

SECOND REGULAR SESSION

HOUSE BILL NO. 1984

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ENGLISH (Sponsor), WALKER, LAFEVER, DOHRMAN,
LEARA, ALLEN, KOLKMEYER, FUNDERBURK, WALTON GRAY, ROORDA, CARPENTER, BUTLER,
FRAME, MCKENNA, BURNS, SCHIEFFER, DAVIS, LAIR AND OTTO (Co-sponsors).

5803L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 173.234, 173.236, 173.900, and 173.1150, RSMo, and to enact in lieu thereof two new sections relating to higher education tuition benefits for veterans, other military personnel, and dependants.

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

Section A. Sections 173.234, 173.236, 173.900, and 173.1150, RSMo, are repealed and
2 two new sections enacted in lieu thereof, to be known as sections 173.901 and 173.902, to read
3 as follows:

**173.901. 1. The governing board of each approved public institution of education
2 as defined in section 173.1102 shall exempt the following persons from the payment of
3 tuition, dues, fees, and other required charges, including fees for correspondence courses
4 but excluding general deposit fees, student services fees, and any fees or charges for
5 lodging, board, or clothing, provided the person seeking the exemption currently resides
6 in this state and entered the service at a location in this state, declared this state as the
7 person's home of record in the manner provided by the applicable military or other
8 service, or would have been determined to be a resident of this state for purposes of 6 CSR
9 10-3.010 at the time the person entered the service:**

10 **(1) All honorably discharged men and women of the Armed Forces of the United
11 States who served during the national emergency which began on June 27, 1950, and which
12 is referred to as the Korean War; and**

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.

13 **(2) All persons who were honorably discharged from the Armed Forces of the**
14 **United States after serving on active military duty, excluding training, for more than one**
15 **hundred eighty days and who served a portion of their active duty during:**

16 **(a) The Cold War which began on the date of the termination of the national**
17 **emergency cited in subdivision (1) of this subsection;**

18 **(b) The Vietnam era which began on December 21, 1961, and ended on May 7,**
19 **1975;**

20 **(c) The Grenada and Lebanon era which began on August 24, 1982, and ended on**
21 **July 31, 1984;**

22 **(d) The Panama era which began on December 20, 1989, and ended on January 21,**
23 **1990;**

24 **(e) The Persian Gulf War which began on August 2, 1990, and ends on the date**
25 **thereafter prescribed by Presidential proclamation or September 1, 1997, whichever occurs**
26 **first;**

27 **(f) The national emergency by reason of certain terrorist attacks that began on**
28 **September 11, 2001; or**

29 **(g) Any future national emergency declared in accordance with federal law.**

30 **2. The exemptions provided for in subsection 1 of this section also apply to the**
31 **spouse of:**

32 **(1) A member of the Armed Forces of the United States:**

33 **(a) Who was killed in action;**

34 **(b) Who died while in service;**

35 **(c) Who is missing in action;**

36 **(d) Whose death is documented to be directly caused by illness or injury connected**
37 **with service in the Armed Forces of the United States; or**

38 **(e) Who became totally disabled for purposes of employability according to the**
39 **disability ratings of the Department of Veterans Affairs as a result of a service-related**
40 **injury; or**

41 **(2) A member of the Missouri National Guard or the Missouri Air National Guard**
42 **who:**

43 **(a) Was killed since January 1, 1946, while on active duty either in the service of**
44 **this state or the United States; or**

45 **(b) Is totally disabled for purposes of employability according to the disability**
46 **ratings of the Department of Veterans Affairs, regardless of whether the member is eligible**
47 **to receive disability benefits from the department, as a result of a service-related injury**

48 suffered since January 1, 1946, while on active duty either in the service of this state or the
49 United States.

