

SECOND REGULAR SESSION

SENATE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 2593

103RD GENERAL ASSEMBLY

6092S.03C

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 40.490, 41.216, 41.220, 41.430, 41.475, 42.300, 42.310, 42.312, 42.315, 105.265, 105.270, and 173.239, RSMo, and to enact in lieu thereof twenty-two new sections relating to military affairs, with penalty provisions.

*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,  
2 41.475, 42.300, 42.310, 42.312, 42.315, 105.265, 105.270, and  
3 173.239, RSMo, are repealed and twenty-two new sections enacted  
4 in lieu thereof, to be known as sections 40.490, 41.216, 41.430,  
5 41.475, 41.477, 41.598, 41.599, 41.1015, 41.1016, 41.1017,  
6 41.1018, 41.1030, 42.300, 42.310, 42.311, 42.312, 42.313,  
7 42.315, 42.316, 105.265, 105.270, and 173.239, to read as  
8 follows:

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

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

12 general shall enforce the reemployment rights contained in  
13 this section for members of the state military forces who  
14 are ordered to active state duty by the governor **or adjutant**  
15 **general.**

16       **2. Members of the Missouri National Guard who are**  
17 **called to active state duty by the governor or adjutant**  
18 **general for a period of more than thirty consecutive days**  
19 **and any Missouri employees who are members of the National**  
20 **Guard of another state and are called to active state duty**  
21 **by the governor or adjutant general of that state for a**  
22 **period of more than thirty consecutive days shall, upon**  
23 **being relieved from such duty, be entitled to all rights and**  
24 **protections provided by the Servicemembers Civil Relief Act,**  
25 **50 U.S.C. Section 3901 et seq., and all amendments thereto.**

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

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

12 **members of the Missouri National Guard**, families of persons  
13 who are members of the Missouri National Guard [or], **and to**  
14 Missouri residents who are members of the reserves of the  
15 Armed Forces of the United States.

16 2. Any rule or portion of a rule, as that term is  
17 defined in section 536.010, that is created under the  
18 authority delegated in this section shall become effective  
19 only if it complies with and is subject to all of the  
20 provisions of chapter 536 and, if applicable, section  
21 536.028. This section and chapter 536 are nonseverable and  
22 if any of the powers vested with the general assembly  
23 pursuant to chapter 536 to review, to delay the effective  
24 date, or to disapprove and annul a rule are subsequently  
25 held unconstitutional, then the grant of rulemaking  
26 authority and any rule proposed or adopted after August 28,  
27 2005, shall be invalid and void.

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

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

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

13 **(2) Members of the organized militia serving on active**  
14 **duty in service of the state for more than thirty days shall**  
15 **receive a monthly allowance for any premiums for coverage of**  
16 **the member under the TRICARE program of the United States**

17 **Department of Defense or under any other government-**  
18 **sponsored insurance program during the period of active duty.**

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

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

21 3. **The adjutant general is hereby authorized to**  
22 **present, in the name of the state of Missouri, a Missouri**  
23 **National Guard counterdrug program ribbon, which shall be of**  
24 **suitable design, as may be determined by the adjutant**  
25 **general, to individual members of the Missouri National**  
26 **Guard who have participated in the counterdrug program. The**  
27 **period of eligibility shall be from January 1, 1989, to a**  
28 **future date to be determined by the adjutant general or the**  
29 **cessation of the counterdrug program. No Missouri National**  
30 **Guard counterdrug program ribbon shall be awarded to or**

31 retained by any person whose entire service shall not have  
32 been honorable. If a member qualifies for the Missouri  
33 National Guard counterdrug program ribbon but dies before  
34 making a request or before receipt, then the Missouri  
35 National Guard counterdrug program ribbon may be requested  
36 by and presented to the surviving primary next of kin. The  
37 adjutant general shall adopt policies and operating  
38 regulations concerning only its internal management of this  
39 Missouri National Guard counterdrug program ribbon, which  
40 need not be published in the Missouri Register or the code  
41 of state regulations under chapter 536, but these  
42 regulations shall be available for public inspection and  
43 review.

41.477. 1. There is hereby created in the state  
2 treasury the "Missouri National Guard Counterdrug Revolving  
3 Fund", which shall consist of all moneys received by the  
4 Missouri National Guard through federal asset forfeiture  
5 programs, including, but not limited to, the United States  
6 Department of Justice Asset Forfeiture Program, the United  
7 States Department of the Treasury Asset Forfeiture Program,  
8 and any successor programs or funds established by the  
9 federal government for the distribution of seized or  
10 forfeited assets. The Missouri National Guard counterdrug  
11 revolving fund shall be administered by the adjutant  
12 general. The state treasurer shall be custodian of the  
13 Missouri National Guard counterdrug revolving fund. In  
14 accordance with sections 30.170 and 30.180, the state  
15 treasurer may approve disbursements. The Missouri National  
16 Guard counterdrug revolving fund shall be a dedicated fund  
17 and moneys in the fund shall be used by the adjutant general  
18 solely for purposes authorized by the federal programs from  
19 which the moneys originated. Moneys in the Missouri

