

CCS SCS SB 106 -- CURRENT AND FORMER MILITARY PERSONNEL

This bill changes the laws regarding current and former military personnel.

HONOR AND REMEMBER FLAG

The bill allows the Honor and Remember flag to be displayed at and upon the grounds of all state buildings and within state parks, along with the United States flag, Missouri flag, and the POW/MIA flag, as an official recognition and in honor of fallen members of the Armed Forces of the United States.

EDUCATIONAL CREDITS FOR VETERANS

The bill requires, by January 1, 2014, the Coordinating Board for Higher Education within the Department of Higher Education to adopt a policy requiring every public university, college, and vocational and technical school to award credits to a student who is a veteran for courses that are part of his or her military training or service that meet the standards of the American Council of Education or equivalent standards for awarding academic credit and are determined by the academic department or appropriate faculty of the awarding institution to be equivalent in content or experience to courses at that institution and meet the scope and mission of the awarding institution. Beginning with the 2014-2015 academic year and for every year thereafter, the department and every governing body of a public institution of postsecondary education must adopt the necessary rules and procedures to implement these provisions.

The Department of Health and Senior Services and the Department of Insurance, Financial Institutions and Professional Registration must require every health-related professional licensing board to establish a procedure to ensure that a member of the United States armed forces who, at the time of activation, was a member in good standing with any professional licensing body and was licensed or certified to engage in his or her profession or vocation is kept in good standing while on active duty. The renewal of a license or certificate while the member is on active duty must occur without the payment of dues or fees and without obtaining continuing education credits under specified conditions. The license or certificate must be continued as long as the licensee or certificate holder is a member of the armed forces on active duty and for at least six months after being released from active duty.

By January 1, 2014, every professional licensing board or commission in this state must, upon presentation of satisfactory evidence by an applicant for certification or licensure, accept

education, training, or service completed by an individual who is a member of the United States armed forces or reserves, the national guard or military reserves of any state, or the naval militia of any state toward the qualifications to receive the license or certification. Every examination and professional licensing board in this state must adopt the necessary procedures to implement these provisions.

CHILD CUSTODY AND VISITATION RIGHTS FOR MILITARY PERSONNEL

The bill establishes the child custody and visitation rights of a deploying military parent. In its main provisions, the bill:

(1) Defines "deploying parent" as a parent of a child younger than 18 years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child younger than 18 years of age who is deployed or who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component;

(2) Prohibits a court from entering a final order modifying the terms of an existing custody or visitation order until 90 days after the military parent's deployment ends unless there is a written agreement by both parties;

(3) Specifies that deployment or the potential for deployment must not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms of an existing order;

(4) Allows an existing order establishing the terms of custody or visitation to be temporarily modified to make reasonable accommodation for the parties due to a deployment and specifies the terms that must be included in the temporary order;

(5) Specifies that a temporary modification of an order ends no later than 30 days after the return of the deploying parent and the terms of the original custody order are automatically reinstated;

(6) Allows a court to delegate a deploying parent's visitation rights, or a portion of the rights, to a family member with a close and substantial relationship to the minor child for the duration of the deployment if it is in the best interest of the child and the member does not have a history of perpetrating domestic violence;

(7) Specifies certain obligations that the non-deploying parent must have to the deploying parent under any order entered;

(8) Requires a deploying parent to provide a copy of his or her deploying orders to the non-deploying parent promptly and without delay prior to the deployment;

(9) Prohibits a court from counting any time periods during which the deploying parent did not exercise visitation due to military duties when determining whether a parent failed to exercise visitation rights;

(10) Specifies that any absence of a child from the state during a deployment after an order for custody has been entered must be denominated as a temporary absence for the purposes of the federal Uniform Child Custody Jurisdiction and Enforcement Act; and

(11) Specifies the factors a court must consider in awarding attorney fees and costs in a custody determination.