

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2593
103RD GENERAL ASSEMBLY

6092S.06T

2026

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40.490, 41.216, 41.220, 41.430, 41.475, 42.300, 42.310, 2 42.312, 42.315, 105.265, 105.270, and 173.239, RSMo, are repealed and twenty-four new 3 sections enacted in lieu thereof, to be known as sections 34.069, 34.074, 40.490, 41.216, 4 41.430, 41.475, 41.477, 41.598, 41.599,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

- 34.069. 1. As used in this section, the following terms mean:**
- 2 **(1) "Honorably discharged veteran", any individual who is honorably**
3 **discharged from any branch of the United States Armed Forces as certified by the**
4 **appropriate federal agency responsible for the administration of veterans' affairs;**
5 **(2) "Honorably discharged veteran-owned enterprise":**
6 **(a) A sole proprietorship owned and controlled by an honorably discharged**
7 **veteran;**
8 **(b) A partnership or joint venture owned and controlled by honorably**
9 **discharged veterans in which at least fifty-one percent of the ownership interest is held**

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

10 **by honorably discharged veterans and the management and daily business operations**
11 **are controlled by one or more of the honorably discharged veteran owners; or**

12 **(c) A corporation or other entity:**

13 **a. At least fifty-one percent of which is owned by one or more honorably**
14 **discharged veterans or, if stock is issued, at least fifty-one percent of the stock is owned**
15 **by one or more honorably discharged veterans; and**

16 **b. Whose management and daily business operations are controlled by one or**
17 **more of the honorably discharged veteran owners.**

18 **2. In letting contracts for the performance of any job or service, all agencies,**
19 **departments, institutions, and other entities of this state and of each political subdivision**
20 **of this state shall give a three-point bonus preference to honorably discharged veteran-**
21 **owned enterprises that are doing business as Missouri firms, corporations, or**
22 **individuals or that maintain Missouri offices or places of business.**

23 **3. In implementing the provisions of subsection 2 of this section, the following**
24 **provisions shall apply:**

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

28 **(2) If an insufficient number of honorably discharged veteran-owned enterprises**
29 **submit a bid or proposal for a contract let by an agency, department, institution, or**
30 **other entity of the state or of a political subdivision of the state, the provisions of**
31 **subdivision (1) of this subsection shall not apply; and**

32 **(3) Any honorably discharged veteran-owned enterprise that receives bonus**
33 **points under this section shall not receive bonus points under section 34.074.**

34 **4. The commissioner of administration may promulgate rules to implement the**
35 **provisions of this section. Any rule or portion of a rule, as that term is defined in section**
36 **536.010, that is created under the authority delegated in this section shall become**
37 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**
38 **if applicable, section 536.028. This section and chapter 536 are nonseverable and if any**
39 **of the powers vested with the general assembly pursuant to chapter 536 to review, to**
40 **delay the effective date, or to disapprove and annul a rule are subsequently held**
41 **unconstitutional, then the grant of rulemaking authority and any rule proposed or**
42 **adopted after August 28, 2026, shall be invalid and void.**

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

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

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

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

11 3. In letting contracts for the performance of any job or service, all agencies,
12 departments, institutions, and other entities of this state and of each political subdivision of
13 this state shall give a three-point bonus preference to service-disabled veteran businesses
14 doing business as Missouri firms, corporations, or individuals, or which maintain Missouri
15 offices or places of business.

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

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

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

24 (3) **Any service-disabled veteran business that receives bonus points under this**
25 **section shall not receive bonus points under section 34.069.**

26 **5.** The commissioner of administration may promulgate rules in order to implement
27 the provisions of this section. Any rule or portion of a rule, as that term is defined in section
28 536.010, that is created under the authority delegated in this section shall become effective
29 only if it complies with and is subject to all of the provisions of chapter 536 and if applicable,
30 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
31 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
32 date, or **to** disapprove and annul a rule **are** subsequently held unconstitutional, then the grant
33 of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be
34 invalid and void.

