transacts business in this state;

43 (c) Employs less than ten employees;

44 (d) Is organized for profit;

45 (7) "Eligible governmental entity", any political subdivision of the state
46 seeking to finance capital improvements, capital outlay, or other significant

47 programs through an eligible lending institution;

48 (8) "Eligible higher education institution", any approved public or private
49 institution as defined in section [173.205] **173.1102**;

50 (9) "Eligible job enhancement business", a new, existing, or expanding
51 firm operating in Missouri, or as a condition of accepting the linked deposit, will
52 locate a facility or office in Missouri associated with said linked deposit, which
53 employs ten or more employees in Missouri on a yearly average and which, as
54 nearly as possible, is able to establish or retain at least one job in Missouri for
55 each fifty thousand dollars received from a linked deposit loan except when the
56 applicant can demonstrate significant costs for equipment, capital outlay, or
57 capital improvements associated with the physical expansion, renovation, or
58 modernization of a facility or equipment. In such cases, the maximum amount
59 of the linked deposit shall not exceed fifty thousand dollars per job created or
60 retained plus the initial cost of the physical expansion, renovation or capital
61 outlay;

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

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

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

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

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

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

81 (13) "Eligible marketing enterprise", a business enterprise operating in
82 this state which is in the process of marketing its goods, products or services

83 within or outside of this state or overseas, which marketing is designed to
84 increase manufacturing, transportation, mining, communications, or other
85 enterprises in this state, which has proposed its marketing plan and strategy to
86 the department of economic development and which plan and strategy has been
87 approved by the department for purposes of eligibility pursuant to sections 30.750
88 to 30.765. Such business enterprise shall conform to the characteristics of
89 paragraphs (a), (b) and (d) of subdivision (6) of this section and also employ less
90 than twenty-five employees;

91 (14) "Eligible multitenant development enterprise", a new enterprise that
92 develops multitenant space for targeted industries as determined by the
93 department of economic development and approved by the department for the
94 purposes of eligibility pursuant to sections 30.750 to 30.765;

95 (15) "Eligible residential property developer", an individual who purchases
96 and develops a residential structure of either two or four units, if such residential
97 property developer uses and agrees to continue to use, for at least the five years
98 immediately following the date of issuance of the linked deposit loan, one of the
99 units as his principal residence or if such person's principal residence is located
100 within one-half mile from the developed structure and such person agrees to
101 maintain the principal residence within one-half mile of the developed structure
102 for at least the five years immediately following the date of issuance of the linked
103 deposit loan;

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

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

110 (18) "Eligible student borrower", any person attending, or the parent of
111 a dependent undergraduate attending, an eligible higher education institution in
112 Missouri who may or may not qualify for need-based student financial aid
113 calculated by the federal analysis called Congressional Methodology Formula
114 pursuant to 20 U.S.C. 1078, as amended (the Higher Education Amendments of
115 1986);

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

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

- 119 (b) A municipality or other political subdivision; or
- 120 (c) A water corporation; and which is certified by the department of
121 natural resources in accordance with its rules and regulations to have suffered
122 a significant decrease in its capacity to meet its service needs as a result of
123 drought;
- 124 (20) "Farming", using or cultivating land for the production of agricultural
125 crops, livestock or livestock products, forest products, poultry or poultry products,
126 milk or dairy products, or fruit or other horticultural products;
- 127 (21) "Linked deposit", a certificate of deposit, or in the case of production
128 credit associations, the subscription or purchase outright of obligations described
129 in section 15, article IV, Constitution of Missouri, placed by the state treasurer
130 with an eligible lending institution at rates otherwise provided by law in section
131 30.758, provided the institution agrees to lend the value of such deposit,
132 according to the deposit agreement provided in sections 30.750 to 30.765, to
133 eligible multitenant development enterprises, eligible small businesses, eligible
134 alternative energy operations, eligible alternative energy consumers, eligible
135 locally owned businesses, farming operations, eligible job enhancement
136 businesses, eligible marketing enterprises, eligible residential property
137 developers, eligible residential property owners, eligible governmental entities,
138 eligible agribusinesses, eligible beginning farmers, eligible livestock operations,
139 eligible student borrowers, eligible facility borrowers, or eligible water supply
140 systems at below the present borrowing rate applicable to each multitenant
141 development enterprise, small business, alternative energy operation, alternative
142 energy consumer, farming operation, eligible job enhancement business, eligible
143 marketing enterprise, eligible residential property developer, eligible residential
144 property owner, eligible governmental entity, eligible agribusiness, eligible
145 beginning farmer, eligible livestock operation, eligible student borrower, or supply
146 system at the time of the deposit of state funds in the institution;
- 147 (22) "Market rate", the interest rate more specifically described in
148 subsection 6 of section 30.260;
- 149 (23) "Professional forester", any individual who holds a bachelor of science
150 degree in forestry from a regionally accredited college or university with a
151 minimum of two years of professional forest management experience;
- 152 (24) "Qualified biomass", any agriculture-derived organic material or any
153 wood-derived organic material harvested in accordance with a site-specific forest
154 management plan focused on long-term forest sustainability developed by a

155 professional forester and qualified, in consultation with the conservation
156 commission, by the agriculture and small business development authority;

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

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

159 173.003. Retirement, severance and associated salary continuance policies
160 and plans of approved public institutions, as defined in section [173.205]
161 **173.1102**, shall be applied uniformly, consistently and fairly to all similarly
162 situated officials and employees of such approved public institutions; and no
163 employee or official shall be singled out for retirement or severance benefits
164 which are inconsistent with the formally adopted policies and plans of such
165 approved public institutions.

