

HB 1724 -- BELIEF-BASED STUDENT ASSOCIATIONS

SPONSOR: Hudson

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Higher Education by a vote of 5 to 3.

This bill defines "adverse action", "belief-based student association" and "benefit" and prohibits public institutions of higher learning from taking any action or enforcing any policy that denies a belief based student association benefits available to other student associations. The bill also prohibits discrimination against a belief based student association based on its requirement that leaders of the association adhere to its sincerely held beliefs, sincere practice requirements, or standards of conduct.

The bill also authorizes aggrieved belief based student associations to seek appropriate relief in a judicial or administrative proceeding against a public institution of higher learning that violates the requirements of the bill.

This bill is similar to SB 332 (2021) and to HB 1926 (2020).

PROPOSERS: Supporters say that the passage of this bill will save taxpayer dollars by clarifying without costly litigation that student groups have the right to choose leaders that align with their values. There have been many examples of groups being forced to disband due to universities and colleges feeling that having specific criteria for leadership is discriminatory and when disbanded the taxpayers will end up paying for the ensuing litigation.

Testifying for the bill were Representative Hudson; Carl H. Esbeck; Mo Catholic Conference; Laura Nammo, Christian Legal Society; Lori D Kepner, Cru; Americans For Prosperity; Cassidy M. Klein, Young Americans For Liberty; E. Marcus Martin; Elias Burrough, Missouri College Republicans; Gregory Jao, Intervarsity Christian Fellowship/USA; 1st Amendment Partnership; Patrick Beranek, University of Missouri Young Americans for Liberty; Sophia Peck; Foundation for Individual Rights in Education; and William Payne.

OPPOSERS: Those who oppose the bill say that the language in the bill will allow for student groups to openly discriminate against members of the group when it comes to leadership positions. The discrimination may also result in students not feeling comfortable joining groups if they know they cannot take part in the decision making process.

Testifying against the bill were Amy Kuo Hammerman, National

Council of Jewish Women St. Louis; Angela White; Nancy Clare Morgan; Americans United for Separation of Church and State; Rev. Kim Mason; Susan Gibson; Susan Shumway; Brett Parker, American Atheists; Cheryl Lynn Adelstein, Jewish Community Relations Council of St. Louis; Allyn Harris Dault; Arnie C. Dienoff; Missouri NEA; Kendall Martinez-Wright; Sharon Jones, Missouri State Conference for NAACP; and Shira Berkowitz, PROMO.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.