

SECOND REGULAR SESSION

HOUSE BILL NO. 1398

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WARD, SELBY AND BOUCHER (Co-sponsors).

Read 1st time January 9, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3700L.011

AN ACT

To repeal section 42.175, RSMo, and to enact in lieu thereof one new section relating to World War II medals, with an emergency clause.

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

Section A. Section 42.175, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 42.175, to read as follows:

42.175. 1. Except as otherwise provided in sections 42.170 to 42.185, the adjutant general of the state of Missouri shall administer sections 42.170 to 42.185, and may adopt all rules and regulations necessary to administer the provisions of sections 42.170 to 42.185. No rule or portion of a rule promulgated pursuant to sections 42.170 to 42.185 shall become effective unless promulgated pursuant to chapter 536, RSMo.

2. The adjutant general shall determine as expeditiously as possible the persons who are entitled to a medallion, medal and a certificate pursuant to sections 42.170 to 42.185 and distribute the medallions, medals and the certificates as provided in sections 42.170 to 42.185. Applications for the medallion, medal and the certificate shall be filed with the office of the adjutant general at any time after January 1, 2001, and before January 1, [2002] **2003**, on forms prescribed and furnished by the adjutant general's office. The adjutant general shall approve all applications that are in order, and shall cause a medallion, medal and a certificate to be prepared for each approved veteran in the form created by the veterans' commission pursuant to section 42.180.

3. **The following persons may apply for a medallion, medal and certificate pursuant to sections 42.170 to 42.185:**

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

17 **(1) Any veteran who is entitled to a medallion, medal and certificate pursuant to**
18 **sections 42.170 to 42.185;**

19 **(2) Any relative of a veteran who is entitled to a medallion, medal and certificate**
20 **pursuant to sections 42.170 to 42.185 but who died prior to having made application for**
21 **such medallion, medal and certificate.**

22 **4. If any relative applies for the medallion, medal and certificate pursuant to**
23 **subsection 3 of this section or if any [person] veteran dies after applying for a medallion or**
24 **medal and a certificate pursuant to sections 42.170 to 42.185 and such [person] veteran would**
25 **have been entitled to the medallion, medal and the certificate, the adjutant general shall give the**
26 **medallion, medal and the certificate to the person to whom the largest portion of the veteran's**
27 **estate was given in such veteran's will. If the estate was split evenly among two or more persons,**
28 **the surviving spouse, the eldest living child or the closest relative by degree of consanguinity,**
29 **in that order, shall receive the medallion, medal and the certificate. If there was no will, the**
30 **veteran's intestate survivor shall receive the medallion, medal and the certificate.**

31 **[4.] 5. If the adjutant general disallows any veteran's claim to a medallion, medal and a**
32 **certificate pursuant to sections 42.170 to 42.185, a statement of the reason for the disallowance**
33 **shall be filed with the application and notice of this disallowance shall be mailed to the applicant**
34 **at the applicant's last known address.**

 Section B. Because immediate action is necessary to ensure the award of medals, section
2 A of this act is deemed necessary for the immediate preservation of the public health, welfare,
3 peace, and safety, and is hereby declared to be an emergency act within the meaning of the
4 constitution, and section A of this act shall be in full force and effect upon its passage and
5 approval.