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

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

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

173.236. 1. As used in this section, unless the context clearly requires
2 otherwise, the 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
5 section;

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

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

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

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

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

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

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

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

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

33 4. The coordinating board for higher education shall:

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

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

38 (3) Make available on behalf of a survivor an amount toward the
39 survivor's tuition which is equal to the grant to which the survivor is entitled

40 under the provisions of this section;

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

43 5. In order to be eligible to receive a grant pursuant to this section, a
44 survivor shall be certified as eligible by a Missouri state veterans service
45 officer. Such certification shall be made upon qualified medical certification by
46 a Veterans Administration medical authority that exposure to toxic chemicals
47 contributed to or was the cause of death of the veteran, as defined in subsection
48 1 of this section.

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

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

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

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

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

69 9. Nothing in this section shall be construed as a promise or guarantee
70 that a person will be admitted to an institution of postsecondary education or to
71 a particular institution of postsecondary education, will be allowed to continue to
72 attend an institution of postsecondary education after having been admitted, or
73 will be graduated from an institution of postsecondary education.

74 10. The benefits conferred by this section shall be available to any
75 academically qualified surviving children and spouses of Vietnam veterans as

76 defined in subsection 1 of this section, regardless of the survivor's age, until
77 December 31, 1995. After December 31, 1995, the benefits conferred by this
78 section shall not be available to such persons who are twenty-five years of age or
79 older, except spouses will remain eligible until the fifth anniversary after the
80 death of the veteran.

81 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
3 grant to an approved public institution or an approved private institution, as
4 those terms are defined in either section [173.205] **173.1102** or section 173.778,
5 of his or her choice while he or she is a member of the Missouri national
6 guard. Funding for educational assistance pursuant to this section may be
7 requested annually in the budget of the Missouri national guard. Educational
8 assistance provided pursuant to this section shall not exceed funds appropriated
9 for that purpose.

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

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

15 (2) The amount of tuition charged a Missouri resident at the University
16 of Missouri for attendance[;

17 (3)].

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

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

28 4. If the grade point average of a member who is receiving educational
29 assistance pursuant to this section falls below two point five on a four point scale,
30 or the equivalent on another scale, such member shall retain the educational

31 assistance and shall be placed on probation under the educational assistance
32 program. Failure to achieve a current grade point average of at least two point
33 five on a four point scale or the equivalent on another scale for future semesters
34 or equivalent academic terms shall result in termination of the scholarship
35 effective as of the next academic term. The member shall be removed from
36 probation status upon achieving a cumulative grade point average of two point
37 five on a four point scale or the equivalent on another scale.

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

43 6. Applicants for educational assistance pursuant to this section shall
44 meet the qualifications established by section [173.215] **173.1104**, except the
45 provisions of [subdivisions] **subdivision** (2) [and (4)] of subsection 1 of section
46 [173.215] **173.1104**, and shall be qualified, full-time or part-time students.

47 7. The educational assistance program established pursuant to this
48 section shall be administered by the office of the adjutant general of the Missouri
49 national guard. The Missouri national guard shall establish guidelines for
50 equitable administrative distribution of educational assistance.

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

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

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

11 (1) Promulgate reasonable rules 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 the
14 scholarships after reasonably considering the recommendations, if any, of the
15 board of directors of KIDS' CHANCE Inc. of Missouri, and shall supervise the
16 processing thereof; and

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

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

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

26 (2) Is a Missouri citizen;

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

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

33 (5) Establishes financial need.

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

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

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

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

52 (2) The amount of tuition charged a Missouri resident at the University

53 of Missouri for attendance.

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

173.260. 1. As used in this section, unless the context clearly requires
2 otherwise, the 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
5 officer or employee, as defined in this section, who is less than twenty-four years
6 of age and who is a dependent of a public safety officer or employee or was a
7 dependent at the time of death or permanent and total disability of a public
8 safety officer or employee;

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

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

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

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

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

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

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

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

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

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

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

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

50 4. The coordinating board for higher education shall:

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

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

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

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

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

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

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

68 **173.1102.**

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

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

81 8. Nothing in this section shall be construed as a promise or guarantee
82 that a person will be admitted to an institution of postsecondary education or to
83 a particular institution of postsecondary education, will be allowed to continue to
84 attend an institution of postsecondary education after having been admitted, or
85 will be graduated from an institution of postsecondary education.

