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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5458

05/07/2024 Authored by Engen and Hudson
The bill was read for the first time and referred to the Committee on Higher Education Finance and Policy

1.1 A bill for an act
1.2 relating to higher education; requiring cancellation of student organizations
1.3 endorsing terrorism; removing financial aid eligibility for students who endorse
1.4 terrorism; proposing coding for new law in Minnesota Statutes, chapters 135A;
1.5 136A.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. [135A.154] CANCELLATION OF STUDENT ORGANIZATIONS
1.8 ENDORISING TERRORISM.

1.9 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.10 the meanings given.

1.11 (b) "Student organization" means a group officially recognized, registered, or supported
1.12 by a postsecondary institution, or a group seeking such official recognition, registration, or
1.13 support, that is comprised of students enrolled at the institution.

1.14 (c) "Terrorism" means international terrorism or domestic terrorism, as those terms are
1.15 defined by United States Code, title 18, section 2331.

1.16 (d) "Terrorist organization" means an organization that has been designated as a foreign
1.17 terrorist organization by the United States Secretary of State under United States Code, title
1.18 8, section 1189.

1.19 Subd. 2. Scope. This section applies to:

1.20 (1) a postsecondary institution governed by the Board of Trustees of the Minnesota State
1.21 Colleges and Universities;

2.1 (2) a postsecondary institution governed by the Board of Regents of the University of
 2.2 Minnesota; and

2.3 (3) a private postsecondary institution that is an eligible institution as defined in section
 2.4 136A.103.

2.5 Subd. 3. **Cancellation required.** (a) An institution subject to this section must cancel
 2.6 the recognition or registration of and cease provision of any monetary or nonmonetary
 2.7 support to a student organization that the institution determines has endorsed or promoted
 2.8 terrorism or the actions of a terrorist organization.

2.9 (b) An institution subject to this section must provide the commissioner of the Office
 2.10 of Higher Education the names of students who are known members of a student organization
 2.11 canceled under paragraph (a) for investigation under section 136A.105.

2.12 Subd. 4. **Policy required.** (a) An institution subject to this section must adopt a policy
 2.13 to enforce the requirements of this section. The policy must, at a minimum:

2.14 (1) allow students and other individuals to anonymously report alleged violations of this
 2.15 section by a student organization at the institution; and

2.16 (2) include appropriate procedures for investigating alleged violations, determining
 2.17 whether a violation occurred, and imposing consequences required under subdivision 3.

2.18 (b) An institution subject to this section must provide each student organization
 2.19 information regarding its policy.

2.20 **Sec. 2. [136A.105] STUDENTS WHO ENDORSE TERRORISM.**

2.21 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
 2.22 the meanings given.

2.23 (b) "Terrorism" means international terrorism or domestic terrorism, as those terms are
 2.24 defined by United States Code, title 18, section 2331.

2.25 (c) "Terrorist organization" means an organization that has been designated as a foreign
 2.26 terrorist organization by the United States Secretary of State under United States Code, title
 2.27 8, section 1189.

2.28 Subd. 2. **Ineligibility for state financial aid.** If the commissioner determines that a
 2.29 student has endorsed or promoted terrorism or the actions of a terrorist organization:

2.30 (1) the student is ineligible for any grant or scholarship under this chapter; and

3.1 (2) the commissioner must not award or provide to the student any grant or scholarship
3.2 under this chapter for any subsequent academic term.

3.3 Subd. 3. **Investigation and determination.** (a) The commissioner has authority to
3.4 receive, review, and take appropriate action on allegations that a student has endorsed or
3.5 promoted terrorism or the actions of a terrorist organization. An allegation may be reported
3.6 anonymously. An allegation includes the names of students provided by a postsecondary
3.7 institution under section 135A.154, subdivision 3, paragraph (b).

3.8 (b) The commissioner must initiate an investigation upon receipt of an allegation under
3.9 paragraph (a). Notwithstanding section 13.39, a student subject to an investigation shall be
3.10 informed of the allegation, the processes of the investigation, and the potential consequences
3.11 of a determination. A student subject to an investigation may provide a statement to the
3.12 commissioner. Notwithstanding section 13.39, upon completing an investigation, the
3.13 commissioner shall inform the student of:

3.14 (1) the outcome of the investigation;

3.15 (2) whether the commissioner has determined that the student has endorsed or promoted
3.16 terrorism or the actions of a terrorist organization;

3.17 (3) appeal rights under paragraph (c), if applicable; and

3.18 (4) any applicable consequences on the student's financial aid.

3.19 (c) A determination by the commissioner under this section is appealable in accordance
3.20 with the contested case review procedures in chapter 14. The request for an appeal must be
3.21 made in writing to the commissioner within 30 days of the date the student is notified of
3.22 the commissioner's determination. A determination is not effective while an appeal is
3.23 pending.

3.24 (d) Data collected, created, received, or maintained by the commissioner under this
3.25 section are subject to section 13.39.