50 3. The exemptions provided for in subsection 1 of this section also apply to:

51 (1) The children of members of the Armed Forces of the United States:

52 (a) Who are or were killed in action;

53 (b) Who die or died while in service;

54 (c) Who are missing in action;

55 (d) Whose death is documented to be directly caused by illness or injury connected
56 with service in the Armed Forces of the United States; or

57 (e) Who became totally disabled for purposes of employability according to the
58 disability ratings of the Department of Veterans Affairs as a result of a service-related
59 injury; and

60 (2) The children of members of the Missouri National Guard and the Missouri Air
61 National Guard who:

62 (a) Were killed since January 1, 1946, while on active duty either in the service of
63 this state or the United States; or

64 (b) Are totally disabled for purposes of employability according to the disability
65 ratings of the Department of Veterans Affairs, regardless of whether the members are
66 eligible to receive disability benefits from the department, as a result of a service-related
67 injury suffered since January 1, 1946, while on active duty either in the service of this state
68 or the United States.

69 4. To qualify for an exemption under subsections 2 and 3 of this section, the spouse
70 or child must be classified as a resident under 6 CSR 10-3.010 on the date of the spouse's
71 or child's registration.

173.902. 1. The governing board of each approved public institution of education
2 as defined in section 173.1102 shall exempt from the payment of resident tuition at the
3 institution a dependent child, including a stepchild, of a member of the Armed Forces of
4 the United States who is a resident of this state or is entitled to pay resident tuition under
5 6 CSR 10-3.010, for any semester or other academic term during which the member of the
6 Armed Forces is deployed on active duty for the purpose of engaging in a combative
7 military operation outside the United States. In its appropriations to approved public
8 institutions, the legislature shall provide sufficient funds to cover the full costs of the
9 exemptions provided by this section.

10 2. A person shall not receive exemptions provided for by this section for more than
11 a cumulative total of one hundred fifty credit hours.

12 **3. The governing board of each approved public institution granting an exemption**
13 **under this section shall require each applicant claiming the exemption to submit to the**
14 **institution an application for the exemption and satisfactory evidence that the applicant**
15 **qualifies for the exemption not later than one year after the earlier of the date the**
16 **institution:**

17 **(1) Provides written notice to the applicant of the applicant's eligibility for the**
18 **exemption; or**

19 **(2) Receives a written acknowledgment from the applicant evidencing the**
20 **applicant's awareness of the applicant's eligibility for the exemption.**

21 **4. The exemption from tuition, fees, and other charges provided for by this section**
22 **shall not apply to a person who at the time of registration is entitled to receive educational**
23 **benefits under federal legislation that may be used only for the payment of tuition and fees**
24 **if the value of those benefits received in a semester or other term is equal to or exceeds the**
25 **value of the exemption for the same semester or other term. If the value of federal benefits**
26 **that may be used only for the payment of tuition and fees and are received in a semester**
27 **or other term does not equal or exceed the value of the exemption for the same semester**
28 **or other term, the person is entitled to receive both those federal benefits and the**
29 **exemption in the same semester or other term. The combined amount of the federal benefit**
30 **that may be used only for the payment of tuition and fees plus the amount of the exemption**
31 **received in a semester or other term may not exceed the cost of tuition and fees for that**
32 **semester or other term.**

33 **5. A person shall not receive an exemption under this section if the person is in**
34 **default on a loan made or guaranteed for educational purposes by the state of Missouri.**

35 **6. The governing board of each approved public institution may enter into**
36 **contracts with the United States government, or any of its agencies, to furnish instruction**
37 **to ex-servicemen and ex-service women at a tuition rate which covers the estimated cost of**
38 **the instruction or, in the alternative, at a tuition rate of one hundred dollars a semester, as**
39 **may be determined by the governing board. If the rates specified are prohibited by federal**
40 **law for any particular class of ex-servicemen or ex-service women, the tuition rate shall be**
41 **set by the governing board, but shall not be less than the established rate for civilian**
42 **students. If federal law provides as to any class of veterans that the tuition payments are**
43 **to be deducted from subsequent benefits to which the veteran may be entitled, the**
44 **institution shall refund to any veteran who is a resident of Missouri within the meaning of**
45 **this section the amount by which any adjusted compensation payment is actually reduced**
46 **because of tuition payments made to the institution by the federal government for the**
47 **veteran.**

48 7. The governing board of a public community college, public technical institute,
49 or public state college, may establish a fee for extraordinary costs associated with a specific
50 course or program and may provide that the exemptions provided by this section do not
51 apply to this fee.

