

HB 810 -- MILITARY AFFAIRS

SPONSOR: Sommer

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Veterans by a vote of 13 to 0. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 8 to 0.

This bill expands the federal protections of the Servicemembers Civil Relief Act, 50 U.S.C. 3901, et seq. (SCRA) and Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. 4301, et seq. (USERRA) to all members of the Missouri Active Guard Reserves with 30 or more consecutive days of service and to all members of the Missouri National Guard who are called to active duty by an executive order from the Governor.

Additionally, this bill requires the Department of Labor and Industrial Relations to make available a notice which every employer will post in employment establishments that covers certain employment rights, reemployment rights, and civil relief rights that apply to members of the Missouri National Guard.

This bill allows members of the Missouri Active Guard Reserves or Missouri National Guard who believes his or her rights were violated to bring suit in any court of competent jurisdiction and appropriate venue. The office of the Attorney General may also bring suit against an employer who violates the provisions of this bill (Section 41.952, RSMo).

Also, this bill allows active and reserve members of the United States Armed Forces and the Missouri National Guard the right to cancel contracts for telecommunications services, Internet service, satellite or streaming television services, athletic club or gym memberships, satellite radio service, and other similar services without penalty if ordered to a duty location for more than 30 days and the duty location does not support the contract (Section 41.953).

This bill allows a member of the military to remotely register their children for school instead of demonstrating physical presence if they have orders relocating them to the state of Missouri.

Additionally, this bill would not require proof of residency for the purpose of registration, but proof of residency would be required within 10 days of the student's attendance in the school district (Section 167.020).

This bill makes the determination of eligibility for in-state

tuition at public institutions of higher education for dependents of military members stationed in Missouri when accepted to enroll at the institution (Section 173.1155).

This bill is similar to HB 365, HB 366, and HB 367 (2018).

PROPONENTS: Supporters say that this bill addresses issues that the Department of Defense has been seeing in regards to military members' consumer protections when ordered overseas. It was claimed that some companies will extend the current protections of the Servicemembers Civil Relief Act to some products that have not been added to the list of contracts that can be canceled, such as telecommunications services or Internet service, but other companies do not and this bill levels the playing field.

Supporters also said that this bill assists servicemembers and dependents with educational opportunities. It was pointed out that a dependent of a servicemember could be accepted to a public institution of higher education assuming that they would receive in-state tuition, but the servicemember could leave the state on orders and the dependent would lose their in-state tuition status since the servicemember is not present in the state when classes begin. It was claimed that establishing in-state tuition at the point of acceptance would prevent this situation from occurring.

Finally, supporters claimed that allowing distance registration at public schools as long as a servicemember has orders placing them in the state would support a more seamless transition into the state for the servicemember and their families since they may not be available for in-person registration.

Testifying for the bill were Representative Sommer and Martin Dempsey, Department of Defense.

OPPONENTS: There was no opposition voiced to the committee.