

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 838, Page 1, in the
2 title, Line 3, by deleting the phrase "the transfer of wireless telephone numbers" and inserting in
3 lieu thereof the phrase "sexual offenses"; and

4
5 Further amend said bill, Page 1, Section A, Line 3, by inserting after all of said section and line the
6 following:

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

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

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

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29 Further amend said bill by amending the title, enacting clause, and intersectional references
30 accordingly.

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Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____