

SENATE BILL NO. 1003

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHNELTING.

5751S.02I

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 41.216, 41.220, 41.475, 42.300, 42.310, 42.312, 42.315, and 173.239, RSMo, and to enact in lieu thereof sixteen new sections relating to military affairs.

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

Section A. Sections 41.216, 41.220, 41.475, 42.300, 2 42.310, 42.312, 42.315, and 173.239, RSMo, are repealed and 3 sixteen new sections enacted in lieu thereof, to be known as 4 sections 41.216, 41.475, 41.598, 41.599, 41.1015, 41.1016, 5 41.1017, 41.1018, 42.300, 42.310, 42.311, 42.312, 42.313, 6 42.315, 42.316, and 173.239, to read as follows:

41.216. 1. Subject to appropriation and upon the 2 recommendation of a panel consisting of a [sergeant major] 3 **senior enlisted leader** of the Missouri National Guard, a 4 sergeant major of a reserve component or its equivalent, and 5 a representative of the Missouri [veterans] **veterans'** 6 commission [who shall establish criteria for the grants by 7 the promulgation of rules and regulations], the adjutant 8 general shall have the power to **establish criteria for the 9 grants by the promulgation of rules and regulations, and to 10 make grants or provide other financial assistance or 11 services from the Missouri military family relief fund to 12 members of the Missouri National Guard, families of persons 13 who are members of the Missouri National Guard [or], and to**

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

14 Missouri residents who are members of the reserves of the
15 Armed Forces of the United States.

16 2. Any rule or portion of a rule, as that term is
17 defined in section 536.010, that is created under the
18 authority delegated in this section shall become effective
19 only if it complies with and is subject to all of the
20 provisions of chapter 536 and, if applicable, section
21 536.028. This section and chapter 536 are nonseverable and
22 if any of the powers vested with the general assembly
23 pursuant to chapter 536 to review, to delay the effective
24 date, or to disapprove and annul a rule are subsequently
25 held unconstitutional, then the grant of rulemaking
26 authority and any rule proposed or adopted after August 28,
27 2005, shall be invalid and void.

41.475. 1. The governor is hereby authorized to
2 request volunteers of the organized militia to assist
3 federal law enforcement authorities within or outside the
4 state, or to assist federal, state or local law enforcement
5 authorities within this state, and order such volunteers to
6 duty for the purpose of providing assistance in drug
7 interdiction and counter-drug activities and operation and
8 maintenance of equipment and facilities for such purposes
9 pursuant to plans adopted and funding assistance received
10 under the provisions of 32 U.S.C. 112.

11 2. The governor may delegate the authority conferred
12 by this section to the adjutant general, but the governor
13 shall retain sole authority to approve any and all plans
14 submitted to the Secretary of Defense under 32 U.S.C. 112.
15 The adjutant general shall ensure that all directives and
16 policies of the Department of Defense and National Guard
17 Bureau are followed. Personnel assisting in such activities
18 shall obey and execute the instructions of the civil

19 authorities charged by law with responsibility for law
20 enforcement.

21 3. The adjutant general is hereby authorized to
22 present, in the name of the state of Missouri, a Missouri
23 National Guard counterdrug program ribbon, which shall be of
24 suitable design, as may be determined by the adjutant
25 general, to individual members of the Missouri National
26 Guard who have participated in the counterdrug program. The
27 period of eligibility shall be from January 1, 1989, to a
28 future date to be determined by the adjutant general or the
29 cessation of the counterdrug program. No Missouri National
30 Guard counterdrug program ribbon shall be awarded to or
31 retained by any person whose entire service shall not have
32 been honorable. If a member qualifies for the Missouri
33 National Guard counterdrug program ribbon but dies before
34 making a request or before receipt, then the Missouri
35 National Guard counterdrug program ribbon may be requested
36 by and presented to the surviving primary next of kin. The
37 adjutant general shall adopt policies and operating
38 regulations concerning only its internal management of this
39 Missouri National Guard counterdrug program ribbon, which
40 need not be published in the Missouri Register or the code
41 of state regulations under chapter 536, but these
42 regulations shall be available for public inspection and
43 review.

 41.598. The adjutant general is hereby authorized to
2 present, in the name of the state of Missouri, a Missouri
3 National Guard homeland response force program ribbon, which
4 shall be of suitable design, as may be determined by the
5 adjutant general, to individual members of the Missouri
6 National Guard who have participated in the homeland
7 response force program. The period of eligibility shall be

8 from January 1, 2012, to a future date to be determined by
9 the adjutant general or the cessation of the homeland
10 response force program. No Missouri National Guard homeland
11 response force program ribbon shall be awarded to or
12 retained by any person whose entire service shall not have
13 been honorable. If a member qualifies for the Missouri
14 National Guard homeland response force ribbon but dies
15 before making a request or before receipt, then the Missouri
16 National Guard homeland response force program ribbon may be
17 requested by and presented to the surviving primary next of
18 kin. The adjutant general shall adopt policies and
19 operating regulations concerning only its internal
20 management of this Missouri National Guard homeland response
21 force program ribbon, which need not be published in the
22 Missouri Register or the code of state regulations under
23 chapter 536, but these regulations shall be available for
24 public inspection and review.

