

SENATE BILL NO. 242

INTRODUCED BY SESSO, ANKNEY, BUTTREY, CUFFE, HOLLENBAUGH, KEANE, LARSEN, LYNCH,  
MCCLAFFERTY, WITTICH

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A MONTANA ~~MILITARY SERVICE AWARD OF~~  
VALOROUS SERVICE TO HONOR MONTANA'S FALLEN HEROES WHO WERE MEMBERS OF THE UNITED  
STATES ARMED FORCES AND WERE KILLED OR CLASSIFIED AS MISSING IN ACTION WHILE SERVING  
IN COMBAT OR MILITARY OPERATIONS; SPECIFYING ELIGIBILITY CRITERIA AND THE PROCESS FOR  
AWARDING THE MEDAL; AUTHORIZING THE DEPARTMENT OF MILITARY AFFAIRS TO ACCEPT AND  
SPEND PRIVATE DONATIONS TO FUND THE AWARD; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, whenever there are threats to our national security, the United States armed forces stand  
ready to protect our nation; and

WHEREAS, the United States armed forces also protect the lives and freedoms of individuals from other  
nations who cannot fight for themselves; and

WHEREAS, the United States armed forces are known for their skill, patriotism, compassion, and bravery  
in answering the call to serve in ~~Iraq and Afghanistan~~ COUNTRIES AROUND THE WORLD; and

WHEREAS, the state of Montana has sent many of its own citizens to serve in the regular, national guard,  
and reserve forces of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard to protect us all  
against foreign and domestic threats to our national security; and

WHEREAS, many who have been called to serve have been killed in action, courageously sacrificing their  
lives to protect the lives of others; and

WHEREAS, the people of the state of Montana are grateful to these fallen heroes and wish to support  
and stand with surviving family members to honor and forever remember these brave servicemen and  
servicewomen who have given their lives so that others might live.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Montana ~~military service award~~ OF VALOROUS SERVICE to honor  
Montana's fallen heroes -- administration by department of military affairs.** (1) There is a Montana ~~military~~



1 ~~service award~~ OF VALOROUS SERVICE. The award is to honor members of the United States armed forces who were  
 2 LEGAL residents of the state of Montana ~~at one time in their lives~~ OR WERE STATIONED IN OR DEPLOYED FROM  
 3 MONTANA and who were, on or after ~~the start of the Iraq war on March 19, 2003~~ DECLARATION OF WORLD WAR II  
 4 ~~ON DECEMBER 8 7, 1941~~, killed in the line of duty OR WERE CLASSIFIED AS MISSING IN ACTION while:

5 (a) engaged in military operations against an enemy of the United States;

6 (b) serving with a friendly foreign military force engaged in an armed conflict in which the United States  
 7 is not a belligerent party; or

8 (c) serving in a combat zone designated by presidential order.

9 (2) (a) The president of the senate shall request the drafting of and shall introduce during each regular  
 10 legislation session a joint resolution naming each person to be a recipient of the Montana ~~military service award~~  
 11 OF VALOROUS SERVICE.

12 (b) If both houses of the legislature pass the joint resolution, the Montana ~~military service award~~ OF  
 13 VALOROUS SERVICE must be presented by the governor, the president of the senate, and the speaker of the house  
 14 of representatives to ~~family members or designated representatives of the award recipients~~ A SURVIVING FAMILY  
 15 MEMBER, AS DESIGNATED BY THE AWARD RECIPIENT IN THE DEFENSE ENROLLMENT ELIGIBILITY REPORTING SYSTEM OR  
 16 BY LAW, during a special joint floor session of the senate and the house of representatives. If a THE SURVIVING  
 17 family member ~~or designated representative~~ of an award recipient cannot be present to accept the award, the  
 18 award may be mailed to the SURVIVING family member ~~or designated representative~~.

19 (3) (A) The department of military affairs shall administer the provisions of this section, determine award  
 20 recipients, INCLUDING THE APPROPRIATE SURVIVING FAMILY MEMBER, and coordinate with THE SURVIVING family  
 21 members and representatives who will be accepting the awards on behalf of the recipients.

22 (B) SURVIVING FAMILY MEMBERS OR SERVICE ORGANIZATIONS SHALL NOTIFY THE DEPARTMENT OF MILITARY  
 23 AFFAIRS IF THE SURVIVING FAMILY MEMBER BELIEVES A DECEASED RELATIVE IS ELIGIBLE OR IF A SERVICE ORGANIZATION  
 24 IS AWARE OF POSSIBLE AWARD RECIPIENTS.

25 (4) For purposes of this section, "United States armed forces" means the regular and reserve  
 26 components of the United States Army, Navy, Air Force, Marine Corps, ~~and~~ Coast Guard, AND THE MERCHANT  
 27 MARINE.

28  
 29 **NEW SECTION. SECTION 2. AUTHORIZATION OF OTHER FUNDING SOURCE.** THE DEPARTMENT OF MILITARY  
 30 AFFAIRS IS AUTHORIZED TO ACCEPT AND EXPEND UP TO \$20,000 IN FUNDS FROM DONATIONS TO PURCHASE AND MAIL

1 MEDALS TO SURVIVING FAMILY MEMBERS.

2

3 NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an  
4 integral part of Title 1, chapter 1, part 5, and the provisions of Title 1, chapter 1, part 5, apply to [section 1].

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6 NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

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