

SECOND REGULAR SESSION

# HOUSE BILL NO. 2593

## 103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HARDWICK.

6092H.02I

JOSEPH ENGLER, Chief Clerk

### AN ACT

To repeal sections 41.216, 41.220, 41.475, 42.300, 42.310, 42.312, 42.315, and 173.239, RSMo, and to enact in lieu thereof sixteen new sections relating to military affairs.

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

Section A. Sections 41.216, 41.220, 41.475, 42.300, 42.310, 42.312, 42.315, and  
2 173.239, RSMo, are repealed and sixteen new sections enacted in lieu thereof, to be known as  
3 sections 41.216, 41.475, 41.598, 41.599, 41.1015, 41.1016, 41.1017, 41.1018, 42.300,  
4 42.310, 42.311, 42.312, 42.313, 42.315, 42.316, and 173.239, to read as follows:

41.216. 1. Subject to appropriation and upon the recommendation of a panel  
2 consisting of a ~~sergeant major~~ **senior enlisted leader** of the Missouri National Guard, a  
3 sergeant major of a reserve component or its equivalent, and a representative of the Missouri  
4 ~~[veterans]~~ **veterans'** commission ~~[who shall establish criteria for the grants by the~~  
5 ~~promulgation of rules and regulations]~~, the adjutant general shall have the power to  
6 **establish criteria for the grants by the promulgation of rules and regulations, and to**  
7 make grants or provide other financial assistance or services from the Missouri military  
8 family relief fund to **members of the Missouri National Guard**, families of persons who are  
9 members of the Missouri National Guard ~~[or]~~, **and to** Missouri residents who are members of  
10 the reserves of the Armed Forces of the United States.

11 2. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
12 created under the authority delegated in this section shall become effective only if it complies  
13 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
14 This section and chapter 536 are nonseverable and if any of the powers vested with the  
15 general assembly pursuant to chapter 536 to review, to delay the effective date, or to

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.

16 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
17 rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid  
18 and void.

41.475. 1. The governor is hereby authorized to request volunteers of the organized  
2 militia to assist federal law enforcement authorities within or outside the state, or to assist  
3 federal, state or local law enforcement authorities within this state, and order such volunteers  
4 to duty for the purpose of providing assistance in drug interdiction and counter-drug activities  
5 and operation and maintenance of equipment and facilities for such purposes pursuant to  
6 plans adopted and funding assistance received under the provisions of 32 U.S.C. 112.

7 2. The governor may delegate the authority conferred by this section to the adjutant  
8 general, but the governor shall retain sole authority to approve any and all plans submitted to  
9 the Secretary of Defense under 32 U.S.C. 112. The adjutant general shall ensure that all  
10 directives and policies of the Department of Defense and National Guard Bureau are  
11 followed. Personnel assisting in such activities shall obey and execute the instructions of the  
12 civil authorities charged by law with responsibility for law enforcement.

13 **3. The adjutant general is hereby authorized to present, in the name of the state**  
14 **of Missouri, a Missouri National Guard counterdrug program ribbon, which shall be of**  
15 **suitable design, as may be determined by the adjutant general, to individual members of**  
16 **the Missouri National Guard who have participated in the counterdrug program. The**  
17 **period of eligibility shall be from January 1, 1989, to a future date to be determined by**  
18 **the adjutant general or the cessation of the counterdrug program. No Missouri National**  
19 **Guard counterdrug program ribbon shall be awarded to or retained by any person**  
20 **whose entire service shall not have been honorable. If a member qualifies for the**  
21 **Missouri National Guard counterdrug program ribbon but dies before making a**  
22 **request or before receipt, then the Missouri National Guard counterdrug program**  
23 **ribbon may be requested by and presented to the surviving primary next of kin. The**  
24 **adjutant general shall adopt policies and operating regulations concerning only its**  
25 **internal management of this Missouri National Guard counterdrug program ribbon,**  
26 **which need not be published in the Missouri Register or the code of state regulations**  
27 **under chapter 536, but these regulations shall be available for public inspection and**  
28 **review.**

41.598. The adjutant general is hereby authorized to present, in the name of the  
2 state of Missouri, a Missouri National Guard homeland response force program ribbon,  
3 which shall be of suitable design, as may be determined by the adjutant general, to  
4 individual members of the Missouri National Guard who have participated in the  
5 homeland response force program. The period of eligibility shall be from January 1,  
6 2012, to a future date to be determined by the adjutant general or the cessation of the

7 homeland response force program. No Missouri National Guard homeland response  
8 force program ribbon shall be awarded to or retained by any person whose entire  
9 service shall not have been honorable. If a member qualifies for the Missouri National  
10 Guard homeland response force ribbon but dies before making a request or before  
11 receipt, then the Missouri National Guard homeland response force program ribbon  
12 may be requested by and presented to the surviving primary next of kin. The adjutant  
13 general shall adopt policies and operating regulations concerning only its internal  
14 management of this Missouri National Guard homeland response force program ribbon,  
15 which need not be published in the Missouri Register or the code of state regulations  
16 under chapter 536, but these regulations shall be available for public inspection and  
17 review.

