

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 419

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MAYHEW.

0410H.01P

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 41.890 and 173.1153, RSMo, and to enact in lieu thereof two new sections relating to tuition for military personnel.

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

Section A. Sections 41.890 and 173.1153, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 41.890 and 173.1153, to read as follows:

41.890. For the purposes of student resident status, military personnel, when stationed
2 within the state under military orders, their spouses, and their unemancipated children under
3 twenty-four years of age who enroll in a Missouri community college, Missouri college, or
4 Missouri state university shall be regarded as holding Missouri resident status **for**
5 **undergraduate and graduate degree programs.**

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

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

10 3. If any such individual is eligible to receive financial assistance under any other
11 federal or state student aid program, public or private, the full amount of such aid shall be

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.

12 reported to the coordinating board for higher education by the institution and the individual.
13 The tuition limitation under this section shall be provided after all other federal and state aid
14 for which the individual is eligible has been applied, and no individual shall receive more
15 than the actual cost of attendance when the limitation is combined with other aid made
16 available to such individual.

17 4. The coordinating board for higher education shall promulgate rules to implement
18 this section.

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

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

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