

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3332
103RD GENERAL ASSEMBLY

4133H.04C

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 173.2655 and 287.243, RSMo, and to enact in lieu thereof two new sections relating to employment benefits for first responders.

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

Section A. Sections 173.2655 and 287.243, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 173.2655 and 287.243, to read as follows:

173.2655. 1. This section and section 173.2660 shall be known and may be cited as
2 the "Public Safety Recruitment and Retention Act".

3 2. For purposes of this section and section 173.2660, unless the context clearly
4 indicates otherwise, the following terms mean:

5 (1) "Advanced emergency medical technician", as such term is defined in section
6 190.100;

7 (2) "Department", the department of higher education and workforce development;

8 (3) "Emergency medical technician", as such term is defined in section 190.100;

9 (4) "Firefighter", any officer or employee of a fire department who is employed for
10 the purpose of fighting fires, excluding volunteer firefighters and anyone employed in a
11 clerical or other capacity not involving fire-fighting duties;

12 (5) "Institution of higher education", a public community college, state college, or
13 state university located in Missouri; or an approved private institution, as such term is defined
14 in section 173.1102, that chooses to accept any tuition award money pursuant to subdivision
15 (2) of subsection 7 of this section; or an emergency medical services training entity accredited
16 or certified by the Missouri department of health and senior services pursuant to the
17 provisions of section 190.131;

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.

18 (6) "Legal dependent", as such term is defined by the United States Department of
19 Education for purposes of the Free Application for Federal Student Aid;

20 (7) "Line of duty", any action that public safety personnel is authorized or obligated
21 by law, rule, or regulation to perform, related to or as a condition of employment or service;

22 (8) "Open seat", a vacant position in a class, course, or program that is available for
23 enrollment, and which may become available when a student drops out or transfers, or when a
24 class, course, or program has unused capacity, allowing new students to register or enroll;

25 (9) "Paramedic", as such term is defined in section 190.100;

26 (10) "Police officer", any person who, by virtue of office or public employment, is
27 vested by law with the power and duty to make arrests for violation of the laws of the state of
28 Missouri or ordinances of any municipality thereof, while acting within the scope of his or her
29 authority as an employee of a public law enforcement agency, as such term is defined in
30 section 590.1040;

31 (11) "Public safety personnel", includes any police officer, firefighter, paramedic, **air**
32 **ambulance pilot, air ambulance paramedic or nurse**, telecommunicator first responder,
33 emergency medical technician, or advanced emergency medical technician who is trained and
34 authorized by law or rule to render emergency medical assistance or treatment;

35 (12) "Telecommunicator first responder", as such term is defined in section 650.320;

36 (13) "Tuition", the charges and cost of tuition as set by the governing body of an
37 institution of higher education, including fees such as course fees, activity fees, technology
38 fees, and mandatory fees charged by such institution to all full-time students as a condition of
39 enrollment, but excluding the costs of room, board, books, and any other educational
40 materials, equipment, or supplies.

41 3. Subject to appropriation, public safety personnel with at least six years of service
42 shall be entitled to an award worth up to one hundred percent of the resident tuition charges of
43 an institution of higher education if the individual:

44 (1) Possesses one of the following:

45 (a) A current, valid license issued by the department of health and senior services
46 authorizing such person to serve as an emergency medical technician, advanced emergency
47 medical technician, or paramedic;

48 (b) A current, valid license issued by the peace officer standards and training
49 commission authorizing such person to serve as a peace officer pursuant to the provisions of
50 chapter 590;

51 (c) A current, valid certificate issued by the division of fire safety [~~authorizing such~~
52 ~~person to serve as a firefighter~~]; or

53 (d) A current, valid certificate confirming successful completion of any ongoing
54 training requirements pursuant to section 650.340; and

55 (e) For all public safety personnel, a certificate of verification signed by the
56 individual's supervisor or employer verifying that such individual is currently employed full-
57 time as public safety personnel and trained and authorized by law or rule to render emergency
58 medical assistance or treatment;