41.599. The adjutant general is hereby authorized to
2 present, in the name of the state of Missouri, a Missouri
3 National Guard engineer explosive ordnance clearance agent
4 ribbon, which shall be of suitable design, as may be
5 determined by the adjutant general, to individual members of
6 the Missouri National Guard who have participated in an
7 engineer explosive ordnance clearance agent course. The
8 period of eligibility shall be from January 1, 2012, to a
9 future date to be determined by the adjutant general or the
10 cessation of the engineer explosive ordnance clearance agent
11 course. No Missouri National Guard engineer explosive
12 ordnance clearance agent ribbon shall be awarded to or
13 retained by any person whose entire service shall not have
14 been honorable. If a member qualifies for the Missouri
15 National Guard engineer explosive ordnance clearance agent

16 ribbon but dies before making a request or before receipt,
17 then the Missouri National Guard engineer explosive ordnance
18 clearance agent ribbon may be requested by and presented to
19 the surviving primary next of kin. The adjutant general
20 shall adopt policies and operating regulations concerning
21 only its internal management of this Missouri National Guard
22 engineer explosive ordnance clearance agent ribbon, which
23 need not be published in the Missouri Register or the code
24 of state regulations under chapter 536, but these
25 regulations shall be available for public inspection and
26 review.

41.1015. Sections 41.1015 to 41.1018 shall be known
2 and may be cited as the "Cybersecurity Mission Act".

41.1016. As used in sections 41.1015 to 41.1018, the
2 following terms mean:

3 (1) "Critical infrastructure facility", the same
4 meaning as such term is defined in section 569.086;

5 (2) "Cyber-attack prevention", proactive measures and
6 strategies implemented to identify, reduce, and eliminate
7 vulnerabilities in information systems, including, but not
8 limited to, risk assessments, employee training, system
9 updates, firewalls, encryption, and access controls, with
10 the goal of preventing unauthorized access or malicious
11 activities;

12 (3) "Cyber-attack response", actions taken during and
13 immediately following a cybersecurity incident or cyber
14 attack to contain, mitigate, and remediate the effects of
15 the incident, including, but not limited to, incident
16 reporting, forensic analysis, system isolation, and
17 communication with affected parties;

18 (4) "Cyber-attack support", assistance provided to
19 parties or entities affected by a cybersecurity incident,

20 including, but not limited to, technical aid, recovery of
21 data and systems, mitigation efforts, and guidance on
22 improving future cybersecurity measures;

23 (5) "Cybersecurity", the practice of protecting
24 networks, systems, devices, data, and information from
25 unauthorized access, disruption, destruction, or theft,
26 through the implementation of policies, procedures,
27 technologies, and practices designed to ensure the
28 confidentiality, integrity, reliability, and availability of
29 the networks, systems, devices, data, and information;

30 (6) "Governing body", the same meaning as such term is
31 defined in section 67.750;

32 (7) "Law enforcement agency", the same meaning as such
33 term is defined in section 590.1040;

34 (8) "Political subdivision", the same meaning as such
35 term is defined in section 67.750;

36 (9) "Public college and university", the same meaning
37 as the term "public colleges and universities" as defined in
38 section 173.355;

39 (10) "Utility company", the same meaning as such term
40 is defined in section 393.550.

41.1017. 1. Subject to appropriation, the Missouri
2 National Guard may engage in cybersecurity, cyber-attack
3 prevention, cyber-attack response, and cyber-attack support
4 activities for this state or for a political subdivision,
5 governing body, public college and university, law
6 enforcement agency, utility company, and critical
7 infrastructure facility of this state.

8 2. At the request of the director of the department of
9 public safety or his or her designee, the Missouri National
10 Guard may enter into agreements with a party or parties,

11 pertaining to rendering aid pursuant to subsection 1 of this
12 section.

13 3. The adjutant general may activate members of the
14 Missouri National Guard, on state orders, to carry out the
15 rendering of aid covered under subsection 1 of this section.

16 4. The adjutant general may charge and may receive
17 reimbursement for expenses incurred by the Missouri National
18 Guard, related to rendering aid pursuant to subsection 1 of
19 this section. The adjutant general shall determine when
20 activating members of the Missouri National Guard, on state
21 orders, whether expenses related to rendering aid pursuant
22 to subsection 1 of this section shall be collected through
23 reimbursement or charge prior to the time the services are
24 rendered. If expenses are collected by charge prior to the
25 time the services are rendered and the amount of such
26 expense cannot be readily determined, then the adjutant
27 general shall receive, from the requesting party, a deposit
28 based upon the likely amount of such expense, and the
29 balance of such expense shall be payable immediately upon
30 ascertainment of the proper amount of said expense.

