

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

**HOUSE BILL NO. 1377**

**97TH GENERAL ASSEMBLY**

4952L.02P

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal section 173.260, RSMo, and to enact in lieu thereof one new section relating to survivor's and disabled employee's educational grant program.

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

Section A. Section 173.260, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 173.260, to read as follows:

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

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

(2) "Eligible child", the natural, adopted or stepchild of a public safety officer or employee, as defined in this section, who is less than twenty-four years of age and who is a dependent of a public safety officer or employee or was a dependent at the time of death or permanent and total disability of a public safety officer or employee;

(3) "Employee", any full-time employee of the department of transportation engaged in the construction or maintenance of the state's highways, roads and bridges;

(4) "Grant", the public safety officer or employee survivor grant as established by this section;

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

(6) "Line of duty", any action of a public safety officer, whose primary function is crime control or reduction, enforcement of the criminal law, or suppression of fires, is authorized or obligated by law, rule, regulation or condition of employment or service to perform;

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 (7) "Public safety officer", any firefighter, **uniformed employee of the office of the**  
18 **state fire marshal, emergency medical technician as defined in subdivisions (15), (16), (17),**  
19 **(18), and (19) of section 190.100**, police officer, capitol police officer, parole officer, probation  
20 officer, state correctional employee, water safety officer, park ranger, conservation officer or  
21 highway patrolman employed by the state of Missouri or a political subdivision thereof who is  
22 killed or permanently and totally disabled in the line of duty;

23 (8) "Permanent and total disability", a disability which renders a person unable to engage  
24 in any gainful work;

25 (9) "Spouse", the husband, wife, widow or widower of a public safety officer or  
26 employee at the time of death or permanent and total disability of such public safety officer;

27 (10) "Tuition", any tuition or incidental fee or both charged by an institution of  
28 postsecondary education, as defined in this section, for attendance at that institution by a student  
29 as a resident of this state.

30 2. Within the limits of the amounts appropriated therefor, the coordinating board for  
31 higher education shall provide, as defined in this section, a grant for either of the following to  
32 attend an institution of postsecondary education:

33 (1) An eligible child of a public safety officer or employee killed or permanently and  
34 totally disabled in the line of duty; or

35 (2) A spouse of a public safety officer killed or permanently and totally disabled in the  
36 line of duty.

37 3. An eligible child or spouse may receive a grant under this section only so long as the  
38 child or spouse is enrolled in a program leading to a certificate, or an associate or baccalaureate  
39 degree. In no event shall a child or spouse receive a grant beyond the completion of the first  
40 baccalaureate degree or, in the case of a child, age twenty-four years, except that the child may  
41 receive a grant through the completion of the semester or similar grading period in which the  
42 child reaches his twenty-fourth year. No child or spouse shall receive more than one hundred  
43 percent of tuition when combined with similar funds made available to such child or spouse.

44 4. The coordinating board for higher education shall:

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

46 (2) Determine minimum standards of performance in order for a child or spouse to  
47 remain eligible to receive a grant under this program;

48 (3) Make available on behalf of an eligible child or spouse an amount toward the child's  
49 or spouse's tuition which is equal to the grant to which the child or spouse is entitled under the  
50 provisions of this section;

51 (4) Provide the forms and determine the procedures necessary for an eligible child or  
52 spouse to apply for and receive a grant under this program.

53           5. An eligible child or spouse who is enrolled or has been accepted for enrollment as an  
54 undergraduate postsecondary student at an approved institution of postsecondary education shall  
55 receive a grant in an amount not to exceed the least of the following:

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

58           (2) The amount of tuition charged a Missouri resident at the University of Missouri for  
59 attendance as a full-time student, as defined in section 173.205.

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

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

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

75           9. A public safety officer who is permanently and totally disabled shall be eligible for  
76 a grant pursuant to the provisions of this section.

77           10. An eligible child of a public safety officer or employee, spouse of a public safety  
78 officer or public safety officer shall cease to be eligible for a grant pursuant to this section when  
79 such public safety officer or employee is no longer permanently and totally disabled.

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