

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1613, Page 1, In the title, Line 3, by
2 deleting all of said line and inserting in lieu thereof the words, "education."; and

3
4 Further amend said bill, Page 3, Section 173.750, Line 33, by inserting after all of said line the
5 following:

6 "173.2050. 1. The governing board of each public institution of higher education in this
7 state shall engage in discussions with law enforcement agencies with jurisdiction over the premises
8 of an institution to develop and enter into a memorandum of understanding concerning sexual
9 assault, domestic violence, dating violence, and stalking, as defined in the federal Higher Education
10 Act of 1965, 20 U.S.C. Section 1092(f), involving students both on and off campus.

11 2. The memorandum of understanding shall contain detailed policies and protocols
12 regarding sexual assault, domestic violence, dating violence, and stalking involving a student that
13 comport with best practices and current professional practices. At a minimum, the memorandum
14 shall set out procedural requirements for the reporting of an offense, protocol for establishing who
15 has jurisdiction over an offense, and criteria for determining when an offense is to be reported to
16 law enforcement.

17 3. The department of public safety in cooperation with the department of higher education
18 shall promulgate rules and regulations to facilitate the implementation of this section. Any rule or
19 portion of a rule, as that term is defined in section 536.010, that is created under the authority
20 delegated in this section shall become effective only if it complies with and is subject to all of the
21 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
22 nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to
23 review, to delay the effective date, or to disapprove and annul a rule are subsequently held
24 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
25 August 28, 2016, shall be invalid and void."; and

26
27 Further amend said bill by amending the title, enacting clause, and intersectional references
28 accordingly.

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____