

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 701 & 948
93RD GENERAL ASSEMBLY

Reported from the Committee on Pensions, Veterans' Affairs and General Laws, February 16, 2006, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

3580S.02C

AN ACT

To repeal section 173.239, RSMo, and to enact in lieu thereof one new section relating to national guard member educational assistance grants.

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

Section A. Section 173.239, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 173.239, to read as follows: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

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

21 service of his or her Missouri national guard duties from his or her commanding
22 officer and shall possess all other necessary entrance requirements of the school
23 of his or her choice and shall maintain a cumulative grade point average (GPA)
24 of at least two point five on a four point scale, or the equivalent on another scale
25 approved by the program administrator, while attending the approved public or
26 private institution.

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

37 5. If a recipient of educational assistance pursuant to this section ceases
38 to maintain their **active** military affiliation while enrolled in [a course of study
39 or within three years after the completion of a course of study] **an academic**
40 **semester or term** for any reason except death, disability, or medical
41 disqualification the educational assistance shall be terminated and the recipient
42 shall repay any amounts awarded [pursuant to this section. For the purposes of
43 this section, individuals who are called to active duty will be credited for time
44 served in fulfillment of their three-year obligation] **for the academic semester**
45 **or term**.

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

50 7. The educational assistance program established pursuant to this
51 section shall be administered by the office of the adjutant general of the Missouri
52 national guard. The Missouri national guard shall establish guidelines for
53 equitable **administrative** distribution of educational assistance.

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