41.599. The adjutant general is hereby authorized to present, in the name of the  
2 state of Missouri, a Missouri National Guard engineer explosive ordnance clearance  
3 agent ribbon, which shall be of suitable design, as may be determined by the adjutant  
4 general, to individual members of the Missouri National Guard who have participated  
5 in an engineer explosive ordnance clearance agent course. The period of eligibility shall  
6 be from January 1, 2012, to a future date to be determined by the adjutant general or  
7 the cessation of the engineer explosive ordnance clearance agent course. No Missouri  
8 National Guard engineer explosive ordnance clearance agent ribbon shall be awarded to  
9 or retained by any person whose entire service shall not have been honorable. If a  
10 member qualifies for the Missouri National Guard engineer explosive ordnance  
11 clearance agent ribbon but dies before making a request or before receipt, then the  
12 Missouri National Guard engineer explosive ordnance clearance agent ribbon may be  
13 requested by and presented to the surviving primary next of kin. The adjutant general  
14 shall adopt policies and operating regulations concerning only its internal management  
15 of this Missouri National Guard engineer explosive ordnance clearance agent ribbon,  
16 which need not be published in the Missouri Register or the code of state regulations  
17 under chapter 536, but these regulations shall be available for public inspection and  
18 review.

41.1015. Sections 41.1015 to 41.1018 shall be known and may be cited as the  
2 "Cybersecurity Mission Act".

41.1016. As used in sections 41.1015 to 41.1018, the following terms mean:

2 (1) "Critical infrastructure facility", the same meaning as such term is defined  
3 in section 569.086;

4 (2) "Cyber-attack prevention", proactive measures and strategies implemented  
5 to identify, reduce, and eliminate vulnerabilities in information systems, including, but  
6 not limited to, risk assessments, employee training, system updates, firewalls,

7 encryption, and access controls, with the goal of preventing unauthorized access or  
8 malicious activities;

9 (3) "Cyber-attack response", actions taken during and immediately following a  
10 cybersecurity incident or cyber-attack to contain, mitigate, and remediate the effects of  
11 the incident, including, but not limited to, incident reporting, forensic analysis, system  
12 isolation, and communication with affected parties;

13 (4) "Cyber-attack support", assistance provided to parties or entities affected by  
14 a cybersecurity incident, including, but not limited to, technical aid, recovery of data  
15 and systems, mitigation efforts, and guidance on improving future cybersecurity  
16 measures;

17 (5) "Cybersecurity", the practice of protecting networks, systems, devices, data,  
18 and information from unauthorized access, disruption, destruction, or theft, through the  
19 implementation of policies, procedures, technologies, and practices designed to ensure  
20 the confidentiality, integrity, reliability, and availability of the networks, systems,  
21 devices, data, and information;

22 (6) "Governing body", the same meaning as such term is defined in section  
23 67.750;

24 (7) "Law enforcement agency", the same meaning as such term is defined in  
25 section 590.1040;

26 (8) "Political subdivision", the same meaning as such term is defined in section  
27 67.750;

28 (9) "Public college and university", the same meaning as the term "public  
29 colleges and universities" as defined in section 173.355;

30 (10) "Utility company", the same meaning as such term is defined in section  
31 393.550.

41.1017. 1. Upon the request of the director of the department of public safety  
2 or his or her designee, the Missouri National Guard may enter into agreements with a  
3 party or parties, pertaining to rendering aid related to cybersecurity, cyber-attack  
4 prevention, cyber-attack response, and cyber-attack support activities for this state or  
5 for a political subdivision, governing body, public college and university, law  
6 enforcement agency, utility company, and critical infrastructure facility of this state,  
7 but under no circumstances shall the National Guard violate the civil liberties or  
8 constitutional rights of any United States citizen or access, modify, scan, control, or view  
9 content contained within any civilian-owned system, device, telephone, computer,  
10 communications, or network without the consent of the owner explicitly and  
11 conspicuously given to the National Guard.

12           **2. The adjutant general may activate members of the Missouri National Guard,**  
13 **on state orders, to carry out the rendering of aid covered under subsection 1 of this**  
14 **section.**

15           **3. The adjutant general may charge and may receive reimbursement for**  
16 **expenses incurred by the Missouri National Guard, related to rendering aid pursuant to**  
17 **subsection 1 of this section. The adjutant general shall determine when activating**  
18 **members of the Missouri National Guard, on state orders, whether expenses related to**  
19 **rendering aid pursuant to subsection 1 of this section shall be collected through**  
20 **reimbursement or charge prior to the time the services are rendered. If expenses are**  
21 **collected by charge prior to the time the services are rendered and the amount of such**  
22 **expense cannot be readily determined, then the adjutant general shall receive, from the**  
23 **requesting party, a deposit based upon the likely amount of such expense, and the**  
24 **balance of such expense shall be payable immediately upon ascertainment of the proper**  
25 **amount of said expense.**