52 8. The coordinating board for higher education shall adopt rules to provide for the
53 efficient and uniform application of this section. Any rule or portion of a rule, as that term
54 is defined in section 536.010, that is created under the authority delegated in this section
55 shall become effective only if it complies with and is subject to all of the provisions of
56 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
57 nonseverable and if any of the powers vested with the general assembly pursuant to
58 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
59 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
60 proposed or adopted after August 28, 2014, shall be invalid and void.

61 9. In determining whether to admit a person to any certificate program or any
62 baccalaureate, graduate, postgraduate, or professional degree program, an approved
63 public institution shall not consider the fact that the person is eligible for an exemption
64 under this section.

65 10. The coordinating board for higher education shall prescribe procedures to
66 allow:

67 (1) A person who becomes eligible for an exemption provided under this section to
68 waive the person's right to any unused portion of the maximum number of cumulative
69 credit hours for which the person could receive the exemption and assign the exemption
70 for the unused portion of those credit hours to a child of the person; and

71 (2) Following the death of a person who becomes eligible for an exemption provided
72 under this section, the assignment of the exemption for the unused portion of the credit
73 hours to a child of the person, to be made by the person's spouse or by the conservator,
74 guardian, custodian, or other legally designated caretaker of the child, if the child does not
75 otherwise qualify for an exemption under section 173.901.

76 11. The procedures under subsection 10 of this section shall provide:

77 (1) The manner in which a person may waive the exemption;

78 (2) The manner in which a child may be designated to receive the exemption;

79 (3) A procedure permitting the designation of a different child to receive the
80 exemption if the child previously designated to receive the exemption did not use the
81 exemption under this section for all of the assigned portion of credit hours; and

82 (4) A method of documentation to enable approved public institutions to determine
83 the eligibility of the designated child to receive the exemption.

84 **12. To be eligible to receive an exemption under subsection 10 of this section, the**
85 **child shall:**

86 **(1) Be a student who is classified as a resident under 6 CSR 10-3.010 when the child**
87 **enrolls in an approved public institution; and**

88 **(2) Make satisfactory academic progress in a degree, certificate, or continuing**
89 **education program as determined by the institution at which the child is enrolled in**
90 **accordance with the policy of the institution's financial aid department, except that the**
91 **institution shall not require the child to enroll in a minimum course load.**

92 **13. For purposes of this section, a person is the child of another person if the person**
93 **is twenty-five years of age or younger on the first day of the semester or other academic**
94 **term for which the exemption is claimed and:**

95 **(1) The person is the stepchild or the biological or adopted child of the other**
96 **person; or**

97 **(2) The other person claimed the person as a dependent on a federal income tax**
98 **return filed for the preceding year or will claim the person as a dependent on a federal**
99 **income tax return for the current year.**

100 **14. The coordinating board for higher education shall prescribe procedures by**
101 **which a child who suffered from a severe illness or other debilitating condition that**
102 **affected the child's ability to use the exemption before reaching the age described under**
103 **subsection 13 of this section may be granted additional time to use the exemption**
104 **corresponding to the time the child was unable to use the exemption because of the illness**
105 **or condition.**

[173.234. 1. As used in this section, unless the context clearly requires
2 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 was
5 paid by a grant awarded under this section;