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

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

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

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

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

13 (1) Promulgate reasonable rules and regulations for the exercise of its

14 functions and the effectuation of the purposes of this section;

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

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

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

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

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

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

26 (4) Is a resident of the state of Missouri, as determined by reference to
27 standards promulgated pursuant to section 173.140;

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

30 (6) Establishes financial need.

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

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

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

4 (2) "Eligible institution", any approved public or private institution of
5 postsecondary education, as defined in section [173.205] **173.1102** or any other
6 Missouri private institution that:

7 (a) Is required by statute to be certified to operate by the board;

8 (b) Is institutionally accredited by a United States Department of
9 Education recognized accrediting commission;

10 (c) Has operated continuously in the state of Missouri for five or more
11 years;

12 (d) Has no more than fifty percent of its students in correspondence
13 programs;

14 (e) Offers a one-year or two-year certificate, associate or baccalaureate
15 degree programs, or graduate or professional degree programs; and

16 (f) Is approved for participation in the advantage Missouri program by the
17 board;

18 (3) "Eligible student", an individual who is enrolled full time in an eligible
19 institution, unless the board approves less than full-time enrollment, who meets
20 the eligibility requirements pursuant to subsection 1 of section [173.215]
21 **173.1104** and who meets the following additional requirements:

22 (a) Has received a high school diploma, general educational development
23 certificate (GED), or its equivalent;

24 (b) Maintains satisfactory academic progress as determined by the eligible
25 institution such student attends in pursuing a one-year or two-year certificate,
26 associate or baccalaureate degree, or graduate or professional degree. Failure to
27 maintain satisfactory academic progress shall result in ineligibility for continued
28 participation in the program and ineligibility for forgiveness of any loan or loans
29 received;

30 (c) Is not currently confined in any federal or state correctional facility or
31 jail;

32 (d) Has not defaulted on the repayment of any previously granted higher
33 education loan; and

34 (e) Submits an application provided by the board for participation in the
35 program;

36 (4) "Fund", the advantage Missouri trust fund, established in section
37 173.775; and

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

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

174.231. 1. On and after August 28, 2005, the institution formerly known
2 as Missouri Southern State College located in Joplin, Jasper County, shall be
3 known as "Missouri Southern State University". [Missouri Southern State
4 University is hereby designated and shall hereafter be operated as a statewide
5 institution of international or global education.] The Missouri Southern State

6 University is hereby designated a moderately selective institution which shall
7 provide associate degree programs except as provided in subsection 2 of this
8 section, baccalaureate degree programs, and graduate degree programs pursuant
9 to subdivisions (1) and (2) of subsection 2 of section 173.005. [The institution
10 shall develop such academic support programs and public service activities it
11 deems necessary and appropriate to establish international or global education
12 as a distinctive theme of its mission.] Consistent with the provisions of section
13 174.324, Missouri Southern State University is authorized to offer master's level
14 degree programs in accountancy, subject to the approval of the coordinating board
15 for higher education as provided in subdivision (1) of subsection 2 of section
16 173.005.

17 2. As of July 1, 2008, Missouri Southern State University shall
18 discontinue any and all associate degree programs unless the continuation of such
19 associate degree programs is approved by the coordinating board for higher
20 education pursuant to subdivision (1) of subsection 2 of section 173.005.

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

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

9 **2. The college or university police officers shall have the**
10 **authority to enforce the regulations established in section 174.709 and**
11 **general motor vehicle laws in accordance with section 174.712 on the**
12 **campus as prescribed in chapter 304.** The college or university police officer

13 may in addition expel from the public buildings, campuses, and grounds, persons
14 violating the rules and regulations that may be prescribed by the board or others
15 under the authority of the board.

16 **3.** Such officer or employee of the state college or university as may be
17 designated by the board shall have immediate charge, control and supervision of
18 police officers appointed by authority of this section. Such college or university
19 police officers shall have satisfactorily completed before appointment a training
20 course for police officers as prescribed by chapter 590 for state peace officers or,
21 by virtue of previous experience or training, have met the requirements of chapter
22 590, **and have been certified under that chapter.**

174.706. Nothing in sections 174.700 to 174.706 shall be construed as
2 denying the board the right to appoint guards or watchmen who shall not be
3 given the authority and powers authorized by sections 174.700 to [174.706]
4 174.712.

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

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

**3. Violations of any regulation established under this section
17 shall have the same effect as a violation of municipal ordinances
18 adopted under section 304.120, with penalty provisions as provided in
19 section 304.570. Points assessed against any person under section
20 302.302, for a violation of this section shall be the same as provided for
21 a violation of a county or municipal ordinance.**

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

23 **violations.**

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

174.770. 1. There is hereby established the "Jim Sears Leadership Scholarship Program". Any moneys appropriated by the general assembly for this program shall be used to provide scholarships for Missouri citizens to attend Truman State University pursuant to the provisions of this section.

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

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

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

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

(3) Select qualified recipients to receive the scholarships.

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

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

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

544.157. 1. Any law enforcement officer certified pursuant to chapter 590

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

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

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

38 so believing. "Fresh pursuit" as used herein shall imply instant pursuit.

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

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

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

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

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

✓

Bill

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