26           **4. There is hereby created in the state treasury the "Missouri National Guard**  
27 **Cybersecurity Revolving Fund", which shall consist of:**

28           **(1) Monies appropriated by the general assembly;**

29           **(2) Monies received as a charge for expenses incurred by the Missouri National**  
30 **Guard, related to rendering aid pursuant to subsection 1 of this section; and**

31           **(3) Monies received as reimbursement for expenses incurred by the Missouri**  
32 **National Guard, related to rendering aid pursuant to subsection 1 of this section.**

33

34 **This fund shall be administered by the adjutant general. All funds received under this**  
35 **section shall be transmitted to the director of revenue for deposit in the fund and shall,**  
36 **upon appropriation by the general assembly, be used by the adjutant general for the sole**  
37 **purpose of rendering aid pursuant to subsection 1 of this section. The state treasurer**  
38 **shall be the custodian of the fund and shall issue warrants from the fund at the request**  
39 **of the adjutant general after approval for payment is made by the commissioner of**  
40 **administration. Notwithstanding the provisions of section 33.080 to the contrary,**  
41 **moneys in the Missouri National Guard cybersecurity revolving fund at the end of any**  
42 **biennium shall not be transferred to the credit of the general revenue fund.**

**41.1018. The adjutant general shall administer the provisions of sections 41.1015**  
2 **to 41.1018, and may adopt all rules and regulations necessary to administer the**  
3 **provisions of sections 41.1015 to 41.1018. Any rule or portion of a rule, as that term is**  
4 **defined in section 536.010, that is created under the authority delegated in sections**  
5 **41.1015 to 41.1018 shall become effective only if it complies with and is subject to all of**  
6 **the provisions of chapter 536 and, if applicable, section 536.028. Sections 41.1015 to**

7 **41.1018 and chapter 536 are nonseverable and if any of the powers vested with the**  
8 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**  
9 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**  
10 **rulemaking authority and any rule proposed or adopted after August 28, 2026, shall be**  
11 **invalid and void.**

42.300. 1. There is hereby created in the state treasury the "Veterans Commission  
2 Capital Improvement Trust Fund" which shall consist of money collected under section  
3 313.835. The state treasurer shall administer the veterans commission capital improvement  
4 trust fund, and the moneys in such fund shall be used solely, upon appropriation, by the  
5 Missouri [~~veterans~~] **veterans'** commission for:

6 (1) The construction, maintenance or renovation or equipment needs of veterans'  
7 homes in this state;

8 (2) The construction, maintenance, renovation, equipment needs and operation of  
9 veterans' cemeteries in this state;

10 (3) Fund transfers to Missouri veterans' homes fund established under the provisions  
11 of section 42.121, as necessary to maintain solvency of the fund;

12 (4) Fund transfers to any municipality with a population greater than four hundred  
13 thousand and located in part of a county with a population greater than six hundred thousand  
14 in this state which has established a fund for the sole purpose of the restoration, renovation  
15 and maintenance of a memorial or museum or both dedicated to World War I. Appropriations  
16 from the veterans commission capital improvement trust fund to such memorial fund shall be  
17 provided only as a one-time match for other funds devoted to the project and shall not exceed  
18 five million dollars. Additional appropriations not to exceed ten million dollars total may be  
19 made from the veterans commission capital improvement trust fund as a match to other funds  
20 for the new construction or renovation of other facilities dedicated as veterans' memorials in  
21 the state. All appropriations for renovation, new construction, reconstruction, and  
22 maintenance of veterans' memorials shall be made only for applications received by the  
23 Missouri [~~veterans~~] **veterans'** commission prior to July 1, 2004;

24 (5) The issuance of matching fund grants for veterans' service officer programs to any  
25 federally chartered veterans' organization or municipal government agency that is certified by  
26 the Veterans Administration to process veteran claims within the Veterans Administration  
27 System; provided that such veterans' organization has maintained a veterans' service officer  
28 presence within the state of Missouri for the three-year period immediately preceding the  
29 issuance of any such grant. A total of one million five hundred thousand dollars in grants  
30 shall be made available annually for service officers and joint training and outreach between  
31 veterans' service organizations and the Missouri [~~veterans~~] **veterans'** commission with grants  
32 being issued in July of each year. Application for the matching grants shall be made through

33 and approved by the Missouri ~~[veterans]~~ **veterans'** commission based on the requirements  
34 established by the commission;

35 (6) For payment of Missouri National Guard and Missouri ~~[veterans]~~ **veterans'**  
36 commission expenses associated with providing medals, medallions, and certificates in  
37 recognition of service in the Armed Forces of the United States ~~[during World War II, the~~  
38 ~~Korean Conflict, and the Vietnam War under sections 42.170 to 42.226]~~ **for any conflict,**  
39 **war, operation, or similar incident identified under chapter 42.** Any funds remaining  
40 from the medals, medallions, and certificates shall not be transferred to any other fund and  
41 shall only be utilized for the awarding of future medals, medallions, and certificates in  
42 recognition of service in the Armed Forces;

43 (7) Fund transfers totaling ten million dollars to any municipality with a population  
44 greater than three hundred fifty thousand inhabitants and located in part in a county with a  
45 population greater than six hundred thousand inhabitants and with a charter form of  
46 government, for the sole purpose of the construction, restoration, renovation and maintenance  
47 of a memorial or museum or both dedicated to World War I; and

48 (8) The administration of the Missouri ~~[veterans]~~ **veterans'** commission.

