

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 734

AN ACT

To repeal sections 42.051, 143.174, 143.175, 301.3061, and 442.571, RSMo, and to enact in lieu thereof nine new sections relating to military affairs.

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

Section A. Sections 42.051, 143.174, 143.175, 301.3061, and 442.571, RSMo, are repealed and nine new sections enacted in lieu thereof, to be known as sections 41.092, 42.022, 42.051, 42.312, 143.174, 143.175, 252.250, 301.3061, and 442.571, to read as follows:

41.092. No member of the National Guard of this state shall be required by the governor or the adjutant general to receive a vaccination against COVID-19 as a condition of active state duty service pursuant to section 41.480 or as a condition for any other duty or training not in federal service.

42.022. 1. In addition to any other duties imposed under this chapter, the commission shall review the provisions of the Commander John Scott Hannon Veterans Mental Health Care Improvement Act of 2019, enacted by the 116th United States Congress (P.L. 116-171), as amended, and any regulations related thereto. After review, the commission, in collaboration with the department of mental health, shall provide recommendations and make efforts to adopt procedures, programs, treatment options, additional aid, and any other assistance deemed necessary by the commission to assist in the efforts to prevent veteran suicide, subject to appropriation.

2. On or before June 30, 2025, and on or before every June thirtieth thereafter the commission shall file a report with the department of public safety and the general assembly on the recommendations, implementation, and effectiveness of the efforts by the commission to prevent veteran suicide.

3. The department of public safety may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2024, shall be invalid and void.

42.051. 1. Every state agency shall [ensure that] include on any form, including digital forms posted on an internet website, used to [collect data from individuals include] interact with members of the public the following questions in substantially similar form:

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

(2) If answering question (1) in the affirmative, would you like to receive information and assistance regarding [the agency's] veteran benefits and services?

(3) If answering question (2) in the affirmative, may the agency share your contact information with the Missouri Veterans Commission in order to provide you with information regarding available veterans benefits and services? General information may also be found on the Missouri Veterans Commission's website.

2. Every state agency shall provide the contact information of those individuals who answer question (3) in subsection 1 of this section in the affirmative to the commission within seven business days of receipt and shall provide the contact information in a format readily accessible by the commission.

3. Every state agency shall prepare information regarding the agency's applicable services and benefits that are available to veterans and provide such information to those individuals who answer [the] questions (1) and (2) provided in subsection 1 of this section in the affirmative and to the commission. Such information shall be available in a format readily accessible and identifiable to members of the public and to the commission.

4. On January first of every year, the commission shall post a report on the commission's website that includes:

(1) The total number of individuals whose contact information has been submitted to the commission from each state agency pursuant to subsection 2 of this section; and

(2) The total number of individuals contacted by the commission as a result of the submission of contact information by a state agency.

[3.] 5. The provisions of subsection 1 of this section shall only apply to any form first created on or after August 28, [2021] 2024, or any form created before August

28, [2021] 2024, and subsequently modified on or after August 28, [2021] 2024.

42.312. 1. There is hereby created within the state adjutant general's office the "Operation Enduring Freedom, Operation Freedom's Sentinel, and Operation Allies Refuge Program". Every veteran who honorably served on active duty in the United States military service at any time beginning October 7, 2001, and ending August 30, 2021, shall be entitled to receive an Operation Enduring Freedom, Operation Freedom's Sentinel, and Operation Allies Refuge medallion, medal, and certificate of appreciation under this section, provided that:

(1) Such veteran is a legal resident of this state or was a legal resident of this state at the time he or she entered or was discharged from military service or at the time of his or her death or such veteran served in a unit of the Missouri National Guard regardless of whether such veteran is or ever was a legal resident of this state; and

(2) Such veteran was honorably separated or discharged from military service, is still in active service in an honorable status, or was in active service in an honorable status at the time of his or her death.

2. The Operation Enduring Freedom, Operation Freedom's Sentinel, and Operation Allies Refuge medallion, medal, and certificate shall be awarded regardless of whether such veteran served within the United States or in a foreign country. The medallion, medal, and certificate shall be awarded regardless of whether such veteran was under eighteen years of age at the time of enlistment. For purposes of this section, "veteran" means any person defined as a veteran by the United States Department of Veterans Affairs or its successor agency.

143.174. For all tax years beginning on or after January 1, 2016, for purposes of calculating the Missouri taxable income as required under section 143.011, one hundred percent of the income received by any person as salary or compensation in any form as a member of the active duty component of the Armed Forces of the United States, and to the extent that such income is included in the federal adjusted gross income, may be deducted from the taxpayer's Missouri adjusted gross income to determine such taxpayer's Missouri taxable income. If such person files a combined return with a spouse, any military income received while engaging in the performance of active duty may be deducted from their Missouri combined adjusted gross income. For the purposes of this section, "salary or compensation" shall include any signing bonus.