20 National Guard counterdrug revolving fund shall not be  
21 utilized to supplant, decrease, or otherwise diminish any  
22 state appropriations or allocations otherwise provided for  
23 the Missouri National Guard's standard operations,  
24 personnel, or infrastructure. Notwithstanding the  
25 provisions of section 33.080 to the contrary, moneys  
26 remaining in the Missouri National Guard counterdrug  
27 revolving fund at the end of any biennium shall not revert  
28 to the credit of the general revenue fund. The state  
29 treasurer shall invest moneys in the Missouri National Guard  
30 counterdrug revolving fund in the same manner as other funds  
31 are invested. Any interest and moneys earned on such  
32 investments shall be credited to the Missouri National Guard  
33 counterdrug revolving fund.

34 2. Participation in federal asset forfeiture programs  
35 shall be at the discretion of the adjutant general. Upon  
36 electing to participate, the Missouri National Guard shall  
37 comply with the terms of an equitable sharing agreement and  
38 certificate of the federal asset forfeiture program,  
39 including, but not limited to, the United States Department  
40 of Justice Asset Forfeiture Program and the United States  
41 Department of the Treasury Asset Forfeiture Program, or any  
42 successor agreement or certification required by the federal  
43 government.

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

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

41.599. The adjutant general is hereby authorized to  
2 present, in the name of the state of Missouri, a Missouri  
3 National Guard engineer explosive ordnance clearance agent  
4 ribbon, which shall be of suitable design, as may be  
5 determined by the adjutant general, to individual members of  
6 the Missouri National Guard who have participated in an  
7 engineer explosive ordnance clearance agent course. The  
8 period of eligibility shall be from January 1, 2012, to a  
9 future date to be determined by the adjutant general or the  
10 cessation of the engineer explosive ordnance clearance agent  
11 course. No Missouri National Guard engineer explosive  
12 ordnance clearance agent ribbon shall be awarded to or  
13 retained by any person whose entire service shall not have  
14 been honorable. If a member qualifies for the Missouri  
15 National Guard engineer explosive ordnance clearance agent  
16 ribbon but dies before making a request or before receipt,

17 then the Missouri National Guard engineer explosive ordnance  
18 clearance agent ribbon may be requested by and presented to  
19 the surviving primary next of kin. The adjutant general  
20 shall adopt policies and operating regulations concerning  
21 only its internal management of this Missouri National Guard  
22 engineer explosive ordnance clearance agent ribbon, which  
23 need not be published in the Missouri Register or the code  
24 of state regulations under chapter 536, but these  
25 regulations shall be available for public inspection and  
26 review.

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

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

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

5 (2) "Cyber-attack prevention", proactive measures and  
6 strategies implemented to identify, reduce, and eliminate  
7 vulnerabilities in information systems, including, but not  
8 limited to, risk assessments, employee training, system  
9 updates, firewalls, encryption, and access controls, with  
10 the goal of preventing unauthorized access or malicious  
11 activities;

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

18 (4) "Cyber-attack support", assistance provided to  
19 parties or entities affected by a cybersecurity incident,  
20 including, but not limited to, technical aid, recovery of

21 data and systems, mitigation efforts, and guidance on  
22 improving future cybersecurity measures;

23 (5) "Cybersecurity", the practice of protecting  
24 networks, systems, devices, data, and information from  
25 unauthorized access, disruption, destruction, or theft,  
26 through the implementation of policies, procedures,  
27 technologies, and practices designed to ensure the  
28 confidentiality, integrity, reliability, and availability of  
29 the networks, systems, devices, data, and information;

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

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

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

36 (9) "Public college and university", the same meaning  
37 as the term "public colleges and universities" is defined in  
38 section 173.355;

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

41.1017. 1. Upon the request of the director of the  
2 department of public safety or his or her designee, the  
3 Missouri National Guard may enter into agreements with a  
4 party or parties, pertaining to rendering aid related to  
5 cybersecurity, cyber-attack prevention, cyber-attack  
6 response, and cyber-attack support activities for this state  
7 or for a political subdivision, governing body, public  
8 college and university, law enforcement agency, utility  
9 company, and critical infrastructure facility of this state,  
10 but under no circumstances shall the Missouri National Guard  
11 violate the civil liberties or constitutional rights of any  
12 United States citizen or access, modify, scan, control, or

13 view content contained within any civilian-owned system,  
14 device, telephone, computer, communications, or network  
15 without the consent of the owner explicitly and  
16 conspicuously given to the Missouri National Guard.

