

FIRST REGULAR SESSION

HOUSE BILL NO. 1239

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BILLINGTON.

2625H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 27.040 and 173.275, RSMo, and to enact in lieu thereof six new sections relating to activities by foreign entities, with penalty provisions.

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

Section A. Sections 27.040 and 173.275, RSMo, are repealed and six new sections
2 enacted in lieu thereof, to be known as sections 27.040, 105.1301, 105.1306, 105.1311,
3 105.1316, and 105.1321, to read as follows:

27.040. **1.** When required, ~~he~~ **the attorney general** shall give ~~his~~ **an** opinion, in
2 writing, without fee, to the general assembly, or to either house, and to the governor, secretary
3 of state, auditor, treasurer, commissioner of education, grain warehouse commissioner,
4 director of the department of commerce and insurance, the director of the division of finance,
5 and the head of any state department, or any circuit or prosecuting attorney upon any question
6 of law relative to their respective offices or the discharge of their duties.

**2. The attorney general shall give a written opinion upon questions relating to
8 gifts and contracts as provided in sections 105.1301 to 105.1321 and rules promulgated
9 under such sections. The attorney general shall not charge a fee for such opinion.**

**105.1301. 1. Sections 105.1301 to 105.1321 shall be known and may be cited as
2 the "Research, Education, and Government Operations Protection Act of 2025".**

2. As used in sections 105.1301 to 105.1321, the following terms mean:

**(1) "Affiliate organization", an entity under the control of or established for the
5 benefit of a direct-support organization or any other organization required to report
6 under sections 105.1301 to 105.1321;**

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.

- 7 (2) "Agreement", a written or spoken statement of mutual interest in cultural
8 exchange or academic or research collaboration;
- 9 (3) "Contract", an agreement for the acquisition of property or services by
10 purchase, lease, or barter for the direct benefit or use of any party to the agreement;
- 11 (4) "Country of concern", the following entities:
- 12 (a) The People's Republic of China;
- 13 (b) The Russian Federation;
- 14 (c) The Islamic Republic of Iran;
- 15 (d) The Democratic People's Republic of Korea;
- 16 (e) The Republic of Cuba;
- 17 (f) The Venezuelan regime of Nicolas Maduro;
- 18 (g) The Syrian Arab Republic;
- 19 (h) A foreign terrorist organization, as designated by the United States Secretary
20 of State in accordance with Section 219 of the federal Immigration and Naturalization
21 Act, as amended;
- 22 (i) An agent or entity under the significant control of a country of concern; or
- 23 (j) Any other entity deemed to be a country of concern by the governor in
24 consultation with the attorney general;
- 25 (5) "Direct-support organization", an organization that is organized and
26 operated to receive, hold, invest, and administer property and to make expenditures to
27 or for the benefit of a postsecondary educational institution or for the benefit of a
28 research and development park or research and development authority affiliated with a
29 postsecondary educational institution;
- 30 (6) "Foreign agent", any officer, employee, proxy, servant, delegate, or
31 representative of a foreign government;
- 32 (7) "Foreign government", the government or agent of any country, nation, or
33 group of nations, or any agent, province, or other political subdivision of any country or
34 nation, other than the government of the United States;
- 35 (8) "Foreign instrumentality", any agency, bureau, ministry, component,
36 institution, association, or any legal, commercial, or business organization, corporation,
37 firm, or entity that is substantially owned, controlled, sponsored, commanded, managed,
38 or dominated by a foreign government;
- 39 (9) "Foreign source", any of the following:
- 40 (a) A foreign government or an agency of a foreign government;
- 41 (b) A legal entity, governmental or otherwise, created solely under the laws of a
42 foreign state or states;

43 (c) An individual who is not a citizen or a national of the United States or a
44 territory or protectorate of the United States;

45 (d) A partnership, association, corporation, organization, or any other
46 combination of persons organized under the laws of, or having its principal place of
47 business in, a country of concern or subsidiary of such entity;

48 (e) An agent acting on behalf of a foreign source including, but not limited to, a
49 subsidiary or an affiliate of a foreign legal entity; or

50 (f) A political party or member of a political party. As used in this paragraph,
51 "political party" means an organization or combination of individuals whose aim or
52 purpose is, or who is engaged in any activity devoted in whole or in part to, the
53 establishment, administration, control, or acquisition of administration or control of a
54 government of a country of concern or a subdivision thereof, or the furtherance or
55 influencing of the political or public interest, policies, or relations of a government of a
56 country of concern or a subdivision thereof;

