

1 **SENATE FLOOR VERSION**

2 February 26, 2014

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1223

By: Simpson, Shortey and
Ivester of the Senate

6 and

7 Ownbey of the House

8
9 [education - 9/11 G.I. Bill - disabled veterans,
10 their spouses and children - education benefits -
11 eligibility requirements - expanding eligibility -
12 codification - effective date -

emergency]

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 3248 of Title 70, unless there
16 is created a duplication in numbering, reads as follows:

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

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

22 A. A one-hundred-percent-disabled veteran of any branch of the
23 United States Armed Forces, including the United States Army, the
24 United States Navy, the United States Marine Corps, the United

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

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

19 1. Provide the state-supported technology center school or
20 institution of higher education in which he or she enrolls proof of
21 disability status from the United States Department of Veterans
22 Affairs and proof that Oklahoma was the home of record for the
23 military member at the time the disability occurred; and
24

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

6 C. The surviving spouse and children of a member of any branch
7 of the United States Armed Forces, including the United States Army,
8 the 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 who was killed in action or killed in the performance
11 of his or her duty shall be entitled to attend any state-supported
12 technology center school operating under the State Board of Career
13 and Technology Education or any institution within The Oklahoma
14 State System of Higher Education without payment of tuition or fees.
15 To be eligible, the death of the service member shall have occurred
16 after September 11, 2001.

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

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

22 2. In the case of a child of a military member killed in action
23 or the line of duty, enroll in the state-supported technology center
24 school or institution of higher education prior to reaching the age

1 of twenty-one (21). The benefit shall be available until December
2 31 of the year in which the child attains the age of twenty-six
3 (26).

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

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

13 SECTION 3. AMENDATORY Section 1, Chapter 290, O.S.L.
14 2012 (70 O.S. Supp. 2013, Section 3247), is amended to read as
15 follows:

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

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

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

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

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

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

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

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

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

22 ~~C.~~ D. A student who meets the requirements of this section
23 shall continue to be classified as in-state status for as long as
24

1 they remain continuously enrolled in a program of study at an
2 institution within The Oklahoma State System of Higher Education.

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

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

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

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

17 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
18 February 26, 2014 - DO PASS AS AMENDED

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