31 5. There is hereby created in the state treasury the
32 "Missouri National Guard Cybersecurity Revolving Fund",
33 which shall consist of:

- 34 (1) Monies appropriated by the general assembly;
35 (2) Monies received as a charge for expenses incurred
36 by the Missouri National Guard, related to rendering aid
37 pursuant to subsection 1 of this section; and
38 (3) Monies received as reimbursement for expenses
39 incurred by the Missouri National Guard, related to
40 rendering aid pursuant to subsection 1 of this section.

41 This fund shall be administered by the adjutant general.
42 All funds received under this section shall be transmitted
43 to the director of revenue for deposit in the fund and
44 shall, upon appropriation by the general assembly, be used
45 by the adjutant general for the sole purpose of rendering
46 aid pursuant to subsection 1 of this section. The state
47 treasurer shall be the custodian of the fund and shall issue
48 warrants from the fund at the request of the adjutant
49 general after approval for payment is made by the
50 commissioner of administration. Notwithstanding the
51 provisions of section 33.080 to the contrary, moneys in the
52 Missouri National Guard cybersecurity revolving fund at the
53 end of any biennium shall not be transferred to the credit
54 of the general revenue fund.

41.1018. The adjutant general shall administer the
2 provisions of sections 41.1015 to 41.1018, and may adopt all
3 rules and regulations necessary to administer the provisions
4 of sections 41.1015 to 41.1018. Any rule or portion of a
5 rule, as that term is defined in section 536.010, that is
6 created under the authority delegated in sections 41.1015 to
7 41.1018 shall become effective only if it complies with and
8 is subject to all of the provisions of chapter 536 and, if
9 applicable, section 536.028. Sections 41.1015 to 41.1018
10 and chapter 536 are nonseverable and if any of the powers
11 vested with the general assembly pursuant to chapter 536 to
12 review, to delay the effective date, or to disapprove and
13 annul a rule are subsequently held unconstitutional, then
14 the grant of rulemaking authority and any rule proposed or
15 adopted after August 28, 2026, shall be invalid and void.

42.300. 1. There is hereby created in the state
2 treasury the "Veterans Commission Capital Improvement Trust
3 Fund" which shall consist of money collected under section

4 313.835. The state treasurer shall administer the veterans
5 commission capital improvement trust fund, and the moneys in
6 such fund shall be used solely, upon appropriation, by the
7 Missouri [veterans] **veterans'** commission for:

8 (1) The construction, maintenance or renovation or
9 equipment needs of veterans' homes in this state;

10 (2) The construction, maintenance, renovation,
11 equipment needs and operation of veterans' cemeteries in
12 this state;

13 (3) Fund transfers to Missouri veterans' homes fund
14 established under the provisions of section 42.121, as
15 necessary to maintain solvency of the fund;

16 (4) Fund transfers to any municipality with a
17 population greater than four hundred thousand and located in
18 part of a county with a population greater than six hundred
19 thousand in this state which has established a fund for the
20 sole purpose of the restoration, renovation and maintenance
21 of a memorial or museum or both dedicated to World War I.
22 Appropriations from the veterans commission capital
23 improvement trust fund to such memorial fund shall be
24 provided only as a one-time match for other funds devoted to
25 the project and shall not exceed five million dollars.
26 Additional appropriations not to exceed ten million dollars
27 total may be made from the veterans commission capital
28 improvement trust fund as a match to other funds for the new
29 construction or renovation of other facilities dedicated as
30 veterans' memorials in the state. All appropriations for
31 renovation, new construction, reconstruction, and
32 maintenance of veterans' memorials shall be made only for
33 applications received by the Missouri [veterans] **veterans'**
34 commission prior to July 1, 2004;

35 (5) The issuance of matching fund grants for veterans'
36 service officer programs to any federally chartered
37 veterans' organization or municipal government agency that
38 is certified by the Veterans Administration to process
39 veteran claims within the Veterans Administration System;
40 provided that such veterans' organization has maintained a
41 veterans' service officer presence within the state of
42 Missouri for the three-year period immediately preceding the
43 issuance of any such grant. A total of one million five
44 hundred thousand dollars in grants shall be made available
45 annually for service officers and joint training and
46 outreach between veterans' service organizations and the
47 Missouri [veterans] **veterans'** commission with grants being
48 issued in July of each year. Application for the matching
49 grants shall be made through and approved by the Missouri
50 [veterans] **veterans'** commission based on the requirements
51 established by the commission;