49 2. Any interest which accrues to the fund shall remain in the fund and shall be used in  
50 the same manner as moneys which are transferred to the fund under this section.  
51 Notwithstanding the provisions of section 33.080 to the contrary, moneys in the veterans  
52 commission capital improvement trust fund at the end of any biennium shall not be  
53 transferred to the credit of the general revenue fund.

54 3. Upon request by the ~~[veterans]~~ **Missouri veterans'** commission, the general  
55 assembly may appropriate moneys from the veterans commission capital improvement trust  
56 fund to the Missouri National Guard trust fund to support the activities described in section  
57 41.958.

42.310. 1. There is hereby created within the state adjutant general's office the  
2 "Operation Iraqi Freedom and Operation New Dawn Medallion Program". Every veteran  
3 who honorably served on active duty in the United States military service at any time  
4 beginning March 19, 2003, and ending December 15, 2011, shall be entitled to receive an  
5 Operation Iraqi Freedom and Operation New Dawn medallion, medal, and certificate of  
6 appreciation under this section, provided that:

7 (1) Such veteran is a legal resident of this state or was a legal resident of this state at  
8 the time he or she entered or was discharged from military service or at the time of his or her  
9 death or such veteran served in a unit of the Missouri National Guard regardless of whether  
10 such veteran is or ever was a legal resident of this state; and

11           (2) Such veteran was honorably separated or discharged from military service, is still  
12 in active service in an honorable status, or was in active service in an honorable status at the  
13 time of his or her death.

14           2. The Operation Iraqi Freedom and Operation New Dawn medallion, medal, and  
15 certificate shall be awarded regardless of whether such veteran served within the United  
16 States or in a foreign country. The medallion, medal, and certificate shall be awarded  
17 regardless of whether such veteran was under eighteen years of age at the time of enlistment.

18           **3. The following persons may apply for an Operation Iraqi Freedom and**  
19 **Operation New Dawn medallion, medal, and certificate under this section:**

20           **(1) Any veteran who is entitled to an Operation Iraqi Freedom and Operation**  
21 **New Dawn medallion, medal, and certificate under subsection 1 of this section;**

22           **(2) Any spouse or eldest living survivor of a deceased veteran who would be**  
23 **entitled to an Operation Iraqi Freedom and Operation New Dawn medallion, medal,**  
24 **and certificate under subsection 1 of this section but who died prior to having made**  
25 **application for such medallion, medal, and certificate.**

26           **4. If any spouse or eldest living survivor applies for the Operation Iraqi Freedom**  
27 **and Operation New Dawn medallion, medal, and certificate under this section or if any**  
28 **veteran dies after applying for an Operation Iraqi Freedom and Operation New Dawn**  
29 **medallion, medal, and certificate under this section and such veteran would have been**  
30 **entitled to the Operation Iraqi Freedom and Operation New Dawn medallion, medal,**  
31 **and certificate, the adjutant general shall give the Operation Iraqi Freedom and**  
32 **Operation New Dawn medallion, medal, and certificate to the spouse or eldest living**  
33 **survivor of the deceased veteran.**

34           **5. The Missouri veterans' commission shall design the form of Operation Iraqi**  
35 **Freedom and Operation New Dawn medallion, medal, and certificate and forward the**  
36 **approved designs to the adjutant general for distribution pursuant to sections 42.310 to**  
37 **42.311. It is the intent of the general assembly to create statewide involvement in the**  
38 **design of these symbols in recognition of this historic endeavor. Therefore, in designing**  
39 **the forms, the Missouri veterans' commission may solicit potential designs from**  
40 **elementary and secondary schools, veterans' groups, civic organizations, or any other**  
41 **interested parties, and may select the best design from among such solicited designs, or**  
42 **may select another design.**

43           **6. For purposes of this section, the term "veteran" means any person defined as a**  
44 **veteran by the United States Department of Veterans Affairs or its successor agency.**

**42.311. 1. Except as otherwise provided in sections 42.310 to 42.311, the adjutant**  
2 **general shall administer the provisions of sections 42.310 to 42.311, and may adopt all**  
3 **rules and regulations necessary to administer the provisions of sections 42.310 to 42.311.**



4 Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
5 under the authority delegated in sections 42.310 to 42.311 shall become effective only if it  
6 complies with and is subject to all of the provisions of chapter 536 and, if applicable,  
7 section 536.028. Sections 42.310 to 42.311 and chapter 536 are nonseverable and if any  
8 of the powers vested with the general assembly pursuant to chapter 536 to review, to  
9 delay the effective date, or to disapprove and annul a rule are subsequently held  
10 unconstitutional, then the grant of rulemaking authority and any rule proposed or  
11 adopted after August 28, 2026, shall be invalid and void.