59 (2) Meets all admission requirements of the institution of higher education;

60 (3) Has not already earned a baccalaureate degree;

61 (4) Pursues studies leading to a license or certification issued by a training entity
62 accredited or certified pursuant to the provisions of section 190.131, an associate degree or
63 baccalaureate degree in one of the following academic subject areas:

64 (a) For police officers, eligible subjects include forensic science, fisheries and
65 wildlife, political science, psychology, history, philosophy, sociology, anthropology, global
66 studies, Spanish, journalism, advertising, public relations, nutrition and health sciences,
67 communication sciences and disorders, and criminal justice;

68 (b) For firefighters, paramedics, **air ambulance pilots, air ambulance paramedics**
69 **or nurses**, emergency medical technicians, and advanced emergency medical technicians,
70 eligible subjects include biology, chemistry, biochemistry, microbiology, nutrition and health
71 sciences, communication sciences and disorders, Spanish, advertising, public relations,
72 paramedicine, fire science, fire technology, fire administration, fire management,
73 communications, homeland security, emergency management, disaster management, and
74 crisis management; and

75 (c) For telecommunicator first responders, eligible subjects include any subject
76 specified in paragraph (a) or (b) of this subdivision;

77 (5) Submits verification of the professional license or certificate and the certificate of
78 verification required by subdivision (1) of this subsection to the department, in a form and
79 manner as prescribed by the department;

80 (6) Files with the department documentation showing proof of employment as public
81 safety personnel and proof of residence in Missouri each year such individual or such
82 individual's legal dependent applies for and receives the tuition award;

83 (7) First applies for all other forms of federal and state student financial aid before
84 applying for a tuition award, including, but not limited to, filing the United States Department
85 of Education Free Application for Federal Student Aid and, if applicable, applying for
86 financial assistance pursuant to the provisions of 38 U.S.C. Section 3301, et seq.; and

87 (8) Submits a document to the department confirming that the public safety personnel
88 has satisfied the provisions of subdivision (7) of this subsection, to be submitted in a form and
89 manner as prescribed by the department.

90 4. Public safety personnel may receive the tuition award pursuant to subsection 3 of
91 this section for up to five years if they otherwise continue to be eligible for the tuition award.

92 The five years of tuition award eligibility starts once the individual applies for and receives
93 the tuition award for the first time and is available to such individual for the next five
94 consecutive years or the individual's achievement of one hundred twenty credit hours,
95 whichever occurs first.

96 5. Subject to appropriation, a legal dependent of public safety personnel with at least
97 ten years of service shall be entitled to a tuition award worth up to one hundred percent of the
98 resident tuition charges of an institution of higher education for an associate or baccalaureate
99 degree program if such public safety personnel satisfies the provisions of subdivisions (1),
100 (5), and (6) of subsection 3 of this section and the legal dependent:

101 (1) Executes an agreement with the department in accordance with the provisions of
102 section 173.2660;

103 (2) Has not previously earned a baccalaureate degree;

104 (3) Meets all admission requirements of the institution of higher education;

105 (4) First applies for all other forms of federal and state student financial aid before
106 applying for a tuition award, including, but not limited to, filing the United States Department
107 of Education Free Application for Federal Student Aid and, if applicable, applying for
108 financial assistance pursuant to the provisions of 38 U.S.C. Section 3301, et seq.;

109 (5) Submits a document to the department confirming that the legal dependent has
110 satisfied subdivision (4) of this subsection, to be submitted in a form and manner as
111 prescribed by the department;

112 (6) Submits the verification required pursuant to subsection 8 of this section to the
113 department; and

114 (7) Pursues studies leading to a license or certification issued by a training entity
115 accredited or certified pursuant to the provisions of section 190.131, an associate degree or
116 baccalaureate degree in any one of the subject areas specified in ~~paragraphs (a) to (e) of~~
117 subdivision (4) of subsection 3 of this section.