52 (6) For payment of Missouri National Guard and
53 Missouri [veterans] **veterans'** commission expenses associated
54 with providing medals, medallions, and certificates in
55 recognition of service in the Armed Forces of the United
56 States [during World War II, the Korean Conflict, and the
57 Vietnam War under sections 42.170 to 42.226] **for any**
58 **conflict, war, operation, or similar incident identified**
59 **under chapter 42.** Any funds remaining from the medals,
60 medallions, and certificates shall not be transferred to any
61 other fund and shall only be utilized for the awarding of
62 future medals, medallions, and certificates in recognition
63 of service in the Armed Forces;

64 (7) Fund transfers totaling ten million dollars to any
65 municipality with a population greater than three hundred
66 fifty thousand inhabitants and located in part in a county

67 with a population greater than six hundred thousand
68 inhabitants and with a charter form of government, for the
69 sole purpose of the construction, restoration, renovation
70 and maintenance of a memorial or museum or both dedicated to
71 World War I; and

72 (8) The administration of the Missouri [veterans]
73 **veterans'** commission.

74 2. Any interest which accrues to the fund shall remain
75 in the fund and shall be used in the same manner as moneys
76 which are transferred to the fund under this section.
77 Notwithstanding the provisions of section 33.080 to the
78 contrary, moneys in the veterans commission capital
79 improvement trust fund at the end of any biennium shall not
80 be transferred to the credit of the general revenue fund.

81 3. Upon request by the [veterans] **Missouri veterans'**
82 commission, the general assembly may appropriate moneys from
83 the veterans commission capital improvement trust fund to
84 the Missouri National Guard trust fund to support the
85 activities described in section 41.958.

42.310. 1. There is hereby created within the state
2 adjutant general's office the "Operation Iraqi Freedom and
3 Operation New Dawn Medallion Program". Every veteran who
4 honorably served on active duty in the United States
5 military service at any time beginning March 19, 2003, and
6 ending December 15, 2011, shall be entitled to receive an
7 Operation Iraqi Freedom and Operation New Dawn medallion,
8 medal, and certificate of appreciation under this section,
9 provided that:

10 (1) Such veteran is a legal resident of this state or
11 was a legal resident of this state at the time he or she
12 entered or was discharged from military service or at the
13 time of his or her death or such veteran served in a unit of

14 the Missouri National Guard regardless of whether such
15 veteran is or ever was a legal resident of this state; and

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

20 2. The Operation Iraqi Freedom and Operation New Dawn
21 medallion, medal, and certificate shall be awarded
22 regardless of whether such veteran served within the United
23 States or in a foreign country. The medallion, medal, and
24 certificate shall be awarded regardless of whether such
25 veteran was under eighteen years of age at the time of
26 enlistment.

27 3. The following persons may apply for an Operation
28 Iraqi Freedom and Operation New Dawn medallion, medal, and
29 certificate under this section:

30 (1) Any veteran who is entitled to an Operation Iraqi
31 Freedom and Operation New Dawn medallion, medal, and
32 certificate under subsection 1 of this section;

33 (2) Any spouse or eldest living survivor of a deceased
34 veteran who would be entitled to an Operation Iraqi Freedom
35 and Operation New Dawn medallion, medal, and certificate
36 under subsection 1 of this section but who died prior to
37 having made application for such medallion, medal, and
38 certificate.

39 4. If any spouse or eldest living survivor applies for
40 the Operation Iraqi Freedom and Operation New Dawn
41 medallion, medal, and certificate under this section or if
42 any veteran dies after applying for an Operation Iraqi
43 Freedom and Operation New Dawn medallion, medal, and
44 certificate under this section and such veteran would have
45 been entitled to the Operation Iraqi Freedom and Operation

46 New Dawn medallion, medal, and certificate, the adjutant
47 general shall give the Operation Iraqi Freedom and Operation
48 New Dawn medallion, medal, and certificate to the spouse or
49 eldest living survivor of the deceased veteran.

50 5. The Missouri veterans' commission shall design the
51 form of Operation Iraqi Freedom and Operation New Dawn
52 medallion, medal, and certificate and forward the approved
53 designs to the adjutant general for distribution pursuant to
54 sections 42.310 to 42.311. It is the intent of the general
55 assembly to create statewide involvement in the design of
56 these symbols in recognition of this historic endeavor.
57 Therefore, in designing the forms, the Missouri veterans'
58 commission may solicit potential designs from elementary and
59 secondary schools, veterans' groups, civic organizations, or
60 any other interested parties, and may select the best design
61 from among such solicited designs, or may select another
62 design.

63 6. For purposes of this section, the term "veteran"
64 means any person defined as a veteran by the United States
65 Department of Veterans Affairs or its successor agency.

