

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1463
94TH GENERAL ASSEMBLY

Reported from the Special Committee on Immigration February 14, 2008 with recommendation that House Committee Substitute for House Bill No. 1463 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

3748L.03C

AN ACT

To repeal sections 172.360, 174.130, 178.635, and 178.780, RSMo, and to enact in lieu thereof seven new sections relating to prohibiting the admission of aliens unlawfully present in the United States at public institutions of higher education.

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

Section A. Sections 172.360, 174.130, 178.635, and 178.780, RSMo, are repealed and
2 seven new sections enacted in lieu thereof, to be known as sections 172.360, 173.1200, 174.130,
3 175.025, 178.635, 178.780, and 178.785, to read as follows:

172.360. **1.** All youths, resident of the state of Missouri, shall be admitted to all the
2 privileges and advantages of the various classes of all the departments of the University of the
3 State of Missouri; provided, that each applicant for admission therein shall possess such
4 scholastic attainments and mental and moral qualifications as shall be prescribed in rules adopted
5 and established by the board of curators; **provided that aliens unlawfully present in the**
6 **United States shall not be eligible for enrollment in the university;** and provided further, that
7 the board of curators may charge and collect reasonable tuition and other fees necessary for the
8 maintenance and operation of all departments of the university, as they may deem necessary.

9 **2. Prior to approval of any appropriations by the general assembly for the**
10 **University of Missouri, the registrar for each campus of the University of Missouri shall**
11 **annually certify to the education appropriations committee of the house of representatives**

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.

12 **and the appropriations committee of the senate that its campus has not knowingly enrolled**
13 **any aliens unlawfully present in the United States in the preceding year.**

173.1200. 1. A student with permanent residency status may be enrolled at any
2 **public institution of higher education in this state, provided the student otherwise meets**
3 **the entrance requirements of the institution. Students who satisfy the institution's**
4 **requirements for establishing state residency shall be eligible for in-state tuition.**

5 **2. An immigrant who resides in Missouri and has a pending application for**
6 **permanent residency status or a student visa as allowed under federal law may be enrolled**
7 **at a public institution of higher education on a provisional basis and attend classes so long**
8 **as the person otherwise meets the entrance requirements of the institution. A provisional**
9 **student shall not be eligible for in-state tuition.**

10 **3. If a student's application for permanent residency status or a student visa is**
11 **denied or dismissed, and the student's status is unauthorized, the student shall be allowed**
12 **to complete the semester but shall not be allowed to enroll for any subsequent terms unless**
13 **the student obtains authorized status.**

14 **4. A student with a pending application for permanent residency status or a student**
15 **visa shall not receive a degree or diploma from the institution until the student's**
16 **application is approved and the student receives a visa.**

174.130. 1. Each board may make such rules and regulations for the admission of
2 **students as may be deemed proper; provided that aliens unlawfully present in the United**
3 **States shall not be eligible for enrollment in the university or college.**

4 **2. Prior to approval of any appropriations by the general assembly for the**
5 **university or college, the registrar for each university or college shall annually certify to**
6 **the education appropriations committee of the house of representatives and the**
7 **appropriations committee of the senate that its university or college has not knowingly**
8 **enrolled any aliens unlawfully present in the United States in the preceding year.**

175.025. 1. The board of curators of Lincoln University may make such rules and
2 **regulations for the admission of students as it may be deemed proper; provided that aliens**
3 **unlawfully present in the United States shall not be eligible for enrollment in the university.**

4 **2. Prior to approval of any appropriations by the general assembly for the**
5 **university, the registrar shall annually certify to the education appropriations committee**
6 **of the house of representatives and the appropriations committee of the senate that the**
7 **university has not knowingly enrolled any aliens unlawfully present in the United States**
8 **in the preceding year.**

178.635. 1. The board of regents of Linn State Technical College shall organize in the
2 **manner provided by law for the board of curators of the University of Missouri. The powers,**

3 duties, authority, responsibilities, privileges, immunities, liabilities and compensation of the
4 board of Linn State Technical College in regard to Linn State Technical College shall be the
5 same as those prescribed by statute for the board of curators of the University of Missouri in
6 regard to the University of Missouri, except that Linn State Technical College shall be operated
7 only as a state technical college. Nothing in this section shall be construed to authorize Linn
8 State Technical College to become a community college or a university offering four-year or
9 graduate degrees.

10 2. All lawful bonded indebtedness incurred by the issuance of revenue bonds, as defined
11 in section 176.010, RSMo, by Linn Technical College, shall be deemed to be an indebtedness
12 of the board of regents of Linn State Technical College after the date upon which the conditions
13 of section 178.631 are met. Such indebtedness shall be retired through tuition revenues.

14 **3. The board of regents may make such rules and regulations for the admission of**
15 **students as it may be deemed proper; provided that aliens unlawfully present in the United**
16 **States shall not be eligible for enrollment in Linn State Technical College.**

17 **4. Prior to approval of any appropriations by the general assembly for Linn State**
18 **Technical College, the registrar shall annually certify to the education appropriations**
19 **committee of the house of representatives and the appropriations committee of the senate**
20 **that the college has not knowingly enrolled any aliens unlawfully present in the United**
21 **States in the preceding year.**

178.780. 1. Tax supported junior colleges formed prior to October 13, 1961, and those
2 formed under the provisions of sections 178.770 to 178.890 shall be under the supervision of the
3 coordinating board for higher education.

4 2. The coordinating board for higher education shall:

5 (1) Establish the role of the two-year college in the state;

6 (2) Set up a survey form to be used for local surveys of need and potential for two-year
7 colleges; provide supervision in the conducting of surveys; require that the results of the studies
8 be used in reviewing applications for approval; and establish and use the survey results to set up
9 priorities;

10 (3) Require that the initiative to establish two-year colleges come from the area to be
11 served;

12 (4) Administer the state financial support program;

13 (5) Supervise the junior college districts formed under the provisions of sections 178.770
14 to 178.890 and the junior colleges now in existence and formed prior to October 13, 1961;

15 (6) Formulate and put into effect uniform policies as to budgeting, record keeping, and
16 student accounting;

17 (7) Establish uniform minimum entrance requirements and uniform curricular offerings
18 for all junior colleges **and ensure that aliens unlawfully present in the United States are not**
19 **eligible for enrollment in any junior college;**

20 (8) Make a continuing study of junior college education in the state; and

21 (9) Be responsible for the accreditation of each junior college under its supervision.
22 Accreditation shall be conducted annually or as often as deemed advisable and made in a manner
23 consistent with rules and regulations established and applied uniformly to all junior colleges in
24 the state. Standards for accreditation of junior colleges shall be formulated with due
25 consideration given to curriculum offerings and entrance requirements of the University of
26 Missouri.

**178.785. Prior to approval of any appropriations by the general assembly for a
2 junior college, the registrar for the college shall annually certify to the education
3 appropriations committee of the house of representatives and the appropriations
4 committee of the senate that its junior college has not knowingly enrolled any aliens
5 unlawfully present in the United States in the preceding year.**

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