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

7 Revised Statutes of Missouri, and all amendments thereto. The attorney general shall enforce
8 the reemployment rights contained in this section for members of the state military forces
9 who are ordered to active state duty by the governor or **adjutant general**.

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

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

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

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

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

3 **2. Officers, warrant officers and enlisted personnel of the organized militia on active**
4 **duty in the service of the state shall receive as compensation the same pay, longevity, and**

5 allowances as are or may be provided for members of like grade and branch of service in the
6 Armed Forces of the United States[-], **except:**

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

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

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

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

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

27 under chapter 536, but these regulations shall be available for public inspection and
28 review.

41.477. 1. There is hereby created in the state treasury the "Missouri National
2 Guard Counterdrug Revolving Fund", which shall consist of all moneys received by the
3 Missouri National Guard through federal asset forfeiture programs, including, but not
4 limited to, the United States Department of Justice Asset Forfeiture Program, the
5 United States Department of the Treasury Asset Forfeiture Program, and any successor
6 programs or funds established by the federal government for the distribution of seized
7 or forfeited assets. The Missouri National Guard counterdrug revolving fund shall be
8 administered by the adjutant general. The state treasurer shall be custodian of the
9 Missouri National Guard counterdrug revolving fund. In accordance with sections
10 30.170 and 30.180, the state treasurer may approve disbursements. The Missouri
11 National Guard counterdrug revolving fund shall be a dedicated fund and moneys in the
12 fund shall be used by the adjutant general solely for purposes authorized by the federal
13 programs from which the moneys originated. Moneys in the Missouri National Guard
14 counterdrug revolving fund shall not be utilized to supplant, decrease, or otherwise
15 diminish any state appropriations or allocations otherwise provided for the Missouri
16 National Guard's standard operations, personnel, or infrastructure. Notwithstanding
17 the provisions of section 33.080 to the contrary, moneys remaining in the Missouri
18 National Guard counterdrug revolving fund at the end of any biennium shall not revert
19 to the credit of the general revenue fund. The state treasurer shall invest moneys in the
20 Missouri National Guard counterdrug revolving fund in the same manner as other
21 funds are invested. Any interest and moneys earned on such investments shall be
22 credited to the Missouri National Guard counterdrug revolving fund.

23 2. Participation in federal asset forfeiture programs shall be at the discretion of
24 the adjutant general. Upon electing to participate, the Missouri National Guard shall
25 comply with the terms of an equitable sharing agreement and certificate of the federal
26 asset forfeiture program, including, but not limited to, the United States Department of
27 Justice Asset Forfeiture Program and the United States Department of the Treasury
28 Asset Forfeiture Program, or any successor agreement or certification required by the
29 federal government.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

33

34 **The Missouri National Guard cybersecurity revolving fund shall be administered by the**
35 **adjutant general. The state treasurer shall be custodian of the Missouri National Guard**
36 **cybersecurity revolving fund. In accordance with sections 30.170 and 30.180, the state**
37 **treasurer may approve disbursements. The Missouri National Guard cybersecurity**
38 **revolving fund shall be a dedicated fund and moneys in the fund shall be used solely by**
39 **the adjutant general for the purpose of rendering aid pursuant to subsection 1 of this**
40 **section. Notwithstanding the provisions of section 33.080 to the contrary, moneys**
41 **remaining in the Missouri National Guard cybersecurity revolving fund at the end of**
42 **any biennium shall not revert to the credit of the general revenue fund. The state**
43 **treasurer shall invest moneys in the Missouri National Guard cybersecurity revolving**
44 **fund in the same manner as other funds are invested. Any interest and moneys earned**
45 **on such investments shall be credited to the Missouri National Guard cybersecurity**
46 **revolving fund.**

41.1018. The adjutant general shall administer the provisions of sections 41.1015
2 **to 41.1018, and may adopt all rules and regulations necessary to administer the**

3 provisions of sections 41.1015 to 41.1018. Any rule or portion of a rule, as that term is
4 defined in section 536.010, that is created under the authority delegated in sections
5 41.1015 to 41.1018 shall become effective only if it complies with and is subject to all of
6 the provisions of chapter 536 and, if applicable, section 536.028. Sections 41.1015 to
7 41.1018 and chapter 536 are nonseverable and if any of the powers vested with the
8 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
9 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
10 rulemaking authority and any rule proposed or adopted after August 28, 2026, shall be
11 invalid and void.