57 (10) "Gift", any gift, grant, endowment, award, or donation of moneys or
58 property of any kind, or any combination thereof including, but not limited to, a
59 conditional or unconditional pledge of such gift, endowment, award, or donation. As
60 used in this paragraph, "pledge" means a promise, an agreement, or an expressed
61 intention to give a gift, and "grant" means a transfer of moneys for a specified purpose
62 including, but not limited to, a conditional gift;

63 (11) "Interest", when referring to interest in an entity, any direct or indirect
64 investment in or loan to the entity valued at five percent or more of the entity's net
65 worth, or any form of direct or indirect control exerting similar or greater influence on
66 the governance of the entity;

67 (12) "Municipality", any city, village, or town incorporated under state law;

68 (13) "Obtain or use", any manner of:

69 (a) Taking or exercising control over property;

70 (b) Making any unauthorized use, disposition, or transfer of property;

71 (c) Obtaining property by fraud, willful misrepresentation of a future act, or
72 false promise; or

73 (d) Conduct previously known as stealing; larceny; purloining; abstracting;
74 embezzlement; misapplication; misappropriation; conversion; or obtaining money or
75 property by false pretenses, fraud, or deception; or other conduct similar in nature;

76 (14) "Partnership", a faculty or student exchange program, a study abroad
77 program, a matriculation program, a recruiting program, or a dual-degree program;

78 **(15) "Person", any natural person, corporation, business trust, estate, trust,**
79 **partnership, association, joint venture, government, governmental subdivision or**
80 **agency, or any other legal or commercial entity;**

81 **(16) "Political subdivision", a county, municipality, public school, school district,**
82 **postsecondary educational institution, state department, or an entity created by state**
83 **law and authorized to levy taxes or empowered to cause taxes to be levied;**

84 **(17) "Postsecondary educational institution", an entity that meets the definition**
85 **of approved public institution under section 173.1102 and that is required to report**
86 **foreign gifts or contracts under 20 U.S.C. Section 1011f, as amended, or an affiliate**
87 **organization of such postsecondary educational institution;**

88 **(18) "Public school", the same definition as in section 160.011;**

89 **(19) "School district", a school district described in section 160.011 that is**
90 **established under state law;**

91 **(20) "State department", each department, office, board, bureau, commission,**
92 **or other unit of the executive, legislative, or judicial branch of state government;**

93 **(21) "Trade secret" includes, but is not limited to, the following:**

94 **(a) The whole or any portion or phase of any formula, pattern, device,**
95 **combination of devices, or compilation of information that is for use, or is used, in the**
96 **operation of a business and that provides the business an advantage, or an opportunity**
97 **to obtain an advantage, over those who do not know or use it;**

98 **(b) Any scientific, technical, or commercial information including, but not**
99 **limited to, financial information; and**

100 **(c) Any design, process, procedure, list of suppliers, list of customers, business**
101 **code, or improvement thereof, whether tangible or intangible, and regardless of whether**
102 **or how it is stored, compiled, or memorialized physically, electronically, graphically,**
103 **photographically, or in writing;**

104 **(22) "Traffic", to sell, transfer, distribute, dispense, or otherwise dispose of**
105 **property; or to buy, receive, possess, obtain control of, or use property with the intent to**
106 **sell, transfer, distribute, dispense, or otherwise dispose of such property.**

107 **3. (1) For purposes of the definition of "trade secret" under sections 105.1301 to**
108 **105.1321, regardless of novelty, invention, patentability, the state of the prior art, and**
109 **the level of skill in the business, art, or field to which the subject matter pertains, when**
110 **the owner of a trade secret takes measures to prevent the secret from becoming**
111 **available to persons other than those selected by the owner to have access thereto for**
112 **limited purposes, a "trade secret" is considered to be:**

113 **(a) Secret;**

114 **(b) Of value;**

115 (c) For use or in use by a business; and
116 (d) Of advantage to the business, or providing an opportunity to obtain an
117 advantage, over those who do not know or use it.

118 (2) Information reported under section 105.1306 is not confidential or exempt
119 from disclosure, except as protected under state law as a trade secret or as otherwise
120 provided under state law.

121 4. (1) The following officials or entities may promulgate all necessary rules and
122 regulations for the administration of sections 105.1301 to 105.1321, as applicable:

- 123 (a) The attorney general;
- 124 (b) The state auditor;
- 125 (c) The state treasurer;
- 126 (d) The coordinating board for higher education; and
- 127 (e) The state board of education.

