

SECOND REGULAR SESSION

SENATE BILL NO. 1118

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHAAF.

Read 1st time March 1, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

6183S.03I

AN ACT

To repeal section 173.1003, RSMo, and to enact in lieu thereof two new sections relating to higher education student fees.

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

Section A. Section 173.1003, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 173.1003 and 173.1008, to read
3 as follows:

173.1003. 1. Beginning with the 2008-09 academic year, each approved
2 public institution, as such term is defined in section 173.1102, shall submit its
3 percentage change in the amount of tuition from the current academic year
4 compared to the upcoming academic year to the coordinating board for higher
5 education by July first preceding such academic year.

6 2. For institutions whose tuition is greater than the average tuition, the
7 percentage change in tuition shall not exceed the percentage change of the
8 consumer price index or zero, whichever is greater.

9 3. For institutions whose tuition is less than the average tuition, the
10 dollar increase in tuition shall not exceed the product of zero or the percentage
11 change of the consumer price index, whichever is greater, times the average
12 tuition.

13 4. If a tuition increase exceeds the limits set forth in subsections 2 or 3
14 of this section, then the institution shall be subject to the provisions of subsection
15 5 of this section.

16 5. Any institution that exceeds the limits set forth in subsections 2 or 3
17 of this section shall remit to the board an amount equal to five percent of its
18 current year state operating appropriation amount which shall be deposited into

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

19 the general revenue fund unless the institution appeals, within thirty days of
20 such notice, to the commissioner of higher education for a waiver of this
21 provision. The commissioner, after meeting with appropriate representatives of
22 the institution, shall determine whether the institution's waiver request is
23 sufficiently warranted, in which case no fund remission shall occur. In making
24 this determination, the factors considered by the commissioner shall include but
25 not be limited to the relationship between state appropriations and the consumer
26 price index and any extraordinary circumstances. If the commissioner determines
27 that an institution's tuition percent increase is not sufficiently warranted and
28 declines the waiver request, the commissioner shall recommend to the full
29 coordinating board that the institution shall remit an amount up to five percent
30 of its current year state operating appropriation to the board, which shall deposit
31 the amount into the general revenue fund. The coordinating board shall have the
32 authority to make a binding and final decision, by means of a majority vote,
33 regarding the matter.

34 6. The provisions of subsections 2 to 5 of this section shall not apply to
35 any community college unless any such community college's tuition for any
36 Missouri resident is greater than or equal to the average tuition. If the
37 provisions of subsections 2 to 5 of this section apply to a community college,
38 subsections 2 to 5 of this section shall only apply to out-of-district Missouri
39 resident tuition.

40 7. For purposes of this section, the [term] **following terms mean:**

41 (1) "Average tuition" [shall be], the sum of the tuition amounts for the
42 previous academic year for each approved public institution that is not excluded
43 under subsection 6 of this section, divided by the number of such
44 institutions[. The term];

45 (2) "Consumer price index" [shall mean], the Consumer Price Index for
46 All Urban Consumers (CPI-U), 1982-1984 = 100, not seasonally adjusted, as
47 defined and officially recorded by the United States Department of Labor, or its
48 successor agency, from January first of the current year compared to January
49 first of the preceding year[. The term];

50 (3) "**Required fees**", any required fee associated with full time
51 enrollment at the institution;

52 (4) "State appropriation" [shall mean], the state operating appropriation
53 for the prior year per full-time equivalent student for the prior year compared to
54 state operating appropriation for the current year per full-time equivalent

55 student for the prior year[. The term];

56 (5) "Tuition" [shall mean], the amount of tuition and required fees,
57 excluding any fee established by the student body of the institution, charged to
58 a Missouri resident undergraduate enrolled [in fifteen credit hours] **full time** at
59 the institution.

60 8. Nothing in this section shall be construed to usurp or preclude the
61 ability of the governing board of an institution of higher education to establish
62 tuition or required fee rates.

**173.1008. Any student fee established by the student body of an
2 institution of higher education subsequent to the effective date of this
3 section shall expire no later than ten years after the effective date of
4 the fee unless reauthorized by a majority vote of the student body. Any
5 student fee established by the student body of an institution of higher
6 education prior to the effective date of this section shall expire ten
7 years after the effective date of this section unless reauthorized by a
8 majority of the student body.**

Bill ✓

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