118 6. A legal dependent may receive the tuition award for up to five years if the public
119 safety personnel and the legal dependent continue to be eligible for such tuition award. The
120 five years of tuition award eligibility starts once the legal dependent applies for and receives
121 the tuition award for the first time and is available to such legal dependent for the next five
122 consecutive years or the legal dependent's achievement of one hundred twenty credit hours,
123 whichever occurs first.

124 7. The tuition award shall be worth:

125 (1) Up to one hundred percent of the public safety personnel's or the legal dependent's
126 tuition remaining due after subtracting awarded federal financial aid grants and state
127 scholarships and grants for the eligible public safety personnel or legal dependent during the
128 time the public safety personnel or legal dependent is enrolled. To remain eligible, the public

129 safety personnel or legal dependent shall comply with all requirements of the institution for
130 continued attendance and award of an associate degree or a baccalaureate degree; or

131 (2) In the case of tuition at an approved private institution, up to one hundred percent
132 of the public safety personnel's or the legal dependent's tuition remaining due after subtracting
133 awarded federal financial aid grants and state scholarships and grants for the eligible public
134 safety personnel or legal dependent during the time the public safety personnel or legal
135 dependent is enrolled, up to a maximum amount that is equal to the total cost of tuition and
136 mandatory fees charged to a Missouri resident at the public community college, state college,
137 or state university with the highest combined tuition and mandatory fee cost in the state at the
138 time a tuition grant is awarded, as determined by the department. A private institution that
139 chooses to accept as a tuition payment any tuition award money pursuant to this subdivision
140 shall not charge the recipient of the tuition award any tuition that exceeds the maximum
141 combined tuition and mandatory fee cost as determined by the department prior to the
142 application of the tuition award.

143 8. (1) An application for a tuition award shall include a verification of the public
144 safety personnel's satisfaction of the requirements of subdivisions (1), (5), and (6) of
145 subsection 3 of this section. The public safety personnel shall include such verification when
146 he or she or his or her legal dependent is applying to the department for a tuition waiver.

147 (2) The death of public safety personnel in the line of duty which occurs after
148 submission of an application for a tuition award shall not disqualify such individual's
149 otherwise eligible legal dependent from receiving the tuition award. In such case, in lieu of
150 submitting the certificate of verification provided for in subdivision (1) of this subsection, the
151 legal dependent shall submit a statement attesting that:

152 (a) At the time of death, such public safety personnel satisfied the requirements of
153 subdivision (1) of this subsection; and

154 (b) Such public safety personnel died in the line of duty.

155 9. The department shall provide a tuition award to public safety personnel and legal
156 dependents who satisfy the provisions of this section and section 173.2660, if applicable, and
157 apply for an open seat at an institution of higher education, but shall not provide a tuition
158 award if doing so would require the institution to create additional seats exceeding class,
159 course, or program capacity.

160 10. All applicants for a tuition award shall submit their applications to the department
161 no later than ~~[December fifteenth]~~ **February first** annually. No later than ~~[March]~~ **May first**
162 annually, the department shall send written notice of the applicant's eligibility or ineligibility
163 for the tuition award and state whether the application has been approved or denied. If the
164 applicant is determined not to be eligible for the tuition award, the notice shall include the

165 reason or reasons for such determination. If the application is denied, the notice shall include
166 the reason or reasons for the denial.

167 11. The department shall promulgate rules to implement the provisions of this section
168 and section 173.2660. Any rule or portion of a rule, as that term is defined in section 536.010,
169 that is created under the authority delegated in this section shall become effective only if it
170 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
171 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with
172 the general assembly pursuant to chapter 536 to review, to delay the effective date, or to
173 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
174 rulemaking authority and any rule proposed or adopted after August 28, 2025, shall be invalid
175 and void.

