

FIRST REGULAR SESSION

HOUSE BILL NO. 390

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES NOLTE (Sponsor), DETHROW, DUSENBERG, WETER, SCHAD, RUESTMAN, YATES, FISHER (125), WILSON (130), SCHAAF, WILSON (119), SILVEY, GATSCHENBERGER, NIEVES, SATER, SMITH (150), ALLEN AND JONES (89) (Co-sponsors).

0766L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 172.360, 174.130, 178.635, and 178.780, RSMo, and to enact in lieu thereof six new sections relating to prohibiting the admission of aliens unlawfully present in the United States at public institutions of higher education.

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

Section A. Sections 172.360, 174.130, 178.635, and 178.780, RSMo, are repealed and
2 six new sections enacted in lieu thereof, to be known as sections 172.360, 174.130, 175.025,
3 178.635, 178.780, and 178.785, to read as follows:

172.360. **1.** All youths, resident of the state of Missouri, shall be admitted to all the
2 privileges and advantages of the various classes of all the departments of the University of the
3 State of Missouri; provided, that each applicant for admission therein shall possess such
4 scholastic attainments and mental and moral qualifications as shall be prescribed in rules adopted
5 and established by the board of curators; **provided that aliens unlawfully present in the**
6 **United States shall not be eligible for enrollment in the university;** and provided further, that
7 the board of curators may charge and collect reasonable tuition and other fees necessary for the
8 maintenance and operation of all departments of the university, as they may deem necessary.

9 **2. Prior to approval of any appropriations by the general assembly for the**
10 **University of Missouri, the registrar for each campus of the University of Missouri shall**
11 **annually certify to the education appropriations committee of the house of representatives**
12 **and the appropriations committee of the senate that its campus has not knowingly enrolled**
13 **any aliens unlawfully present in the United States in the preceding year.**

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.

174.130. 1. Each board may make such rules and regulations for the admission of
2 students as may be deemed proper; **provided that aliens unlawfully present in the United**
3 **States shall not be eligible for enrollment in the university or college.**

4 2. Prior to approval of any appropriations by the general assembly for the
5 university or college, the registrar for each university or college shall annually certify to
6 the education appropriations committee of the house of representatives and the
7 appropriations committee of the senate that its university or college has not knowingly
8 enrolled any aliens unlawfully present in the United States in the preceding year.

175.025. 1. The board of curators of Lincoln University may make such rules and
2 regulations for the admission of students as it may be deemed proper; **provided that aliens**
3 **unlawfully present in the United States shall not be eligible for enrollment in the university.**

4 2. Prior to approval of any appropriations by the general assembly for the
5 university, the registrar shall annually certify to the education appropriations committee
6 of the house of representatives and the appropriations committee of the senate that the
7 university has not knowingly enrolled any aliens unlawfully present in the United States
8 in the preceding year.

178.635. 1. The board of regents of Linn State Technical College shall organize in the
2 manner provided by law for the board of curators of the University of Missouri. The powers,
3 duties, authority, responsibilities, privileges, immunities, liabilities and compensation of the
4 board of Linn State Technical College in regard to Linn State Technical College shall be the
5 same as those prescribed by statute for the board of curators of the University of Missouri in
6 regard to the University of Missouri, except that Linn State Technical College shall be operated
7 only as a state technical college. Nothing in this section shall be construed to authorize Linn
8 State Technical College to become a community college or a university offering four-year or
9 graduate degrees.

10 2. All lawful bonded indebtedness incurred by the issuance of revenue bonds, as defined
11 in section 176.010, RSMo, by Linn Technical College, shall be deemed to be an indebtedness
12 of the board of regents of Linn State Technical College after the date upon which the conditions
13 of section 178.631 are met. Such indebtedness shall be retired through tuition revenues.

14 3. The board of regents may make such rules and regulations for the admission of
15 students as it may be deemed proper; **provided that aliens unlawfully present in the United**
16 **States shall not be eligible for enrollment in Linn State Technical College.**

17 4. Prior to approval of any appropriations by the general assembly for Linn State
18 Technical College, the registrar shall annually certify to the education appropriations
19 committee of the house of representatives and the appropriations committee of the senate

20 **that the college has not knowingly enrolled any aliens unlawfully present in the United**
21 **States in the preceding year.**

178.780. 1. Tax supported community colleges formed prior to October 13, 1961, and
2 those formed under the provisions of sections 178.770 to 178.890 shall be under the supervision
3 of the coordinating board for higher education.

4 2. The coordinating board for higher education shall:

5 (1) Establish the role of the two-year college in the state;

6 (2) Set up a survey form to be used for local surveys of need and potential for two-year
7 colleges; provide supervision in the conducting of surveys; require that the results of the studies
8 be used in reviewing applications for approval; and establish and use the survey results to set up
9 priorities;

10 (3) Require that the initiative to establish two-year colleges come from the area to be
11 served;

12 (4) Administer the state financial support program;

13 (5) Supervise the community college districts formed under the provisions of sections
14 178.770 to 178.890 and the community colleges now in existence and formed prior to October
15 13, 1961;

16 (6) Formulate and put into effect uniform policies as to budgeting, record keeping, and
17 student accounting;

18 (7) Establish uniform minimum entrance requirements and uniform curricular offerings
19 for all community colleges **and ensure that aliens unlawfully present in the United States are**
20 **not eligible for enrollment in any junior college;**

21 (8) Make a continuing study of community college education in the state; and

22 (9) Be responsible for the accreditation of each community college under its supervision.
23 Accreditation shall be conducted annually or as often as deemed advisable and made in a manner
24 consistent with rules and regulations established and applied uniformly to all community colleges
25 in the state. Standards for accreditation of community colleges shall be formulated with due
26 consideration given to curriculum offerings and entrance requirements of the University of
27 Missouri.

178.785. Prior to approval of any appropriations by the general assembly for a
2 **junior college, the registrar for the college shall annually certify to the education**
3 **appropriations committee of the house of representatives and the appropriations**
4 **committee of the senate that its junior college has not knowingly enrolled any aliens**
5 **unlawfully present in the United States in the preceding year.**

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