

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill Nos. 603, 576 & 898, Page 8, Section 167.121, Line 33, by inserting immediately after
3 all of said section and line the following:
4

5 "173.234. 1. As used in this section, unless the context clearly requires otherwise, the
6 following terms mean:

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

8 (2) "Books", any books required for any course for which tuition was paid by a grant
9 awarded under this section;

10 (3) "Eligible student", the natural, adopted, or stepchild of a qualifying military member,
11 who is less than twenty-five years of age and who was a dependent of a qualifying military member
12 at the time of death or injury or within five years subsequent to the injury, or the spouse of a
13 qualifying military member which was the spouse of a veteran at the time of death or injury or
14 within five years subsequent to the injury;

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

16 (5) "Institution of postsecondary education", any approved Missouri public institution of
17 postsecondary education, as defined in subdivision (3) of subsection 1 of section 173.1102;

18 (6) "Qualifying military member", any member of the military of the United States, whether
19 active duty, reserve, or National Guard, who served in the military after September 11, 2001, during
20 time of war and for whom the following criteria apply:

21 (a) A veteran was a Missouri resident when first entering the military service or at the time
22 of death or injury;

23 (b) A veteran died or was injured as a result of combat action or a veteran's death or injury
24 was certified by the Department of Veterans' Affairs medical authority to be attributable to an illness
25 or accident that occurred while serving in combat, or became eighty percent disabled as a result of
26 injuries or accidents sustained in combat action after September 11, 2001; and

27 (c) "Combat veteran", a Missouri resident who is discharged for active duty service having
28 served since September 11, 2001, and received a DD214 in a geographic area entitled to receive
29 combat pay tax exclusion exemption, hazardous duty pay, or imminent danger pay, or hostile fire
30 pay;

31 (7) "Survivor", an eligible student of a qualifying military member;

32 (8) "Tuition", any tuition or incidental fee, or both, charged by an institution of
33 postsecondary education for attendance at the institution by a student as a resident of this state. The
34 tuition grant shall not exceed the amount of tuition charged a Missouri resident at the University of
35 Missouri-Columbia for attendance.

36 2. Within the limits of the amounts appropriated therefor, the coordinating board for higher

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1 education shall award annually up to twenty-five grants to survivors of qualifying military members
2 to attend institutions of postsecondary education in this state, which shall continue to be awarded
3 annually to eligible recipients as long as the recipient achieves and maintains a cumulative grade
4 point average of at least two and one-half on a four-point scale, or its equivalent. If the waiting list
5 of eligible survivors exceeds fifty, the coordinating board may petition the general assembly to
6 expand the quota. If the quota is not expanded, then the eligibility of survivors on the waiting list
7 shall be extended.

8 3. A survivor may receive a grant under this section only so long as the survivor is enrolled
9 in a program leading to a certificate, or an associate or baccalaureate degree. In no event shall a
10 survivor receive a grant beyond the completion of the first baccalaureate degree, regardless of age.

11 4. The coordinating board for higher education shall:

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

14 (2) Provide the forms and determine the procedures necessary for a survivor to apply for
15 and receive a grant under this section.

16 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
17 under the authority delegated in this section shall become effective only if it complies with and is
18 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
19 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
20 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
21 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
22 August 28, 2008, shall be invalid and void.

23 6. In order to be eligible to receive a grant under this section, a survivor shall be certified as
24 eligible by the Missouri veterans' commission.

25 7. A survivor who is enrolled or has been accepted for enrollment as an undergraduate
26 postsecondary student at an approved institution of postsecondary education, and who is selected to
27 receive a grant under this section, shall receive the following:

28 (1) An amount not to exceed the actual tuition charged at the approved institution of
29 postsecondary education where the survivor is enrolled or accepted for enrollment;

30 (2) An allowance of up to two thousand dollars per semester for room and board; and

31 (3) The actual cost of books, up to a maximum of five hundred dollars per semester.

32 8. A survivor who is a recipient of a grant may transfer from one approved public institution
33 of postsecondary education to another without losing his or her entitlement under this section. The
34 board shall make necessary adjustments in the amount of the grant. If a grant recipient at any time
35 withdraws from the institution of postsecondary education so that under the rules and regulations of
36 that institution he or she is entitled to a refund of any tuition, fees, room and board, books, or other
37 charges, the institution shall pay the portion of the refund to which he or she is entitled attributable
38 to the grant for that semester or similar grading period to the board.

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

42 10. Nothing in this section shall be construed as a promise or guarantee that a person will be
43 admitted to an institution of postsecondary education or to a particular institution of postsecondary
44 education, will be allowed to continue to attend an institution of postsecondary education after
45 having been admitted, or will be graduated from an institution of postsecondary education.

46 11. The benefits conferred by this section shall be available to any academically eligible
47 student of a qualifying military member. Surviving children who are eligible shall be permitted to
48 apply for full benefits conferred by this section until they reach twenty-five years of age.

12. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall be reauthorized as of June 13, 2016, and shall expire on August 28, 2020, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically twelve years after June 13, 2016; and

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

173.616. 1. The following schools, training programs, and courses of instruction shall be exempt from the provisions of sections 173.600 to 173.618:

(1) A public institution;

(2) Any college or university represented directly or indirectly on the advisory committee of the coordinating board for higher education as provided in subsection 3 of section 173.005;

(3) An institution that is certified by the board as an "approved private institution" under subdivision (2) of subsection 1 of section 173.1102;

(4) A not-for-profit religious school that is accredited by the American Association of Bible Colleges, the Association of Theological Schools in the United States and Canada, or a regional accrediting association, such as the North Central Association, which is recognized by the Council on Postsecondary Accreditation and the United States Department of Education; and

(5) Beginning July 1, 2008, all out-of-state public institutions of higher education, as such term is defined in subdivision (13) of subsection 2 of section 173.005.

2. The coordinating board shall exempt the following schools, training programs and courses of instruction from the provisions of sections 173.600 to 173.618:

(1) A not-for-profit school owned, controlled and operated by a bona fide religious or denominational organization which offers no programs or degrees and grants no degrees or certificates other than those specifically designated as theological, bible, divinity or other religious designation;

(2) A not-for-profit school owned, controlled and operated by a bona fide eleemosynary organization which provides instruction with no financial charge to its students and at which no part of the instructional cost is defrayed by or through programs of governmental student financial aid, including grants and loans, provided directly to or for individual students;

(3) A school which offers instruction only in subject areas which are primarily for avocational or recreational purposes as distinct from courses to teach employable, marketable knowledge or skills, which does not advertise occupational objectives and which does not grant degrees;

(4) A course of instruction, study or training program sponsored by an employer for the training and preparation of its own employees;

(5) A course of study or instruction conducted by a trade, business or professional organization with a closed membership where participation in the course is limited to bona fide members of the trade, business or professional organization, or a course of instruction for persons in preparation for an examination given by a state board or commission where the state board or commission approves that course and school;

(6) A school or person whose clientele are primarily students aged sixteen or under;

(7) A yoga teacher training course, program, or school.

3. A school which is otherwise licensed and approved under and pursuant to any other licensing law of this state shall be exempt from sections 173.600 to 173.618, but a state certificate of incorporation shall not constitute licensing for the purpose of sections 173.600 to 173.618.

4. Any school, training program or course of instruction exempted herein may elect by

majority action of its governing body or by action of its director to apply for approval of the school, training program or course of instruction under the provisions of sections 173.600 to 173.618. Upon application to and approval by the coordinating board, such school training program or course of instruction may become exempt from the provisions of sections 173.600 to 173.618 at any subsequent time, except the board shall not approve an application for exemption if the approved school is then in any status of noncompliance with certification standards and a reversion to exempt status shall not relieve the school of any liability for indemnification or any penalty for noncompliance with certification standards during the period of the school's approved status."; and

Further amend said bill, Page 10, Section 173.1102, Line 52, by deleting the phrase "degree or certificate seeking" and inserting in lieu thereof "degree-seeking or certificate-seeking"; and

Further amend said bill, Page 13, Section 173.1107, Line 8, by inserting immediately after all of said section and line the following:

"173.1150. 1. Notwithstanding any provision of law to the contrary, any individual who is in the process of separating from any branch of the military forces of the United States with an honorable discharge or a general discharge shall have student resident status for purposes of admission and in-state tuition at any approved public four-year institution in Missouri or in-state, in-district tuition at any approved two-year institution in Missouri.

2. To be eligible for student resident status under this section, any such individual shall demonstrate presence and declare residency within the state of Missouri. For purposes of attending a community college, an individual shall demonstrate presence and declare residency within the taxing district of the community college he or she attends.

3. The coordinating board for higher education shall promulgate rules to implement this section.

4. For purposes of this section, "approved public institution" shall have the same meaning as provided in subdivision (3) of subsection 1 of section 173.1102.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

173.1153. 1. Notwithstanding any provision of law to the contrary, any individual who is currently serving in the Missouri National Guard or in a reserve component of the Armed Forces of the United States shall be deemed to be domiciled in this state for purposes of eligibility for in-state tuition at any approved public institution in Missouri.

2. To be eligible for in-state tuition under this section, any such individual shall demonstrate presence within the state of Missouri. For purposes of attending a community college, an individual shall demonstrate presence within the taxing district of the community college he or she attends.

3. If any such individual is eligible to receive financial assistance under any other federal or state student aid program, public or private, the full amount of such aid shall be reported to the coordinating board for higher education by the institution and the individual. The tuition limitation under this section shall be provided after all other federal and state aid for which the individual is eligible has been applied, and no individual shall receive more than the actual cost of attendance when the limitation is combined with other aid made available to such individual.

1 4. The coordinating board for higher education shall promulgate rules to implement this
2 section.

3 5. For purposes of this section, "approved public institution" shall have the same meaning
4 as provided in subdivision (3) of subsection 1 of section 173.1102.

5 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
6 under the authority delegated in this section shall become effective only if it complies with and is
7 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
8 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
9 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
10 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
11 August 28, 2016, shall be invalid and void."; and

12
13 Further amend said bill and page, Section B, Line 1, by deleting the phrase "Section A" and
14 inserting in lieu thereof the phrase "The repeal and reenactment of sections 161.670 and 167.121";
15 and

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17 Further amend said bill by amending the title, enacting clause, and intersectional references
18 accordingly.