128 (2) Any rule or portion of a rule, as that term is defined in section 536.010, that is
129 created under the authority delegated in sections 105.1301 to 105.1321 shall become
130 effective only if it complies with and is subject to all of the provisions of chapter 536 and,
131 if applicable, section 536.028. Sections 105.1301 to 105.1321 and chapter 536 are
132 nonseverable and if any of the powers vested with the general assembly pursuant to
133 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
134 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
135 proposed or adopted after the effective date of this section shall be invalid and void.

105.1306. 1. (1) A political subdivision shall disclose the following to the
2 attorney general:

- 3 (a) A gift of any value that is directly or indirectly offered from a foreign source
4 from a country of concern; and
- 5 (b) A contract proposed by the political subdivision to, or directly or indirectly
6 offered to the political subdivision from, a foreign source from a country of concern.

7 (2) For purposes of sections 105.1301 to 105.1321, a gift received or a contract
8 proposed from a foreign source through an intermediary or affiliate organization shall
9 be considered an indirect gift to, or indirect contract with, the political subdivision and
10 is subject to the disclosure process in sections 105.1301 to 105.1321.

11 (3) For purposes of sections 105.1301 to 105.1321, all gifts and contracts
12 described in subdivisions (1) and (2) of this subsection that were offered, received,
13 proposed, or entered into on or after January 1, 2016, shall be subject to disclosure
14 under sections 105.1301 to 105.1321. Once such gifts or contracts have been disclosed as
15 required in sections 105.1301 to 105.1321, such gifts and contracts need not be disclosed
16 in subsequent disclosures required under sections 105.1301 to 105.1321.

17 **(4) (a) All gifts and contracts subject to disclosure that were offered, received,**
18 **proposed, or entered into on or after January 1, 2016, but before the effective date of**
19 **sections 105.1301 to 105.1321 shall be disclosed within sixty days after the effective date**
20 **of sections 105.1301 to 105.1321.**

21 **(b) All gifts and contracts subject to disclosure that are offered, received,**
22 **proposed, or entered into on or after the effective date of sections 105.1301 to 105.1321**
23 **shall be disclosed on the timeline provided in sections 105.1301 to 105.1321.**

24 **2. No political subdivision shall accept such gift until after the attorney general**
25 **issues an attorney general's opinion describing whether and under what conditions the**
26 **political subdivision is authorized to accept the gift. A gift or contract that was offered,**
27 **received, proposed, or entered into before the effective date of this section shall be**
28 **disposed of as determined by the attorney general under sections 105.1301 to 105.1321.**

29 **3. The attorney general shall develop policies and procedures for determining**
30 **whether a political subdivision is authorized to accept a gift under sections 105.1301 to**
31 **105.1321. Such policies and procedures shall address at least the following:**

32 **(1) Disclosure forms to be used for disclosing gifts under sections 105.1301 to**
33 **105.1321;**

34 **(2) Unless otherwise prohibited or deemed confidential under state or federal**
35 **law, the contents of a disclosure made by a political subdivision, which shall include, but**
36 **not be limited to, the following:**

37 **(a) The date the gift was offered;**

38 **(b) The value of the gift;**

39 **(c) The purpose of the gift;**

40 **(d) The identification of the individuals or persons the gift is explicitly intended**
41 **to benefit;**

42 **(e) Any applicable conditions, requirements, restrictions, or terms made part of**
43 **the gift;**

44 **(f) The name and country of residence or domicile of the foreign source;**

45 **(g) The name and mailing address of the disclosing entity; and**

46 **(h) If applicable, the date of termination of the gift;**

47 **(3) The procedure for issuing a final decision about the gift, which shall address**
48 **at least the following:**

49 **(a) Within thirty calendar days of receiving a disclosure of a proposed gift, the**
50 **attorney general shall issue a final decision in the form of a written attorney general's**
51 **opinion to the political subdivision that disclosed the gift; and**

52 **(b) The opinion shall indicate whether the political subdivision may accept the**
53 **gift and, if so, the conditions under which the political subdivision may accept the gift;**
54 **and**

55 **(4) A web portal to assist with transparency about foreign gifts, which shall**
56 **require the attorney general to maintain a public web portal to:**

57 **(a) Disclose information on proposed gifts from countries of concern;**

58 **(b) Display final decisions on whether a political subdivision may accept a gift;**
59 **and**

60 **(c) Disclose information on accepted gifts.**

61 **4. The attorney general shall develop policies and procedures for determining**
62 **whether a political subdivision is authorized to enter a contract under sections 105.1301**
63 **to 105.1321. Such policies and procedures shall address at least the following:**

64 **(1) Disclosure forms to be used for disclosing contracts under sections 105.1301**
65 **to 105.1321;**