12 2. The adjutant general shall determine as expeditiously as possible the persons  
13 who are entitled to an Operation Iraqi Freedom and Operation New Dawn medallion,  
14 medal, and certificate under sections 42.310 to 42.311 and distribute the medallions,  
15 medals, and certificates as provided in sections 42.310 to 42.311. Applications for the  
16 Operation Iraqi Freedom and Operation New Dawn medallion, medal, and certificate  
17 shall be filed with the office of the adjutant general at any time after August 28, 2026, on  
18 forms prescribed and furnished by the office of the adjutant general. The adjutant  
19 general shall approve all applications that are in order, and shall cause an Operation  
20 Iraqi Freedom and Operation New Dawn medallion, medal, and certificate to be  
21 prepared for each approved veteran in the form created by the Missouri veterans'  
22 commission under section 42.310. The medallions, medals, and certificates shall be  
23 awarded until the supply of medallions, medals, and certificates is exhausted. The  
24 adjutant general shall notify the general assembly when such supply totals less than one  
25 hundred.

42.312. 1. There is hereby created within the state adjutant general's office the  
2 "Operation Enduring Freedom, Operation Freedom's Sentinel, and Operation Allies Refuge  
3 Program". Every veteran who honorably served on active duty in the United States military  
4 service at any time beginning October 7, 2001, and ending August 30, 2021, shall be entitled  
5 to receive an Operation Enduring Freedom, Operation Freedom's Sentinel, and Operation  
6 Allies Refuge medallion, medal, and certificate of appreciation under this section, provided  
7 that:

8 (1) Such veteran is a legal resident of this state or was a legal resident of this state at  
9 the time he or she entered or was discharged from military service or at the time of his or her  
10 death, or such veteran served in a unit of the Missouri National Guard regardless of whether  
11 such veteran is or ever was a legal resident of this state; and

12 (2) Such veteran was honorably separated or discharged from military service, is still  
13 in active service in an honorable status, or was in active service in an honorable status at the  
14 time of his or her death.

15           2. The Operation Enduring Freedom, Operation Freedom's Sentinel, and Operation  
16 Allies Refuge medallion, medal, and certificate shall be awarded regardless of whether such  
17 veteran served within the United States or in a foreign country. The medallion, medal, and  
18 certificate shall be awarded regardless of whether such veteran was under eighteen years of  
19 age at the time of enlistment.

20           **3. The following persons may apply for an Operation Enduring Freedom,**  
21 **Operation Freedom's Sentinel, and Operation Allies Refuge Program medallion, medal,**  
22 **and certificate under this section:**

23           **(1) Any veteran who is entitled to an Operation Enduring Freedom, Operation**  
24 **Freedom's Sentinel, and Operation Allies Refuge Program medallion, medal, and**  
25 **certificate under subsection 1 of this section;**

26           **(2) Any spouse or eldest living survivor of a deceased veteran who would be**  
27 **entitled to an Operation Enduring Freedom, Operation Freedom's Sentinel, and**  
28 **Operation Allies Refuge Program medallion, medal, and certificate under subsection 1**  
29 **of this section but who died prior to having made application for such medallion, medal,**  
30 **and certificate.**

31           **4. If any spouse or eldest living survivor applies for the Operation Enduring**  
32 **Freedom, Operation Freedom's Sentinel, and Operation Allies Refuge Program**  
33 **medallion, medal, and certificate under this section or if any veteran dies after**  
34 **applying for an Operation Enduring Freedom, Operation Freedom's Sentinel, and**  
35 **Operation Allies Refuge Program medallion, medal, and certificate under this section**  
36 **and such veteran would have been entitled to the Operation Enduring Freedom,**  
37 **Operation Freedom's Sentinel, and Operation Allies Refuge Program medallion, medal,**  
38 **and certificate, the adjutant general shall give the Operation Enduring Freedom,**  
39 **Operation Freedom's Sentinel, and Operation Allies Refuge Program medallion, medal,**  
40 **and certificate to the spouse or eldest living survivor of the deceased veteran.**

41           **5. The Missouri veterans' commission shall design the form of Operation**  
42 **Enduring Freedom, Operation Freedom's Sentinel, and Operation Allies Refuge**  
43 **Program medallion, medal, and certificate and forward the approved designs to the**  
44 **adjutant general for distribution pursuant to sections 42.312 to 42.313. It is the intent of**  
45 **the general assembly to create statewide involvement in the design of these symbols in**  
46 **recognition of this historic endeavor. Therefore, in designing the forms, the Missouri**  
47 **veterans' commission may solicit potential designs from elementary and secondary**  
48 **schools, veterans' groups, civic organizations, or any other interested parties, and may**  
49 **select the best design from among such solicited designs, or may select another design.**