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

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

35 4. There is hereby created in the state treasury the  
36 "Missouri National Guard Cybersecurity Revolving Fund",  
37 which shall consist of:

- 38 (1) Moneys appropriated by the general assembly;  
39 (2) Moneys received as a charge for expenses incurred  
40 by the Missouri National Guard, related to rendering aid  
41 pursuant to subsection 1 of this section; and  
42 (3) Moneys received as reimbursement for expenses  
43 incurred by the Missouri National Guard, related to  
44 rendering aid pursuant to subsection 1 of this section.

45 The Missouri National Guard cybersecurity revolving fund  
46 shall be administered by the adjutant general. The state  
47 treasurer shall be custodian of the Missouri National Guard  
48 cybersecurity revolving fund. In accordance with sections  
49 30.170 and 30.180, the state treasurer may approve  
50 disbursements. The Missouri National Guard cybersecurity  
51 revolving fund shall be a dedicated fund and moneys in the  
52 fund shall be used solely by the adjutant general for the  
53 purpose of rendering aid pursuant to subsection 1 of this  
54 section. Notwithstanding the provisions of section 33.080  
55 to the contrary, moneys remaining in the Missouri National  
56 Guard cybersecurity revolving fund at the end of any  
57 biennium shall not revert to the credit of the general  
58 revenue fund. The state treasurer shall invest moneys in  
59 the Missouri National Guard cybersecurity revolving fund in  
60 the same manner as other funds are invested. Any interest  
61 and moneys earned on such investments shall be credited to  
62 the Missouri National Guard cybersecurity revolving fund.

41.1018. The adjutant general shall administer the  
2 provisions of sections 41.1015 to 41.1018, and may adopt all  
3 rules and regulations necessary to administer the provisions  
4 of sections 41.1015 to 41.1018. Any rule or portion of a  
5 rule, as that term is defined in section 536.010, that is  
6 created under the authority delegated in sections 41.1015 to  
7 41.1018 shall become effective only if it complies with and  
8 is subject to all of the provisions of chapter 536 and, if  
9 applicable, section 536.028. Sections 41.1015 to 41.1018  
10 and chapter 536 are nonseverable and if any of the powers  
11 vested with the general assembly pursuant to chapter 536 to  
12 review, to delay the effective date, or to disapprove and  
13 annul a rule are subsequently held unconstitutional, then

14 the grant of rulemaking authority and any rule proposed or  
15 adopted after August 28, 2026, shall be invalid and void.

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

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

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

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

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

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

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

27 (2) Issue compensation as provided in section 41.430.  
28 Such compensation shall be provided through state active  
29 duty orders and shall be in addition to, and not in lieu  
30 thereof, any accrued federal military leave, federal

31 civilian leave, or private employer-provided annual or  
32 medical leave, none of which shall be required to be  
33 exhausted to qualify for the program.

34 3. Any qualified member may apply to participate in  
35 the program.

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

43 (2) The department may approve an application and  
44 issue the corresponding orders only if the qualified member  
45 meets all eligibility requirements set and sufficient funds  
46 are available in the MO GIVES fund created under subsection  
47 4 of this section.

48 (3) The following individuals are not eligible for  
49 participation in the program:

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

52 (b) Federal technicians under Title 5 and Title 32 of  
53 the United States Code; and

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

58 4. There is hereby created in the state treasury the  
59 "MO GIVES Fund", which shall consist of moneys appropriated  
60 to it by the general assembly and any gifts, contributions,  
61 grants, or bequests received from federal, private, or other  
62 sources. The state treasurer shall be custodian of the

63 fund. In accordance with sections 30.170 and 30.180, the  
64 state treasurer may approve disbursements. The fund shall  
65 be a dedicated fund and, upon appropriation, moneys in this  
66 fund shall be used solely to provide benefits under the  
67 program established in this section. Notwithstanding the  
68 provisions of section 33.080 to the contrary, any moneys  
69 remaining in the fund at the end of the biennium shall not  
70 revert to the credit of the general revenue fund. The state  
71 treasurer shall invest moneys in the fund in the same manner  
72 as other funds are invested. Any interest and moneys earned  
73 on such investments shall be credited to the fund.

74 5. The department may promulgate all necessary rules  
75 and regulations for the administration of this section. Any  
76 rule or portion of a rule, as that term is defined in  
77 section 536.010, that is created under the authority  
78 delegated in this section shall become effective only if it  
79 complies with and is subject to all of the provisions of  
80 chapter 536 and, if applicable, section 536.028. This  
81 section and chapter 536 are nonseverable and if any of the  
82 powers vested with the general assembly pursuant to chapter  
83 536 to review, to delay the effective date, or to disapprove  
84 and annul a rule are subsequently held unconstitutional,  
85 then the grant of rulemaking authority and any rule proposed  
86 or adopted after August 28, 2026, shall be invalid and void.