176 12. (1) There is hereby created in the state treasury the "Public Safety Recruitment
177 and Retention Fund", which shall consist of moneys appropriated by the general assembly or
178 any gifts, donations, or bequests for the purpose of implementing the provisions of this
179 section and section 173.2660. The state treasurer shall be custodian of the fund. In
180 accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements.
181 The fund shall be a dedicated fund and money in the fund shall be used solely by the
182 department of higher education and workforce development for the purpose of granting
183 tuition awards as provided in this section and section 173.2660.

184 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
185 remaining in the fund at the end of the biennium shall not revert to the credit of the general
186 revenue fund.

187 (3) The state treasurer shall invest moneys in the fund in the same manner as other
188 funds are invested. Any interest and moneys earned on such investments shall be credited to
189 the fund.

190 13. In any year in which moneys in the public safety recruitment and retention fund
191 are insufficient to fully fund tuition awards for all eligible applicants, tuition awards shall be
192 awarded in the following order of priority~~[- provided that, in the event of a tie in eligibility,~~
193 ~~available funds shall be distributed on a pro-rata basis]:~~

194 (1) Priority class one shall include public safety personnel, in the following order:

195 (a) Public safety personnel ~~[in departments located wholly or partially in counties or~~
196 ~~cities not within a county with the highest crime rate per capita, as determined by the most~~
197 ~~recent uniform crime reporting statistics from the Federal Bureau of Investigation] **that are**~~
198 **defined by the department as renewal students;** and

199 (b) Public safety personnel with the most years of service; and

200 (2) Priority class two shall include dependents of public safety personnel, in the
201 following order:

202 (a) Dependents of public safety personnel ~~[in departments located wholly or partially~~
203 ~~in counties or cities not within a county with the highest crime rate per capita, as determined~~
204 ~~by the most recent uniform crime reporting statistics from the Federal Bureau of~~
205 ~~Investigation]~~ **that are defined by the department as renewal students;** and

206 (b) Dependents of public safety personnel with the most years of service.

207 14. The tuition awards provided for in this section and section 173.2660 are subject to
208 appropriation. If there are no moneys in the fund established in subsection 12 of this section,
209 no tuition awards shall be granted.

287.243. 1. This section shall be known and may be cited as the "Line of Duty
2 Compensation Act".

3 2. As used in this section, unless otherwise provided, the following words shall mean:

4 (1) "Air ambulance pilot", a person certified as an air ambulance pilot in accordance
5 with sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances
6 adopted by the department of health and senior services;

7 (2) "Air ambulance registered professional nurse", a person licensed as a registered
8 professional nurse in accordance with sections 335.011 to 335.096 and corresponding
9 regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides
10 registered professional nursing services as a flight nurse in conjunction with an air ambulance
11 program that is certified in accordance with sections 190.001 to 190.245 and the
12 corresponding regulations applicable to such programs;

13 (3) "Air ambulance registered respiratory therapist", a person licensed as a registered
14 respiratory therapist in accordance with sections 334.800 to 334.930 and corresponding
15 regulations adopted by the state board for respiratory care, who provides respiratory therapy
16 services in conjunction with an air ambulance program that is certified in accordance with
17 sections 190.001 to 190.245 and corresponding regulations applicable to such programs;

18 (4) "Child", any natural, illegitimate, adopted, or posthumous child or stepchild of a
19 deceased public safety officer who, at the time of the public safety officer's fatality is:

20 (a) Eighteen years of age or under;

21 (b) Over eighteen years of age and a student, as defined in 5 U.S.C. Section 8101; or

22 (c) Over eighteen years of age and incapable of self-support because of physical or
23 mental disability;

24 (5) "Emergency medical technician", a person licensed in emergency medical care in
25 accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by
26 the department of health and senior services under sections 190.001 to 190.245;

27 (6) "Firefighter", any person, including a volunteer firefighter, employed by the state
28 or a local governmental entity as an employer defined under subsection 1 of section 287.030,

29 or otherwise serving as a member or officer of a fire department either for the purpose of the
30 prevention or control of fire or the underwater recovery of drowning victims;