50           **6. For purposes of this section, the term "veteran" means any person defined as a**  
51 **veteran by the United States Department of Veterans Affairs or its successor agency.**

42.313. 1. Except as otherwise provided in sections 42.312 to 42.313, the  
2 adjutant general shall administer the provisions of sections 42.312 to 42.313, and may  
3 adopt all rules and regulations necessary to administer the provisions of sections 42.312  
4 to 42.313. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
5 created under the authority delegated in sections 42.312 to 42.313 shall become effective  
6 only if it complies with and is subject to all of the provisions of chapter 536 and, if  
7 applicable, section 536.028. Sections 42.312 to 42.313 and chapter 536 are nonseverable  
8 and if any of the powers vested with the general assembly pursuant to chapter 536 to  
9 review, to delay the effective date, or to disapprove and annul a rule are subsequently  
10 held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
11 adopted after August 28, 2026, shall be invalid and void.

12 2. The adjutant general shall determine as expeditiously as possible the persons  
13 who are entitled to an Operation Enduring Freedom, Operation Freedom's Sentinel,  
14 and Operation Allies Refuge Program medallion, medal, and certificate under sections  
15 42.312 to 42.313 and distribute the medallions, medals, and certificates as provided in  
16 sections 42.312 to 42.313. Applications for the Operation Enduring Freedom, Operation  
17 Freedom's Sentinel, and Operation Allies Refuge Program medallion, medal, and  
18 certificate shall be filed with the office of the adjutant general at any time after August  
19 28, 2026, on forms prescribed and furnished by the office of the adjutant general. The  
20 adjutant general shall approve all applications that are in order, and shall cause an  
21 Operation Enduring Freedom, Operation Freedom's Sentinel, and Operation Allies  
22 Refuge Program medallion, medal, and certificate to be prepared for each approved  
23 veteran in the form created by the Missouri veterans' commission under section 42.312.  
24 The medallions, medals, and certificates shall be awarded until the supply of medallions,  
25 medals, and certificates is exhausted. The adjutant general shall notify the general  
26 assembly when such supply totals less than one hundred.

42.315. 1. There is hereby created within the state adjutant general's office the  
2 "Operation Desert Shield and Operation Desert Storm Medallion Program". Every veteran  
3 who honorably served on active duty in the United States military service at any time  
4 beginning August 7, 1990, and ending June 7, 1991, shall be entitled to receive an Operation  
5 Desert Shield and Operation Desert Storm medallion, medal, and certificate of appreciation  
6 under this section, provided that:

7 (1) Such veteran is a legal resident of this state or was a legal resident of this state at  
8 the time he or she entered or was discharged from military service or at the time of his or her  
9 death or such veteran served in a unit of the Missouri National Guard regardless of whether  
10 such veteran is or ever was a legal resident of this state; and

11           (2) Such veteran was honorably separated or discharged from military service, is still  
12 in active service in an honorable status, or was in active service in an honorable status at the  
13 time of his or her death.

14           2. The Operation Desert Shield and Operation Desert Storm medallion, medal, and  
15 certificate shall be awarded regardless of whether such veteran served within the United  
16 States or in a foreign country. The medallion, medal, and the certificate shall be awarded  
17 regardless of whether such veteran was under eighteen years of age at the time of enlistment.

18           **3. The following persons may apply for an Operation Desert Shield and**  
19 **Operation Desert Storm medallion, medal, and certificate under this section:**

20           **(1) Any veteran who is entitled to an Operation Desert Shield and Operation**  
21 **Desert Storm medallion, medal, and certificate under subsection 1 of this section;**

22           **(2) Any spouse or eldest living survivor of a deceased veteran who would be**  
23 **entitled to an Operation Desert Shield and Operation Desert Storm medallion, medal,**  
24 **and certificate under subsection 1 of this section but who died prior to having made**  
25 **application for such medallion, medal, and certificate.**

26           **4. If any spouse or eldest living survivor applies for the Operation Desert Shield**  
27 **and Operation Desert Storm medallion medal, and certificate under this section or if**  
28 **any veteran dies after applying for an Operation Desert Shield and Operation Desert**  
29 **Storm medallion, medal, and certificate under this section and such veteran would have**  
30 **been entitled to the Operation Desert Shield and Operation Desert Storm medallion,**  
31 **medal, and certificate, the adjutant general shall give the Operation Desert Shield and**  
32 **Operation Desert Storm medallion, medal, and certificate to the spouse or eldest living**  
33 **survivor of the deceased veteran.**

34           **5. The Missouri veterans' commission shall design the form of Operation Desert**  
35 **Shield and Operation Desert Storm medallion, medal, and certificate and forward the**  
36 **approved designs to the adjutant general for distribution pursuant to sections 42.315 to**  
37 **42.316. It is the intent of the general assembly to create statewide involvement in the**  
38 **design of these symbols in recognition of this historic endeavor. Therefore, in designing**  
39 **the forms, the Missouri veterans' commission may solicit potential designs from**  
40 **elementary and secondary schools, veterans' groups, civic organizations, or any other**  
41 **interested parties, and may select the best design from among such solicited designs, or**  
42 **may select another design.**

