



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 2403		DATE: 2/26/2026	
COMMITTEE: Government Efficiency			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: STEPHEN MORTIMER		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:		SUBMIT DATE: 2/26/2026 12:00 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCAT		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: In-Person		SUBMIT DATE: 2/26/2026 11:43 PM

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I am Opposed to this Bill. There NEEDS to be an Independent Board without Political interference from the General Assembly or the Governor to hear Appealed Decisions within 30-Days of the Decision.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SARAH BERRY		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 2/26/2026 6:58 AM	

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HB 2403 is structurally unsound and legally vulnerable as drafted.

The bill abolishes an established appellate structure and replaces it with a politically appointed “Transfer Board” that is given binding authority over all appeals from statewide activities associations—without defining standards of review, evidentiary procedures, burdens of proof, required findings, ethical constraints, or judicial review parameters.

This is not reform. It is the creation of an unbounded quasi-judicial body.

Core Structural Defects

1. No Standard of Review.

The bill does not define whether the board reviews decisions de novo, for substantial evidence, or for abuse of discretion. Without a defined standard, decisions will be arbitrary and inconsistent.

2. No Procedural Safeguards.

There is no requirement for:

- A formal record,
- Notice standards,
- Briefing,
- Evidentiary submission rules,
- Written findings,
- Recusal requirements,
- Conflict-of-interest disclosures.

The absence of procedural architecture creates predictable due-process exposure.

3. Politicization of Student Eligibility Decisions.

The board is composed entirely of legislative and executive appointees. Student athletic eligibility, disciplinary rulings, and participation disputes become subject to political appointment rather than uniform regulatory governance.

That structure invites appearance-of-bias claims and equal protection challenges.

4. Artificially Compressed Timelines.

The board must convene within five business days and rule within twenty-four hours of meeting. That timeline makes meaningful review practically impossible and increases litigation risk from rushed, inadequately reasoned decisions.

5. "Final" Decision Language Without Clarifying Judicial Review.

The statute declares the board's ruling "final" without clarifying whether judicial review remains available. That omission creates ambiguity and foreseeable constitutional challenge.

Foreseeable Harm:

Inconsistent rulings across similarly situated students

Increased emergency injunction litigation

Procedural due-process claims

Equal protection claims

Politically influenced outcomes

Administrative chaos during athletic seasons

HB 2403 does not define a governance framework. It creates a power center.

If the General Assembly intends to create an independent appeals mechanism, it must define procedural safeguards, standards of review, conflict-of-interest rules, written findings requirements, and judicial review parameters.

Without those guardrails, this bill is operationally unstable and legally exposed.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MIKE LODEWEGEN		PHONE NUMBER: (573) 638-2692	
REPRESENTING: MO COUNCIL OF SCHOOL ADMINISTRATORS		TITLE:	
ADDRESS: 3550 AMAZONAS			
CITY: JC		STATE: MO	ZIP: 65109
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/26/2026 12:00 AM	
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