

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SCS/Senate Bill No. 968, Page 1, Section A, Line 2,

2 by inserting after all of said line the following:

3 "173.234. 1. As used in this section, unless the context  
4 clearly requires otherwise, the following terms mean:

5 (1) "Board", the coordinating board for higher education;

6 (2) "Books", any books required for any course for which  
7 tuition was paid by a grant awarded under this section;

8 (3) "Eligible student", the natural, adopted, or stepchild  
9 of a qualifying military member, who is less than twenty-five  
10 years of age and who was a dependent of a qualifying military  
11 member at the time of death or injury or within five years  
12 subsequent to the injury, or the spouse of a qualifying military  
13 member which was the spouse of a veteran at the time of death or  
14 injury or within five years subsequent to the injury;

15 (4) "Grant", the veteran's survivors grant as established  
16 in this section;

17 (5) "Institution of postsecondary education", any approved  
18 Missouri public institution of postsecondary education, as  
19 defined in subdivision (3) of section 173.1102;

20 (6) "Qualifying military member", any member of the  
21 military of the United States, whether active duty, reserve, or

1 National Guard, who served in the military after September 11,  
2 2001, during time of war and for whom the following criteria  
3 apply:

4 (a) A veteran was a Missouri resident when first entering  
5 the military service or at the time of death or injury;

6 (b) A veteran died or was injured as a result of combat  
7 action or a veteran's death or injury was certified by the  
8 Department of Veterans' Affairs medical authority to be  
9 attributable to an illness or accident that occurred while  
10 serving in combat, or became eighty percent disabled as a result  
11 of injuries or accidents sustained in combat action after  
12 September 11, 2001; and

13 (c) "Combat veteran", a Missouri resident who is discharged  
14 for active duty service having served since September 11, 2001,  
15 and received a DD214 in a geographic area entitled to receive  
16 combat pay tax exclusion exemption, hazardous duty pay, or  
17 imminent danger pay, or hostile fire pay;

18 (7) "Survivor", an eligible student of a qualifying  
19 military member;

20 (8) "Tuition", any tuition or incidental fee, or both,  
21 charged by an institution of postsecondary education for  
22 attendance at the institution by a student as a resident of this  
23 state. The tuition grant shall not exceed the amount of tuition  
24 charged a Missouri resident at the University of  
25 Missouri-Columbia for attendance.

26 2. Within the limits of the amounts appropriated therefor,  
27 the coordinating board for higher education shall award annually  
28 up to twenty-five grants to survivors of qualifying military  
29 members to attend institutions of postsecondary education in this

1 state, which shall continue to be awarded annually to eligible  
2 recipients as long as the recipient achieves and maintains a  
3 cumulative grade point average of at least two and one-half on a  
4 four-point scale, or its equivalent. If the waiting list of  
5 eligible survivors exceeds fifty, the coordinating board may  
6 petition the general assembly to expand the quota. If the quota  
7 is not expanded, then the eligibility of survivors on the waiting  
8 list shall be extended.

9 3. A survivor may receive a grant under this section only  
10 so long as the survivor is enrolled in a program leading to a  
11 certificate, or an associate or baccalaureate degree. In no  
12 event shall a survivor receive a grant beyond the completion of  
13 the first baccalaureate degree, regardless of age.

14 4. The coordinating board for higher education shall:

15 (1) Promulgate all necessary rules and regulations for the  
16 implementation of this section; and

17 (2) Provide the forms and determine the procedures  
18 necessary for a survivor to apply for and receive a grant under  
19 this section.

20 5. Any rule or portion of a rule, as that term is defined  
21 in section 536.010, that is created under the authority delegated  
22 in this section shall become effective only if it complies with  
23 and is subject to all of the provisions of chapter 536 and, if  
24 applicable, section 536.028. This section and chapter 536 are  
25 nonseverable and if any of the powers vested with the general  
26 assembly pursuant to chapter 536 to review, to delay the  
27 effective date, or to disapprove and annul a rule are  
28 subsequently held unconstitutional, then the grant of rulemaking  
29 authority and any rule proposed or adopted after August 28, 2008,

1 shall be invalid and void.

2 6. In order to be eligible to receive a grant under this  
3 section, a survivor shall be certified as eligible by the  
4 Missouri veterans' commission.

5 7. A survivor who is enrolled or has been accepted for  
6 enrollment as an undergraduate postsecondary student at an  
7 approved institution of postsecondary education, and who is  
8 selected to receive a grant under this section, shall receive the  
9 following:

10 (1) An amount not to exceed the actual tuition charged at  
11 the approved institution of postsecondary education where the  
12 survivor is enrolled or accepted for enrollment;

13 (2) An allowance of up to two thousand dollars per semester  
14 for room and board; and

15 (3) The actual cost of books, up to a maximum of five  
16 hundred dollars per semester.

17 8. A survivor who is a recipient of a grant may transfer  
18 from one approved public institution of postsecondary education  
19 to another without losing his or her entitlement under this  
20 section. The board shall make necessary adjustments in the  
21 amount of the grant. If a grant recipient at any time withdraws  
22 from the institution of postsecondary education so that under the  
23 rules and regulations of that institution he or she is entitled  
24 to a refund of any tuition, fees, room and board, books, or other  
25 charges, the institution shall pay the portion of the refund to  
26 which he or she is entitled attributable to the grant for that  
27 semester or similar grading period to the board.

28 9. If a survivor is granted financial assistance under any  
29 other student aid program, public or private, the full amount of

1 such aid shall be reported to the board by the institution and  
2 the eligible survivor.

3 10. Nothing in this section shall be construed as a promise  
4 or guarantee that a person will be admitted to an institution of  
5 postsecondary education or to a particular institution of  
6 postsecondary education, will be allowed to continue to attend an  
7 institution of postsecondary education after having been  
8 admitted, or will be graduated from an institution of  
9 postsecondary education.

10 11. The benefits conferred by this section shall be  
11 available to any academically eligible student of a qualifying  
12 military member. Surviving children who are eligible shall be  
13 permitted to apply for full benefits conferred by this section  
14 until they reach twenty-five years of age.

15 12. Pursuant to section 23.253 of the Missouri sunset act:

16 (1) The provisions of the new program authorized under this  
17 section shall [sunset automatically six years after August 28,  
18 2008] be reauthorized as of the effective date of this act and  
19 shall expire on August 28, 2020, unless reauthorized by an act of  
20 the general assembly; and

21 (2) If such program is reauthorized, the program authorized  
22 under this section shall sunset automatically twelve years after  
23 the effective date of the reauthorization of this section; and

24 (3) This section shall terminate on September first of the  
25 calendar year immediately following the calendar year in which  
26 the program authorized under this section is sunset."; and

27 Further amend said bill, page 2, section 173.1153, line 35  
28 by inserting after all of said line the following:

29 "Section B. Because of the importance of providing

1 educational assistance to members of the military and their  
2 families, the repeal and reenactment of section 173.234 is deemed  
3 necessary for the immediate preservation of the public health,  
4 welfare, peace, and safety, and is hereby declared to be an  
5 emergency act within the meaning of the constitution, the repeal  
6 and reenactment of section 173.234 shall be in full force and  
7 effect upon its passage and approval."; and

8 Further amend the title and enacting clause accordingly.