

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2593
AN ACT

To repeal sections 34.074, 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-four 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 34.074, 40.490, 41.216, 41.220, 2 41.430, 41.475, 42.300, 42.310, 42.312, 42.315, 105.265, 3 105.270, and 173.239, RSMo, are repealed and twenty-four new 4 sections enacted in lieu thereof, to be known as sections 5 34.069, 34.074, 40.490, 41.216, 41.430, 41.475, 41.477, 41.598, 6 41.599, 41.1015, 41.1016, 41.1017, 41.1018, 41.1030, 42.300, 7 42.310, 42.311, 42.312, 42.313, 42.315, 42.316, 105.265, 8 105.270, and 173.239, to read as follows:

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

3 (1) "Honorably discharged veteran", any individual who
4 is honorably discharged from any branch of the United States
5 Armed Forces as certified by the appropriate federal agency
6 responsible for the administration of veterans' affairs;

7 (2) "Honorably discharged veteran-owned enterprise":

8 (a) A sole proprietorship owned and controlled by an
9 honorably discharged veteran;

10 (b) A partnership or joint venture owned and
11 controlled by honorably discharged veterans in which at
12 least fifty-one percent of the ownership interest is held by

13 honorably discharged veterans and the management and daily
14 business operations are controlled by one or more of the
15 honorably discharged veteran owners; or

16 (c) A corporation or other entity:

17 a. At least fifty-one percent of which is owned by one
18 or more honorably discharged veterans or, if stock is
19 issued, at least fifty-one percent of the stock is owned by
20 one or more honorably discharged veterans; and

21 b. Whose management and daily business operations are
22 controlled by one or more of the honorably discharged
23 veteran owners.

24 2. In letting contracts for the performance of any job
25 or service, all agencies, departments, institutions, and
26 other entities of this state and of each political
27 subdivision of this state shall give a three-point bonus
28 preference to honorably discharged veteran-owned enterprises
29 that are doing business as Missouri firms, corporations, or
30 individuals or that maintain Missouri offices or places of
31 business.

32 3. In implementing the provisions of subsection 2 of
33 this section, the following provisions shall apply:

34 (1) The commissioner of administration shall have the
35 goal of three percent of all state contracts described in
36 subsection 2 of this section to be let to honorably
37 discharged veteran-owned enterprises;

38 (2) If an insufficient number of honorably discharged
39 veteran-owned enterprises submit a bid or proposal for a
40 contract let by an agency, department, institution, or other
41 entity of the state or of a political subdivision of the
42 state, the provisions of subdivision (1) of this subsection
43 shall not apply; and

44 (3) Any honorably discharged veteran-owned enterprise
45 that receives bonus points under this section shall not
46 receive bonus points under section 34.074.

47 4. The commissioner of administration may promulgate
48 rules to implement the provisions of this section. Any rule
49 or portion of a rule, as that term is defined in section
50 536.010, that is created under the authority delegated in
51 this section shall become effective only if it complies with
52 and is subject to all of the provisions of chapter 536 and,
53 if applicable, section 536.028. This section and chapter
54 536 are nonseverable and if any of the powers vested with
55 the general assembly pursuant to chapter 536 to review, to
56 delay the effective date, or to disapprove and annul a rule
57 are subsequently held unconstitutional, then the grant of
58 rulemaking authority and any rule proposed or adopted after
59 August 28, 2026, shall be invalid and void.

 34.074. 1. As used in this section, the term "service-
2 disabled veteran" means any individual who is disabled as
3 certified by the appropriate federal agency responsible for
4 the administration of veterans' affairs.

 2. As used in this section, the term "service-disabled
6 veteran business" means a business concern:

 (1) Not less than fifty-one percent of which is owned
8 by one or more service-disabled veterans or, in the case of
9 any publicly owned business, not less than fifty-one percent
10 of the stock of which is owned by one or more service-
11 disabled veterans; and

 (2) The management and daily business operations of
13 which are controlled by one or more service-disabled
14 veterans.

 3. In letting contracts for the performance of any job
16 or service, all agencies, departments, institutions, and
17 other entities of this state and of each political

18 subdivision of this state shall give a three-point bonus
19 preference to service-disabled veteran businesses doing
20 business as Missouri firms, corporations, or individuals, or
21 which maintain Missouri offices or places of business.

22 4. In implementing the provisions of subsection 3 of
23 this section, the following shall apply:

24 (1) The commissioner of administration shall have the
25 goal of three percent of all such contracts described in
26 subsection 3 of this section to be let to such veterans;

27 (2) If no or an insufficient number of such veterans
28 doing business in this state submit a bid or proposal for a
29 contract let by an agency, department, institution, or other
30 entity of the state or a political subdivision, such goal
31 shall not be required and the provisions of subdivision (1)
32 of this subsection shall not apply; and

33 (3) Any service-disabled veteran business that
34 receives bonus points under this section shall not receive
35 bonus points under section 34.069.

36 5. The commissioner of administration may promulgate
37 rules in order to implement the provisions of this section.
38 Any rule or portion of a rule, as that term is defined in
39 section 536.010, that is created under the authority
40 delegated in this section shall become effective only if it
41 complies with and is subject to all of the provisions of
42 chapter 536 and if applicable, section 536.028. This
43 section and chapter 536 are nonseverable and if any of the
44 powers vested with the general assembly pursuant to chapter
45 536 to review, to delay the effective date, or to disapprove
46 and annul a rule are subsequently held unconstitutional,
47 then the grant of rulemaking authority and any rule proposed
48 or adopted after August 28, 2010, shall be invalid and void.

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
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.

2 41.598. The adjutant general is hereby authorized to
3 present, in the name of the state of Missouri, a Missouri
4 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.

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

2 41.1016. As used in sections 41.1015 to 41.1018, the
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.

1 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 transplant center with status as a member in good standing
41 with the Organ Procurement and Transplant Network.

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

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

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

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

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

57 4. There is hereby created in the state treasury the
58 "MO GIVES Fund", which shall consist of moneys appropriated
59 to it by the general assembly and any gifts, contributions,
60 grants, or bequests received from federal, private, or other
61 sources. The state treasurer shall be custodian of the
62 fund. In accordance with sections 30.170 and 30.180, the

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

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

2 42.316. 1. Except as otherwise provided in sections
3 42.315 to 42.316, the adjutant general shall administer the
4 provisions of sections 42.315 to 42.316, and may adopt all
5 rules and regulations necessary to administer the provisions
6 of sections 42.315 to 42.316. Any rule or portion of a
7 rule, as that term is defined in section 536.010, that is
8 created under the authority delegated in sections 42.315 to
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.

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

 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.]