

SENATE BILL NO. 120

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR WHITE.

0943S.01H

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 36.020 and 379.122, RSMo, and to enact in lieu thereof five new sections relating to military affairs.

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

Section A. Sections 36.020 and 379.122, RSMo, are repealed
2 and five new sections enacted in lieu thereof, to be known as
3 sections 9.297, 36.020, 42.390, 160.710, and 379.122, to read
4 as follows:

**9.297. The month of November is hereby designated as
2 "Military Family Month" in Missouri. The citizens of this
3 state are encouraged to participate in appropriate events
4 and activities to honor the daily sacrifices of all military
5 families who support their loved ones serving our country.**

36.020. Unless the context clearly requires otherwise,
2 the following terms mean:

3 (1) "Agency", "state agency" or "agency of the state",
4 each department, board, commission or office of the state
5 except for offices of the elected officials, the general
6 assembly, the judiciary and academic institutions;

7 (2) "Appointing authority", an officer or agency
8 subject to this chapter having power to make appointments;

9 (3) "Board", the personnel advisory board as
10 established by section 36.050;

11 (4) "Broad classification band", a grouping of
12 positions with similar levels of responsibility or expertise;

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

13 (5) "Class", "class of positions", or "job class", a
14 group of positions subject to this chapter sufficiently
15 alike in duties, authority and responsibilities to justify
16 the same qualifications and the same schedule of pay to all
17 positions in the group;

18 (6) "Director", the director of the division of
19 personnel of the office of administration;

20 (7) "Disabled veteran", a veteran who has served on
21 active duty in the Armed Forces at any time who receives
22 compensation as a result of a service-connected disability
23 claim allowed by the federal agency responsible for the
24 administration of veteran's affairs, or who receives
25 disability retirement or disability pension benefits from a
26 federal agency as a result of such a disability or a
27 National Guard veteran who was permanently disabled as a
28 result of active service to the state at the call of the
29 governor;

30 (8) "Division of service" or "division", a state
31 department or any division or branch of the state, or any
32 agency of the state government, all the positions and
33 employees in which are under the same appointing authority;

34 (9) "Eleemosynary or penal institutions", an
35 institution within state government holding, housing, or
36 caring for inmates, patients, veterans, juveniles, or other
37 individuals entrusted to or assigned to the state where it
38 is anticipated that such individuals will be in residence
39 for longer than one day. Eleemosynary or penal institutions
40 shall not include elementary, secondary, or higher education
41 institutions operated separately or independently from the
42 foregoing institutions;

43 (10) "Eligible", a person whose name is on a register
44 or who has been determined to meet the qualifications for a
45 class or position;

46 (11) "Employee", shall include only those persons
47 employed in excess of thirty-two hours per calendar week,
48 for a duration that could exceed six months, by a state
49 agency and shall not include patients, inmates, or residents
50 in state eleemosynary or penal institutions who work for the
51 state agency operating an eleemosynary or penal institutions;

52 (12) "Examination" or "competitive examination", a
53 means of determining eligibility or fitness for a class or
54 position;

55 (13) "Open competitive examination", a selection
56 process for positions in a particular class, admission to
57 which is not limited to persons employed in positions
58 subject to this chapter pursuant to subsection 1 of section
59 36.030;

60 (14) "Promotional examination", a selection process
61 for positions in a particular class, admission to which is
62 limited to employees with regular status in positions
63 subject to this chapter pursuant to subsection 1 of section
64 36.030;

65 (15) "Register of eligibles", a list, which may be
66 restricted by locality, of persons who have been found
67 qualified for appointment to a position subject to this
68 chapter pursuant to subsection 1 of section 36.030;

69 (16) "Regular employee", a person employed in a
70 position described under subdivision (2) of subsection 1 of
71 section 36.030 who has successfully completed a probationary
72 period as provided in section 36.250;

73 (17) "State equal employment opportunity officer", the
74 individual designated by the governor or the commissioner of

75 administration as having responsibility for monitoring the
76 compliance of the state as an employer with applicable equal
77 employment opportunity law and regulation and for leadership
78 in efforts to establish a state workforce which reflects the
79 diversity of Missouri citizens at all levels of employment;

80 (18) "Surviving spouse", the unmarried surviving
81 spouse of a deceased disabled veteran or the unmarried
82 [survivor's] **surviving** spouse of any person who was killed
83 while on active duty in the Armed Forces of the United
84 States or an unmarried surviving spouse of a National Guard
85 veteran who was killed as a result of active service to the
86 state at the call of the governor;

87 (19) "Veteran", any person who is a citizen of this
88 state who has been separated under honorable conditions from
89 the Armed Forces of the United States who served on active
90 duty during peacetime or wartime for at least six
91 consecutive months, unless released early as a result of a
92 service-connected disability or a reduction in force at the
93 convenience of the government, or any member of a reserve or
94 National Guard component who has satisfactorily completed at
95 least six years of service or who was called or ordered to
96 active duty by the President and participated in any
97 campaign or expedition for which a campaign badge or service
98 medal has been authorized.

