

FIRST REGULAR SESSION

HOUSE BILL NO. 136

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HUDSON.

0107H.021

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 173, RSMo, by adding thereto two new sections relating to student associations at public institutions of higher learning.

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

Section A. Chapter 173, RSMo, is amended by adding thereto two new sections, to be
2 known as sections 173.1555 and 173.1556, to read as follows:

173.1555. As used in this section and section 173.1556, the following terms mean:

2 **(1) "Adverse action", any action or policy that denies a belief-based student**
3 **association any benefit available to other student associations or organizations or that**
4 **otherwise discriminates with respect to any such benefit;**

5 **(2) "Belief-based student association" includes, but shall not be limited to, any**
6 **political or ideological student association or any religious student association;**

7 **(3) "Benefit", recognition, registration, the use of facilities of a public institution**
8 **of higher learning for meetings or speaking purposes, the use of channels of**
9 **communication of a public institution of higher learning, or such other assistance,**
10 **aid, or advantage as are made available to student associations by a public institution of**
11 **higher learning;**

12 **(4) "Public institution of higher learning", any state postsecondary educational**
13 **institution governed or supervised by a board erected under chapter 172, 174, 175, or**
14 **178; a board of trustees of a community college; or any state board for any other**
15 **technical school.**

EXPLANATION — Matter enclosed in bold-faced brackets [this] 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.

173.1556. 1. (1) No public institution of higher learning shall take any adverse
2 action against a belief-based student association or an applicant to be recognized as
3 such:

4 (a) Because such association is political, ideological, or religious;

5 (b) On the basis of such association's viewpoint or the expression of the
6 viewpoint by the association or the association's members; or

7 (c) Based on such association's requirement that the association's leaders be
8 committed to furthering the association's mission or that the association's leaders
9 adhere to the association's sincerely held beliefs, sincere practice requirements, or
10 sincere standards of conduct.

11 (2) Leaders referred to in paragraph (c) of subdivision (1) of this subsection shall
12 include, but not be limited to, any person who holds a position within the association
13 that authorizes such person to participate in the leadership or governance of the
14 association or in establishing criteria for the association's leadership or governance.

15 (3) The mission, beliefs, practice requirements, and standards of conduct
16 referred to in paragraph (c) of subdivision (1) of this subsection shall be interpreted as
17 defined by the association.

18 2. Any belief-based student association or applicant to be recognized as such that
19 has been aggrieved as a result of a violation or threatened violation of subsection 1 of
20 this section may assert that violation or threatened violation as a claim or defense in a
21 judicial proceeding or in an administrative proceeding involving the public institution of
22 higher learning and obtain appropriate relief.

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