43           **6. For purposes of this section, the term "veteran" means any person defined as a**  
44 **veteran by the United States Department of Veterans Affairs or its successor agency.**

**42.316. 1. Except as otherwise provided in sections 42.315 to 42.316, the**  
2 **adjutant general shall administer the provisions of sections 42.315 to 42.316, and may**  
3 **adopt all rules and regulations necessary to administer the provisions of sections 42.315**

4 to 42.316. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
5 created under the authority delegated in sections 42.315 to 42.316 shall become effective  
6 only if it complies with and is subject to all of the provisions of chapter 536 and, if  
7 applicable, section 536.028. Sections 42.315 to 42.316 and chapter 536 are nonseverable  
8 and if any of the powers vested with the general assembly pursuant to chapter 536 to  
9 review, to delay the effective date, or to disapprove and annul a rule are subsequently  
10 held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
11 adopted after August 28, 2026, shall be invalid and void.

12       2. The adjutant general shall determine as expeditiously as possible the persons  
13 who are entitled to an Operation Desert Shield and Operation Desert Storm medallion,  
14 medal, and certificate under sections 42.315 to 42.316 and distribute the medallions,  
15 medals, and certificates as provided in sections 42.315 to 42.316. Applications for the  
16 Operation Desert Shield and Operation Desert Storm medallion, medal, and the  
17 certificate shall be filed with the office of the adjutant general at any time after August  
18 28, 2026, on forms prescribed and furnished by the office of the adjutant general. The  
19 adjutant general shall approve all applications that are in order, and shall cause an  
20 Operation Desert Shield and Operation Desert Storm medallion, medal, and certificate  
21 to be prepared for each approved veteran in the form created by the Missouri veterans'  
22 commission under section 42.315. The medallions, medals, and certificates shall be  
23 awarded until the supply of medallions, medals, and certificates is exhausted. The  
24 adjutant general shall notify the general assembly when such supply totals less than one  
25 hundred.

173.239. 1. Any member of the Missouri National Guard who possesses the  
2 qualifications set forth in this section may, while he or she is a member of the Missouri  
3 National Guard, be awarded educational assistance in the form of:

4       (1) A tuition and fee waiver for undergraduate courses at a postsecondary institution  
5 of higher education located in this state that directly receives funds appropriated by the  
6 general assembly. This tuition and fee waiver shall not be implemented prior to the 2025-26  
7 academic year. The tuition and fee waiver shall be only for tuition and fees that remain after  
8 the application of all payments from a tuition assistance program of the National Guard,  
9 Army, or Air Force; additional federal military tuition assistance; ~~[GI Bill educational~~  
10 ~~entitlements];~~ awarded external scholarships; and federal financial grants, including the Pell  
11 grant, that are available to the member in the current semester. For purposes of this section,  
12 the term "fee" or "fees" mean any mandatory fees charged by an institution to all full-time  
13 students as a condition of enrollment; or

14       (2) A grant to an eligible institution of his or her choice. For purposes of this  
15 subdivision, the term "eligible institution" shall mean:

16 (a) An approved public institution or an approved private institution, as those terms  
17 are defined in section 173.1102; or

18 (b) Any institution of postsecondary education that is required by law to be, and  
19 currently is, certified to operate by the coordinating board for higher education; that is  
20 institutionally accredited by an accrediting commission recognized by the United States  
21 Department of Education; that has operated continuously in this state for five or more years;  
22 that has no more than fifty percent of its students in correspondence programs; and that offers  
23 a one-year or two-year certificate, associate or baccalaureate degree programs, or graduate or  
24 professional degree programs.

25 2. (1) Educational assistance provided under this section shall not exceed the lesser  
26 of the following:

27 (a) The actual tuition, as defined in section 173.260, charged at an approved  
28 institution where the member is enrolled or accepted for enrollment; or

29 (b) The product of the number of credit hours taken multiplied by the average tuition  
30 cost per credit hour charged to a Missouri resident at the University of Missouri for  
31 attendance, with such average cost determined by the Missouri National Guard.

32 (2) The grants provided under this section may be prorated subject to appropriations  
33 in an amount no less than fifty percent of the limits set forth in this subsection.

34 3. (1) For either type of educational assistance described in this section, a member of  
35 the Missouri National Guard may apply to the appropriate office of the Missouri National  
36 Guard before each semester. The member shall:

37 (a) Provide a certificate of satisfactory service of his or her Missouri National Guard  
38 duties from his or her commanding officer;

39 (b) Possess all other necessary entrance requirements of the school of his or her  
40 choice;

41 (c) Provide proof of maintaining a cumulative grade point average (GPA) of at least  
42 two point five on a four-point scale, or the equivalent on another scale approved by the  
43 program administrator, while attending the approved public or private institution;

44 (d) Have not yet earned a bachelor's degree; and

45 (e) Have completed and submitted a FAFSA for the academic term for which  
46 educational assistance is requested.