6 (3) "Eligible student", the natural, adopted, or stepchild of a qualifying
7 military member, who is less than twenty-five years of age and who was a
8 dependent of a qualifying military member at the time of death or injury, or the
9 spouse of a qualifying military member which was the spouse of a veteran at the
10 time of death or injury;

11 (4) "Grant", the veteran's survivors grant as established in this section;

12 (5) "Institution of postsecondary education", any approved Missouri
13 public institution of postsecondary education, as defined in subdivision (3) of
14 section 173.1102;

15 (6) "Qualifying military member", any member of the military of the
16 United States, whether active duty, reserve, or National Guard, who served in the

17 military after September 11, 2001, during time of war and for whom the
18 following criteria apply:

19 (a) A veteran was a Missouri resident when first entering the military
20 service or at the time of death or injury;

21 (b) A veteran died or was injured as a result of combat action or a
22 veteran's death or injury was certified by the Department of Veterans' Affairs
23 medical authority to be attributable to an illness or accident that occurred while
24 serving in combat, or became eighty percent disabled as a result of injuries or
25 accidents sustained in combat action after September 11, 2001; and

26 (c) "Combat veteran", a Missouri resident who is discharged for active
27 duty service having served since September 11, 2001, and received a DD214 in
28 a geographic area entitled to receive combat pay tax exclusion exemption,
29 hazardous duty pay, or imminent danger pay, or hostile fire pay;

30 (7) "Survivor", an eligible student of a qualifying military member;

31 (8) "Tuition", any tuition or incidental fee, or both, charged by an
32 institution of postsecondary education for attendance at the institution by a
33 student as a resident of this state. The tuition grant shall not exceed the amount
34 of tuition charged a Missouri resident at the University of Missouri-Columbia for
35 attendance.

36 2. Within the limits of the amounts appropriated therefor, the
37 coordinating board for higher education shall award annually up to twenty-five
38 grants to survivors of qualifying military members to attend institutions of
39 postsecondary education in this state, which shall continue to be awarded
40 annually to eligible recipients as long as the recipient achieves and maintains a
41 cumulative grade point average of at least two and one-half on a four-point scale,
42 or its equivalent. If the waiting list of eligible survivors exceeds fifty, the
43 coordinating board may petition the general assembly to expand the quota. If the
44 quota is not expanded, then the eligibility of survivors on the waiting list shall be
45 extended.

46 3. A survivor may receive a grant under this section only so long as the
47 survivor is enrolled in a program leading to a certificate, or an associate or
48 baccalaureate degree. In no event shall a survivor receive a grant beyond the
49 completion of the first baccalaureate degree, regardless of age.

50 4. The coordinating board for higher education shall:

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

53 (2) Provide the forms and determine the procedures necessary for a
54 survivor to apply for and receive a grant under this section.

55 5. Any rule or portion of a rule, as that term is defined in section 536.010,
56 that is created under the authority delegated in this section shall become effective
57 only if it complies with and is subject to all of the provisions of chapter 536 and,
58 if applicable, section 536.028. This section and chapter 536 are nonseverable and
59 if any of the powers vested with the general assembly pursuant to chapter 536 to

60 review, to delay the effective date, or to disapprove and annul a rule are
61 subsequently held unconstitutional, then the grant of rulemaking authority and
62 any rule proposed or adopted after August 28, 2008, shall be invalid and void.

63 6. In order to be eligible to receive a grant under this section, a survivor
64 shall be certified as eligible by the Missouri veterans' commission.

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

69 (1) An amount not to exceed the actual tuition charged at the approved
70 institution of postsecondary education where the survivor is enrolled or accepted
71 for enrollment;

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

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

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

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

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

93 11. The benefits conferred by this section shall be available to any
94 academically eligible student of a qualifying military member. Surviving
95 children who are eligible shall be permitted to apply for full benefits conferred
96 by this section until they reach twenty-five years of age.

