

FIRST REGULAR SESSION
[P E R F E C T E D]
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 117
97TH GENERAL ASSEMBLY

Reported from the Committee on Veterans' Affairs and Health, February 6, 2013, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute for Senate Bill No. 117, adopted February 12, 2013.

Taken up for Perfection February 12, 2013. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

0664S.04P

AN ACT

To repeal sections 8.012 and 253.048, RSMo, and to enact in lieu thereof three new sections relating to military affairs.

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

Section A. Sections 8.012 and 253.048, RSMo, are repealed and three new
2 sections enacted in lieu thereof, to be known as sections 8.012, 173.1150, and
3 253.048, to read as follows:

8.012. At all state buildings and upon the grounds thereof, the board of
2 public buildings may accompany the display of the flag of the United States and
3 the flag of this state with the display of the POW/MIA flag, which is designed to
4 commemorate the service and sacrifice of the members of the Armed Forces of the
5 United States who were prisoners of war or missing in action **and with the**
6 **display of the Honor and Remember flag as an official recognition and**
7 **in honor of fallen members of the Armed Forces of the United States.**

173.1150. 1. **Notwithstanding any provision of law to the**
2 **contrary, any individual who is in the process of separating from any**
3 **branch of the military forces of the United States with an honorable**
4 **discharge or a general discharge shall have student resident status for**
5 **purposes of admission and in-state tuition at any approved public four-**
6 **year institution in Missouri or in-state, in-district tuition at any**
7 **approved two-year institution in Missouri.**

8 **2. To be eligible for student resident status under this section,**
9 **any such individual shall demonstrate presence and declare residency**
10 **within the state of Missouri and shall have been duly stationed in**

11 Missouri by their branch of the military forces of the United States for
12 at least one year prior to their discharge. For purposes of attending a
13 community college, an individual shall demonstrate presence and
14 declare residency within the taxing district of the community college
15 he or she attends and shall have been duly stationed within the taxing
16 district of such community college by their branch of the military
17 forces of the United States for at least one year prior to their discharge.

18 **3. The coordinating board for higher education shall promulgate**
19 **rules to implement this section.**

20 **4. For purposes of this section, "approved public institution"**
21 **shall have the same meaning as provided in subdivision (3) of section**
22 **173.1102.**

23 **5. Any rule or portion of a rule, as that term is defined in section**
24 **536.010 that is created under the authority delegated in this section**
25 **shall become effective only if it complies with and is subject to all of**
26 **the provisions of chapter 536, and, if applicable, section 536.028. This**
27 **section and chapter 536 are nonseverable and if any of the powers**
28 **vested with the general assembly pursuant to chapter 536, to review, to**
29 **delay the effective date, or to disapprove and annul a rule are**
30 **subsequently held unconstitutional, then the grant of rulemaking**
31 **authority and any rule proposed or adopted after August 28, 2013, shall**
32 **be invalid and void.**

253.048. Within the state parks, the department may accompany the
2 display of the flag of the United States and the flag of this state with the display
3 of the MIA/POW flag, which is designed to commemorate the service and sacrifice
4 of members of the Armed Forces of the United States who were prisoners of war
5 or missing in action **and with the display of the Honor and Remember flag**
6 **as an official recognition and in honor of fallen members of the Armed**
7 **Forces of the United States.**

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