47 (2) For the tuition and fee waiver, the waiver shall be awarded if the member applies  
48 and is otherwise eligible pursuant to this section, but the waiver shall be awarded only after  
49 the Missouri National Guard has distributed any moneys available for the member through  
50 the state tuition assistance program.

51 4. If the grade point average of a member who is receiving educational assistance  
52 pursuant to this section falls below two point five on a four-point scale, or the equivalent on

53 another scale, such member shall retain the educational assistance and shall be placed on  
54 probation under the educational assistance program. Failure to achieve a current grade point  
55 average of at least two point five on a four-point scale or the equivalent on another scale for  
56 future semesters or equivalent academic terms shall result in termination of the educational  
57 assistance effective as of the next academic term. The member shall be removed from  
58 probation status upon achieving a cumulative grade point average of two point five on a four-  
59 point scale or the equivalent on another scale.

60 5. For the tuition and fee waiver, an applicant shall cease to be eligible if the total  
61 number of credit hours completed by the applicant exceeds one hundred twenty. Credit hours  
62 earned with the educational assistance described in this section and credit hours earned  
63 without the educational assistance described in this section shall be counted to determine the  
64 total number of credit hours completed by an applicant for purposes of this subsection.

65 6. The tuition and fee waiver shall not be available in any fiscal year in which the  
66 percent of total program costs covered by the state appropriation for the educational  
67 assistance provided pursuant to this section has decreased compared to the previous fiscal  
68 year.

69 7. If a recipient of either type of educational assistance pursuant to this section ceases  
70 to maintain their active military affiliation while enrolled in an academic semester or term for  
71 any reason except death, disability, or medical disqualification the educational assistance shall  
72 be terminated and the recipient shall repay any amounts awarded or waived for the academic  
73 semester or term.

74 8. The educational assistance program established pursuant to this section shall be  
75 administered by the office of the adjutant general of the Missouri National Guard. The  
76 Missouri National Guard shall establish guidelines for equitable administrative distribution of  
77 educational assistance.

2 ~~[41.220. 1. There shall be a military council consisting of the adjutant~~  
3 ~~general as president of the council, general officers, the commanding officers~~  
4 ~~of all brigades, wings, or groups, and any other officer or officers the adjutant~~  
5 ~~general may deem desirable or necessary, and an officer appointed by the~~  
6 ~~adjutant general from his office to act as recorder without vote. The senior~~  
7 ~~United States Army and United States Air Force advisors on duty with the~~  
8 ~~organized state militia, the comptroller of the state military forces and the~~  
9 ~~United States Property and Fiscal Officer shall be ex officio members without~~  
10 ~~vote. The adjutant general shall appoint the members of the military council~~  
11 ~~on general orders annually. These orders will be amended as necessary.~~  
12 ~~Members of the military council shall receive actual and necessary expenses~~  
13 ~~for attending meetings thereof.~~

14 ~~2. It shall be the duty of this council to act in an advisory capacity to~~  
15 ~~the commander in chief on all matters placed before it by the governor, the~~  
~~adjutant general or any member of the council and to submit recommendations~~

16 thereon to the governor, which shall become effective only upon his approval.  
17 ~~The military council shall determine and authorize the number of regular and~~  
18 ~~temporary employees necessary to the administration and supply of the~~  
19 ~~military forces and fix the pay and allowances of the employees within the~~  
20 ~~limitations of appropriations. It shall be the further duty of the council to~~  
21 ~~make recommendations on the needs of the militia for legislative~~  
22 ~~appropriations, and no request for appropriations of public money for the~~  
23 ~~support of the militia, other than a request by the governor or by a member of~~  
24 ~~the general assembly, shall be made without the recommendation of the~~  
25 ~~council being noted thereon for the information of the governor and the~~  
26 ~~legislature. All appropriations made for military purposes shall be apportioned~~  
27 ~~and expended by the council. Vouchers and accounts covering the expenditure~~  
28 ~~of funds and appropriations for the support of the militia shall be approved and~~  
29 ~~paid only when fully itemized, certified and approved by the president of the~~  
30 ~~council.~~

31 3. ~~The council shall meet quarterly at the City of Jefferson at such time~~  
32 ~~as the president shall designate. Special meetings may be called by the~~  
33 ~~governor or the president of the council at any time or place designated. A~~  
34 ~~majority of the members of the council on duty within the state shall constitute~~  
35 ~~a quorum for the transaction of its business. The council shall keep full and~~  
36 ~~detailed records of its proceedings. The president of the council in an unusual~~  
37 ~~emergency is authorized to poll the members of the military council and~~  
38 ~~require them to cast their vote through whatever means of communications are~~  
39 ~~available to them and the action taken in that manner shall have the same force~~  
40 ~~and effect as a quarterly or special meeting when the poll will expedite~~  
41 ~~recommendations on and furnish advice in the conduct of the affairs of the~~  
42 ~~militia of this state to a better state of preparedness.]~~

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