66 **(2) Unless otherwise prohibited or deemed confidential under state or federal**
67 **law, the contents of a disclosure made by a political subdivision, which shall include, but**
68 **not be limited to, the following:**

69 **(a) The date of the contract;**

70 **(b) The amount of the contract;**

71 **(c) The purpose of the contract;**

72 **(d) The identification of the individuals or persons the contract is explicitly**
73 **intended to benefit;**

74 **(e) Any applicable conditions, requirements, restrictions, or terms made part of**
75 **the contract;**

76 **(f) A copy of the contract;**

77 **(g) The name and country of residence or domicile of the foreign source;**

78 **(h) The name and mailing address of the disclosing entity; and**

79 **(i) If applicable, the date of termination of the contract;**

80 **(3) The procedure for issuing a final decision about the contract, which shall**
81 **address at least the following:**

82 **(a) Within thirty calendar days of receiving a disclosure of a proposed contract,**
83 **the attorney general shall issue a final decision in the form of a written attorney**
84 **general's opinion to the political subdivision that disclosed the contract; and**

85 **(b) The opinion shall indicate whether the political subdivision may enter the**
86 **contract and, if so, the conditions under which the political subdivision may enter the**
87 **contract; and**

88 **(4) A web portal to assist with transparency about foreign contracts, which shall**
89 **require the attorney general to maintain a public web portal to:**

90 **(a) Disclose information on proposed contracts from countries of concern;**

91 **(b) Display final decisions on whether a political subdivision may enter a**
92 **contract; and**

93 **(c) Disclose information on contracts entered into by a political subdivision.**

94 **5. Upon receiving a request from the governor, the speaker of the house of**
95 **representatives, or the president pro tempore of the senate, the state auditor shall**
96 **inspect or audit a gift, gift agreement, or proposed contract offered from a country of**
97 **concern.**

98 **6. A political subdivision shall disclose a contract proposed by a foreign source**
99 **from a country of concern before entering into such contract.**

100 **7. (1) A political subdivision's general counsel, compliance officer, or equivalent**
101 **office may submit a written referral or file a sworn written complaint containing**
102 **allegations of violations of sections 105.1301 to 105.1321. A referral or complaint shall**
103 **be based on substantive information and a reasonable belief that a violation of sections**
104 **105.1301 to 105.1321 has occurred. A party who submits a referral or files a complaint**
105 **may request records relevant to any reasonable suspicion of a violation of sections**
106 **105.1301 to 105.1321. An entity with custody and control of such records shall provide**
107 **the records within ten calendar days after such request or at a later time agreed to by**
108 **the attorney general.**

109 **(2) The attorney general shall investigate alleged violations of sections 105.1301**
110 **to 105.1321 upon receiving a referral or complaint.**

111 **(3) The failure to disclose a gift or contract under sections 105.1301 to 105.1321**
112 **and the failure to provide records requested under subdivision (1) of this subsection**
113 **constitutes a violation subject to a civil penalty of ten thousand dollars for the first**
114 **violation and twenty thousand dollars for a subsequent violation. The penalty imposed**
115 **by the subdivision shall be imposed after a final administrative finding by the attorney**
116 **general.**

117 **(4) A written attorney general's opinion determining a violation by a political**
118 **subdivision shall include a determination of the identity of the individual responsible for**
119 **acceptance of the undisclosed gift or entering the undisclosed contract. Such opinion**
120 **shall also include a referral to the governor or other officer or entity authorized to**
121 **suspend or remove from public office the individual responsible for acceptance of the**
122 **undisclosed gift or entering the undisclosed contract. A copy of such referral shall be**
123 **provided to the speaker of the house of representatives of this state and the president**
124 **pro tempore of the senate of this state for oversight of such suspension or removal.**

125 **(5) (a) Notwithstanding the provisions of subdivision (3) of this subsection to the**
126 **contrary, the knowing, willful, or negligent failure to disclose a gift or contract under**
127 **sections 105.1301 to 105.1321 by a postsecondary educational institution or public**
128 **school constitutes a violation subject to a civil penalty of one hundred five percent of the**
129 **amount of the undisclosed gift or contract. The postsecondary educational institution or**
130 **public school shall pay such civil penalty from only nonstate funds of the postsecondary**
131 **educational institution or public school or the affiliate organization that received the gift**
132 **or entered the contract. The coordinating board for higher education or the state board**
133 **of education, as applicable, may administratively enforce this subdivision and impose**
134 **the civil penalty as an administrative penalty.**