97 12. Pursuant to section 23.253 of the Missouri sunset act:

98 (1) The provisions of the new program authorized under this section shall
99 sunset automatically six years after August 28, 2008, unless reauthorized by an
100 act of the general assembly; and

101 (2) If such program is reauthorized, the program authorized under this
102 section shall sunset automatically twelve years after the effective date of the
103 reauthorization of this section; and

104 (3) This section shall terminate on September first of the calendar year
105 immediately following the calendar year in which the program authorized under
106 this section is sunset.]

107

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

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

4 (2) "Grant", the Vietnam veteran's survivors grant as established in this
5 section;

6 (3) "Institution of postsecondary education", any approved public or
7 private institution as defined in section 173.205;

8 (4) "Survivor", a child or spouse of a Vietnam veteran as defined in this
9 section;

10 (5) "Tuition", any tuition or incidental fee or both charged by an
11 institution of postsecondary education, as defined in this section, for attendance
12 at the institution by a student as a resident of this state;

13 (6) "Vietnam veteran", a person who served in the military in Vietnam
14 or the war zone in Southeast Asia and to whom the following criteria shall apply:

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

17 (b) The veteran's death was attributable to illness that could possibly be
18 a result of exposure to toxic chemicals during the Vietnam Conflict; and

19 (c) The veteran served in the Vietnam theater between 1961 and 1972.

20 2. Within the limits of the amounts appropriated therefor, the
21 coordinating board for higher education shall award annually up to twelve grants
22 to survivors of Vietnam veterans to attend institutions of postsecondary education
23 in this state. If the waiting list of eligible survivors exceeds fifty, the
24 coordinating board may petition the general assembly to expand the quota. If the
25 quota is not expanded the eligibility of survivors on the waiting list shall be
26 extended.

27 3. A survivor may receive a grant pursuant to this section only so long as
28 the survivor is enrolled in a program leading to a certificate, or an associate or
29 baccalaureate degree. In no event shall a survivor receive a grant beyond the
30 completion of the first baccalaureate degree, regardless of age. No survivor shall
31 receive more than one hundred percent of tuition when combined with similar
32 funds made available to such survivor.

33 4. The coordinating board for higher education shall:

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

36 (2) Determine minimum standards of performance in order for a survivor
37 to remain eligible to receive a grant under this program;

38 (3) Make available on behalf of a survivor an amount toward the
39 survivor's tuition which is equal to the grant to which the survivor is entitled
40 under the provisions of this section;

41 (4) Provide the forms and determine the procedures necessary for a
42 survivor to apply for and receive a grant under this program.

43 5. In order to be eligible to receive a grant pursuant to this section, a
44 survivor shall be certified as eligible by a Missouri state veterans service officer.
45 Such certification shall be made upon qualified medical certification by a
46 Veterans Administration medical authority that exposure to toxic chemicals
47 contributed to or was the cause of death of the veteran, as defined in subsection
48 1 of this section.

49 6. A survivor who is enrolled or has been accepted for enrollment as an
50 undergraduate postsecondary student at an approved institution of postsecondary
51 education shall receive a grant in an amount not to exceed the least of the
52 following:

53 (1) The actual tuition, as defined in this section, charged at an approved
54 institution where the child is enrolled or accepted for enrollment; or

55 (2) The average amount of tuition charged a Missouri resident at the
56 institutions identified in section 174.020 for attendance as a full-time student, as
57 defined in section 173.205.

58 7. A survivor who is a recipient of a grant may transfer from one
59 approved public or private institution of postsecondary education to another
60 without losing his entitlement under this section. The board shall make necessary
61 adjustments in the amount of the grant. If a grant recipient at any time withdraws
62 from the institution of postsecondary education so that under the rules and
63 regulations of that institution he is entitled to a refund of any tuition, fees, or
64 other charges, the institution shall pay the portion of the refund to which he is
65 entitled attributable to the grant for that semester or similar grading period to the
66 board.

