

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill Nos. 1141 & 1067, Page 5, Section 160.545,
2 Line 138, by inserting after all of said section and line the following:

3
4 "173.1003. 1. Beginning with the 2008-09 academic year, each approved public institution,
5 as such term is defined in section 173.1102, shall submit its percentage change in the amount of
6 tuition from the current academic year compared to the upcoming academic year to the coordinating
7 board for higher education by July first preceding such academic year.

8 2. For institutions whose tuition is greater than the average tuition, the percentage change in
9 tuition shall not exceed the percentage change of the consumer price index plus a percentage of not
10 more than five percent that would produce an increase in net tuition revenue no greater than the
11 dollar amount by which the state operating support was reduced for the prior fiscal year, if
12 applicable.

13 3. For institutions whose tuition is less than the average tuition, the dollar increase in tuition
14 shall not exceed the product of the percentage change of the consumer price index times the average
15 tuition, plus a percentage of not more than five percent that would produce an increase in net tuition
16 revenue no greater than the dollar amount by which the state operating support was reduced for the
17 prior fiscal year, if applicable.

18 4. If a tuition increase exceeds the limits set forth in subsection 2 or 3 of this section, then
19 the institution shall be subject to the provisions of subsection 5 of this section.

20 5. Any institution that exceeds the limits set forth in subsection 2 or 3 of this section shall
21 remit to the board an amount equal to five percent of its current year state operating support amount
22 which shall be deposited into the general revenue fund unless the institution appeals, within thirty
23 days of such notice, to the commissioner of higher education for a waiver of this provision. The
24 commissioner, after meeting with appropriate representatives of the institution, shall determine
25 whether the institution's waiver request is sufficiently warranted, in which case no fund remission
26 shall occur. In making this determination, the factors considered by the commissioner shall include
27 but not be limited to the relationship between state appropriations and the consumer price index and
28 any extraordinary circumstances. If the commissioner determines that an institution's tuition percent
29 increase is not sufficiently warranted and declines the waiver request, the commissioner shall
30 recommend to the full coordinating board that the institution shall remit an amount up to five
31 percent of its current year state operating appropriation to the board, which shall deposit the amount
32 into the general revenue fund. The coordinating board shall have the authority to make a binding
33 and final decision, by means of a majority vote, regarding the matter.

34 6. The provisions of subsections 2 to 5 of this section shall not apply to any community
35 college unless any such community college's tuition for any Missouri resident is greater than or
36 equal to the average tuition. If the provisions of subsections 2 to 5 of this section apply to a

Action Taken _____ Date _____

1 community college, subsections 2 to 5 of this section shall only apply to out-of-district Missouri
2 resident tuition.

3 7. For purposes of this section, the term "average tuition" shall be the sum of the tuition
4 amounts for the previous academic year for each approved public institution that is not excluded
5 under subsection 6 of this section, divided by the number of such institutions. The term "consumer
6 price index" shall mean the Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 =
7 100, not seasonally adjusted, as defined and officially recorded by the United States Department of
8 Labor, or its successor agency, from January first of the current year compared to January first of the
9 preceding year. The term "state appropriation" shall mean the state operating appropriation for the
10 prior year per full-time equivalent student for the prior year compared to state operating
11 appropriation for the current year per full-time equivalent student for the prior year. The term
12 "tuition" shall mean the amount of tuition and required fees, excluding any fee established by the
13 student body of the institution, charged to a Missouri resident undergraduate enrolled in fifteen
14 credit hours at the institution. The term "state operating support" shall mean the funding actually
15 disbursed from state operating appropriations to approved public institutions and shall not include
16 appropriations or disbursement for special initiatives or specific program additions or expansions.
17 The term "net tuition revenue" shall mean the net amount of resident undergraduate tuition and
18 required fees reduced by institutional aid only. "Institutional aid" includes all aid awarded to the
19 student by the student's institution of higher education only from such institution's funds.
20 Institutional aid does not include the following: Pell Grants; state awards such as the Missouri
21 higher education academic scholarship program, the A+ schools program, and the access Missouri
22 financial aid program; foundation scholarships; third-party scholarships; employee and dependent
23 fee waivers; and student loans.

24 8. Nothing in this section shall be construed to usurp or preclude the ability of the governing
25 board of an institution of higher education to establish tuition or required fee rates.

26 9. Subsections 2 to 6 shall not apply to any approved public institution, as such term is
27 defined in section 173.1102, or to any community college in any academic year beginning on or
28 after July 1, 2022.

29 10. When an approved public institution, as such term is defined in section 173.1102,
30 utilizes differentiated tuition, the public institution will notify the department of higher education
31 and workforce development of the institution's decision and will, at the point of implementation, no
32 longer utilize required course fees. Course fees may still be utilized by any public institution until
33 such decision is formally announced to the department and implemented."; and

34
35 Further amend said bill and page, Section B, Lines 3 and 5 by inserting before the phrase "section
36 A" the phrase "the repeal and reenactment of section 160.545 of"; and

37
38 Further amend said bill by amending the title, enacting clause, and intersectional references
39 accordingly.