135 **(b) In lieu of enforcement under other provisions of sections 105.1301 to**
136 **105.1321, the coordinating board for higher education or the state board of education,**
137 **as applicable, or the attorney general or the state treasurer may bring a civil action to**
138 **enforce this subdivision. If such action is successful, the attorney general or the state**
139 **treasurer, as applicable, is entitled to reasonable attorney's fees and costs.**

140 **(c) An individual who reports an undisclosed gift or contract to the appropriate**
141 **general counsel, compliance officer, or equivalent office of a political subdivision may**
142 **report such undisclosed gift or contract to the attorney general or the state treasurer**
143 **and retain whistleblower's protections under state law. The whistleblower shall be**
144 **entitled to receive a reward in the amount of twenty-five percent of any penalty**
145 **recovered by the coordinating board for higher education or the state board of**
146 **education, as applicable, or the attorney general or the state treasurer under this**
147 **section. The state treasurer is authorized to incur expenditures to provide such reward**
148 **from the penalty recovery. The reward may be paid through an intermediate attorney**
149 **or trustee designated by the whistleblower.**

105.1311. 1. No postsecondary educational institution or public school shall
2 **participate in any cultural exchange agreement with a foreign source from a country of**
3 **concern or any entity controlled by a country of concern that:**

4 **(1) Constrains the freedom of contract of such postsecondary educational**
5 **institution or public school;**

6 **(2) Allows the curricula or values of such postsecondary educational institution**
7 **or public school to be directed, controlled, or influenced by the country of concern; or**

8 **(3) Promotes an agenda detrimental to the safety or security of this state,**
9 **Missourians, or the United States.**

10 **2. Prior to the execution of a cultural exchange agreement with a foreign source**
11 **from a country of concern, the substance of the agreement shall be shared with**
12 **departments of this state and with federal agencies concerned with protecting national**

13 security or enforcing trade sanctions, embargoes, or other restrictions under federal
14 law. If a state department or federal agency provides information indicating that such
15 agreement promotes an agenda detrimental to the safety or security of this state,
16 Missourians, or the United States, the postsecondary educational institution or public
17 school shall not enter into the agreement.

18 3. (1) Before December 1, 2026, and on or before December first of each
19 subsequent year, each postsecondary educational institution and the state board of
20 education shall submit a report to the governor, the speaker of the house of
21 representatives, and the president pro tempore of the senate relating to partnerships
22 and agreements of postsecondary educational institutions and public schools made with
23 educational institutions or other institutions based in countries of concern. The report
24 shall include, but not be limited to, at least the following information for the previous
25 fiscal year:

26 (a) Data reflecting any grant program, agreement, partnership, or contract
27 between a postsecondary educational institution and any college, university, or entity
28 that is based in or controlled by a country of concern or foreign principal;

29 (b) Data reflecting any office, campus, or physical location used or maintained in
30 a country of concern by a postsecondary educational institution; and

31 (c) The date on which any such grant program, agreement, partnership, or
32 contract reported under paragraph (a) of this subdivision is expected to terminate.

33 (2) Before July 1, 2026, and on or before July first of each subsequent year, each
34 postsecondary educational institution and each school district shall submit the
35 information required in subdivision (1) of this subsection to the coordinating board
36 for higher education and the state board of education, as applicable.

37 4. (1) No student association or similar entity affiliated with any postsecondary
38 educational institution or public school shall accept any gift or grant from a foreign
39 source from a country of concern or enter into any contract or agreement with a foreign
40 source from a country of concern.

41 (2) For purposes of this subsection, member dues or fees shall not be construed
42 as a gift or grant from a foreign source from a country of concern.

43 (3) A postsecondary educational institution or public school shall end any
44 affiliation with a student association or similar entity that violates subdivision (1) of this
45 subsection.

105.1316. 1. (1) Each postsecondary educational institution or affiliate thereof
2 that has a research budget of ten million dollars or more shall screen:

3 (a) Applicants seeking employment in research or research-related support
4 positions;

5 **(b) Graduate and undergraduate students applying for research or research-**
6 **related support positions; and**

7 **(c) Applicants for positions of visiting researcher who are:**

8 **a. Citizens of a foreign country and who are not permanent residents of the**
9 **United States; or**

10 **b. Citizens and permanent residents of the United States who have an affiliation**
11 **with an institution or program in a country of concern or at least one year of prior**
12 **employment or training in a country of concern that was not employment or training by**
13 **an agency of the United States government.**

14 **(2) Such screening is required prior to interviewing such applicants or offering**
15 **to such an applicant a position of employment or of visiting researcher.**

