

SECOND REGULAR SESSION

# HOUSE BILL NO. 2005

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE AULL.

Read 1st time March 14, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

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### AN ACT

To amend chapter 41, RSMo, by adding thereto one new section relating to the civil air patrol.

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

Section A. Chapter 41, RSMo, is amended by adding thereto one new section, to be  
2 known as section 41.970, to read as follows:

**41.970. 1. As used in this section "Civil air patrol" means the civilian auxiliary of  
2 the United States Air Force established by the United States Congress in 36 U.S.C. 40301  
3 et seq., and 10 U.S.C. 9441 et seq.**

**4 2. The civil air patrol may be used to support national guard missions in support  
5 of civil authorities or in support of noncombat national guard missions, and to support  
6 state agencies under memorandums of understanding (MOU) established between the  
7 agencies and the civil air patrol.**

**8 3. Requests for activation or support of the civil air patrol shall be made to the  
9 commander of the Missouri wing of the civil air patrol. Missions shall be in accordance  
10 with laws and regulations applicable to the United States Air Force and the civil air patrol.  
11 Prior to activation of the civil air patrol, the adjutant general or the Missouri civil air  
12 patrol wing commander shall apply to the air force rescue coordination center, the air  
13 force national security emergency preparedness agency, or the civil air patrol national  
14 operations center for federal mission status and funding.**

**15 4. If an operation or mission of the civil air patrol is granted federal mission status  
16 and assigned an accompanying federal mission number, the following shall apply:**

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           (1) The operation or mission shall be funded by the federal government;

18           (2) When training or operating under a federal mission number, members of the  
19 civil air patrol shall be considered federal employees for the purposes of tort claims arising  
20 from the performance of the mission or any actions incident to the performance of the  
21 mission.

22           5. If an operation or mission of the civil air patrol is not granted federal mission  
23 status and is not assigned an accompanying federal mission number, the following shall  
24 apply:

25           (1) Operations and administration of the civil air patrol relating to missions within  
26 the state and for state agencies not qualifying for federal mission status shall be funded by  
27 the state from moneys appropriated to the requesting state agency for that purpose;

28           (2) When performing a mission within the state and for state agencies that does not  
29 qualify for federal mission status, members of the civil air patrol shall be considered state  
30 employees for purposes of tort claims as provided in chapter 537, RSMo, and for purposes  
31 of workers' compensation, as provided in chapter 287, RSMo;

32           (3) The procedures in this section apply to any civil air patrol personnel and  
33 aircraft from any state that are flying missions for Missouri state agencies.

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