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

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

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

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

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

35           (5) The issuance of matching fund grants for veterans'  
36 service officer programs to any federally chartered  
37 veterans' organization or municipal government agency that  
38 is certified by the Veterans Administration to process  
39 veteran claims within the Veterans Administration System;

40 provided that such veterans' organization has maintained a  
41 veterans' service officer presence within the state of  
42 Missouri for the three-year period immediately preceding the  
43 issuance of any such grant. A total of one million five  
44 hundred thousand dollars in grants shall be made available  
45 annually for service officers and joint training and  
46 outreach between veterans' service organizations and the  
47 Missouri [veterans] **veterans'** commission with grants being  
48 issued in July of each year. Application for the matching  
49 grants shall be made through and approved by the Missouri  
50 [veterans] **veterans'** commission based on the requirements  
51 established by the commission;

52 (6) For payment of Missouri National Guard and  
53 Missouri [veterans] **veterans'** commission expenses associated  
54 with providing medals, medallions, and certificates in  
55 recognition of service in the Armed Forces of the United  
56 States [during World War II, the Korean Conflict, and the  
57 Vietnam War under sections 42.170 to 42.226] **for any**  
58 **conflict, war, operation, or similar incident identified**  
59 **under chapter 42.** Any funds remaining from the medals,  
60 medallions, and certificates shall not be transferred to any  
61 other fund and shall only be utilized for the awarding of  
62 future medals, medallions, and certificates in recognition  
63 of service in the Armed Forces;

64 (7) Fund transfers totaling ten million dollars to any  
65 municipality with a population greater than three hundred  
66 fifty thousand inhabitants and located in part in a county  
67 with a population greater than six hundred thousand  
68 inhabitants and with a charter form of government, for the  
69 sole purpose of the construction, restoration, renovation  
70 and maintenance of a memorial or museum or both dedicated to  
71 World War I; and

72 (8) The administration of the Missouri **[veterans]**  
73 **veterans'** commission.

74 2. Any interest which accrues to the fund shall remain  
75 in the fund and shall be used in the same manner as moneys  
76 which are transferred to the fund under this section.  
77 Notwithstanding the provisions of section 33.080 to the  
78 contrary, moneys in the veterans commission capital  
79 improvement trust fund at the end of any biennium shall not  
80 be transferred to the credit of the general revenue fund.

81 3. Upon request by the **[veterans] Missouri veterans'**  
82 commission, the general assembly may appropriate moneys from  
83 the veterans commission capital improvement trust fund to  
84 the Missouri National Guard trust fund to support the  
85 activities described in section 41.958.

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

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

16 (2) Such veteran was honorably separated or discharged  
17 from military service, is still in active service in an

18 honorable status, or was in active service in an honorable  
19 status at the time of his or her death.

20       2. The Operation Iraqi Freedom and Operation New Dawn  
21 medallion, medal, and certificate shall be awarded  
22 regardless of whether such veteran served within the United  
23 States or in a foreign country. The medallion, medal, and  
24 certificate shall be awarded regardless of whether such  
25 veteran was under eighteen years of age at the time of  
26 enlistment.

27       3. The following persons may apply for an Operation  
28 Iraqi Freedom and Operation New Dawn medallion, medal, and  
29 certificate under this section:

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

33       (2) Any spouse or eldest living survivor of a deceased  
34 veteran who would be entitled to an Operation Iraqi Freedom  
35 and Operation New Dawn medallion, medal, and certificate  
36 under subsection 1 of this section but who died prior to  
37 having made application for such medallion, medal, and  
38 certificate.

39       4. If any spouse or eldest living survivor applies for  
40 the Operation Iraqi Freedom and Operation New Dawn  
41 medallion, medal, and certificate under this section or if  
42 any veteran dies after applying for an Operation Iraqi  
43 Freedom and Operation New Dawn medallion, medal, and  
44 certificate under this section and such veteran would have  
45 been entitled to the Operation Iraqi Freedom and Operation  
46 New Dawn medallion, medal, and certificate, the adjutant  
47 general shall give the Operation Iraqi Freedom and Operation  
48 New Dawn medallion, medal, and certificate to the spouse or  
49 eldest living survivor of the deceased veteran.

50           5. The Missouri veterans' commission shall design the  
51 form of the Operation Iraqi Freedom and Operation New Dawn  
52 medallion, medal, and certificate and forward the approved  
53 designs to the adjutant general for distribution pursuant to  
54 sections 42.310 to 42.311. It is the intent of the general  
55 assembly to create statewide involvement in the design of  
56 these symbols in recognition of this historic endeavor.  
57 Therefore, in designing the forms, the Missouri veterans'  
58 commission may solicit potential designs from elementary and  
59 secondary schools, veterans' groups, civic organizations, or  
60 any other interested parties, and may select the best design  
61 from among such solicited designs, or may select another  
62 design.

