

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 1869

103RD GENERAL ASSEMBLY

5226H.02P

JOSEPH ENGLER, Chief Clerk

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## AN ACT

To amend chapter 42, RSMo, by adding thereto one new section relating to repairing and resetting grave markers for deceased veterans.

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

Section A. Chapter 42, RSMo, is amended by adding thereto one new section, to be  
2 known as section 42.303, to read as follows:

**42.303. 1. As used in this section, the following terms mean:**

2 (1) "Commission", the veterans' commission;

3 (2) "Eligible deceased veteran", a deceased veteran who meets the requirements  
4 of subsection 3 of this section.

5 2. Subject to appropriation, the commission shall establish a grant program for  
6 reimbursement of costs for repairing and resetting grave markers for eligible deceased  
7 veterans that have been damaged by natural causes.

8 3. The commission shall award a grant for reimbursement of the costs for  
9 repairing or resetting the grave marker of a deceased veteran only if the deceased  
10 veteran:

11 (1) Either:

12 (a) Served at least one hundred eighty days as an active-duty member of the  
13 Armed Forces of the United States or as a member of the National Guard or any reserve  
14 component of the Armed Forces of the United States; or

15 (b) Died while on official military duty status as an active-duty member of the  
16 Armed Forces of the United States or as a member of the National Guard or any reserve  
17 component of the Armed Forces of the United States;

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           **(2) If discharged from military service before his or her death, was discharged**  
19 **under honorable conditions;**

20           **(3) Was never convicted of a state or federal criminal offense or any capital**  
21 **criminal offense;**

22           **(4) Did not die under circumstances that would bring discredit upon the military**  
23 **services or the state; and**

24           **(5) Is buried or interred in a privately owned cemetery or burial plot within this**  
25 **state.**

26           **4. Any application for grant funding for reimbursement of the costs for**  
27 **repairing or resetting the grave marker of an eligible deceased veteran shall be**  
28 **submitted by:**

29           **(1) If the eligible deceased veteran is buried or interred in a privately owned**  
30 **commercial cemetery, the owner or operator of the cemetery. The owner or operator**  
31 **shall not submit an application without having obtained the written consent of at least**  
32 **one direct descendant of the eligible deceased veteran, if any is still living, to repair or**  
33 **reset the grave marker; or**

34           **(2) If the eligible deceased veteran is buried or interred on private family-owned**  
35 **property or in a family-owned cemetery, the owner of the property or cemetery.**

36           **5. The commission shall award a grant to an applicant if:**

37           **(1) The applicant expended funds to repair or reset the grave marker of an**  
38 **eligible deceased veteran that was damaged by natural causes;**

39           **(2) The repaired or reset grave marker is a standard size as determined by the**  
40 **commission by rule;**

41           **(3) The applicant provides proof of the completion of the work to repair or reset**  
42 **the grave marker. If the applicant retained a contractor to complete the work, the**  
43 **applicant shall submit a bill or receipt for the work and a photograph of the completed**  
44 **work. If the work was completed by the applicant directly, the applicant shall submit a**  
45 **summary of the work that includes the hours worked, receipts for any materials**  
46 **purchased, and a photograph of the completed work;**

47           **(4) The applicant provides proof of the written consent of at least one direct**  
48 **descendant, if required under subsection 4 of this section; and**

49           **(5) Moneys are available in the veterans' grave marker trust fund to reimburse**  
50 **the applicant.**

51           **6. The amount of the grant to be awarded under this section shall equal the**  
52 **actual cost expended to repair or reset the grave marker but shall not exceed two**  
53 **thousand five hundred dollars. The actual cost expended for work completed by**  
54 **applicants directly shall be determined by the commission by rule.**

55           7. The commission shall establish and post on its website the contents of the  
56 grant application and the procedures and timelines for submitting grant applications.

57           8. The commission shall award grants on a first-come, first-served basis.

58           9. (1) There is hereby created in the state treasury the "Veterans' Grave Marker  
59 Trust Fund", which shall consist of moneys appropriated to it by the general assembly  
60 and any gifts, contributions, grants, or bequests received from federal, private, or other  
61 sources. The state treasurer shall be custodian of the fund. In accordance with sections  
62 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a  
63 dedicated fund and, upon appropriation, moneys in this fund shall be used solely to  
64 award grants for reimbursement of costs for repairing and resetting grave markers for  
65 eligible deceased veterans under this section.

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

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

72           10. The commission shall promulgate all necessary rules and regulations for the  
73 administration of this section. Any rule or portion of a rule, as that term is defined in  
74 section 536.010, that is created under the authority delegated in this section shall  
75 become effective only if it complies with and is subject to all of the provisions of chapter  
76 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable  
77 and if any of the powers vested with the general assembly pursuant to chapter 536 to  
78 review, to delay the effective date, or to disapprove and annul a rule are subsequently  
79 held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
80 adopted after August 28, 2026, shall be invalid and void.

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