

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR

# HOUSE BILL NOS. 94 & 185

## 93RD GENERAL ASSEMBLY

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Reported from the Committee on Veterans February 23, 2005, with recommendation that the House Committee Substitute No. 2 for House Bill Nos. 94 & 185 Do Pass. Referred to the Committee on Rules pursuant to Rule 26 (26) (f).

Reported from the Committee on Rules February 28, 2005 with recommendation that House Committee Substitute No. 2 Do Pass with no time limit on debate.

Taken up for Perfection March 8, 2005. House Committee Substitute No. 2 for House Bill Nos. 94 and 185 ordered Perfected and Printed.

STEPHEN S. DAVIS, Chief Clerk

0069L.06P

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### AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to tuition grants for dependents and spouses of military members.

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*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 known as section 173.234, to read as follows:

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

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

(2) "Eligible student", the natural, adopted, or stepchild of a qualifying military member, as defined in this section, who is less than twenty-five years of age and who was a dependent of a qualifying military member at the time of death or injury, or the spouse of a qualifying member who is less than forty-five years of age;

(3) "Grant", the military member survivor grant as established by this section;

(4) "Qualifying institution", any approved Missouri public or private institution of postsecondary education as defined in section 173.205;

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.

11           **(5) "Qualifying military member"**, any member of the military of the United States,  
12 **whether active duty, reserve, or national guard, who was killed in combat action after**  
13 **September 11, 2001, or who became eighty percent disabled as a result of the injuries**  
14 **sustained in combat action after September 11, 2001, and who was, at the time of death or**  
15 **injury, a citizen of the state of Missouri;**

16           **(6) "Tuition"**, any tuition or incidental fee or both charged by a qualifying  
17 **institution, as defined in this section, for attendance at the institution by an eligible student.**  
18 **The tuition grant shall not exceed the amount of tuition charged a Missouri resident at the**  
19 **University of Missouri - Columbia for attendance.**

20           **2. Within the limits of the amounts appropriated therefor, the board shall provide,**  
21 **as defined in this section, a grant to eligible students who attend qualifying institutions of**  
22 **postsecondary education.**

23           **3. An eligible student may receive a grant under this section only so long as the**  
24 **eligible student is enrolled in a program leading to a certificate, or an associate or**  
25 **baccalaureate degree in a qualifying institution. In no event shall the eligible student**  
26 **receive a grant beyond the completion of the first baccalaureate degree. No eligible student**  
27 **shall receive more than one hundred percent of tuition when combined with similar funds**  
28 **made available to such eligible student.**

29           **4. The coordinating board for higher education shall:**

30           **(1) Promulgate all necessary rules and regulations for the implementation of this**  
31 **section;**

32           **(2) Determine minimum standards of performance in order for a student to remain**  
33 **eligible to receive a grant under this program;**

34           **(3) Make available on behalf of the eligible student an amount toward the eligible**  
35 **student's tuition which is equal to the grant to which the eligible student is entitled under**  
36 **the provisions of this section;**

37           **(4) Provide the forms and determine the procedures necessary for an eligible**  
38 **student to apply for and receive a grant under this program.**

39           **5. An eligible student who is enrolled or has been accepted for enrollment at a**  
40 **qualifying institution shall receive a tuition grant in an amount not to exceed the actual**  
41 **tuition, as defined in this section, charged at the qualifying institution where the eligible**  
42 **student is enrolled or accepted for enrollment. In addition, such student shall receive an**  
43 **allowance of two thousand dollars per semester for room and board; and an allowance for**  
44 **the actual cost of books, up to five hundred dollars per semester.**

45           **6. An eligible student who is a recipient of a grant may transfer from one qualifying**  
46 **institution to another without losing his or her entitlement under this section. The board**

47 shall make necessary adjustments in the amount of the grant. If a grant recipient at  
48 anytime withdraws from a qualifying institution so that under the rules and regulations  
49 of that institution the eligible student is entitled to a refund of any tuition, fees, or other  
50 charges, the qualifying institution shall pay the portion of the refund to which the student  
51 is entitled attributable to the grant for that semester or similar grading period to the board.

52 **7. If an eligible student is granted financial assistance under any other student aid**  
53 **program, public or private, the full amount of such aid shall be reported to the board by**  
54 **the qualifying institution and the eligible student.**

55 **8. Nothing in this section shall be construed as a promise or guarantee that a person**  
56 **will be admitted to a qualifying institution or to a particular qualifying institution, will be**  
57 **allowed to continue to attend a qualifying institution after having been admitted, or will**  
58 **be graduated from a qualifying institution.**

59 **9. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:**

60 **(1) The provisions of the new program authorized under this section shall**  
61 **automatically sunset six years after the effective date of this section, unless reauthorized**  
62 **by an act of the general assembly; and**

63 **(2) If such program is reauthorized, the program authorized under this section**  
64 **shall automatically sunset twelve years after the effective date of the reauthorization of this**  
65 **section; and**

66 **(3) This section shall terminate on September first of the calendar year immediately**  
67 **following the calendar year in which the program authorized under this section is sunset.**