

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 941, Page 8, Section 173.616, Line 50,
2 by inserting after all of said section and line the following:

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

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

15 3. The department of public safety in cooperation with the department of higher education
16 shall promulgate rules and regulations to facilitate the implementation of this section. Any rule or
17 portion of a rule, as that term is defined in section 536.010, that is created under the authority
18 delegated in this section shall become effective only if it complies with and is subject to all of the
19 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
20 nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to
21 review, to delay the effective date, or to disapprove and annul a rule are subsequently held
22 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
23 August 28, 2016, shall be invalid and void."; and

24
25 Further amend said bill by amending the title, enacting clause, and intersectional references
26 accordingly.

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____