

THE HOUSE OF REPRESENTATIVES
Tuesday, March 4, 2008

House Bill No. 3102

HOUSE BILL NO. 3102 - By: BANZ AND KERN of the House and ALDRIDGE of the Senate.

An Act relating to higher education; amending 70 O.S. 2001, Section 2604, which relates to Oklahoma Higher Learning Access Program awards; limiting payment of awards for remedial non-credit-earning courses or units; specifying application; providing an effective date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 70 O.S. 2001, Section 2604, is amended to read
2 as follows:

3 Section 2604. A. Subject to the availability of funds, an amount equivalent to the
4 resident tuition for which an eligible Oklahoma Higher Learning Access Program
5 student is obligated at an institution of The Oklahoma State System of Higher Education
6 shall be awarded by allocation from the Oklahoma Higher Learning Access Trust Fund.

7 B. Subject to the availability of funds, for each eligible Oklahoma Higher Learning
8 Access Program student enrolled at a private institution of higher learning located
9 within this state and accredited pursuant to Section 4103 of this title, the Oklahoma
10 State Regents for Higher Education shall award from the Oklahoma Higher Learning
11 Access Trust Fund an amount equivalent to the amount of resident tuition for which the
12 student would be eligible if the student were enrolled in a comparable program at a

1 comparable institution of The Oklahoma State System of Higher Education.

2 Comparability shall be determined by the State Regents.

3 C. Subject to the availability of funds, an amount equivalent to the tuition for any
4 eligible Oklahoma Higher Learning Access Program student enrolled in a public
5 postsecondary vocational-technical program or course for the purpose set forth in Section
6 2602 of this title shall be awarded by allocation from the Oklahoma Higher Learning
7 Access Trust Fund. Provided, such allocation shall not exceed the amount a student
8 would have received for comparable enrollment at a two-year institution within The
9 Oklahoma State System of Higher Education.

10 D. An award allowed by this section shall not include an amount equivalent to
11 tuition or fees for remedial non-credit-earning courses or units taken by an eligible
12 Oklahoma Higher Learning Access Program student. The provisions of this subsection
13 shall not apply to any student who has received an Oklahoma Higher Learning Access
14 Program benefit award prior to the 2010-2011 school year.

15 E. An award allowed by this section shall not be allowed for courses or other
16 postsecondary units taken in excess of the requirements for completion of a
17 baccalaureate program or taken more than five (5) years after the student's first
18 semester of postsecondary enrollment. The Oklahoma State Regents for Higher
19 Education may award the Oklahoma Higher Learning Access Program benefits for
20 courses of postsecondary units taken more than five (5) years after the student's first
21 semester of postsecondary enrollment only in hardship circumstances; ~~provided,~~
22 ~~however.~~ However, no Oklahoma Higher Learning Access Program participant may

1 receive benefits beyond a cumulative time period of five (5) years. The Oklahoma State
2 Regents for Higher Education may establish a maximum limit on the number of courses
3 or other postsecondary units to which Oklahoma Higher Learning Access Program
4 benefits will apply. An award for eligible Oklahoma Higher Learning Access Program
5 students enrolled in cooperative programs pursuant to agreements between technology
6 center schools and institutions of The Oklahoma State System of Higher Education shall
7 be satisfied for both vocational-technical and college work in which enrolled pursuant to
8 such cooperative program.

9 ~~F.~~ F. Benefits awarded under the Oklahoma Higher Learning Access Program shall
10 be awarded to all eligible applicants without any limitation on the number of awards in
11 any year other than the amount of funds available for the program and the number of
12 eligible applicants. Subject to the provisions of subsection ~~F~~ G of this section, if funds are
13 not sufficient to provide awards for all eligible applicants, the Oklahoma State Regents
14 for Higher Education shall make awards on the basis of need. ~~Provided, the~~ The
15 Oklahoma State Regents for Higher Education shall take into consideration other grants
16 and scholarships received by an eligible applicant when making awards.

17 ~~F.~~ G. The Oklahoma State Regents for Higher Education may, at the time an
18 award is made on behalf of an Oklahoma Higher Learning Access Program student, set
19 aside in the Oklahoma Higher Learning Access Trust Fund funds for the full
20 commitment made to ~~such~~ the Oklahoma Higher Learning Access Program student. For
21 all academic years, students who have previously received awards under the provisions
22 of the Oklahoma Higher Learning Access Act, ~~Section 2601 et seq. of this title,~~ and who

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 have continued at all times to fulfill the requirements for eligibility to receive awards
2 provided pursuant to this program shall be given an absolute priority for continued
3 financial support by the Oklahoma Higher Learning Access Program superior to any
4 students who are applying for such benefits for the first time.

5 SECTION 2. This act shall become effective July 1, 2008.

6 SECTION 3. It being immediately necessary for the preservation of the public
7 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
8 this act shall take effect and be in full force from and after its passage and approval.

9 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 03-03-08 - DO
10 PASS, As Coauthored.