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

          42.311. 1. Except as otherwise provided in sections  
2 42.310 to 42.311, the adjutant general shall administer the  
3 provisions of sections 42.310 to 42.311, and may adopt all  
4 rules and regulations necessary to administer the provisions  
5 of sections 42.310 to 42.311. Any rule or portion of a  
6 rule, as that term is defined in section 536.010, that is  
7 created under the authority delegated in sections 42.310 to  
8 42.311 shall become effective only if it complies with and  
9 is subject to all of the provisions of chapter 536 and, if  
10 applicable, section 536.028. Sections 42.310 to 42.311 and  
11 chapter 536 are nonseverable and if any of the powers vested  
12 with the general assembly pursuant to chapter 536 to review,  
13 to delay the effective date, or to disapprove and annul a  
14 rule are subsequently held unconstitutional, then the grant  
15 of rulemaking authority and any rule proposed or adopted  
16 after August 28, 2026, shall be invalid and void.

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

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

11           (1) Such veteran is a legal resident of this state or  
12 was a legal resident of this state at the time he or she

13 entered or was discharged from military service or at the  
14 time of his or her death, or such veteran served in a unit  
15 of the Missouri National Guard regardless of whether such  
16 veteran is or ever was a legal resident of this state; and

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

21 2. The Operation Enduring Freedom, Operation Freedom's  
22 Sentinel, and Operation Allies Refuge medallion, medal, and  
23 certificate shall be awarded regardless of whether such  
24 veteran served within the United States or in a foreign  
25 country. The medallion, medal, and certificate shall be  
26 awarded regardless of whether such veteran was under  
27 eighteen years of age at the time of enlistment.

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

32 (1) Any veteran who is entitled to an Operation  
33 Enduring Freedom, Operation Freedom's Sentinel, and  
34 Operation Allies Refuge Program medallion, medal, and  
35 certificate under subsection 1 of this section;

36 (2) Any spouse or eldest living survivor of a deceased  
37 veteran who would be entitled to an Operation Enduring  
38 Freedom, Operation Freedom's Sentinel, and Operation Allies  
39 Refuge Program medallion, medal, and certificate under  
40 subsection 1 of this section but who died prior to having  
41 made application for such medallion, medal, and certificate.

42 4. If any spouse or eldest living survivor applies for  
43 the Operation Enduring Freedom, Operation Freedom's  
44 Sentinel, and Operation Allies Refuge Program medallion,

45 medal, and certificate under this section or if any veteran  
46 dies after applying for an Operation Enduring Freedom,  
47 Operation Freedom's Sentinel, and Operation Allies Refuge  
48 Program medallion, medal, and certificate under this section  
49 and such veteran would have been entitled to the Operation  
50 Enduring Freedom, Operation Freedom's Sentinel, and  
51 Operation Allies Refuge Program medallion, medal, and  
52 certificate, the adjutant general shall give the Operation  
53 Enduring Freedom, Operation Freedom's Sentinel, and  
54 Operation Allies Refuge Program medallion, medal, and  
55 certificate to the spouse or eldest living survivor of the  
56 deceased veteran.

57       5. The Missouri veterans' commission shall design the  
58 form of the Operation Enduring Freedom, Operation Freedom's  
59 Sentinel, and Operation Allies Refuge Program medallion,  
60 medal, and certificate and forward the approved designs to  
61 the adjutant general for distribution pursuant to sections  
62 42.312 to 42.313. It is the intent of the general assembly  
63 to create statewide involvement in the design of these  
64 symbols in recognition of this historic endeavor.  
65 Therefore, in designing the forms, the Missouri veterans'  
66 commission may solicit potential designs from elementary and  
67 secondary schools, veterans' groups, civic organizations, or  
68 any other interested parties, and may select the best design  
69 from among such solicited designs, or may select another  
70 design.

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

      42.313. 1. Except as otherwise provided in sections  
2 42.312 to 42.313, the adjutant general shall administer the  
3 provisions of sections 42.312 to 42.313, and may adopt all

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

17 2. The adjutant general shall determine as  
18 expeditiously as possible the persons who are entitled to an  
19 Operation Enduring Freedom, Operation Freedom's Sentinel,  
20 and Operation Allies Refuge Program medallion, medal, and  
21 certificate under sections 42.312 to 42.313 and distribute  
22 the medallions, medals, and certificates as provided in  
23 sections 42.312 to 42.313. Applications for the Operation  
24 Enduring Freedom, Operation Freedom's Sentinel, and  
25 Operation Allies Refuge Program medallion, medal, and  
26 certificate shall be filed with the office of the adjutant  
27 general at any time after August 28, 2026, on forms  
28 prescribed and furnished by the office of the adjutant  
29 general. The adjutant general shall approve all  
30 applications that are in order, and shall cause an Operation  
31 Enduring Freedom, Operation Freedom's Sentinel, and  
32 Operation Allies Refuge Program medallion, medal, and  
33 certificate to be prepared for each approved veteran in the  
34 form created by the Missouri veterans' commission under  
35 section 42.312. The medallions, medals, and certificates

36 shall be awarded until the supply of medallions, medals, and  
37 certificates is exhausted. The adjutant general shall  
38 notify the general assembly when such supply totals less  
39 than one hundred.

