

SENATE BILL NO. 572

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR COLEMAN.

Pre-filed December 1, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

3409S.01I

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to a scholarship program for children and spouses of veterans killed in combat.

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

Section A. Chapter 173, RSMo, is amended by adding thereto one new
2 section, to be known as section 173.238, to read as follows:

173.238. 1. As used in this section, unless the context clearly
2 requires otherwise, the following terms mean:

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

4 (2) "Books", any books required for any course for which tuition
5 was paid by a grant awarded pursuant to this section;

6 (3) "Grant", the war veteran's survivors grant as established in
7 this section;

8 (4) "Institution of postsecondary education", any approved
9 Missouri public institution of postsecondary education, as defined in
10 section 173.205;

11 (5) "Survivor", a child or spouse of a war veteran;

12 (6) "Tuition", any tuition or incidental fee, or both, charged by an
13 institution of postsecondary education for attendance at the institution
14 by a student as a resident of this state;

15 (7) "War veteran", a person who served in the military during a
16 time of war and to whom the following criteria shall apply:

17 (a) The veteran was a Missouri resident when first entering the
18 military service and at the time of death; and

19 (b) The veteran dies as a result of combat action or the veteran's
20 death was certified by a Veterans' Administration medical authority to
21 be attributable to an illness that was contracted while serving in
22 combat.

23 2. Within the limits of the amounts appropriated therefor, the
24 coordinating board for higher education shall award annually up to
25 twenty-five grants to survivors of war veterans to attend institutions
26 of postsecondary education in this state, which shall continue to be
27 awarded annually to eligible recipients as long as certain standards of
28 academic performance, as determined by the coordinating board for
29 higher education, continue to be achieved. If the waiting list of eligible
30 survivors exceeds fifty, the coordinating board may petition the general
31 assembly to expand the quota. If the quota is not expanded, then the
32 eligibility of survivors on the waiting list shall be extended.

33 3. A survivor may receive a grant pursuant to this section only
34 so long as the survivor is enrolled in a program leading to a certificate,
35 or an associate or baccalaureate degree. In no event shall a survivor
36 receive a grant beyond the completion of the first baccalaureate
37 degree, regardless of age.

38 4. The coordinating board for higher education shall:

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

41 (2) Determine minimum standards of academic performance in
42 order for a survivor to remain eligible to receive a grant under this
43 section;

44 (3) Provide the forms and determine the procedures necessary
45 for a survivor to apply for and receive a grant under this section.

46 5. Any rule or portion of a rule, as that term is defined in section
47 536.010, RSMo, that is created under the authority delegated in this
48 section shall become effective only if it complies with and is subject to
49 all of the provisions of chapter 536, RSMo, and, if applicable, section
50 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
51 and if any of the powers vested with the general assembly pursuant to
52 chapter 536, RSMo, to review, to delay the effective date, or to
53 disapprove and annul a rule are subsequently held unconstitutional,
54 then the grant of rulemaking authority and any rule proposed or
55 adopted after August 28, 2006, shall be invalid and void.

56 6. In order to be eligible to receive a grant pursuant to this
57 section, a survivor shall be certified as eligible by the Missouri
58 veterans' commission. In the case of an illness-related death, such
59 certification shall be made upon qualified medical certification by a

60 Veterans' Administration medical authority that the illness was both a
61 direct result of the veteran's combat service and a substantial factor in
62 the cause of the resulting death of the veteran.

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

67 (1) An amount not to exceed half of the survivor's actual tuition;

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

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

72 8. A survivor who is a recipient of a grant may transfer from one
73 approved public institution of postsecondary education to another
74 without losing his or her entitlement under this section. The board
75 shall make necessary adjustments in the amount of the grant. If a grant
76 recipient at any time withdraws from the institution of postsecondary
77 education so that under the rules and regulations of that institution he
78 or she is entitled to a refund of any tuition, fees, room and board,
79 books, or other charges, the institution shall pay the portion of the
80 refund to which he or she is entitled attributable to the grant for that
81 semester or similar grading period to the board.

82 9. If a survivor is granted financial assistance under any other
83 student aid program, public or private, the full amount of such aid shall
84 be reported to the board by the institution and the eligible survivor.

85 10. Nothing in this section shall be construed as a promise or
86 guarantee that a person will be admitted to an institution of
87 postsecondary education or to a particular institution of postsecondary
88 education, will be allowed to continue to attend an institution of
89 postsecondary education after having been admitted, or will be
90 graduated from an institution of postsecondary education.

91 11. The benefits conferred by this section shall be available to
92 any academically qualified surviving spouse or children of war
93 veterans. Surviving children who are eligible shall be permitted to
94 apply for full benefits conferred by this section until they reach twenty-
95 five years of age.