

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 961

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS STOLL AND MAXWELL.

Read 1st time February 3, 2000, and 1,000 copies ordered printed.

Read 2nd time February 14, 2000, and referred to the Committee on Education.

Reported from the Committee March 6, 2000, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 15, 2000. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

4332S.01P

AN ACT

To repeal section 173.239, RSMo Supp. 1999, relating to educational assistance for members of the Missouri national guard, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

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

Section A. Section 173.239, RSMo Supp. 1999, is repealed and one new section enacted in lieu thereof, to be known as section 173.239, to read as follows:

173.239. 1. Any member of the Missouri national guard who possesses the qualifications set forth in this section may be awarded an educational assistance grant to an approved public institution or an approved private institution, as those terms are defined in **either** section 173.205 **or section 173.778**, of his or her choice while he or she is a member of the Missouri national guard. Funding for educational assistance pursuant to this section may be requested annually in the budget of the Missouri national guard. Educational assistance provided pursuant to this section shall not exceed funds appropriated for that purpose.

2. Educational assistance provided under this section shall not exceed the least of the following:

(1) The actual tuition, as defined in section 173.260, charged at an approved institution

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

where the individual is enrolled or accepted for enrollment; or

(2) The amount of tuition charged a Missouri resident at the University of Missouri for attendance.

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

3. A member of the Missouri national guard seeking educational assistance pursuant to this section shall provide a certificate of satisfactory service of his or her Missouri national guard duties from his or her commanding officer and shall possess all other necessary entrance requirements of the school of his or her choice and shall maintain a cumulative grade point average (GPA) of at least two point five on a four point scale, or the equivalent on another scale approved by the program administrator, while attending the approved public or private institution.

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

5. If a recipient of educational assistance pursuant to this section ceases to be a member of the Missouri national guard while enrolled in a course of study or within three years after the completion of a course of study for any reason except death or disability, the educational assistance shall be terminated and the recipient shall repay any amounts awarded pursuant to this section.

6. For purposes of this section, state educational assistance shall be used only after all available federal Department of Defense educational assistance funds have been expended.

[6.] 7. Applicants for educational assistance pursuant to this section shall meet the qualifications established by section 173.215, except the provisions of subdivisions (2) and (4) of subsection 1 of section 173.215, and shall be qualified, full-time or part-time students.

[7.] 8. The educational assistance program established pursuant to this section shall be administered by the office of the adjutant general of the Missouri national guard. The Missouri national guard shall establish guidelines for equitable distribution of educational assistance.

Section B. Because immediate action is necessary to ensure the sound education of members of the Missouri national guard, the repeal and reenactment of section 173.239 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the

repeal and reenactment of section 173.239 of this act shall be in full force and effect upon its passage and approval.

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Bill

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