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

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

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

20 2. The Operation Desert Shield and Operation Desert  
21 Storm medallion, medal, and certificate shall be awarded  
22 regardless of whether such veteran served within the United  
23 States or in a foreign country. The medallion, medal, and  
24 the certificate shall be awarded regardless of whether such  
25 veteran was under eighteen years of age at the time of  
26 enlistment.

27           3. The following persons may apply for an Operation  
28 Desert Shield and Operation Desert Storm medallion, medal,  
29 and certificate under this section:

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

33           (2) Any spouse or eldest living survivor of a deceased  
34 veteran who would be entitled to an Operation Desert Shield  
35 and Operation Desert Storm medallion, medal, and certificate  
36 under subsection 1 of this section but who died prior to  
37 having made application for such medallion, medal, and  
38 certificate.

39           4. If any spouse or eldest living survivor applies for  
40 the Operation Desert Shield and Operation Desert Storm  
41 medallion, medal, and certificate under this section or if  
42 any veteran dies after applying for an Operation Desert  
43 Shield and Operation Desert Storm medallion, medal, and  
44 certificate under this section and such veteran would have  
45 been entitled to the Operation Desert Shield and Operation  
46 Desert Storm medallion, medal, and certificate, the adjutant  
47 general shall give the Operation Desert Shield and Operation  
48 Desert Storm medallion, medal, and certificate to the spouse  
49 or eldest living survivor of the deceased veteran.

50           5. The Missouri veterans' commission shall design the  
51 form of the Operation Desert Shield and Operation Desert  
52 Storm medallion, medal, and certificate and forward the  
53 approved designs to the adjutant general for distribution  
54 pursuant to sections 42.315 to 42.316. It is the intent of  
55 the general assembly to create statewide involvement in the  
56 design of these symbols in recognition of this historic  
57 endeavor. Therefore, in designing the forms, the Missouri  
58 veterans' commission may solicit potential designs from

59 elementary and secondary schools, veterans' groups, civic  
60 organizations, or any other interested parties, and may  
61 select the best design from among such solicited designs, or  
62 may select another design.

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

42.316. 1. Except as otherwise provided in sections  
2 42.315 to 42.316, the adjutant general shall administer the  
3 provisions of sections 42.315 to 42.316, and may adopt all  
4 rules and regulations necessary to administer the provisions  
5 of sections 42.315 to 42.316. Any rule or portion of a  
6 rule, as that term is defined in section 536.010, that is  
7 created under the authority delegated in sections 42.315 to  
8 42.316 shall become effective only if it complies with and  
9 is subject to all of the provisions of chapter 536 and, if  
10 applicable, section 536.028. Sections 42.315 to 42.316 and  
11 chapter 536 are nonseverable and if any of the powers vested  
12 with the general assembly pursuant to chapter 536 to review,  
13 to delay the effective date, or to disapprove and annul a  
14 rule are subsequently held unconstitutional, then the grant  
15 of rulemaking authority and any rule proposed or adopted  
16 after August 28, 2026, shall be invalid and void.

17 2. The adjutant general shall determine as  
18 expeditiously as possible the persons who are entitled to an  
19 Operation Desert Shield and Operation Desert Storm  
20 medallion, medal, and certificate under sections 42.315 to  
21 42.316 and distribute the medallions, medals, and  
22 certificates as provided in sections 42.315 to 42.316.  
23 Applications for the Operation Desert Shield and Operation  
24 Desert Storm medallion, medal, and certificate shall be  
25 filed with the office of the adjutant general at any time

26 after August 28, 2026, on forms prescribed and furnished by  
27 the office of the adjutant general. The adjutant general  
28 shall approve all applications that are in order, and shall  
29 cause an Operation Desert Shield and Operation Desert Storm  
30 medallion, medal, and certificate to be prepared for each  
31 approved veteran in the form created by the Missouri  
32 veterans' commission under section 42.315. The medallions,  
33 medals, and certificates shall be awarded until the supply  
34 of medallions, medals, and certificates is exhausted. The  
35 adjutant general shall notify the general assembly when such  
36 supply totals less than one hundred.

105.265. 1. All officers and employees of this state,  
2 or of any department or agency thereof, all members of state  
3 retirement systems, and all other public employees of this  
4 state who are entitled to life insurance benefits as a state  
5 employee or a member of a state retirement system, and who  
6 are or become members of the United States Armed Forces or  
7 the National Guard and who are called to military service  
8 under competent orders from the appropriate military  
9 authority in time of active armed warfare shall be entitled  
10 to such life insurance benefits for the entire duration of  
11 such military deployment, including time periods in excess  
12 of twelve months, subject to the terms and conditions of any  
13 life insurance policy that may be in place to provide such  
14 coverage. Such persons shall be required to pay the cost of  
15 such coverage.