31 (7) "Flight crew member", an individual engaged in flight responsibilities with an air
32 ambulance licensed in accordance with sections 190.001 to 190.245 and corresponding
33 regulations applicable to such programs;

34 (8) "Killed in the line of duty", when any person defined in this section loses his or
35 her life when:

36 (a) Death is caused by an accident, illness, or the willful act of violence of another;

37 (b) The public safety officer is in the active performance of his or her duties in his or
38 her respective profession and there is a relationship between the accident, illness, or
39 commission of the act of violence and the performance of the duty, even if the individual is
40 off duty; the public safety officer is traveling to or from employment; or the public safety
41 officer is taking any meal break or other break which takes place while that individual is on
42 duty;

43 (c) Death is the natural and probable consequence of the injury or illness; and

44 (d) Death occurs within three hundred weeks from the date the injury was received or
45 illness was contracted.

46

47 The term excludes death resulting from the willful misconduct or intoxication of the public
48 safety officer. The division of workers' compensation shall have the burden of proving such
49 willful misconduct or intoxication;

50 (9) "Law enforcement officer", any person employed by the state or a local
51 governmental entity as a police officer, peace officer certified under chapter 590, or serving as
52 an auxiliary police officer or in some like position involving the enforcement of the law and
53 protection of the public interest at the risk of that person's life;

54 (10) "Local governmental entity", includes counties, municipalities, townships, board
55 or other political subdivision, cities under special charter, or under the commission form of
56 government, fire protection districts, ambulance districts, and municipal corporations;

57 (11) "Public safety officer", any law enforcement officer, firefighter, uniformed
58 employee of the office of the state fire marshal, emergency medical technician, police officer,
59 capitol police officer, parole officer, probation officer, state correctional employee, water
60 safety officer, park ranger, conservation officer, or highway patrolman employed by the state
61 of Missouri or a political subdivision thereof who is killed in the line of duty or any
62 emergency medical technician, air ambulance pilot, air ambulance registered professional
63 nurse, air ambulance registered respiratory therapist, or flight crew member who is killed in
64 the line of duty;

65 (12) "State", the state of Missouri and its departments, divisions, boards, bureaus,
66 commissions, authorities, and colleges and universities;

67 (13) "Volunteer firefighter", a person having principal employment other than as a
68 firefighter, but who is carried on the rolls of a regularly constituted fire department either for
69 the purpose of the prevention or control of fire or the underwater recovery of drowning
70 victims, the members of which are under the jurisdiction of the corporate authorities of a city,
71 village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an
72 individual who volunteers assistance without being regularly enrolled as a firefighter.

73 3. (1) A claim for compensation under this section shall be filed by survivors of the
74 deceased with the division of workers' compensation not later than two years from the date of
75 death of a public safety officer. If a claim is made within two years of the date of death of a
76 public safety officer killed in the line of duty, compensation shall be paid, if the division finds
77 that the claimant is entitled to compensation under this section.

78 (2) The amount of compensation paid to the claimant shall be one hundred thousand
79 dollars, subject to appropriation, for death occurring on or after June 19, 2009.

80 4. Any compensation awarded under the provisions of this section shall be distributed
81 as follows:

82 (1) To the surviving spouse of the public safety officer if there is no child who
83 survived the public safety officer;

84 (2) Fifty percent to the surviving child, or children, in equal shares, and fifty percent
85 to the surviving spouse if there is at least one child who survived the public safety officer, and
86 a surviving spouse of the public safety officer;

87 (3) To the surviving child, or children, in equal shares, if there is no surviving spouse
88 of the public safety officer;

89 (4) If there is no surviving spouse of the public safety officer and no surviving child:

90 (a) To the surviving individual, or individuals, in shares per the designation or,
91 otherwise, in equal shares, designated by the public safety officer to receive benefits under
92 this subsection in the most recently executed designation of beneficiary of the public safety
93 officer on file at the time of death with the public safety agency, organization, or unit; or

94 (b) To the surviving individual, or individuals, in equal shares, designated by the
95 public safety officer to receive benefits under the most recently executed life insurance policy
96 of the public safety officer on file at the time of death with the public safety agency,
97 organization, or unit if there is no individual qualifying under paragraph (a) of this
98 subdivision;

99 (5) To the surviving parent, or parents, in equal shares, of the public safety officer if
100 there is no individual qualifying under subdivision (1), (2), (3), or (4) of this subsection; or

101 (6) To the surviving individual, or individuals, in equal shares, who would qualify
102 under the definition of the term "child" but for age if there is no individual qualifying under
103 subdivision (1), (2), (3), (4), or (5) of this subsection.

