

FIRST REGULAR SESSION

# HOUSE BILL NO. 400

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BASYE.

0785H.03I

DANA RADEMAN MILLER, Chief Clerk

## AN ACT

To repeal section 173.900, RSMo, and to enact in lieu thereof one new section relating to the Missouri returning heroes education act.

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

Section A. Section 173.900, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 173.900, to read as follows:

173.900. 1. This act shall be known and may be cited as the "Missouri Returning Heroes' Education Act".

2. For the purpose of this section, the term "combat veteran" shall mean a person who served in armed combat [~~in the military after September 11, 2001,~~] and to whom the following criteria shall apply:

(1) The veteran was a Missouri resident when first entering the military **or entered military service in Missouri**; and

(2) The veteran was discharged from military service under honorable conditions.

3. All public institutions of higher education that receive any state funds appropriated by the general assembly shall limit the amount of tuition such institutions charge to combat veterans to fifty dollars per credit hour, as long as the veteran achieves and maintains a cumulative grade point average of at least two and one-half on a four-point scale, or its equivalent. The tuition limitation shall only be applicable if the combat veteran is enrolled in a program leading to a certificate, or an associate or baccalaureate degree. The period during which a combat veteran is eligible for a tuition limitation under this section shall expire at the end of the ten-year period beginning on the date of such veteran's last discharge from service.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           **4. All public institutions of higher education that receive any state funds**  
18 **appropriated by the general assembly shall limit the amount of tuition such institutions**  
19 **charge to combat veterans to no more than thirty percent of the cost of tuition and fees.**  
20 **The tuition limitation shall only be applicable if the combat veteran is enrolled in a**  
21 **program leading to a graduate degree, including master and doctorate degrees. The period**  
22 **during which a combat veteran is eligible for a tuition limitation under this section shall**  
23 **expire at the end of the twenty-year period beginning on the date of such veteran's last**  
24 **discharge from service.**

25           [4.] **5.** The coordinating board for higher education shall ensure that all applicable  
26 institutions of higher education in this state comply with the provisions of this section and may  
27 promulgate rules for the efficient implementation of this section.

28           [5-] **6.** If a combat veteran is eligible to receive financial assistance under any other  
29 federal or state student aid program, public or private, the full amount of such aid shall be  
30 reported to the board by the institution and the veteran. The tuition limitation under this section  
31 shall be provided before all other federal and state aid for which the veteran is eligible has been  
32 applied.

33           [6-] **7.** Each institution may report to the board the amount of tuition waived in the  
34 previous fiscal year under the provisions of this act. This information may be included in each  
35 institution's request for appropriations to the board for the following year. The board may  
36 include this information in its appropriations recommendations to the governor and the general  
37 assembly. The general assembly may reimburse institutions for the cost of the waiver for the  
38 previous year as part of the operating budget. Nothing in this subsection shall be construed to  
39 deny a combat veteran a tuition limitation if the general assembly does not appropriate money  
40 for reimbursement to an institution.

41           [7-] **8.** Any rule or portion of a rule, as that term is defined in section 536.010, that is  
42 created under the authority delegated in this section shall become effective only if it complies  
43 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
44 This section and chapter 536 are nonseverable and if any of the powers vested with the general  
45 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and  
46 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
47 any rule proposed or adopted after August 28, 2008, shall be invalid and void.

✓