16 2. (1) The adjutant general shall be the official  
17 sponsor of the state-sponsored life insurance program. The  
18 adjutant general shall:

19 (a) Allow, facilitate, and coordinate all efforts to  
20 make the state-sponsored life insurance program available to  
21 all members of the Missouri National Guard;

22           (b) Provide an opportunity for members of the Missouri  
23 National Guard to purchase products of the state-sponsored  
24 life insurance program;

25           (c) Allow, facilitate, and coordinate requested  
26 allotments with the appropriate United States Property and  
27 Fiscal Office for purposes of the state-sponsored life  
28 insurance program;

29           (d) Allow representatives of the state-sponsored life  
30 insurance program to provide members of the Missouri  
31 National Guard with briefings during annual training and  
32 inactive duty training periods to educate members on the  
33 state-sponsored life insurance program and its benefits; and

34           (e) Allow members of the Missouri National Guard to  
35 designate or change beneficiaries under the state-sponsored  
36 life insurance program.

37           (2) The Missouri National Guard Association shall  
38 select the insurer used to provide the state-sponsored life  
39 insurance program.

40           (3) As used in this subsection, the term "state-  
41 sponsored life insurance program" means the life insurance  
42 program exclusively offered to all members of the Missouri  
43 National Guard through the Missouri National Guard  
44 Association pursuant to the federal Veterans' Insurance Act  
45 of 1974, Pub. L. 93-289.

105.270. 1. All officers and employees of this state,  
2 or of any department or agency thereof, or of any county,  
3 municipality, school district, or other political  
4 subdivision, and all other public employees of this state  
5 who are or may become members of the National Guard or of  
6 any reserve component of the Armed Forces of the United  
7 States, shall be entitled to leave of absence from their  
8 respective duties, without loss of time, pay, regular leave,

9 impairment of efficiency rating, or of any other rights or  
10 benefits, to which otherwise entitled, for all periods of  
11 military services during which they are engaged in the  
12 performance of duty or training in the service of this state  
13 at the call of the governor and as ordered by the adjutant  
14 general without regard to length of time, and for all  
15 periods of military services during which they are engaged  
16 in the performance of duty in the service of the United  
17 States under competent orders for a period not to exceed a  
18 total of one hundred [twenty] **sixty** hours in any federal  
19 fiscal year.

20 2. Before any payment of salary is made covering the  
21 period of the leave the officer or the employee shall file  
22 with the appointing authority or supervising agency an  
23 official order from the appropriate military authority as  
24 evidence of such duty for which military leave pay is  
25 granted which order shall contain the certification of the  
26 officer or employee's commanding officer of performance of  
27 duty in accordance with the terms of such order.

28 3. No member of the organized militia shall be  
29 discharged from employment by any of the aforementioned  
30 agencies because of being a member of the organized militia,  
31 nor shall he be hindered or prevented from performing any  
32 militia service he may be called upon to perform by proper  
33 authority nor otherwise be discriminated against or  
34 dissuaded from enlisting or continuing his service in the  
35 militia by threat or injury to him in respect to his  
36 employment. Any officer or agent of the aforementioned  
37 agencies violating any of the provisions of this section is  
38 guilty of a misdemeanor.

39 4. Notwithstanding the provisions of any other  
40 administrative rule or law to the contrary, any person

41 entitled to military leave pursuant to the provisions of  
42 subsection 1 of this section shall only be charged military  
43 leave for any hours which that person would otherwise have  
44 been required to work had it not been for such military  
45 leave. The minimum charge for military leave shall be one  
46 hour and additional charges for military leave shall be in  
47 multiples of the minimum charge.

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

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

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

23 (a) An approved public institution or an approved  
24 private institution, as those terms are defined in section  
25 173.1102; or

26           (b) Any institution of postsecondary education that is  
27 required by law to be, and currently is, certified to  
28 operate by the coordinating board for higher education; that  
29 is institutionally accredited by an accrediting commission  
30 recognized by the United States Department of Education;  
31 that has operated continuously in this state for five or  
32 more years; that has no more than fifty percent of its  
33 students in correspondence programs; and that offers a one-  
34 year or two-year certificate, associate or baccalaureate  
35 degree programs, or graduate or professional degree programs.