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

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

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

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

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

- 24 (1) Applications shall specify the type of donation to be made and whether the
25 donation is directed to a specific individual, nondirected, or paired. The qualified
26 member shall agree to undergo the procurement operation only at a transplant center
27 with status as a member in good standing with the Organ Procurement and Transplant
28 Network.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

43 (7) Fund transfers totaling ten million dollars to any municipality with a population
44 greater than three hundred fifty thousand inhabitants and located in part in a county with a

45 population greater than six hundred thousand inhabitants and with a charter form of
46 government, for the sole purpose of the construction, restoration, renovation and maintenance
47 of a memorial or museum or both dedicated to World War I; and

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

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

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

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

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

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

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

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

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

22 (2) **Any spouse or eldest living survivor of a deceased veteran who would be**
23 **entitled to an Operation Iraqi Freedom and Operation New Dawn medallion, medal,**

24 and certificate under subsection 1 of this section but who died prior to having made
25 application for such medallion, medal, and certificate.

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

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

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

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

12 2. The adjutant general shall determine as expeditiously as possible the persons
13 who are entitled to an Operation Iraqi Freedom and Operation New Dawn medallion,
14 medal, and certificate under sections 42.310 to 42.311 and distribute the medallions,
15 medals, and certificates as provided in sections 42.310 to 42.311. Applications for the
16 Operation Iraqi Freedom and Operation New Dawn medallion, medal, and certificate

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

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

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

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

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

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

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

26 (2) Any spouse or eldest living survivor of a deceased veteran who would be
27 entitled to an Operation Enduring Freedom, Operation Freedom's Sentinel, and
28 Operation Allies Refuge Program medallion, medal, and certificate under subsection 1

29 of this section but who died prior to having made application for such medallion, medal,
30 and certificate.

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

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

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

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

12 2. The adjutant general shall determine as expeditiously as possible the persons
13 who are entitled to an Operation Enduring Freedom, Operation Freedom's Sentinel,
14 and Operation Allies Refuge Program medallion, medal, and certificate under sections

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

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

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

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

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

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

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

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

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

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

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

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

12 **2. The adjutant general shall determine as expeditiously as possible the persons**
13 **who are entitled to an Operation Desert Shield and Operation Desert Storm medallion,**
14 **medal, and certificate under sections 42.315 to 42.316 and distribute the medallions,**
15 **medals, and certificates as provided in sections 42.315 to 42.316. Applications for the**
16 **Operation Desert Shield and Operation Desert Storm medallion, medal, and certificate**
17 **shall be filed with the office of the adjutant general at any time after August 28, 2026, on**
18 **forms prescribed and furnished by the office of the adjutant general. The adjutant**

19 **general shall approve all applications that are in order, and shall cause an Operation**
20 **Desert Shield and Operation Desert Storm medallion, medal, and certificate to be**
21 **prepared for each approved veteran in the form created by the Missouri veterans'**
22 **commission under section 42.315. The medallions, medals, and certificates shall be**
23 **awarded until the supply of medallions, medals, and certificates is exhausted. The**
24 **adjutant general shall notify the general assembly when such supply totals less than one**
25 **hundred.**

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

11 **2. (1) The adjutant general shall be the official sponsor of the state-sponsored**
12 **life insurance program. The adjutant general shall:**

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

15 **(b) Provide an opportunity for members of the Missouri National Guard to**
16 **purchase products of the state-sponsored life insurance program;**