143.175. 1. For all tax years beginning on or after January 1, 2020, for purposes of calculating the Missouri taxable income as required under section 143.011, a percentage of the income received by any person as salary or compensation:

(1) In performance of inactive duty for training (IDT) of the National Guard or annual training status (AT) of the National Guard; **[or]**

(2) In reserve components of the Armed Forces of the United States; or

(3) In the form of a bonus from the National Guard or a reserve component of the United States Armed Forces for joining, reenlisting, or for any other reason;

and to the extent that such income is included in the federal adjusted gross income, may be deducted from the taxpayer's Missouri adjusted gross income to determine such taxpayer's Missouri taxable income. If such person files a combined return with a spouse, a percentage of any military

income received while engaging in the performance of National Guard or reserve military duty may be deducted from their Missouri combined adjusted gross income. Such military income shall be deducted as follows:

(a) For the tax year beginning on or after January 1, 2020, twenty percent of such military income;

(b) For the tax year beginning on or after January 1, 2021, forty percent of such military income;

(c) For the tax year beginning on or after January 1, 2022, sixty percent of such income;

(d) For the tax year beginning on or after January 1, 2023, eighty percent of such income;

(e) For all tax years beginning on January 1, 2024, and thereafter, one hundred percent of such income.

2. Notwithstanding the provisions of this section or any other provision of law to the contrary, the deduction authorized by this section shall not apply to compensation received while engaging in civilian federal service, including civil service positions requiring the wearing of military uniform and military affiliation.

252.250. 1. The following individuals shall be eligible to receive hunting and fishing permits free of charge for life:

(1) Any veteran, who was discharged or released from service under conditions other than dishonorable, of any branch of the Armed Forces of the United States, including the National Guard or any reserve component of the Armed Forces; and

(2) Any active duty member of the Missouri National Guard.

2. The conservation commission shall issue each hunting and fishing permit upon request, unless the individual requesting a permit under this section is

otherwise prohibited from possessing a hunting permit or fishing permit by statute, rule, or regulation.

301.3061. 1. Any person eligible for membership in the Disabled American Veterans and who possesses a valid membership card issued by the Disabled American Veterans may apply for Missouri Disabled American Veterans license plates for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight. The Missouri Disabled American Veterans hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section.

2. Upon presentation of a current photo identification, the person's valid membership card issued by the Disabled American Veterans, and payment of a fifteen dollar fee in addition to the regular registration fees and presentation of other documents which may be required by law, the department of revenue shall issue a personalized license plate to the vehicle owner, which shall bear the emblem of the Disabled American Veterans organization, [an emblem consisting exclusively of a red letter "D", followed by a white letter "A" and a blue letter "V" in modified block letters, with each letter having a black shaded edging, and shall engrave the words "WARTIME DISABLED" in red letters centered] and shall have an authorized Disabled American Veterans' slogan near the bottom of the plate. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. A fee for the issuance of personalized license plates issued under section

301.144 shall not be required for plates issued under this section.

3. Any person who applies for a Disabled American Veterans license plate under this section to be used on a vehicle commonly known and referred to as a pickup truck may be issued a Disabled American Veterans license plate with the designation "beyond local" indicated in the upper right corner of the plate.

4. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person. License plates issued under this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle may operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.

5. The director shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void.

442.571. 1. Except as provided in sections 442.586 and 442.591, [no alien or foreign business shall acquire by grant, purchase, devise, descent or otherwise agricultural

land in this state if the total aggregate alien and foreign ownership of agricultural acreage in this state exceeds one percent of the total aggregate agricultural acreage in this state. A sale or transfer of any agricultural land in this state shall be submitted to the director of the department of agriculture for review in accordance with subsection 3 of this section only if there is no completed Internal Revenue Service Form W-9 signed by the purchaser] beginning August 28, 2024, no alien or foreign business shall acquire by grant, purchase, devise, descent, or otherwise any agricultural land in this state within five hundred miles of any reservation, post, arsenal, proving ground, range, mine field, camp, base, airfield, fort, yard, station, district, or area of the Armed Forces of the United States. Any alien or foreign business who acquired any agricultural land in this state prior to August 28, 2024, shall not grant, sell, or otherwise transfer such agricultural land to any other alien or foreign business on or after August 28, 2024. No person may hold agricultural land as an agent, trustee, or other fiduciary for an alien or foreign business in violation of sections 442.560 to 442.592, provided, however, that no security interest in such agricultural land shall be divested or invalidated by such violation.

2. Any alien or foreign business who acquires agricultural land in violation of sections 442.560 to 442.592 remains in violation of sections 442.560 to 442.592 for as long as [he or she] the alien or foreign business holds an interest in the land, provided, however, that no security interest in such agricultural land shall be divested or invalidated by such violation.

3. Subject to the provisions of subsection 1 of this section, [such] all proposed [acquisitions] transfers on or after August 28, 2024, by grant, purchase, devise, descent,

or otherwise of any interest in agricultural land held by any alien or foreign business in this state shall be submitted at least thirty calendar days prior to when such transfers of such agricultural land are finalized to the department of agriculture to determine whether such **[acquisition]** transfer of agricultural land is conveyed in accordance with the **[one percent restriction on the total aggregate]** prohibition on alien and foreign ownership of agricultural land in this state under this section. The department shall establish by rule the requirements for submission and approval of requests under this subsection.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.