

SECOND REGULAR SESSION

HOUSE BILL NO. 2126

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JOHNSON (90).

Read 1st time March 30, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5583L.01I

AN ACT

To repeal section 173.236, and to enact in lieu thereof one new section relating to the Vietnam veteran's survivors scholarship program.

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

Section A. Section 173.236, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 173.236, to read as follows:

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

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

(2) "Grant", the Vietnam veteran's survivors grant as established in this section;

(3) "Institution of postsecondary education", any approved public or private institution as defined in section 173.205;

(4) "Survivor", a child or spouse of a Vietnam veteran as defined in this section;

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

(6) "Vietnam veteran", a person who served in the military in Vietnam or the war zone in Southeast Asia and to whom the following criteria shall apply:

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

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.

15 (b) The veteran's death was attributable to illness that could possibly be a result of
16 exposure to toxic chemicals during the Vietnam Conflict; and

17 (c) The veteran served in the Vietnam theater between 1961 and 1972.

18 2. Within the limits of the amounts appropriated therefor, the coordinating board for
19 higher education shall award annually up to twelve grants to survivors of Vietnam veterans to
20 attend institutions of postsecondary education in this state. If the waiting list of eligible
21 survivors exceeds fifty, the coordinating board may petition the general assembly to expand the
22 quota. If the quota is not expanded the eligibility of survivors on the waiting list shall be
23 extended.

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

29 4. The coordinating board for higher education shall:

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

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

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

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

37 5. In order to be eligible to receive a grant pursuant to this section, a survivor shall be
38 certified as eligible by a Missouri state veterans service officer. Such certification shall be made
39 upon qualified medical certification by a Veterans Administration medical authority that
40 exposure to toxic chemicals contributed to or was the cause of death of the veteran, as defined
41 in subsection 1 of this section.

42 6. A survivor who is enrolled or has been accepted for enrollment as an undergraduate
43 postsecondary student at an approved institution of postsecondary education shall receive a grant
44 in an amount not to exceed the least of the following:

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

47 (2) The average amount of tuition charged a Missouri resident at the institutions
48 identified in section 174.020, RSMo, for attendance as a full-time student, as defined in section
49 173.205.

50 7. A survivor who is a recipient of a grant may transfer from one approved public or
51 private institution of postsecondary education to another without losing his entitlement under this
52 section. The board shall make necessary adjustments in the amount of the grant. If a grant
53 recipient at any time withdraws from the institution of postsecondary education so that under the
54 rules and regulations of that institution he is entitled to a refund of any tuition, fees, or other
55 charges, the institution shall pay the portion of the refund to which he is entitled attributable to
56 the grant for that semester or similar grading period to the board.

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

60 9. Nothing in this section shall be construed as a promise or guarantee that a person will
61 be admitted to an institution of postsecondary education or to a particular institution of
62 postsecondary education, will be allowed to continue to attend an institution of postsecondary
63 education after having been admitted, or will be graduated from an institution of postsecondary
64 education.

65 10. The benefits conferred by this section shall be available to any academically qualified
66 surviving children and spouses of Vietnam veterans as defined in subsection 1 of this section,
67 regardless of the survivor's age, until December 31, 1995. After December 31, 1995, the benefits
68 conferred by this section shall not be available to such persons who are twenty-five years of age
69 or older, except spouses will remain eligible until the fifth anniversary after the death of the
70 veteran.

71 **11. Beginning August 28, 2006, the scholarship established under this section shall**
72 **be expanded to include, in addition to survivors, Vietnam veterans who are one hundred**
73 **percent disabled as a result of injuries sustained while serving in the military during the**
74 **Vietnam War. Such veterans shall be eligible to receive scholarships under this section,**
75 **regardless of the veteran's age.**

76 **12.** This section shall expire on December 31, 2015.

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