42.311. 1. Except as otherwise provided in sections
2 42.310 to 42.311, the adjutant general shall administer the
3 provisions of sections 42.310 to 42.311, and may adopt all
4 rules and regulations necessary to administer the provisions
5 of sections 42.310 to 42.311. Any rule or portion of a
6 rule, as that term is defined in section 536.010, that is
7 created under the authority delegated in sections 42.310 to
8 42.311 shall become effective only if it complies with and
9 is subject to all of the provisions of chapter 536 and, if
10 applicable, section 536.028. Sections 42.310 to 42.311 and
11 chapter 536 are nonseverable and if any of the powers vested
12 with the general assembly pursuant to chapter 536 to review,

13 to delay the effective date, or to disapprove and annul a
14 rule are subsequently held unconstitutional, then the grant
15 of rulemaking authority and any rule proposed or adopted
16 after August 28, 2026, shall be invalid and void.

17 2. The adjutant general shall determine as
18 expeditiously as possible the persons who are entitled to an
19 Operation Iraqi Freedom and Operation New Dawn medallion,
20 medal, and certificate under sections 42.310 to 42.311 and
21 distribute the medallions, medals, and certificates as
22 provided in sections 42.310 to 42.311. Applications for the
23 Operation Iraqi Freedom and Operation New Dawn medallion,
24 medal, and certificate shall be filed with the office of the
25 adjutant general at any time after August 28, 2026, on forms
26 prescribed and furnished by the office of the adjutant
27 general. The adjutant general shall approve all
28 applications that are in order, and shall cause an Operation
29 Iraqi Freedom and Operation New Dawn medallion, medal, and
30 certificate to be prepared for each approved veteran in the
31 form created by the Missouri veterans' commission under
32 section 42.310. The medallions, medals, and certificates
33 shall be awarded until the supply of medallions, medals, and
34 certificates is exhausted. The adjutant general shall
35 notify the general assembly when such supply totals less
36 than one hundred.

42.312. 1. There is hereby created within the state
2 adjutant general's office the "Operation Enduring Freedom,
3 Operation Freedom's Sentinel, and Operation Allies Refuge
4 Program". Every veteran who honorably served on active duty
5 in the United States military service at any time beginning
6 October 7, 2001, and ending August 30, 2021, shall be
7 entitled to receive an Operation Enduring Freedom, Operation
8 Freedom's Sentinel, and Operation Allies Refuge medallion,

9 medal, and certificate of appreciation under this section,
10 provided that:

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

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

21 2. The Operation Enduring Freedom, Operation Freedom's
22 Sentinel, and Operation Allies Refuge medallion, medal, and
23 certificate shall be awarded regardless of whether such
24 veteran served within the United States or in a foreign
25 country. The medallion, medal, and certificate shall be
26 awarded regardless of whether such veteran was under
27 eighteen years of age at the time of enlistment.

28 **3. The following persons may apply for an Operation**
29 **Enduring Freedom, Operation Freedom's Sentinel, and**
30 **Operation Allies Refuge Program medallion, medal, and**
31 **certificate under this section:**

32 (1) Any veteran who is entitled to an Operation
33 Enduring Freedom, Operation Freedom's Sentinel, and
34 Operation Allies Refuge Program medallion, medal, and
35 certificate under subsection 1 of this section;

36 (2) Any spouse or eldest living survivor of a deceased
37 veteran who would be entitled to an Operation Enduring
38 Freedom, Operation Freedom's Sentinel, and Operation Allies
39 Refuge Program medallion, medal, and certificate under

40 subsection 1 of this section but who died prior to having
41 made application for such medallion, medal, and certificate.

42 4. If any spouse or eldest living survivor applies for
43 the Operation Enduring Freedom, Operation Freedom's
44 Sentinel, and Operation Allies Refuge Program medallion,
45 medal, and certificate under this section or if any veteran
46 dies after applying for an Operation Enduring Freedom,
47 Operation Freedom's Sentinel, and Operation Allies Refuge
48 Program medallion, medal, and certificate under this section
49 and such veteran would have been entitled to the Operation
50 Enduring Freedom, Operation Freedom's Sentinel, and
51 Operation Allies Refuge Program medallion, medal, and
52 certificate, the adjutant general shall give the Operation
53 Enduring Freedom, Operation Freedom's Sentinel, and
54 Operation Allies Refuge Program medallion, medal, and
55 certificate to the spouse or eldest living survivor of the
56 deceased veteran.

57 5. The Missouri veterans' commission shall design the
58 form of Operation Enduring Freedom, Operation Freedom's
59 Sentinel, and Operation Allies Refuge Program medallion,
60 medal, and certificate and forward the approved designs to
61 the adjutant general for distribution pursuant to sections
62 42.312 to 42.313. It is the intent of the general assembly
63 to create statewide involvement in the design of these
64 symbols in recognition of this historic endeavor.
65 Therefore, in designing the forms, the Missouri veterans'
66 commission may solicit potential designs from elementary and
67 secondary schools, veterans' groups, civic organizations, or
68 any other interested parties, and may select the best design
69 from among such solicited designs, or may select another
70 design.