17 **(c) Allow, facilitate, and coordinate requested allotments with the appropriate**
18 **United States Property and Fiscal Office for purposes of the state-sponsored life**
19 **insurance program;**

20 **(d) Allow representatives of the state-sponsored life insurance program to**
21 **provide members of the Missouri National Guard with briefings during annual training**
22 **and inactive duty training periods to educate members on the state-sponsored life**
23 **insurance program and its benefits; and**

24 **(e) Allow members of the Missouri National Guard to designate or change**
25 **beneficiaries under the state-sponsored life insurance program.**

26 **(2) The Missouri National Guard Association shall select the insurer used to**
27 **provide the state-sponsored life insurance program.**

28 **(3) As used in this subsection, the term "state-sponsored life insurance**
29 **program" means the life insurance program exclusively offered to all members of the**

30 **Missouri National Guard through the Missouri National Guard Association pursuant to**
31 **the federal Veterans' Insurance Act of 1974, Pub. L. 93-289.**

105.270. 1. All officers and employees of this state, or of any department or agency
2 thereof, or of any county, municipality, school district, or other political subdivision, and all
3 other public employees of this state who are or may become members of the National Guard
4 or of any reserve component of the Armed Forces of the United States, shall be entitled to
5 leave of absence from their respective duties, without loss of time, pay, regular leave,
6 impairment of efficiency rating, or of any other rights or benefits, to which otherwise entitled,
7 for all periods of military services during which they are engaged in the performance of duty
8 or training in the service of this state at the call of the governor and as ordered by the adjutant
9 general without regard to length of time, and for all periods of military services during which
10 they are engaged in the performance of duty in the service of the United States under
11 competent orders for a period not to exceed a total of one hundred ~~twenty~~ **sixty** hours in any
12 federal fiscal year.

13 2. Before any payment of salary is made covering the period of the leave the officer
14 or the employee shall file with the appointing authority or supervising agency an official
15 order from the appropriate military authority as evidence of such duty for which military
16 leave pay is granted which order shall contain the certification of the officer or employee's
17 commanding officer of performance of duty in accordance with the terms of such order.

18 3. No member of the organized militia shall be discharged from employment by any
19 of the aforementioned agencies because of being a member of the organized militia, nor shall
20 he be hindered or prevented from performing any militia service he may be called upon to
21 perform by proper authority nor otherwise be discriminated against or dissuaded from
22 enlisting or continuing his service in the militia by threat or injury to him in respect to his
23 employment. Any officer or agent of the aforementioned agencies violating any of the
24 provisions of this section is guilty of a misdemeanor.

25 4. Notwithstanding the provisions of any other administrative rule or law to the
26 contrary, any person entitled to military leave pursuant to the provisions of subsection 1 of
27 this section shall only be charged military leave for any hours which that person would
28 otherwise have been required to work had it not been for such military leave. The minimum
29 charge for military leave shall be one hour and additional charges for military leave shall be in
30 multiples of the minimum charge.

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

4 (1) A tuition and fee waiver for undergraduate courses at a postsecondary institution
5 of higher education located in this state that directly receives funds appropriated by the

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

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

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

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

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

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

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

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

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

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

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

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

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

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

47 (2) For the tuition and fee waiver, the waiver shall be awarded if the member applies
48 and is otherwise eligible pursuant to this section, but the waiver shall be awarded only after
49 the Missouri National Guard has distributed any moneys available for the member through
50 the state tuition assistance program. **For each semester, the tuition and fee waiver**
51 **awarded by an institution to a member shall not exceed the amount of the grant received**
52 **by the institution for that member pursuant to this section.**

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

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

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

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

76 8. The educational assistance program established pursuant to this section shall be
77 administered by the office of the adjutant general of the Missouri National Guard. The

78 Missouri National Guard shall establish guidelines for equitable administrative distribution of
79 educational assistance.

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

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

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