

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

**Offered By**

1 AMEND House Bill No. 2593, Page 6, Section 41.1018, Line 11, by inserting after all of said  
2 section and line the following:

3  
4 "41.1030. 1. As used in this section, the following terms mean:

5 (1) "Department", the Missouri department of the National Guard;

6 (2) "Living donation period", the time covering all phases of the living donor process  
7 deemed medically necessary for a successful living donation including, but not limited to, the  
8 testing, surgical, and recovery phases;

9 (3) "Program", the Missouri guaranteed inclusive voluntary exceptional service (MO  
10 GIVES) program established in subsection 2 of this section;

11 (4) "Qualified member", a member of the department who is in good standing, who is  
12 actively participating in a living organ donation process, who is in a traditional drilling status  
13 (M-Day), and who is not serving on federal active duty orders under Title 10 or Title 32 of the  
14 United States Code.

15 2. The department shall establish a program known as the "Missouri Guaranteed  
16 Inclusive Voluntary Exceptional Service Program" or "MO GIVES". The program shall, subject  
17 to funding, provide state active duty orders for qualified members during the living donation  
18 period. Such orders shall:

19 (1) Not exceed forty-five days, unless a medical extension is deemed necessary by the  
20 primary surgical team; and

21 (2) Issue compensation as provided in section 41.430. Such compensation shall be  
22 provided through state active duty orders and shall be in addition to, and not in lieu of, any  
23 accrued federal military leave, federal civilian leave, or private employer-provided annual or  
24 medical leave, none of which shall be required to be exhausted to qualify for the program.

25 3. Any qualified member may apply to the program.

26 (1) Applications shall specify the type of donation to be made and whether the donation  
27 is directed to a specific individual, nondirected, or paired. The qualified member shall agree to  
28 undergo the procurement operation only at a health care facility approved as a provider of  
29 continuing education points for transplant certification by the American Board for Transplant  
30 Certification.

31 (2) The department may approve an application and issue the corresponding orders only  
32 if the member meets all eligibility requirements set and sufficient funds are available in the MO  
33 GIVES Fund created under subsection 4 of this section.

34 (3) The following individuals are not eligible for the program:

35 (a) Active Guard Reserve (AGR) personnel serving on full-time federal orders;

36 (b) Title 5 and Title 32 federal technicians; and

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           (c) Any member who is also a federal employee and whose participation in the program  
2 would result in a violation of federal dual compensation statutes under 5 U.S.C. Section 5533.

3           (4) There is hereby created in the state treasury the "MO GIVES FUND", which shall  
4 consist of moneys appropriated to it by the general assembly and any gifts, contributions, grants,  
5 or bequests received from federal, private, or other sources. The state treasurer shall be  
6 custodian of the fund. In accordance with section 30.170 and 30.180, the state treasurer may  
7 approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in  
8 this fund shall be used solely to provide benefits under the program established in this section.  
9 Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the  
10 fund at the end of the biennium shall not revert to the credit of the general revenue fund. The  
11 state treasurer shall invest moneys in the fund in the same manner as other funds are invested.  
12 Any interest and moneys earned on such investments shall be credited to the fund.

13           5. The department may promulgate all necessary rules and regulations for the  
14 administration of this section. Any rule or portion of a rule, as that term is defined in section  
15 536.010, that is created under the authority delegated in this section shall become effective only  
16 if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
17 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the  
18 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove  
19 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority  
20 and any rule proposed or adopted after August 28, 2026, shall be invalid and void."; and

21  
22 Further amend said bill by amending the title, enacting clause, and intersectional references  
23 accordingly.