71 6. For purposes of this section, **the term "veteran"**
72 means any person defined as a veteran by the United States
73 Department of Veterans Affairs or its successor agency.

 42.313. 1. **Except as otherwise provided in sections**
2 **42.312 to 42.313, the adjutant general shall administer the**
3 **provisions of sections 42.312 to 42.313, and may adopt all**
4 **rules and regulations necessary to administer the provisions**
5 **of sections 42.312 to 42.313. Any rule or portion of a**
6 **rule, as that term is defined in section 536.010, that is**
7 **created under the authority delegated in sections 42.312 to**
8 **42.313 shall become effective only if it complies with and**
9 **is subject to all of the provisions of chapter 536 and, if**
10 **applicable, section 536.028. Sections 42.312 to 42.313 and**
11 **chapter 536 are nonseverable and if any of the powers vested**
12 **with the general assembly pursuant to chapter 536 to review,**
13 **to delay the effective date, or to disapprove and annul a**
14 **rule are subsequently held unconstitutional, then the grant**
15 **of rulemaking authority and any rule proposed or adopted**
16 **after August 28, 2026, shall be invalid and void.**

17 2. The adjutant general shall determine as
18 expeditiously as possible the persons who are entitled to an
19 Operation Enduring Freedom, Operation Freedom's Sentinel,
20 and Operation Allies Refuge Program medallion, medal, and
21 certificate under sections 42.312 to 42.313 and distribute
22 the medallions, medals, and certificates as provided in
23 sections 42.312 to 42.313. Applications for the Operation
24 Enduring Freedom, Operation Freedom's Sentinel, and
25 Operation Allies Refuge Program medallion, medal, and
26 certificate shall be filed with the office of the adjutant
27 general at any time after August 28, 2026, on forms
28 prescribed and furnished by the office of the adjutant
29 general. The adjutant general shall approve all

30 applications that are in order, and shall cause an Operation
31 Enduring Freedom, Operation Freedom's Sentinel, and
32 Operation Allies Refuge Program medallion, medal, and
33 certificate to be prepared for each approved veteran in the
34 form created by the Missouri veterans' commission under
35 section 42.312. The medallions, medals, and certificates
36 shall be awarded until the supply of medallions, medals, and
37 certificates is exhausted. The adjutant general shall
38 notify the general assembly when such supply totals less
39 than one hundred.

42.315. 1. There is hereby created within the state
2 adjutant general's office the "Operation Desert Shield and
3 Operation Desert Storm Medallion Program". Every veteran
4 who honorably served on active duty in the United States
5 military service at any time beginning August 7, 1990, and
6 ending June 7, 1991, shall be entitled to receive an
7 Operation Desert Shield and Operation Desert Storm
8 medallion, medal, and certificate of appreciation under this
9 section, provided that:

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

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

20 2. The Operation Desert Shield and Operation Desert
21 Storm medallion, medal, and certificate shall be awarded
22 regardless of whether such veteran served within the United

23 States or in a foreign country. The medallion, medal, and
24 the certificate shall be awarded regardless of whether such
25 veteran was under eighteen years of age at the time of
26 enlistment.

27 3. The following persons may apply for an Operation
28 Desert Shield and Operation Desert Storm medallion, medal,
29 and certificate under this section:

30 (1) Any veteran who is entitled to an Operation Desert
31 Shield and Operation Desert Storm medallion, medal, and
32 certificate under subsection 1 of this section;

33 (2) Any spouse or eldest living survivor of a deceased
34 veteran who would be entitled to an Operation Desert Shield
35 and Operation Desert Storm medallion, medal, and certificate
36 under subsection 1 of this section but who died prior to
37 having made application for such medallion, medal, and
38 certificate.

39 4. If any spouse or eldest living survivor applies for
40 the Operation Desert Shield and Operation Desert Storm
41 medallion, medal, and certificate under this section or if
42 any veteran dies after applying for an Operation Desert
43 Shield and Operation Desert Storm medallion, medal, and
44 certificate under this section and such veteran would have
45 been entitled to the Operation Desert Shield and Operation
46 Desert Storm medallion, medal, and certificate, the adjutant
47 general shall give the Operation Desert Shield and Operation
48 Desert Storm medallion, medal, and certificate to the spouse
49 or eldest living survivor of the deceased veteran.

50 5. The Missouri veterans' commission shall design the
51 form of Operation Desert Shield and Operation Desert Storm
52 medallion, medal, and certificate and forward the approved
53 designs to the adjutant general for distribution pursuant to
54 sections 42.315 to 42.316. It is the intent of the general

55 assembly to create statewide involvement in the design of
56 these symbols in recognition of this historic endeavor.
57 Therefore, in designing the forms, the Missouri veterans'
58 commission may solicit potential designs from elementary and
59 secondary schools, veterans' groups, civic organizations, or
60 any other interested parties, and may select the best design
61 from among such solicited designs, or may select another
62 design.

