

FIRST REGULAR SESSION

HOUSE BILL NO. 752

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE AVERY.

Read 1st time March 9, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0855L.011

AN ACT

To repeal section 173.239, RSMo, and to enact in lieu thereof one new section relating to national guard tuition assistance.

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

Section A. Section 173.239, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 173.239, to read as follows:

173.239. 1. Any member of the Missouri national guard who possesses the qualifications set forth in this section may be awarded an educational assistance grant to an approved public institution or an approved private institution, as those terms are defined in either section 173.205 or section 173.778, of his or her choice while he or she is a member of the Missouri national guard. Funding for educational assistance pursuant to this section may be requested annually in the budget of the Missouri national guard. Educational assistance provided pursuant to this section shall not exceed funds appropriated for that purpose.

2. Educational assistance provided under this section shall not exceed the least of the following:

(1) The actual tuition, as defined in section 173.260, charged at an approved institution where the individual is enrolled or accepted for enrollment; or

(2) The amount of tuition charged a Missouri resident at the University of Missouri for attendance;

(3) The grants provided under this section may be prorated subject to appropriations in an amount no less than fifty percent of the limits set forth in this section.

3. A member of the Missouri national guard seeking educational assistance pursuant to

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.

17 this section shall provide a certificate of satisfactory service of his or her Missouri national guard
18 duties from his or her commanding officer and shall possess all other necessary entrance
19 requirements of the school of his or her choice and shall maintain a cumulative grade point
20 average (GPA) of at least two point five on a four point scale, or the equivalent on another scale
21 approved by the program administrator, while attending the approved public or private
22 institution.

23 4. If the grade point average of a member who is receiving educational assistance
24 pursuant to this section falls below two point five on a four point scale, or the equivalent on
25 another scale, such member shall retain the educational assistance and shall be placed on
26 probation under the educational assistance program. Failure to achieve a current grade point
27 average of at least two point five on a four point scale, or the equivalent on another scale for
28 future semesters or equivalent academic terms shall result in termination of the scholarship
29 effective as of the next academic term. The member shall be removed from probation status
30 upon achieving a cumulative grade point average of two point five on a four point scale or the
31 equivalent on another scale.

32 **5. If a recipient of educational assistance under this section serves for one hundred**
33 **twenty days or more in a combat zone as a member of the Missouri national guard, such**
34 **member shall not be required to repay the educational assistance grant awarded under this**
35 **section.**

36 6. If a recipient of educational assistance pursuant to this section ceases to be a member
37 of the Missouri national guard while enrolled in a course of study or within three years after the
38 completion of a course of study for any reason except death or disability, the educational
39 assistance shall be terminated and the recipient shall repay any amounts awarded pursuant to this
40 section.

41 [6.] 7. State educational assistance on behalf of Missouri national guard members
42 pursuant to this section shall be used only after all available federal Department of Defense
43 educational assistance funds have been expended.

44 [7.] 8. Applicants for educational assistance pursuant to this section shall meet the
45 qualifications established by section 173.215, except the provisions of subdivisions (2) and (4)
46 of subsection 1 of section 173.215, and shall be qualified, full-time or part-time students.

47 [8.] 9. The educational assistance program established pursuant to this section shall be
48 administered by the office of the adjutant general of the Missouri national guard. The Missouri
49 national guard shall establish guidelines for equitable distribution of educational assistance.