

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 SUBCOMMITTEE RECOMMENDATION
4 FOR ENGROSSED

5 SENATE BILL NO. 1223

By: Simpson, Shortey and
Ivester of the Senate

6 and

7 Ownbey of the House

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9
10 SUBCOMMITTEE RECOMMENDATION

11 An Act relating to education; creating the Oklahoma
12 9/11 G.I. Bill; providing short title; providing
13 certain education benefits for certain disabled
14 veterans, their spouses and children; defining term;
15 providing certain education benefits for surviving
16 spouses and children of certain military members
17 killed in active duty; establishing eligibility
18 requirements; requiring exhaustion of certain federal
19 benefits; providing definition; amending Section 1,
20 Chapter 290, O.S.L. 2012 (70 O.S. Supp. 2013, Section
21 3247), which relates to in-state status for certain
22 military children; expanding eligibility for in-state
23 status to students who meet certain criteria;
24 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 3248 of Title 70, unless there
is created a duplication in numbering, reads as follows:

1 This act shall be known and may be cited as the "Oklahoma 9/11
2 G.I. Bill".

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 3248.1 of Title 70, unless there
5 is created a duplication in numbering, reads as follows:

6 A. A one-hundred-percent-disabled veteran of any branch of the
7 United States Armed Forces, including the United States Army, the
8 United States Navy, the United States Marine Corps, the United
9 States Air Force, the United States Coast Guard or the Oklahoma
10 National Guard, whose injuries were sustained while on active duty,
11 or in the performance of his or her duties, and his or her spouse
12 and children, shall be entitled to attend any state-supported
13 technology center school operating under the State Board of Career
14 and Technology Education or any institution within The Oklahoma
15 State System of Higher Education without payment of tuition or fees.
16 To be eligible, the injury resulting in a disability shall have
17 occurred after September 11, 2001. For the purposes of this
18 section, "active duty" means active duty military service in the
19 armed forces of the United States, or periods of duty in the
20 national guard or reserve forces of the United States to include
21 participation during drill, annual training, active duty for
22 training, active duty for special work, and active guard or reserve,
23 to further include active federal military service performed by
24 National Guard members under Title 10 of the U.S. Code.

1 B. To be eligible for the benefits provided by Subsection A of
2 this section, a student seeking waiver of tuition and fees shall:

3 1. Provide the state-supported technology center school or
4 institution of higher education in which he or she enrolls proof of
5 disability status from the United States Department of Veterans
6 Affairs and proof that Oklahoma was the home of record for the
7 military member at the time the disability occurred; and

8 2. In the case of a child of a disabled veteran, enroll in the
9 state-supported technology center school or institution of higher
10 education prior to reaching the age of twenty-one (21). The benefit
11 shall be available until December 31 of the year in which the child
12 attains the age of twenty-six (26).

13 C. The surviving spouse and children of a member of any branch
14 of the United States Armed Forces, including the United States Army,
15 the United States Navy, the United States Marine Corps, the United
16 States Air Force, the United States Coast Guard or the Oklahoma
17 National Guard who was killed in action or killed in the performance
18 of his or her duty shall be entitled to attend any state-supported
19 technology center school operating under the State Board of Career
20 and Technology Education or any institution within The Oklahoma
21 State System of Higher Education without payment of tuition or fees.
22 To be eligible, the death of the service member shall have occurred
23 after September 11, 2001.

1 D. To be eligible for the benefits provided by Subsection C of
2 this section, a student seeking waiver of tuition and fees shall:

3 1. Provide the state-supported technology center school or
4 institution of higher education in which he or she enrolls proof
5 that Oklahoma was the home of record for the military member; and

6 2. In the case of a child of a military member killed in action
7 or the line of duty, enroll in the state-supported technology center
8 school or institution of higher education prior to reaching the age
9 of twenty-one (21). The benefit shall be available until December
10 31 of the year in which the child attains the age of twenty-six
11 (26).

12 E. A student seeking waiver of tuition and fees pursuant to
13 Subsections A and C of this section who is eligible for federal
14 education benefits shall exhaust all available federal benefits.
15 Any amount of tuition and fees owed after federal benefits are
16 exhausted shall be waived by the career and technology center school
17 or institution of higher education.

18 F. For purposes of this section, "home of record" means the
19 place where one was living when the person enlisted or was
20 commissioned into the military or reenlisted in the military.

21 SECTION 3. AMENDATORY Section 1, Chapter 290, O.S.L.
22 2012 (70 O.S. Supp. 2013, Section 3247), is amended to read as
23 follows:
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1 Section 3247. A. A student shall be eligible for in-state
2 status regardless of the residency of the student if the student is
3 the dependent child of a:

4 1. Person currently serving as a member of the active uniformed
5 military services of the United States on full-time active duty
6 status of more than thirty (30) days and for whom Oklahoma is the
7 home of record; or

8 2. Person currently serving as a member of the military reserve
9 on active duty orders of more than thirty (30) days and for whom
10 Oklahoma is the home of record.

11 B. A student shall be eligible for in-state status regardless
12 of the residency of the student if the student is eligible for
13 benefits pursuant to the United States Department of Veterans
14 Affairs Post-9/11 G.I. Bill and was discharged or released under
15 conditions other than dishonorable from the military.

16 C. To be eligible for resident tuition as provided for in
17 ~~subsection~~ subsections A and B of this section and to maintain
18 eligibility, the student shall:

19 1. Satisfy admission and retention standards as determined by
20 the Oklahoma State Regents for Higher Education for the appropriate
21 type of institution;

22 2. Have secured admission to and enrolled in a full-time or
23 part-time program of study at an institution within The Oklahoma
24 State System of Higher Education;

1 3. Be enrolled in a program of study leading to an associate or
2 a baccalaureate degree; and

3 4. Be continuously enrolled in a program of study at an
4 institution within The Oklahoma State System of Higher Education.

5 ~~C.~~ D. A student who meets the requirements of this section
6 shall continue to be classified as in-state status for as long as
7 they remain continuously enrolled in a program of study at an
8 institution within The Oklahoma State System of Higher Education.

9 ~~D.~~ E. A student who meets the requirements of this section
10 shall continue to be classified as in-state status even after the
11 person who was serving on active duty has been discharged or
12 released under conditions other than dishonorable as long as the
13 student remains continuously enrolled in a program of study at an
14 institution within The Oklahoma State System of Higher Education.

15 ~~E.~~ F. For purposes of this section, "home of record" means the
16 place where one was living when the person enlisted or was
17 commissioned into the military or reenlisted in the military.

18 SECTION 4. This act shall become effective July 1, 2014.

19 SECTION 5. It being immediately necessary for the preservation
20 of the public peace, health and safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

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