

FIRST REGULAR SESSION

HOUSE BILL NO. 813

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BAKER (123) (Sponsor), JETTON, ICET, LEMBKE, NIEVES, MUSCHANY, DEMPSEY, HUNTER, HOBBS, FLOOK, JONES (117), ERVIN, KINGERY, COOPER (120), LOEHNER, BEARDEN, DUSENBERG, SCHOELLER, GRISAMORE, FISHER, SUTHERLAND, SELF, RICHARD, PARSON, NANCE, MOORE, VIEBROCK, SATER, WALLACE, WOOD, KRAUS, STREAM AND THRELKELD (Co-sponsors).

Read 1st time February 8, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1965L.011

AN ACT

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

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 173.840, to read as follows:

173.840. 1. Notwithstanding any other law, beginning January 1, 2008, any faculty member of an institution of higher education in this state who receives two negative peer reviews may have his or her tenure revoked and be discharged from employment by the institution. Individual determinations as to tenure revocation or employment termination shall be made by the chancellor at each campus of the University of Missouri, the president at each state-supported four-year college or university, the president of Linn State Technical College, or the president or chancellor at each public community college.

2. The department of higher education may promulgate rules and regulations for the purpose of carrying out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is 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, RSMo, and, if applicable, section 536.028, RSMo. This section

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 and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general
14 assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to
15 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
16 rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be
17 invalid and void.

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