104 5. Notwithstanding subsection 3 of this section, no compensation is payable under
105 this section unless a claim is filed within the time specified under this section setting forth:

106 (1) The name, address, and title or designation of the position in which the public
107 safety officer was serving at the time of his or her death;

108 (2) The name and address of the claimant;

109 (3) A full, factual account of the circumstances resulting in or the course of events
110 causing the death at issue; and

111 (4) Such other information that is reasonably required by the division.
112

113 When a claim is filed, the division of workers' compensation shall make an investigation for
114 substantiation of matters set forth in the application.

115 6. The compensation provided for under this section is in addition to, and not
116 exclusive of, any pension rights, death benefits, or other compensation the claimant may
117 otherwise be entitled to by law.

118 7. Neither employers nor workers' compensation insurers shall have subrogation
119 rights against any compensation awarded for claims under this section. Such compensation
120 shall not be assignable, shall be exempt from attachment, garnishment, and execution, and
121 shall not be subject to setoff or counterclaim, or be in any way liable for any debt, except that
122 the division or commission may allow as lien on the compensation, reasonable attorney's fees
123 for services in connection with the proceedings for compensation if the services are found to
124 be necessary. Such fees are subject to regulation as set forth in section 287.260.

125 8. Any person seeking compensation under this section who is aggrieved by the
126 decision of the division of workers' compensation regarding his or her compensation claim,
127 may make application for a hearing as provided in section 287.450. The procedures
128 applicable to the processing of such hearings and determinations shall be those established by
129 this chapter. Decisions of the administrative law judge under this section shall be binding,
130 subject to review by either party under the provisions of section 287.480.

131 9. ~~[Pursuant to section 23.253 of the Missouri sunset act:~~

132 ~~(1) The provisions of the new program authorized under this section shall~~
133 ~~automatically sunset on December 31, 2031, unless reauthorized by an act of the general~~
134 ~~assembly; and~~

135 ~~(2) If such program is reauthorized, the program authorized under this section shall~~
136 ~~automatically sunset twelve years after the effective date of the reauthorization of this section;~~
137 ~~and~~

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

140 **This section shall not be subject to the provisions of the Missouri sunset act under**
141 **sections 23.250 to 23.298.**

142 10. The provisions of this section, unless specified, shall not be subject to other
143 provisions of this chapter.

144 11. There is hereby created in the state treasury the "Line of Duty Compensation
145 Fund", which shall consist of moneys appropriated to the fund and any voluntary
146 contributions, gifts, or bequests to the fund. The state treasurer shall be custodian of the
147 fund and shall approve disbursements from the fund in accordance with sections 30.170 and
148 30.180. Upon appropriation, money in the fund shall be used solely for paying claims under
149 this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys
150 remaining in the fund at the end of the biennium shall not revert to the credit of the general
151 revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other
152 funds are invested. Any interest and moneys earned on such investments shall be credited to
153 the fund.

154 12. The division shall promulgate rules to administer this section, including but not
155 limited to the appointment of claims to multiple claimants, record retention, and procedures
156 for information requests. Any rule or portion of a rule, as that term is defined in section
157 536.010, that is created under the authority delegated in this section shall become effective
158 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
159 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
160 vested with the general assembly under chapter 536 to review, to delay the effective date, or
161 to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
162 rulemaking authority and any rule proposed or adopted after June 19, 2009, shall be invalid
163 and void.

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