63 6. For purposes of this section, **the term "veteran"**
64 means any person defined as a veteran by the United States
65 Department of Veterans Affairs or its successor agency.

42.316. 1. Except as otherwise provided in sections
2 42.315 to 42.316, the adjutant general shall administer the
3 provisions of sections 42.315 to 42.316, and may adopt all
4 rules and regulations necessary to administer the provisions
5 of sections 42.315 to 42.316. Any rule or portion of a
6 rule, as that term is defined in section 536.010, that is
7 created under the authority delegated in sections 42.315 to
8 42.316 shall become effective only if it complies with and
9 is subject to all of the provisions of chapter 536 and, if
10 applicable, section 536.028. Sections 42.315 to 42.316 and
11 chapter 536 are nonseverable and if any of the powers vested
12 with the general assembly pursuant to chapter 536 to review,
13 to delay the effective date, or to disapprove and annul a
14 rule are subsequently held unconstitutional, then the grant
15 of rulemaking authority and any rule proposed or adopted
16 after August 28, 2026, shall be invalid and void.

17 2. The adjutant general shall determine as
18 expeditiously as possible the persons who are entitled to an
19 Operation Desert Shield and Operation Desert Storm
20 medallion, medal, and certificate under sections 42.315 to
21 42.316 and distribute the medallions, medals, and

22 certificates as provided in sections 42.315 to 42.316.
23 Applications for the Operation Desert Shield and Operation
24 Desert Storm medallion, medal, and certificate shall be
25 filed with the office of the adjutant general at any time
26 after August 28, 2026, on forms prescribed and furnished by
27 the office of the adjutant general. The adjutant general
28 shall approve all applications that are in order, and shall
29 cause an Operation Desert Shield and Operation Desert Storm
30 medallion, medal, and certificate to be prepared for each
31 approved veteran in the form created by the Missouri
32 veterans' commission under section 42.315. The medallions,
33 medals, and certificates shall be awarded until the supply
34 of medallions, medals, and certificates is exhausted. The
35 adjutant general shall notify the general assembly when such
36 supply totals less than one hundred.

173.239. 1. Any member of the Missouri National Guard
2 who possesses the qualifications set forth in this section
3 may, while he or she is a member of the Missouri National
4 Guard, be awarded educational assistance in the form of:

5 (1) A tuition and fee waiver for undergraduate courses
6 at a postsecondary institution of higher education located
7 in this state that directly receives funds appropriated by
8 the general assembly. This tuition and fee waiver shall not
9 be implemented prior to the 2025-26 academic year. The
10 tuition and fee waiver shall be only for tuition and fees
11 that remain after the application of all payments from a
12 tuition assistance program of the National Guard, Army, or
13 Air Force; additional federal military tuition assistance;
14 [GI Bill educational entitlements;] awarded external
15 scholarships; and federal financial grants, including the
16 Pell grant, that are available to the member in the current
17 semester. For purposes of this section, **the term "fee" or**

18 "fees" mean any mandatory fees charged by an institution to
19 all full-time students as a condition of enrollment; or

20 (2) A grant to an eligible institution of his or her
21 choice. For purposes of this subdivision, the term
22 "eligible institution" shall mean:

23 (a) An approved public institution or an approved
24 private institution, as those terms are defined in section
25 173.1102; or

26 (b) Any institution of postsecondary education that is
27 required by law to be, and currently is, certified to
28 operate by the coordinating board for higher education; that
29 is institutionally accredited by an accrediting commission
30 recognized by the United States Department of Education;
31 that has operated continuously in this state for five or
32 more years; that has no more than fifty percent of its
33 students in correspondence programs; and that offers a one-
34 year or two-year certificate, associate or baccalaureate
35 degree programs, or graduate or professional degree programs.

36 2. (1) Educational assistance provided under this
37 section shall not exceed the lesser of the following:

38 (a) The actual tuition, as defined in section 173.260,
39 charged at an approved institution where the member is
40 enrolled or accepted for enrollment; or

41 (b) The product of the number of credit hours taken
42 multiplied by the average tuition cost per credit hour
43 charged to a Missouri resident at the University of Missouri
44 for attendance, with such average cost determined by the
45 Missouri National Guard.

46 (2) The grants provided under this section may be
47 prorated subject to appropriations in an amount no less than
48 fifty percent of the limits set forth in this subsection.

49 3. (1) For either type of educational assistance
50 described in this section, a member of the Missouri National
51 Guard may apply to the appropriate office of the Missouri
52 National Guard before each semester. The member shall:

53 (a) Provide a certificate of satisfactory service of
54 his or her Missouri National Guard duties from his or her
55 commanding officer;

56 (b) Possess all other necessary entrance requirements
57 of the school of his or her choice;

58 (c) Provide proof of maintaining a cumulative grade
59 point average (GPA) of at least two point five on a four-
60 point scale, or the equivalent on another scale approved by
61 the program administrator, while attending the approved
62 public or private institution;

63 (d) Have not yet earned a bachelor's degree; and

64 (e) Have completed and submitted a FAFSA for the
65 academic term for which educational assistance is requested.

