

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

HOUSE BILL NO. 1322

BY: WEAVER

AS INTRODUCED

AN ACT RELATING TO SCHOOLS; STATING LEGISLATIVE
INTENT RELATING TO EXEMPTING CERTAIN OFFICERS,
ENLISTED PERSONS, DRAFTEES AND FAMILIES OF SUCH
FROM NONRESIDENT TUITION FEES AND GENERAL
ENROLLMENT FEES, STATING LEGISLATIVE INTENT
RELATING TO CERTAIN CHARGES TO THE UNITED STATES
GOVERNMENT, CERTAIN PROCEDURES FOR EXEMPTIONS, THE
EXEMPTION OF CERTAIN PERSONS FROM THE PAYMENT OF
NONRESIDENT TUITION FEES AND GENERAL ENROLLMENT
FEES, THE SUBMISSION OF CERTAIN EVIDENCE, LIMITING
SCOPE OF CERTAIN EXEMPTIONS, AUTHORIZING CERTAIN
CONTRACTS, AND THE PROVISION OF CERTAIN REFUNDS;
PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE
DATE; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 3218.8 of Title 70, unless there
is created a duplication in numbering, reads as follows:

It is the intent of the Oklahoma Legislature that:

1. An officer, enlisted person or draftee of the United States Armed Forces, Army National Guard, Air National Guard, Navy Reserve, Marine Corps Reserve or Coast Guard Reserve, who is assigned duty in Oklahoma and who is enrolled, or whose spouse or child is enrolled in an institution in The Oklahoma State System of Higher Education may pay the general enrollment fee required of Oklahoma residents in lieu of the nonresident tuition fee during such time as the officer, enlisted person or draftee is stationed in Oklahoma;

2. An institution in The Oklahoma State System of Higher Education charge to the United States government the nonresident tuition fee for an officer, enlisted person or draftee enrolled in such institution pursuant to the provisions of a federal law or regulation authorizing educational or training benefits for veterans;

3. The spouse and children of a member of the Armed Forces of the United States who dies in the line of duty or is killed in the line of duty be eligible to pay the resident general enrollment fee in lieu of the nonresident tuition if the person enrolled in an institution in The Oklahoma State System of Higher Education becomes a resident of Oklahoma within sixty (60) days of the date of death of the member of the Armed Forces of the United States; and

4. If a member of the Armed Forces of the United States is stationed outside Oklahoma and the spouse and/or children of the member establish residence in Oklahoma by residing in Oklahoma and by filing with the Oklahoma institution of higher education at which they plan to enroll a letter of intent to establish residence in Oklahoma, the institution of higher education permits the person to pay the tuition, fees and other charges provided for Oklahoma residents without regard to length of time that such person has resided in the state.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 308 of Title 72, unless there is created a duplication in numbering, reads as follows:

A. It is the intent of the Oklahoma Legislature that the Oklahoma State Regents for Higher Education exempt the following persons from the payment of general enrollment fees and nonresident tuition fees at institutions in The Oklahoma State System of Higher Education, provided the persons seeking the exemptions were citizens of Oklahoma at the time they entered the services indicated and have resided in Oklahoma for at least the period of twelve (12) months before the date of registration:

1. All nurses, members of the Women's Army Auxiliary Corps, members of the Women's Auxiliary Volunteer Emergency Service and all honorably discharged members of the Armed Forces of the United States who served during World War II;

2. All honorably discharged men and women of the Armed Forces of the United States who served during the Korean War;

3. All honorably discharged men and women of the Armed Forces of the United States who served during the Viet Nam Conflict; and

4. All honorably discharged men and women of the Armed Forces of the United States who served during the Persian Gulf Conflict also known as Operation Desert Storm.

B. It is the intent of the Oklahoma Legislature that the exemptions provided for in subsection A of this section also apply and inure to the benefit of the children of members of the Armed Forces of the United States who were killed in action or died while in service during World War II, the Korean War, the Viet Nam Conflict or the Persian Gulf Conflict also known as Operation Desert Storm, and to the benefit of orphans of members of the Oklahoma National Guard killed since January 1, 1946, while on active duty either in the service of their state or the United States. However, to qualify for this exemption a person must be a citizen of Oklahoma

and must have resided in the state for at least twelve (12) months immediately preceding the date of such person's registration.

C. Every applicant claiming the benefit of an exemption shall submit satisfactory evidence to the Oklahoma State Regents for Higher Education that such person fulfills the necessary citizenship and residency requirements.

D. The exemption from fees provided for in subsection A of this section shall not apply to a person if at the time of enrollment such person is eligible for educational benefits under federal legislation in effect at the time of enrollment. A person is covered by the exemptions if his or her right to benefits under federal legislation is extinguished at the time of his or her enrollment.

E. It is further the intent of the Oklahoma Legislature that the Oklahoma State Regents for Higher Education authorize the governing board of each institution in The Oklahoma State System of Higher Education to enter into contracts with the United States government or any of its agencies, to furnish instruction to ex-servicemen and ex-servicewomen at a tuition rate which covers the estimated cost of the instruction or, in the alternative, at a tuition rate of One Hundred Dollars (\$100.00) a semester, as may be determined by the Oklahoma State Regents for Higher Education. If the rates specified are prohibited by federal law for any particular class of ex-servicemen or ex-servicewomen, the tuition rate shall be set by the Oklahoma State Regents for Higher Education, but shall not be less than the established rate for civilian students. If federal law provides as to any class of veterans that the tuition payments are to be deducted from subsequent benefits to which the veteran may be entitled, the institution may refund to any veteran who is a resident of Oklahoma within the meaning of this section the amount by which any adjusted compensation payment is actually

reduced because of tuition payments made to the institution by the federal government for the veteran.

SECTION 3. This act shall become effective July 1, 1991.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-1-5837

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