16 **(3) At the discretion of the postsecondary educational institution or affiliate**
17 **thereof, other applicants for such positions may be screened.**

18 **2. (1) In addition to satisfying all employment and enrollment qualifications**
19 **imposed by federal law, the governing body of the postsecondary educational institution**
20 **or affiliate thereof shall require the following of applicants described in subsection 1 of**
21 **this section:**

22 **(a) A foreign applicant shall submit a complete copy of the applicant's passport**
23 **and most recently submitted United States Department of State's Bureau of Consular**
24 **Affairs DS-160, Online Nonimmigrant Visa Application form. After extraction and**
25 **submission of all information relevant to the requirements of this section, a**
26 **postsecondary educational institution or affiliate thereof may destroy or return the**
27 **copy of the DS-160 submitted by an applicant to the applicant; and**

28 **(b) All applicants shall submit the following:**

29 **a. A complete resume and curriculum vitae listing every postsecondary**
30 **educational institution or affiliate thereof attended;**

31 **b. All previous employment since the applicant's eighteenth birthday;**

32 **c. A list of all published material for which the applicant received credit as an**
33 **author, a researcher, or otherwise to which the applicant contributed significant**
34 **research, writing, or editorial support;**

35 **d. A list of the applicant's current and pending research funding from any**
36 **source including, but not limited to, the funder, amount, applicant's role on the project,**
37 **and a brief description of the research; and**

38 **e. A full disclosure of nonuniversity professional activities including, but not**
39 **limited to, any affiliation with an institution or program in a country of concern.**

40 **(2) For applicants who have been continually employed or enrolled in a**
41 **postsecondary educational institution in the United States for twenty years or more, the**
42 **resume may include employment history before the most recent twenty years.**

43 **3. (1) The president or chief administrative officer of each postsecondary**
44 **educational institution or affiliate thereof shall designate a research integrity office to**
45 **review all materials required in subsection 2 of this section and take reasonable steps to**
46 **verify all attendance, employment, publications, and contributions listed in the**
47 **application required in subsection 2 of this section. Reasonable steps include, but are**
48 **not limited to:**

49 **(a) Searching public databases for research publications and presentations and**
50 **public conflict of interest records to identify any research publication or presentation**
51 **that may have been omitted from the application;**

52 **(b) Contacting all employers of the most recent ten years to verify employment;**

53 **(c) Contacting all postsecondary educational institutions attended to verify**
54 **enrollment and educational progress;**

55 **(d) Searching public listings of persons subject to sanctions or restrictions under**
56 **federal law;**

57 **(e) Submitting the applicant's name and other identifying information to the**
58 **Federal Bureau of Investigation or any federal agency reasonably willing to scrutinize**
59 **such applicant for national security or counterespionage purposes; and**

60 **(f) Any other steps deemed appropriate to the research integrity office.**

61 **(2) The postsecondary educational institution or affiliate thereof may also direct**
62 **the research integrity office to approve applicants for hire based on a risk-based**
63 **determination considering the nature of the research and the background and ongoing**
64 **affiliations of the applicant.**

65 **4. (1) The requirements of this section shall be completed before interviewing or**
66 **offering any position to an individual described in subsection 1 of this section in any**
67 **research or research-related support position and before granting such individual any**
68 **access to research data or activities or other sensitive data.**

69 **(2) An applicant required to be screened under this section shall not be**
70 **employed in any research or research-related support position if the applicant fails to**
71 **disclose a substantial educational, employment, or research-related activity or**
72 **publication or presentation at the time of submitting an application required in**
73 **subsection 2 of this section unless the department head, or a designee, certifies in writing**
74 **the substance of the nondisclosure and the reasons for disregarding such failure to**
75 **disclose. A copy of such certification shall be kept in the investigative file of the research**

76 integrity office and shall be submitted to the nearest Federal Bureau of Investigation
77 field office.

78 **5. The research integrity office shall report to the nearest Federal Bureau of**
79 **Investigation field office, to any law enforcement agency designated by the governor,**
80 **and to the governing board of the postsecondary educational institution or affiliate**
81 **thereof described in subsection 1 of this section the identity of the applicant who was**
82 **rejected for employment based on the scrutiny required by this section or other risk-**
83 **based screening.**

84 **6. (1) Before July 1, 2026, each postsecondary educational institution or affiliate**
85 **thereof that has a research budget of ten million dollars or more shall establish an**
86 **international travel approval and monitoring program. The program shall require**
87 **preapproval and screening by a research integrity office designated by the president or**
88 **chief administrative officer of the postsecondary educational institution or affiliate**
89 **thereof for any employment-related foreign travel and employment-related foreign**
90 **activities engaged in by all faculty, researchers, and research department staff. Such**
91 **requirement shall be in addition to any other travel approval process applicable to the**
92 **postsecondary educational institution.**

