

SENATE BILL NO. 1402

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

5620S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 173.1153, RSMo, and to enact in lieu thereof one new section relating to in-state tuition fees for students enrolled in the Reserve Officer Training Corps.

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

Section A. Section 173.1153, RSMo, is repealed and one
2 new section enacted in lieu thereof, to be known as section
3 173.1153, to read as follows:

173.1153. 1. Notwithstanding any provision of law to
2 the contrary, any individual who is currently serving in the
3 Missouri National Guard or in a reserve component of the
4 Armed Forces of the United States, **or any individual who is**
5 **currently enrolled in a Reserve Officer Training Corps**
6 **program of the United States Armed Forces at a state college**
7 **or university**, shall be deemed to be domiciled in this state
8 for purposes of eligibility for in-state tuition at any
9 approved public institution in Missouri.

10 2. To be eligible for in-state tuition under this
11 section, any such individual shall demonstrate presence
12 within the state of Missouri. For purposes of attending a
13 community college, an individual shall demonstrate presence
14 within the taxing district of the community college he or
15 she attends.

16 3. If any such individual is eligible to receive
17 financial assistance under any other federal or state
18 student aid program, public or private, the full amount of

19 such aid shall be reported to the coordinating board for
20 higher education by the institution and the individual. The
21 tuition limitation under this section shall be provided
22 after all other federal and state aid for which the
23 individual is eligible has been applied, and no individual
24 shall receive more than the actual cost of attendance when
25 the limitation is combined with other aid made available to
26 such individual.

27 4. The coordinating board for higher education shall
28 promulgate rules to implement this section.

29 5. For purposes of this section, "approved public
30 institution" shall have the same meaning as provided in
31 subdivision (3) of subsection 1 of section 173.1102.

32 6. Any rule or portion of a rule, as that term is
33 defined in section 536.010, that is created under the
34 authority delegated in this section shall become effective
35 only if it complies with and is subject to all of the
36 provisions of chapter 536 and, if applicable, section
37 536.028. This section and chapter 536 are nonseverable and
38 if any of the powers vested with the general assembly
39 pursuant to chapter 536 to review, to delay the effective
40 date, or to disapprove and annul a rule are subsequently
41 held unconstitutional, then the grant of rulemaking
42 authority and any rule proposed or adopted after August 28,
43 2016, shall be invalid and void.

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