

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 2593

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HARDWICK.

6092H.02P

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 40.490, 41.216, 41.220, 41.430, 41.475, 42.300, 42.310, 42.312, 42.315, and 173.239, RSMo, and to enact in lieu thereof nineteen new sections relating to military affairs.

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

Section A. Sections 40.490, 41.216, 41.220, 41.430, 41.475, 42.300, 42.310, 42.312, 2 42.315, and 173.239, RSMo, are repealed and nineteen new sections enacted in lieu thereof, 3 to be known as sections 40.490, 41.216, 41.430, 41.475, 41.598, 41.599, 41.1015, 41.1016, 4 41.1017, 41.1018, 41.1030, 42.300, 42.310, 42.311, 42.312, 42.313, 42.315, 42.316, and 5 173.239, to read as follows:

40.490. **1.** Members of the state military forces of this state who are ordered to active 2 state duty by the governor **or adjutant general**, any Missouri employee who is a member of 3 the National Guard of another state and who is called into active state duty by the governor **or** 4 **adjutant general** of that state, or any member of any reserve component of the Armed Forces 5 of the United States who is called to active duty shall, upon being relieved from such duty, be 6 entitled to the same reemployment rights provided by Title 38 of the United States Code, the 7 Revised Statutes of Missouri, and all amendments thereto. The attorney general shall enforce 8 the reemployment rights contained in this section for members of the state military forces 9 who are ordered to active state duty by the governor **or adjutant general**.

10 **2.** **Members of the Missouri National Guard who are called to active state duty**
11 **by the governor or adjutant general for a period of more than thirty consecutive days**

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 **and any Missouri employees who are members of the National Guard of another state**
13 **and are called to active state duty by the governor or adjutant general of that state for a**
14 **period of more than thirty consecutive days shall, upon being relieved from such duty,**
15 **be entitled to all rights and protections provided by the Servicemembers Civil Relief**
16 **Act, 50 U.S.C. Section 3901 et seq., and all amendments thereto.**

17 **3. Any member of the Missouri National Guard and any Missouri employee who**
18 **is a member of the National Guard of another state may bring suit in any court of**
19 **competent jurisdiction and appropriate venue if such individual believes that his or her**
20 **rights under this section have been violated. The attorney general may also bring suit**
21 **against an employer who violates the provisions of this section.**

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
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.

41.430. 1. **This section shall be known and may be cited as "The Supporting**
2 **Missouri Servicemen and Women Act".**

3 2. Officers, warrant officers and enlisted personnel of the organized militia on active
4 duty in the service of the state shall receive as compensation the same pay, longevity, and
5 allowances as are or may be provided for members of like grade and branch of service in the
6 Armed Forces of the United States~~[-]~~, **except:**

7 **(1)** Members of the organized militia serving on active duty shall receive as a
8 minimum the daily rate equivalent to the grade level of E5 with maximum longevity and with
9 dependents;

10 **(2) Members of the organized militia serving on active duty in service of the state**
11 **for more than thirty days shall receive a monthly allowance for any premiums for**
12 **coverage of the member under the TRICARE program of the United States Department**
13 **of Defense or under any other government-sponsored insurance program during the**
14 **period of active duty.**

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.

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

- 2 (1) "Department", the Missouri department of the National Guard;
- 3 (2) "Living donation period", the time covering all phases of the living donor
4 process deemed medically necessary for a successful living donation including, but not
5 limited to, the testing, surgical, and recovery phases;
- 6 (3) "Program", the Missouri guaranteed inclusive voluntary exceptional service
7 (MO GIVES) program established in subsection 2 of this section;
- 8 (4) "Qualified member", a member of the department who is in good standing,
9 who is actively participating in a living organ donation process, who is in a traditional
10 drilling status (M-Day), and who is not serving on federal active duty orders under Title
11 10 or Title 32 of the United States Code.

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

- 16 (1) Not exceed forty-five days, unless a medical extension is deemed necessary by
17 the primary surgical team; and
- 18 (2) Issue compensation as provided in section 41.430. Such compensation shall
19 be provided through state active duty orders and shall be in addition to, and not in lieu
20 of, any accrued federal military leave, federal civilian leave, or private employer-
21 provided annual or medical leave, none of which shall be required to be exhausted to
22 qualify for the program.

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

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

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

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

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

34 **(b) Title 5 and Title 32 federal technicians; and**

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

38 **4. There is hereby created in the state treasury the "MO GIVES FUND", which**
39 **shall consist of moneys appropriated to it by the general assembly and any gifts,**
40 **contributions, grants, or bequests received from federal, private, or other sources. The**
41 **state treasurer shall be custodian of the fund. In accordance with section 30.170 and**
42 **30.180, the state treasurer may approve disbursements. The fund shall be a dedicated**
43 **fund and, upon appropriation, moneys in this fund shall be used solely to provide**
44 **benefits under the program established in this section. Notwithstanding the provisions**
45 **of section 33.080 to the contrary, any moneys remaining in the fund at the end of the**
46 **biennium shall not revert to the credit of the general revenue fund. The state treasurer**
47 **shall invest moneys in the fund in the same manner as other funds are invested. Any**
48 **interest and moneys earned on such investments shall be credited to the fund.**

49 **5. The department may promulgate all necessary rules and regulations for the**
50 **administration of this section. Any rule or portion of a rule, as that term is defined in**
51 **section 536.010, that is created under the authority delegated in this section shall**
52 **become effective only if it complies with and is subject to all of the provisions of chapter**
53 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable**
54 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**
55 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**
56 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
57 **adopted after August 28, 2026, shall be 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
16 adjutant general or any member of the council and to submit recommendations
17 thereon to the governor, which shall become effective only upon his approval.
18 The military council shall determine and authorize the number of regular and
19 temporary employees necessary to the administration and supply of the
20 military forces and fix the pay and allowances of the employees within the
21 limitations of appropriations. It shall be the further duty of the council to
22 make recommendations on the needs of the militia for legislative
23 appropriations, and no request for appropriations of public money for the
24 support of the militia, other than a request by the governor or by a member of
25 the general assembly, shall be made without the recommendation of the
26 council being noted thereon for the information of the governor and the
27 legislature. All appropriations made for military purposes shall be apportioned
28 and expended by the council. Vouchers and accounts covering the expenditure
29 of funds and appropriations for the support of the militia shall be approved and
30 paid only when fully itemized, certified and approved by the president of the
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.]~~

✓