

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NOS. 2278 & 2403**  
**103RD GENERAL ASSEMBLY**

5786H.06C

JOSEPH ENGLER, Chief Clerk

---

**AN ACT**

To amend chapter 167, RSMo, by adding thereto one new section relating to statewide activities associations.

---

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

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be  
2 known as section 167.795, to read as follows:

**167.795. 1. For purposes of this section, the following terms mean:**

2 **(1) "Activities association", any nonprofit statewide organization that satisfies**  
3 **the following criteria:**

4 **(a) The organization facilitates interscholastic activities for secondary school**  
5 **students, including, but not limited to, interscholastic athletic activities;**

6 **(b) More than fifty percent of the activities facilitated by the organization are**  
7 **interscholastic athletic activities; and**

8 **(c) The organization's members include at least one public school or school**  
9 **district that pays any fees to such association, including, but not limited to, activity**  
10 **participation fees, tournament registration fees, membership fees, or any other fees or**  
11 **payments relating to membership in the organization or participation in any activities**  
12 **facilitated by the organization;**

13 **(d) The term "activities association" does not include organizations that do not**  
14 **facilitate interscholastic athletic activities. Such organizations may include, but are not**  
15 **limited to, career and technical student organizations, academic honor societies, service**  
16 **organizations, leadership organizations, or other student clubs or organizations that do**  
17 **not facilitate interscholastic athletic activities;**

18 **(2) "Department", the department of elementary and secondary education;**

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.

19           **(3) "Public school", as defined in section 160.011. The term shall be construed to**  
20 **include a charter school.**

21           **2. Notwithstanding any provision of law to the contrary, beginning in the 2027-**  
22 **28 school year and continuing in all subsequent school years, appeals of decisions made**  
23 **by an activities association may be heard by the "Interscholastic Athletic Activities**  
24 **Appeals Board", which is hereby created and consists of a appeals board appointed by**  
25 **the governor, by and with the advice and consent of the senate. The appeals board shall**  
26 **consist of five members. The term of office of each member shall be four years, except**  
27 **that of the initial appointed members, two members shall serve terms of two years and**  
28 **three members shall serve terms of four years. At the expiration of the term of each**  
29 **member, the governor, by and with the advice and consent of the senate, shall appoint a**  
30 **successor. If the general assembly is not in session at the time for making an**  
31 **appointment, the governor shall make a temporary appointment as in the case of a**  
32 **vacancy.**

33           **3. The appeals board shall hear appeals after the activities association's appeals**  
34 **process has been exhausted. If a decision on an appeal before the activities association is**  
35 **needed within forty-eight hours, such appeal may be made directly to the appeals board.**  
36 **In addition to hearing appeals in-person, the appeals board may hear an appeal**  
37 **telephonically, through the use of video conferencing technology, or through any other**  
38 **generally accepted means of remote communication. The appeals board shall hear only**  
39 **the following appeals:**

40           **(1) Appeals relating to transfers of students deemed to be for athletic purposes;**

41           **(2) Appeals relating to contests and contest procedures; and**

42           **(3) Appeals relating to prior decisions made by an activities association that**  
43 **resulted in the student's disqualification or prohibition from participating in any**  
44 **athletic activities.**

45           **4. Any decision made by the appeals board shall be final and the activities**  
46 **association shall abide by that decision.**

47           **5. The appeals board may make recommendations to an activities association for**  
48 **rule changes to be voted on by the member schools of such association.**

49           **6. An activities association shall prepare an annual report and present to a house**  
50 **committee to be chosen by the speaker of the house of representatives within the first**  
51 **thirty days of the legislative session and a senate committee to be chosen by the**  
52 **president pro tempore of the senate within the first thirty days of the legislative session.**

53           **7. The appeals board is established within the department of elementary and**  
54 **secondary education for the purposes of hearing the appeals. The department shall**  
55 **provide sufficient administrative and financial personnel to support the work of the**

56 **appeals board, and shall promulgate rules concerning the timelines of each phase of the**  
57 **appeals process.**

58 **8. If the appeals board is named as a defendant in any court action arising from**  
59 **or relating to a decision of the appeals board, the attorney general shall represent the**  
60 **appeals board and the state shall be responsible for all attorney's fees, costs, and**  
61 **damages incurred.**

62 **9. The department shall promulgate rules as necessary to implement a fair and**  
63 **timely appeals process, including timelines for each stage of an appeal to be heard by the**  
64 **appeals board. Any rule or portion of a rule, as that term is defined in section 536.010,**  
65 **that is created under the authority delegated in this section shall become effective only if**  
66 **it complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
67 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**  
68 **vested with the general assembly pursuant to chapter 536 to review, to delay the**  
69 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**  
70 **then the grant of rulemaking authority and any rule proposed or adopted after August**  
71 **28, 2026, shall be invalid and void.**

✓