93 **(2) Preapproval by the research integrity office shall be based on the applicant's**
94 **review and acknowledgment of guidance published by the employing postsecondary**
95 **educational institution or affiliate thereof that relates to countries of concern, countries**
96 **under sanction, or other restrictions or designations imposed by the state or the United**
97 **States government including, but not limited to:**

98 **(a) Any federal licensing requirements;**

99 **(b) Customs rules;**

100 **(c) Export controls;**

101 **(d) Restrictions on taking postsecondary educational institution property abroad**
102 **including, but not limited to, intellectual property;**

103 **(e) Restrictions on presentations, teaching, and interactions with foreign**
104 **colleagues; and**

105 **(f) Other subjects important to the research and academic integrity of the**
106 **postsecondary educational institution.**

107 **(3) Preapproval shall be based on the binding commitment of the individual**
108 **traveler not to violate limitations on travel and activities abroad adopted by the**
109 **postsecondary educational institution or affiliate thereof and to obey all applicable**
110 **federal laws.**

111 **(4) (a) The postsecondary educational institution or affiliate thereof shall**
112 **maintain records of all:**

- 113 **a. Foreign travel requests and approvals;**
114 **b. Expenses reimbursed by the institution or affiliate thereof during such travel**
115 **including, but not limited to, reimbursements for travel, food, and lodging; and**
116 **c. Payments and honoraria received during such travel and activities including,**
117 **but not limited to, payments and honoraria for travel, food, and lodging.**
118 **(b) The postsecondary educational institution or affiliate thereof shall also keep**
119 **records of the purpose of the travel and any records related to the foreign activity**
120 **review.**
121 **(c) Such records shall be retained for at least three years or any longer period of**
122 **time required by any other applicable state or federal law.**
123 **(5) The postsecondary educational institution or affiliate thereof shall provide an**
124 **annual report of foreign travel to countries of concern listing individual travelers,**
125 **foreign locations visited, and foreign institutions visited to the coordinating board for**
126 **higher education.**
127 **7. (1) Subject to the approval of a postsecondary educational institution's**
128 **governing body, a postsecondary educational institution shall enter into a new or renew**
129 **an existing academic partnership with an academic or research institution located in a**
130 **country of concern only if the postsecondary educational institution maintains sufficient**
131 **structural safeguards to protect the postsecondary educational institution's intellectual**
132 **property, the security of this state, and the national security interests of the United**
133 **States. The postsecondary educational institution's governing body shall approve a**
134 **postsecondary educational institution's partnership only if the governing body, in**
135 **consultation with the attorney general, determines the partnership meets the safeguard**
136 **requirements required under this subsection.**
137 **(2) The safeguard requirements shall include, but not be limited to, all of the**
138 **following:**
139 **(a) Compliance with all federal requirements including, but not limited to, the**
140 **requirements of federal research sponsors and federal export control agencies including,**
141 **but not limited to, regulations regarding international traffic in arms and export**
142 **administration regulations and economic and trade sanctions administered by the**
143 **United States Department of the Treasury's Office of Foreign Assets Control, or its**
144 **successor;**
145 **(b) Annual formal institution-level programs for faculty on conflicts of interest**
146 **and conflicts of commitment; and**
147 **(c) A formalized foreign visitor process and uniform visiting scholar agreement.**
148 **(3) The postsecondary educational institution's governing body, in consultation**
149 **with the attorney general, shall have full discretion to reject or terminate any research**

150 partnership between a postsecondary educational institution and an academic or
 151 research institution located in a country of concern at any time and for any purpose.

152 8. The state auditor shall perform an audit regarding the implementation of this
 153 section before July 1, 2026.

2 105.1321. 1. An individual commits the offense of stealing a trade secret if such
 2 individual obtains or uses, or attempts to obtain or use, a trade secret:

3 (1) Willfully and without authorization; and

4 (2) With the intent to either temporarily or permanently:

5 (a) Deprive or withhold from the owner of a trade secret the control or benefit of
 6 a trade secret; or

7 (b) Appropriate a trade secret to the individual's own use or to the use of
 8 another person not entitled to the trade secret.

9 2. An individual commits the offense of trafficking in trade secrets if such
 10 individual traffics in, or attempts to traffic in, a trade secret that such individual knows
 11 or has reason to know was obtained or used without the owner's authorization.