66 (2) For the tuition and fee waiver, the waiver shall
67 be awarded if the member applies and is otherwise eligible
68 pursuant to this section, but the waiver shall be awarded
69 only after the Missouri National Guard has distributed any
70 moneys available for the member through the state tuition
71 assistance program.

72 4. If the grade point average of a member who is
73 receiving educational assistance pursuant to this section
74 falls below two point five on a four-point scale, or the
75 equivalent on another scale, such member shall retain the
76 educational assistance and shall be placed on probation
77 under the educational assistance program. Failure to
78 achieve a current grade point average of at least two point
79 five on a four-point scale or the equivalent on another
80 scale for future semesters or equivalent academic terms

81 shall result in termination of the educational assistance
82 effective as of the next academic term. The member shall be
83 removed from probation status upon achieving a cumulative
84 grade point average of two point five on a four-point scale
85 or the equivalent on another scale.

86 5. For the tuition and fee waiver, an applicant shall
87 cease to be eligible if the total number of credit hours
88 completed by the applicant exceeds one hundred twenty.
89 Credit hours earned with the educational assistance
90 described in this section and credit hours earned without
91 the educational assistance described in this section shall
92 be counted to determine the total number of credit hours
93 completed by an applicant for purposes of this subsection.

94 6. The tuition and fee waiver shall not be available
95 in any fiscal year in which the percent of total program
96 costs covered by the state appropriation for the educational
97 assistance provided pursuant to this section has decreased
98 compared to the previous fiscal year.

99 7. If a recipient of either type of educational
100 assistance pursuant to this section ceases to maintain their
101 active military affiliation while enrolled in an academic
102 semester or term for any reason except death, disability, or
103 medical disqualification the educational assistance shall be
104 terminated and the recipient shall repay any amounts awarded
105 or waived for the academic semester or term.

106 8. The educational assistance program established
107 pursuant to this section shall be administered by the office
108 of the adjutant general of the Missouri National Guard. The
109 Missouri National Guard shall establish guidelines for
110 equitable administrative distribution of educational
111 assistance.

2 [41.220. 1. There shall be a military
3 council consisting of the adjutant general as
4 president of the council, general officers, the
5 commanding officers of all brigades, wings, or
6 groups, and any other officer or officers the
7 adjutant general may deem desirable or
8 necessary, and an officer appointed by the
9 adjutant general from his office to act as
10 recorder without vote. The senior United States
11 Army and United States Air Force advisors on
12 duty with the organized state militia, the
13 comptroller of the state military forces and the
14 United States Property and Fiscal Officer shall
15 be ex officio members without vote. The
16 adjutant general shall appoint the members of
17 the military council on general orders
18 annually. These orders will be amended as
19 necessary. Members of the military council
20 shall receive actual and necessary expenses for
21 attending meetings thereof.

22 2. It shall be the duty of this council to
23 act in an advisory capacity to the commander in
24 chief on all matters placed before it by the
25 governor, the adjutant general or any member of
26 the council and to submit recommendations
27 thereon to the governor, which shall become
28 effective only upon his approval. The military
29 council shall determine and authorize the number
30 of regular and temporary employees necessary to
31 the administration and supply of the military
32 forces and fix the pay and allowances of the
33 employees within the limitations of
34 appropriations. It shall be the further duty of
35 the council to make recommendations on the needs
36 of the militia for legislative appropriations,
37 and no request for appropriations of public
38 money for the support of the militia, other than
39 a request by the governor or by a member of the
40 general assembly, shall be made without the
41 recommendation of the council being noted
42 thereon for the information of the governor and
43 the legislature. All appropriations made for
44 military purposes shall be apportioned and
expended by the council. Vouchers and accounts

45 covering the expenditure of funds and
46 appropriations for the support of the militia
47 shall be approved and paid only when fully
48 itemized, certified and approved by the
49 president of the council.

50 3. The council shall meet quarterly at the
51 City of Jefferson at such time as the president
52 shall designate. Special meetings may be called
53 by the governor or the president of the council
54 at any time or place designated. A majority of
55 the members of the council on duty within the
56 state shall constitute a quorum for the
57 transaction of its business. The council shall
58 keep full and detailed records of its
59 proceedings. The president of the council in an
60 unusual emergency is authorized to poll the
61 members of the military council and require them
62 to cast their vote through whatever means of
63 communications are available to them and the
64 action taken in that manner shall have the same
65 force and effect as a quarterly or special
66 meeting when the poll will expedite
67 recommendations on and furnish advice in the
68 conduct of the affairs of the militia of this
69 state to a better state of preparedness.]

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