

SECOND REGULAR SESSION

# HOUSE BILL NO. 1078

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE CUNNINGHAM (145).

Pre-filed December 7, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3807L.01I

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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  
2 known as section 173.234, to read as follows:

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

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

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

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

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

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;

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

20           2. Within the limits of the amounts appropriated therefor, the board shall provide,  
21 as prescribed in this section, a grant to eligible students who attend qualifying institutions  
22 of 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 for the implementation of this section;

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

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

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

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

44           6. An eligible student who is a recipient of a grant may transfer from one qualifying  
45 institution to another without losing his or her entitlement under this section. The board  
46 shall make necessary adjustments in the amount of the grant. If a grant recipient at  
47 anytime withdraws from a qualifying institution so that under the rules of such institution  
48 the eligible student is entitled to a refund of any tuition, fees, or other charges, the  
49 qualifying institution shall pay the portion of the refund to which the student is entitled  
50 attributable to the grant for that semester or similar grading period to the board.

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

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

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

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

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

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

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