12 3. (1) The offense of stealing a trade secret is a class C felony.

13 (2) The offense of stealing a trade secret with the intent to benefit a foreign
 14 agent, foreign government, or foreign instrumentality is a class B felony.

15 (3) The offense of trafficking in trade secrets is a class C felony.

16 (4) The offense of trafficking in trade secrets with the intent to benefit a foreign
 17 agent, foreign government, or foreign instrumentality is a class B felony.

~~[173.275. 1. As used in this section, the following terms shall mean:~~

2 ~~(1) "Foreign government", any government other than the government~~
 3 ~~of the United States or any state or political subdivision of the United States;~~

4 ~~(2) "Foreign legal entity", any legal entity created under the laws of:~~

5 ~~(a) A foreign government; or~~

6 ~~(b) The United States, or any state of the United States, if a majority of~~
 7 ~~the ownership of the stock of such legal entity is directly or indirectly owned,~~
 8 ~~legally or beneficially, by one or more foreign governments, foreign persons,~~
 9 ~~or legal entities created under the laws of a foreign government, or if a~~
 10 ~~majority of the membership of any such entity is composed of foreign persons~~
 11 ~~or legal entities created under the laws of a foreign government.—~~

12 ~~The term "foreign legal entity" shall include agents of such entities;~~

13 ~~(3) "Foreign person", any individual who is not a citizen or national of~~
 14 ~~the United States, or any trust territory or protectorate of the United States.~~

15 ~~The term "foreign person" shall include agents of such persons;~~

16 ~~(4) "Gift", any endowment, gift, grant, contract, award, or property of~~
 17 ~~any kind;~~
 18

19 ~~(5) "Institution of higher education" or "institution", the University of~~
20 ~~Missouri, Lincoln University, the state colleges, community colleges and~~
21 ~~teachers' colleges.~~

22 ~~2. Every institution of higher education shall disclose to the~~
23 ~~department of higher education and workforce development the amount,~~
24 ~~terms, restrictions, conditions, and requirements attached to or made a part of~~
25 ~~any gift from any foreign government, foreign legal entity, or foreign person~~
26 ~~which has a value of one hundred thousand dollars or more, made to such~~
27 ~~institution of higher education in any fiscal year if any term, restriction,~~
28 ~~condition or requirement attached to or made a part of any such gift is a~~
29 ~~violation of, or would cause the institution of higher education to be in~~
30 ~~violation of, any federal or state law relating to discrimination on the basis of~~
31 ~~race, creed, color, sex, age, marital status, ethnic background, or religion. If~~
32 ~~any foreign government, foreign entity, or foreign person makes more than one~~
33 ~~gift to any institution of higher education in any fiscal year of such institution,~~
34 ~~such institution shall make the report required by this subsection if the~~
35 ~~aggregate value of all gifts from any one foreign government, foreign legal~~
36 ~~entity, or foreign person is one hundred thousand dollars or more in such fiscal~~
37 ~~year.~~

38 ~~3. The information to be furnished to the department of higher~~
39 ~~education and workforce development shall be forwarded to the department no~~
40 ~~later than thirty days after the final day of the fiscal year of each institution of~~
41 ~~higher education, and shall include:~~

42 ~~(1) The amount of each gift and the date on which it was received by~~
43 ~~the institution;~~

44 ~~(2) When a gift is conditional, a matching gift, or designated for a~~
45 ~~particular purpose, the full details of the conditions, matching provisions or~~
46 ~~designation;~~

47 ~~(3) In the case of a gift by a foreign government, the name of such~~
48 ~~government;~~

49 ~~(4) In the case of a gift by a foreign legal entity or foreign person, the~~
50 ~~name of the foreign country in which such foreign legal entity or foreign~~
51 ~~person is principally located or has his principal residence;~~

52 ~~(5) The purpose for which the gift will be used; and~~

53 ~~(6) The name of the foreign legal entity which made the gift if the gift:~~

54 ~~(a) Contains conditions or restrictions regarding the control of~~
55 ~~curricula, employment or termination of faculty members, admission of~~
56 ~~students, or student fees and tuition; or~~

57 ~~(b) Is contingent upon the agreement of the institution to take specific~~
58 ~~public positions or actions, or to award honorary degrees.~~

59 ~~4. All information disclosed and furnished to the department of higher~~
60 ~~education and workforce development under this section shall be deemed a~~
61 ~~public record under sections 610.010 to 610.030 and shall be made available~~
62 ~~by the department to the general public for inspection, review and copying~~
63 ~~during the department's normal business hours.]~~