

CCS SCS HCS HB 427 -- MEMBERS OF THE MILITARY, VETERANS, AND THEIR FAMILIES

This bill changes the laws regarding members of the military, veterans, and their families. In its main provisions, the bill:

(1) Designates May 1 of each year as "Silver Star Families of America Day" to honor the wounded soldiers of this state and the efforts of the Silver Star Families of America to honor the wounded members of the United States armed forces;

(2) Allows the Adjutant General to assign the number of assistant adjutants general that are authorized by the rules and regulations of the National Guard Bureau of the United States. The assistants are required, if they qualify, to hold military rank as may be authorized and approved for the positions by the bureau. Currently, the Adjutant General may only assign two assistants;

(3) Increases the membership of the Missouri Veterans' Commission from five to nine. Two members will be from the House of Representatives, one appointed by the Speaker and one by the Minority Floor Leader; and two members will be from the Senate, one appointed by the President Pro Tem and one by the Minority Floor Leader;

(4) Authorizes the commission to establish rules and regulations necessary for the management and administration of its veteran service programs and cemeteries;

(5) Revises the educational grant program for survivors of war veterans by defining who is a qualifying military member and who is a combat veteran;

(6) Requires a dependent of an active duty military member, as defined in federal law, who is residing in Missouri and whose parent is assigned to permanent duty in the state to be eligible for in-state tuition as long as he or she is continuously enrolled in an undergraduate or graduate degree program of a Missouri higher education institution including any transfers from one Missouri institution to another or from an undergraduate to a graduate degree program;

(7) Allows the unclaimed cremated remains of a veteran to be collected by a veterans' service organization for the purpose of interment if the remains have been in possession of a funeral establishment for at least one year and the funeral establishment has given written notice to the person who is entitled to the remains and that person has not claimed the remains within the specified time frame. If the address of the person entitled to

the remains cannot be reasonably ascertained, notice must be given in a newspaper of general circulation in the county of the veteran's residence. If the veteran's residence is unknown, notice must be given in the county where the veteran died or, if the death location is unknown, in the county in which the funeral establishment is located. If the remains are not claimed within 30 days of the mailing of the written notice or within four months of the date of the first newspaper publication, the remains may be given to a veterans' service organization for interment. A veterans' service organization is not liable for simple negligence if it interments and does not scatter the cremated remains and does not know or has no reason to know that the remains do not satisfy the requirements of this section but must take all reasonable steps to inter the remains in a veterans' cemetery;

(8) Establishes an interstate interchange designation program to be known as the Heroes Way Interstate Interchange Designation Program to honor fallen Missouri heroes who have been killed in action while in active military duty with the armed forces in Afghanistan or Iraq on or after September 11, 2001, and who were residents of this state at the time of their death. Any person related by marriage, adoption, or within the second degree of consanguinity to the military member who was killed may apply to the Department of Transportation for a designation. The application and approval process is specified; and the Highways and Transportation Commission is authorized to establish a fee to cover, but not exceed, the costs of constructing and maintaining the signs;

(9) Designates the portion of the Poplar Bluff bypass located in Butler County from State Highway 60 where it crosses over the Black River to State Highway 67 where it crosses State Route M as the "Veterans Memorial Highway";

(10) Authorizes the Department of Revenue to provide one set of "PURPLE HEART" specialized license plates free of charge other than the regular registration fees to any person who has been awarded the medal. Any additional set of special license plates may be obtained at the current fee for specialized plates but will only be required to be paid once at the time of the initial application;

(11) Allows for a special license plate designated "Armed Forces Expeditionary Medal" for any person who has been awarded this military service award. To obtain this plate, a person must make application, furnish proof as a recipient of the Armed Forces Expeditionary Medal, and pay a \$15 fee to the department in addition to the registration fee and any other documents required by law;

(12) Allows, upon the approval of a local authority's governing body, a veteran displaying a Congressional Medal of Honor, Prisoner of War, Silver Star, or PURPLE HEART special license plate to park his or her motor vehicle without charge in a metered parking space within the authority's jurisdiction if it is less than 6,000 pounds gross weight. A veteran who has been awarded the Bronze Star may apply to the Director of the Department of Revenue for a windshield placard which will allow him or her to also park without charge in a metered parking space if the placard is hung from the front, middle rearview mirror or displayed on the dashboard on the driver's side if there is no rearview mirror. Certain vehicle and parking restrictions are specified; and

(13) Requires all court orders regarding child custody or visitation or an ex parte order of protection issued or modified while either party is in active military service and deployed out-of-state to be temporary in nature unless the party in active service knowingly and voluntarily signs a waiver to the right to have the hearing upon his or her return. Upon return from deployment, the party will be given an opportunity to be heard on the child custody and visitation order or the order of protection before a permanent order is entered.