

SENATE BILL NO. 160

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR HUDSON.

1382S.01H

KRISTINA MARTIN, Secretary

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 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:

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

(2) "Belief-based student association" includes, but is not limited to, any political or ideological student association or any religious student association;

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

(4) "Public institution of higher learning", any state postsecondary educational institution governed or supervised

19 by a board erected under chapter 172, 174, 175, or 178; a
20 board of trustees of a community college; or any state board
21 for any other technical school.

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

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

7 (b) On the basis of such association's viewpoint or
8 expression of the viewpoint by the association or the
9 association's members; or

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

15 (2) Leaders referred to in paragraph (c) of
16 subdivision (1) of this subsection shall include, but not be
17 limited to, any person who holds a position within the
18 association that authorizes such person to participate in
19 the leadership or governance of the association or in
20 establishing criteria for the association's leadership or
21 governance.

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

26 2. Any belief-based student association or applicant
27 to be recognized as such that has been aggrieved as a result
28 of a violation or threatened violation of subsection 1 of
29 this section may assert that violation or threatened

30 violation as a claim or defense in a judicial proceeding or
31 in an administrative proceeding involving the public
32 institution of higher learning and obtain appropriate relief.

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