36           2. (1) Educational assistance provided under this  
37 section shall not exceed the lesser of the following:

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

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

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

49           3. (1) For either type of educational assistance  
50 described in this section, a member of the Missouri National  
51 Guard may apply to the appropriate office of the Missouri  
52 National Guard before each semester. The member shall:

53           (a) Provide a certificate of satisfactory service of  
54 his or her Missouri National Guard duties from his or her  
55 commanding officer;

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

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

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

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

66           (2) For the tuition and fee waiver, the waiver shall  
67 be awarded if the member applies and is otherwise eligible  
68 pursuant to this section, but the waiver shall be awarded  
69 only after the Missouri National Guard has distributed any  
70 moneys available for the member through the state tuition  
71 assistance program. **For each semester, the tuition and fee**  
72 **waiver awarded by an institution to a member shall not**  
73 **exceed the amount of the grant received by the institution**  
74 **for that member pursuant to this section.**

75           4. If the grade point average of a member who is  
76 receiving educational assistance pursuant to this section  
77 falls below two point five on a four-point scale, or the  
78 equivalent on another scale, such member shall retain the  
79 educational assistance and shall be placed on probation  
80 under the educational assistance program. Failure to  
81 achieve a current grade point average of at least two point  
82 five on a four-point scale or the equivalent on another  
83 scale for future semesters or equivalent academic terms  
84 shall result in termination of the educational assistance  
85 effective as of the next academic term. The member shall be  
86 removed from probation status upon achieving a cumulative  
87 grade point average of two point five on a four-point scale  
88 or the equivalent on another scale.

89           5. For the tuition and fee waiver, an applicant shall  
90 cease to be eligible if the total number of credit hours  
91 completed by the applicant exceeds one hundred twenty.  
92 Credit hours earned with the educational assistance  
93 described in this section and credit hours earned without  
94 the educational assistance described in this section shall  
95 be counted to determine the total number of credit hours  
96 completed by an applicant for purposes of this subsection.

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

102           7. If a recipient of either type of educational  
103 assistance pursuant to this section ceases to maintain their  
104 active military affiliation while enrolled in an academic  
105 semester or term for any reason except death, disability, or  
106 medical disqualification the educational assistance shall be  
107 terminated and the recipient shall repay any amounts awarded  
108 or waived for the academic semester or term.

109           8. The educational assistance program established  
110 pursuant to this section shall be administered by the office  
111 of the adjutant general of the Missouri National Guard. The  
112 Missouri National Guard shall establish guidelines for  
113 equitable administrative distribution of educational  
114 assistance.

2           [41.220. 1. There shall be a military  
3 council consisting of the adjutant general as  
4 president of the council, general officers, the  
5 commanding officers of all brigades, wings, or  
6 groups, and any other officer or officers the  
7 adjutant general may deem desirable or  
8 necessary, and an officer appointed by the  
adjutant general from his office to act as

9 recorder without vote. The senior United States  
10 Army and United States Air Force advisors on  
11 duty with the organized state militia, the  
12 comptroller of the state military forces and the  
13 United States Property and Fiscal Officer shall  
14 be ex officio members without vote. The  
15 adjutant general shall appoint the members of  
16 the military council on general orders  
17 annually. These orders will be amended as  
18 necessary. Members of the military council  
19 shall receive actual and necessary expenses for  
20 attending meetings thereof.

21 2. It shall be the duty of this council to  
22 act in an advisory capacity to the commander in  
23 chief on all matters placed before it by the  
24 governor, the adjutant general or any member of  
25 the council and to submit recommendations  
26 thereon to the governor, which shall become  
27 effective only upon his approval. The military  
28 council shall determine and authorize the number  
29 of regular and temporary employees necessary to  
30 the administration and supply of the military  
31 forces and fix the pay and allowances of the  
32 employees within the limitations of  
33 appropriations. It shall be the further duty of  
34 the council to make recommendations on the needs  
35 of the militia for legislative appropriations,  
36 and no request for appropriations of public  
37 money for the support of the militia, other than  
38 a request by the governor or by a member of the  
39 general assembly, shall be made without the  
40 recommendation of the council being noted  
41 thereon for the information of the governor and  
42 the legislature. All appropriations made for  
43 military purposes shall be apportioned and  
44 expended by the council. Vouchers and accounts  
45 covering the expenditure of funds and  
46 appropriations for the support of the militia  
47 shall be approved and paid only when fully  
48 itemized, certified and approved by the  
49 president of the council.

50 3. The council shall meet quarterly at the  
51 City of Jefferson at such time as the president  
52 shall designate. Special meetings may be called

53 by the governor or the president of the council  
54 at any time or place designated. A majority of  
55 the members of the council on duty within the  
56 state shall constitute a quorum for the  
57 transaction of its business. The council shall  
58 keep full and detailed records of its  
59 proceedings. The president of the council in an  
60 unusual emergency is authorized to poll the  
61 members of the military council and require them  
62 to cast their vote through whatever means of  
63 communications are available to them and the  
64 action taken in that manner shall have the same  
65 force and effect as a quarterly or special  
66 meeting when the poll will expedite  
67 recommendations on and furnish advice in the  
68 conduct of the affairs of the militia of this  
69 state to a better state of preparedness.]

✓