

FIRST REGULAR SESSION

HOUSE BILL NO. 94

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CUNNINGHAM (145).

Pre-filed December 16, 2004 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0069L.011

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to the war on terror scholarship program.

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

Section A. Chapter 173, RSMo, is amended by adding thereto one new section, to be
2 known as section 173.237, to read as follows:

**173.237. 1. As used in this section, unless the context clearly requires otherwise, the
2 following terms mean:**

3 **(1) "Board", the coordinating board for higher education;**

4 **(2) "Books", any books required for any course for which tuition was paid by a
5 grant awarded pursuant to this section;**

6 **(3) "Grant", the war on terror veteran's survivors grant as established in this
7 section;**

8 **(4) "Institution of postsecondary education", any approved Missouri public
9 institution of postsecondary education, as defined in section 173.205;**

10 **(5) "Survivor", a child or spouse of a war on terror veteran as defined in this
11 section;**

12 **(6) "Tuition", any tuition or incidental fee or both charged by an institution of
13 postsecondary education, as defined in this section, for attendance at the institution by a
14 student as a resident of this state;**

15 **(7) "War on terror veteran", a person who served in the military in Afghanistan**

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.

16 or Iraq and to whom the following criteria shall apply:

17 (a) The veteran was a Missouri resident when first entering the military service and
18 at the time of death;

19 (b) The veteran dies as a result of combat action in Afghanistan or Iraq or the
20 veteran's death was attributable to an illness that was or could have been contracted while
21 serving in Afghanistan or Iraq; and

22 (c) The veteran served in the war on terror in Afghanistan or Iraq after 2001.

23 2. Within the limits of the amounts appropriated therefor, the coordinating board
24 for higher education shall award annually up to twenty-five grants to survivors of war on
25 terror veterans to attend institutions of postsecondary education in this state. If the
26 waiting list of eligible survivors exceeds fifty, the coordinating board may petition the
27 general assembly to expand the quota. If the quota is not expanded the eligibility of
28 survivors on the waiting list shall be extended.

29 3. A survivor may receive a grant pursuant to this section only so long as the
30 survivor is enrolled in a program leading to a certificate, or an associate or baccalaureate
31 degree. In no event shall a survivor receive a grant beyond the completion of the first
32 baccalaureate degree, regardless of age. No survivor shall receive more than one hundred
33 percent of tuition and books when combined with similar funds made available to such
34 survivor.

35 4. The coordinating board for higher education shall:

36 (1) Promulgate all necessary rules and regulations for the implementation of this
37 section;

38 (2) Determine minimum standards of performance in order for a survivor to
39 remain eligible to receive a grant under this program;

40 (3) Make available on behalf of a survivor an amount toward the survivor's tuition,
41 room and board, and books which is equal to the grant to which the survivor is entitled
42 under the provisions of this section;

43 (4) Provide the forms and determine the procedures necessary for a survivor to
44 apply for and receive a grant under this program.

45 5. In order to be eligible to receive a grant pursuant to this section, a survivor shall
46 be certified as eligible by a Missouri state veterans service officer. In the case of an illness-
47 related death, such certification shall be made upon qualified medical certification by a
48 Veterans Administration medical authority that the illness was or could have been
49 contracted while serving in Afghanistan or Iraq and contributed to or was the cause of
50 death of the veteran, as defined in subsection 1 of this section.

51 6. A survivor who is enrolled or has been accepted for enrollment as an
52 undergraduate postsecondary student at an approved institution of postsecondary

53 education shall receive a grant in an amount not to exceed the actual tuition, as defined in
54 this section, an allowance of up to two thousand dollars per semester for room and board,
55 and the actual cost of books, as defined in this section, up to a maximum of five hundred
56 dollars per semester, charged at an approved institution of postsecondary education where
57 the survivor is enrolled or accepted for enrollment.

58 7. A survivor who is a recipient of a grant may transfer from one approved public
59 institution of postsecondary education to another without losing his or her entitlement
60 under this section. The board shall make necessary adjustments in the amount of the
61 grant. If a grant recipient at any time withdraws from the institution of postsecondary
62 education so that under the rules and regulations of that institution he or she is entitled to
63 a refund of any tuition, fees, room and board, books, or other charges, the institution shall
64 pay the portion of the refund to which he or she is entitled attributable to the grant for that
65 semester or similar grading period to the board.

66 8. If a survivor is granted financial assistance under any other student aid program,
67 public or private, the full amount of such aid shall be reported to the board by the
68 institution and the eligible survivor.

69 9. Nothing in this section shall be construed as a promise or guarantee that a person
70 will be admitted to an institution of postsecondary education or to a particular institution
71 of postsecondary education, will be allowed to continue to attend an institution of
72 postsecondary education after having been admitted, or will be graduated from an
73 institution of postsecondary education.

74 10. The benefits conferred by this section shall be available to any academically
75 qualified surviving children or spouses of war on terror veterans as defined in subsection
76 1 of this section. Surviving children who are eligible, shall be permitted to apply for full
77 benefits conferred by this section until they reach twenty-five years of age. Surviving
78 spouses who are eligible, shall be permitted to apply for full benefits conferred by this
79 section until they reach forty-five years of age.

80 11. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

81 (1) The provisions of the new program authorized under this section shall
82 automatically sunset 6 years after the effective date of this section unless reauthorized by
83 an act of the general assembly; and

84 (2) If such program is reauthorized, the program authorized under this section
85 shall automatically sunset 12 years after the effective date of the reauthorization of this
86 section; and

87 (3) This section, shall terminate on September first of the calendar year
88 immediately following the calendar year in which the program authorized under this
89 section is sunset.