

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 715

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LYNCH.

1667H.01P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 173.234, RSMo, and to enact in lieu thereof one new section relating to higher education financial aid for families of military members.

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

Section A. Section 173.234, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 173.234, to read as follows:

173.234. 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) "Books", any books required for any course for which tuition was paid by a grant awarded under this section;

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

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

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

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.

14 (6) "Qualifying military member", any member of the military of the United States,
15 whether active duty, reserve, or National Guard, who served in the military after September 11,
16 2001, during time of war and for whom the following criteria apply:

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

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

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

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

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

32 2. Within the limits of the amounts appropriated therefor, the coordinating board for
33 higher education shall award annually up to twenty-five grants to survivors of qualifying military
34 members to attend institutions of postsecondary education in this state, which shall continue to
35 be awarded annually to eligible recipients as long as the recipient achieves and maintains a
36 cumulative grade point average of at least two and one-half on a four-point scale, or its
37 equivalent. If the waiting list of eligible survivors exceeds fifty, the coordinating board may
38 petition the general assembly to expand the quota. If the quota is not expanded, then the
39 eligibility of survivors on the waiting list shall be extended.

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

44 4. The coordinating board for higher education shall:

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

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

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

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

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

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

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

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

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

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

76 10. Nothing in this section shall be construed as a promise or guarantee that a person will
77 be admitted to an institution of postsecondary education or to a particular institution of
78 postsecondary education, will be allowed to continue to attend an institution of postsecondary
79 education after having been admitted, or will be graduated from an institution of postsecondary
80 education.

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

84 12. ~~Pursuant to section 23.253 of the Missouri sunset act.~~

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

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

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

92 **Provisions of section 23.253 shall not apply to this section.**

✓