HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1223

By: Simpson, Shortey, Ivester and Sharp of the Senate

and

Ownbey and Pittman of the House

COMMITTEE SUBSTITUTE

An Act relating to education; creating the Oklahoma 9/11 G.I. Bill; providing short title; providing certain education benefits for certain disabled veterans, their spouses and children; defining term; providing certain education benefits for surviving spouses and children of certain military members killed in active duty; establishing eligibility requirements; requiring exhaustion of certain federal benefits; providing definition; amending Section 1, Chapter 290, O.S.L. 2012 (70 O.S. Supp. 2013, Section 3247), which relates to in-state status for certain military children; expanding eligibility for in-state status to students who meet certain criteria; providing for codification; providing an effective date; and declaring an emergency.

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

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

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:

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

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

A. A one-hundred-percent-disabled veteran of any branch of the United States Armed Forces, including the United States Army, the United States Navy, the United States Marine Corps, the United States Air Force, the United States Coast Guard or the Oklahoma National Guard, whose injuries were sustained while on active duty, or in the performance of his or her duties, and his or her spouse and children, shall be entitled to attend any state-supported technology center school operating under the State Board of Career and Technology Education or any institution within The Oklahoma State System of Higher Education without payment of tuition or fees. To be eligible, the injury resulting in a disability shall have occurred after September 11, 2001. For the purposes of this section, "active duty" means active duty military service in the armed forces of the United States, or periods of duty in the national guard or reserve forces of the United States to include participation during drill, annual training, active duty for

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training, active duty for special work, and active guard or reserve, to further include active federal military service performed by National Guard members under Title 10 of the U.S. Code.

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

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

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

C. The surviving spouse and children of a member of any branch of the United States Armed Forces, including the United States Army, the United States Navy, the United States Marine Corps, the United States Air Force, the United States Coast Guard or the Oklahoma National Guard who was killed in action or killed in the performance of his or her duty shall be entitled to attend any state-supported technology center school operating under the State Board of Career and Technology Education or any institution within The Oklahoma State System of Higher Education without payment of tuition or fees.

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To be eligible, the death of the service member shall have occurred after September 11, 2001.

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

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

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

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

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

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SECTION 3. AMENDATORY Section 1, Chapter 290, O.S.L. 2012 (70 O.S. Supp. 2013, Section 3247), is amended to read as follows:

Section 3247. A. A student shall be eligible for in-state status regardless of the residency of the student if the student is the dependent child of a:

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

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declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated 04/10/2014 - DO PASS, As Amended and Coauthored.

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