

Summary of the 2009 Truly Agreed Version of the Bills of Interest to The Missouri National Guard Association

SCS HCS HB 82 -- INCOME TAX EXEMPTION FOR CERTAIN RETIREMENT BENEFITS

This bill changes the laws regarding income tax exemptions for certain retirement benefits. In its main provisions, the bill:

(1) Specifies that the "maximum Social Security benefit available" will mean \$32,500 for the tax year beginning January 1, 2007, and for each subsequent tax year, the amount will increase by the percentage increase in the federal Consumer Price Index;

(2) Removes the age requirement for the publicly funded retirement benefit income tax exemption;

(3) Changes the limitation requirement for a publicly funded retirement benefit when a taxpayer receives both Social Security and publicly funded retirement benefits from the total amount of Social Security benefits not included in Missouri adjusted gross income to only the amount exempted under Section 143.125, RSMo; and

(4) Authorizes, beginning January 1, 2010, an income tax deduction from a taxpayer's Missouri adjusted gross income for 15% of any military retirement income, regardless of age or income. The tax deduction rate will increase by 15% annually until 2016 when it is fully phased in and all of the military retirement income will be deductible.

7/02/2009 Approved by Governor
Effective date: 08/28/2009

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 chosen by the Speaker and one by the Minority Floor Leader; and two members from the Senate, one chosen by the President Pro Tem and one by the Minority Floor Leader. Members appointed from the General Assembly will serve a two-year term;

(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 specifying who is a qualifying military member and who is a combat veteran;

(6) Requires a dependent of a 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. Currently, eligibility for in-state tuition as a military dependent is subject to administrative regulation and institutional policy;

(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 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 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 in Afghanistan or Iraq on or after September 11, 2001, and who were residents of this state at the time of their death. Relatives, within the second degree of consanguinity of the member who was killed, may apply to the Department of Transportation for a designation. The application 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;

(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 of Revenue in addition to the registration fee and any other documents required by law;

(12) Allows 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 if it is less

than 6,000 pounds gross weight without charge in a metered parking space. 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 before these provisions are allowed, they must also be approved by the local governing body; and

(13) Requires all court orders regarding child custody or visitation 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 before a permanent order is entered.

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SCS HB 861 -- ASSISTANT ADJUTANTS GENERAL

This bill 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.

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