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

70 9. Nothing in this section shall be construed as a promise or guarantee
71 that a person will be admitted to an institution of postsecondary education or to
72 a particular institution of postsecondary education, will be allowed to continue
73 to attend an institution of postsecondary education after having been admitted,
74 or will be graduated from an institution of postsecondary education.

75 10. The benefits conferred by this section shall be available to any
76 academically qualified surviving children and spouses of Vietnam veterans as
77 defined in subsection 1 of this section, regardless of the survivor's age, until
78 December 31, 1995. After December 31, 1995, the benefits conferred by this

79 section shall not be available to such persons who are twenty-five years of age or
80 older, except spouses will remain eligible until the fifth anniversary after the
81 death of the veteran.

82 11. This section shall expire on December 31, 2015.]
83

2 [173.900. 1. This act shall be known and may be cited as the "Missouri
Returning Heroes' Education Act".

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

6 (1) The veteran was a Missouri resident when first entering the military;
7 and

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

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

20 4. The coordinating board for higher education shall ensure that all
21 applicable institutions of higher education in this state comply with the
22 provisions of this section and may promulgate rules for the efficient
23 implementation of this section.

24 5. If a combat veteran is eligible to receive financial assistance under any
25 other federal or state student aid program, public or private, the full amount of
26 such aid shall be reported to the board by the institution and the veteran. The
27 tuition limitation under this section shall be provided after all other federal and
28 state aid for which the veteran is eligible has been applied, and no combat veteran
29 shall receive more than the actual cost of attendance when the limitation is
30 combined with other aid made available to such veteran.

31 6. Each institution may report to the board the amount of tuition waived
32 in the previous fiscal year under the provisions of this act. This information may
33 be included in each institution's request for appropriations to the board for the
34 following year. The board may include this information in its appropriations
35 recommendations to the governor and the general assembly. The general
36 assembly may reimburse institutions for the cost of the waiver for the previous
37 year as part of the operating budget. Nothing in this subsection shall be

38 construed to deny a combat veteran a tuition limitation if the general assembly
39 does not appropriate money for reimbursement to an institution.

40 7. Any rule or portion of a rule, as that term is defined in section 536.010,
41 that is created under the authority delegated in this section shall become effective
42 only if it complies with and is subject to all of the provisions of chapter 536 and,
43 if applicable, section 536.028. This section and chapter 536 are nonseverable and
44 if any of the powers vested with the general assembly pursuant to chapter 536 to
45 review, to delay the effective date, or to disapprove and annul a rule are
46 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.]
48

2 [173.1150. 1. Notwithstanding any provision of law to the contrary, any
3 individual who is in the process of separating from any branch of the military
4 forces of the United States with an honorable discharge or a general discharge
5 shall have student resident status for purposes of admission and in-state tuition
6 at any approved public four-year institution in Missouri or in-state, in-district
7 tuition at any approved two-year institution in Missouri.

8 2. To be eligible for student resident status under this section, any such
9 individual shall demonstrate presence and declare residency within the state of
10 Missouri. For purposes of attending a community college, an individual shall
11 demonstrate presence and declare residency within the taxing district of the
12 community college he or she attends.

13 3. The coordinating board for higher education shall promulgate rules to
14 implement this section.

15 4. For purposes of this section, "approved public institution" shall have
16 the same meaning as provided in subdivision (3) of section 173.1102.

17 5. Any rule or portion of a rule, as that term is defined in section 536.010,
18 that is created under the authority delegated in this section shall become effective
19 only if it complies with and is subject to all of the provisions of chapter 536 and,
20 if applicable, section 536.028. This section and chapter 536 are nonseverable and
21 if any of the powers vested with the general assembly pursuant to chapter 536 to
22 review, to delay the effective date, or to disapprove and annul a rule are
23 subsequently held unconstitutional, then the grant of rulemaking authority and
any rule proposed or adopted after August 28, 2013, shall be invalid and void.]

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