

# Missouri Capital Improvement Statutory Provisions

Missouri law requires the Coordinating Board for Higher Education (CBHE) and its administrative arm, the Missouri Department of Higher Education (MDHE), to be substantially involved in statewide planning for higher education. The CBHE's broad duties include designing a coordinated plan for higher education (§ 173.020(4), RSMo), reviewing each public institution of higher education's mission and its efforts to achieve that mission (§ 173.030(9), RSMo), developing guidelines for appropriation requests (§ 173.005.2(4), RSMo), and developing a unified budget request for the state's public colleges and universities (§§ 163.191.2, 173.005.2(4), 173.030(3), and 173.040(5), RSMo).

- **Section 173.480, RSMo**, established the Higher Education Capital Fund. This matching fund provides one option the General Assembly may use to appropriate money for capital projects at public colleges and universities.
- **Section 173.005.2(4), RSMo**, requires the board to work with institutions of higher education to develop guidelines for appropriation requests based on carefully collected data on enrollment, physical facilities, manpower needs, and institutional missions.
- **Section 173.020(3), RSMo**, requires the board to develop arrangements for more effective coordination and mutual support among institutions in the utilization of facilities, faculty, and other resources.
- **Sections 173.030(2) and (3), RSMo**, enable the board to make recommendations related to physical facilities to institutions' governing boards.
- **Section 8.316, RSMo**, requires the Division of Facilities Management, Design and Construction (FMDC) within the Office of Administration to promulgate a method to calculate the replacement cost of all buildings owned by public institutions of higher education.
- **Section 8.110, RSMo**, exempts facilities belonging to institutions of higher education from FMDC supervising the design, construction, renovations, maintenance, and repair of state facilities.
- **Appropriations Bills:** The state appropriations process is closely linked to the legislative process and, as such, an important part of the statutory background. The state portion of the operational appropriations for facilities are part of the institutional core budgets for the public universities, community college, and State Technical College. The state funding is included in legislative appropriations to the MDHE. In the mid 1990s, Missouri began breaking out the maintenance and repair of state appropriations for community colleges into a separate, but combined (all institutions), appropriation. However, public universities continue to receive their state share of funding for maintenance and repair in institutional core appropriation. The state has historically provided appropriations in the capital bills for institutional maintenance and repair and new construction needs.
- **Other Statutes:** Other statutes created a board of public buildings and a statutory and constitutional facility maintenance reserve fund. However, higher education institutions are exempt from those provisions. MDHE capital needs for their staff are not exempt.