**42.390. 1. Every state agency shall ensure that any
2 form, including digital forms posted on an Internet website,
3 used to collect data from individuals include the following
4 questions in substantially similar form:**

5 (1) **Have you ever served on active duty in the
6 Armed Forces of the United States and separated
7 from such service under conditions other than
8 dishonorable?**

9 (2) If answering question (1) in the
10 affirmative, would you like to receive
11 information and assistance regarding the
12 agency's veteran services?

13 2. Every state agency shall prepare information
14 regarding the agency's applicable services and benefits that
15 are available to veterans and provide such information to
16 those who answer the questions provided in subsection 1 of
17 this section in the affirmative.

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

3 (1) "Military connected student", a student enrolled
4 in a school district or charter school who:

5 (a) Is a dependent of a current or former member of
6 the Armed Forces of the United States, the Missouri National
7 Guard, or any reserve component of the Armed Forces of the
8 United States; or

9 (b) Was a dependent of a member of the Armed Forces of
10 the United States, the Missouri National Guard, or any
11 reserve component of the Armed Forces of the United States
12 who was killed while on active duty.

13 2. The department of elementary and secondary
14 education shall designate a school district as a purple star
15 campus if the school district applies and qualifies for the
16 designation under this section.

17 3. To qualify as a purple star campus, a school
18 district shall:

19 (1) Designate a staff member as a military liaison to
20 serve as the point of contact between the school district
21 and military connected students and their families;

22 (2) Identify military connected students enrolled in
23 the school district;

- 24 (3) Determine appropriate services available to
25 military connected students;
- 26 (4) Coordinate programs relevant to military connected
27 students;
- 28 (5) Maintain on the school district website an easily
29 accessible webpage that includes resources for military
30 connected students and their families, including information
31 regarding:
- 32 (a) Relocation to, enrollment at, registration at and
33 transferring records to the school district;
- 34 (b) Academic planning, course sequences and advanced
35 classes available;
- 36 (c) Counseling and other support services available
37 for military connected students enrolled in the school
38 district;
- 39 (d) The military liaison designated under subdivision
40 (1) of this section;
- 41 (6) Establish and maintain a transition program led by
42 the students, when appropriate, that assists military
43 connected students in transitioning into the school district;
- 44 (7) Offer professional development and education for
45 staff members on issues related to military connected
46 students; and
- 47 (8) Offer at least one of the following programs:
- 48 (a) A resolution showing support for military
49 connected students and their families;
- 50 (b) Recognition of the military holidays with relevant
51 events hosted by the school district; or
- 52 (c) A partnership with a local military installation
53 that provides opportunities for active duty military members
54 to volunteer with the school district, speak at an assembly,
55 or host a field trip.

379.122. 1. No insurer shall refuse to write a policy
2 for an applicant or base an adverse underwriting decision,
3 **including but not limited to charging an increased premium,**
4 solely on the fact that the applicant has never purchased
5 such a policy of motor vehicle insurance where the lack of
6 motor vehicle insurance coverage is due to the applicant
7 serving in the armed services and the applicant has not
8 operated a motor vehicle in violation of any financial
9 responsibility or compulsory insurance requirement within
10 the past twelve months.

11 2. No insurer shall refuse to write a policy for an
12 applicant or base an adverse underwriting decision,
13 **including but not limited to charging an increased premium,**
14 solely on the fact that the applicant has not owned or been
15 covered by such a policy of motor vehicle insurance during
16 any specified period immediately preceding the date of
17 application where the lack of motor vehicle insurance
18 coverage is due to the applicant serving in the armed
19 services and the applicant has not operated a motor vehicle
20 in violation of any financial responsibility or compulsory
21 insurance requirement within the past twelve months.

22 Nothing in this subsection shall prohibit an insurer from
23 giving a discount for such an applicant that has been
24 covered by a policy of insurance during such a specified
25 period.

26 3. Nothing in this section shall prohibit an insurer
27 from basing an adverse underwriting decision on an
28 applicant's previous driving record where such record
29 indicates that the applicant is a substandard risk.

30 4. In order to establish compliance with this section,
31 an insurer may require any applicant claiming to meet the
32 criteria of subsection 1 or 2 of this section to provide

33 proof of eligibility in a manner as the insurer may
34 prescribe.

35 5. The adjutant general shall ensure that members of
36 the state military forces, as defined in section 40.005,
37 receive notice of the protections provided under this
38 section at such time as information regarding the
39 Servicemembers Civil Relief Act, 50 U.S.C. 3901, et seq., is
40 provided, or at such other times as the adjutant general
41 deems appropriate. The notice shall specifically state that
42 insurers are prohibited under this section from refusing to
43 issue a policy of motor vehicle insurance, or from charging
44 higher premiums, based solely on a lack of prior coverage
45 where the lack of prior coverage was due to military
46 service. The secretaries of the branches of the United
47 States Armed Forces are hereby encouraged to likewise notify
48 servicemembers under their jurisdictions of the protections
49 provided under this section.

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