

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 2676

By: Williams, Sherrer and
Hoskin of the House

and

Brooks of the Senate

[higher education - modifying certain eligibility
criteria for in-state status for military personnel
and their dependents - ~~effective date~~ -
emergency]

14 AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause
and entire bill and insert

"An Act relating to higher education; amending
Section 1, Chapter 290, O.S.L. 2012, as amended by
Section 1, Chapter 141, O.S.L. 2015 (70 O.S. Supp.
2015, Section 3247), which relates to in-state status
for military personnel and their dependents;
clarifying language; expanding certain criteria
relating to federal education and training assistance
programs; providing an effective date; and declaring
an emergency.

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

1 SECTION 1. AMENDATORY Section 1, Chapter 290, O.S.L.
2 2012, as amended by Section 1, Chapter 141, O.S.L. 2015 (70 O.S.
3 Supp. 2015, Section 3247), is amended to read as follows:

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

7 1. Dependent child or spouse of a person currently serving as a
8 member of the active uniformed services of the United States on
9 full-time active duty status of more than thirty (30) days and for
10 whom Oklahoma is the home of record;

11 2. Dependent child or spouse of a person currently serving as a
12 member of the military reserve on active duty orders of more than
13 thirty (30) days and for whom Oklahoma is the home of record;

14 3. Person, or spouse or dependent child of a person, currently
15 serving as a member of the uniformed services of the United States
16 who is on full-time active duty for a period of more than thirty
17 (30) days and is stationed or temporarily present in Oklahoma
18 through military orders;

19 4. Person, or spouse or dependent child of a person, who was
20 discharged or released from a period of not fewer than ninety (90)
21 days of active uniformed service, less than five (5) years before
22 the date of enrollment in the course(s) concerned and for whom
23 Oklahoma is the home of record; or

24

1 5. Person who is participating in or has received a partial or
2 full scholarship from the Air Force Reserve Officers' Training
3 Corps, Army Reserve Officers' Training Corps or the Navy/Marines
4 Reserve Officers' Training Corps.

5 B. ~~To be~~ In order for a student eligible for in-state status as
6 provided for in subsection A of this section ~~and~~ to maintain
7 eligibility, the student shall:

8 1. Satisfy admission and retention standards as determined by
9 the Oklahoma State Regents for Higher Education for an institution
10 within The Oklahoma State System of Higher Education; and

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

14 C. A student who files with the institution within The Oklahoma
15 State System of Higher Education at which the student intends to
16 register a letter of intent to establish residence in the state and
17 who resides in the state while enrolled in the institution shall be
18 eligible for in-state status, regardless of the residency of the
19 student or home of record, if the student:

20 1. Is a person who:

21 a. was discharged or released from a period of not fewer
22 than ninety (90) days of active duty uniformed
23 service, less than five (5) years before the date of
24 enrollment in the course(s) concerned, and

1 b. is pursuing a course of education ~~with~~ and is
2 utilizing any educational or training assistance under
3 ~~Chapter 30 or 33 of~~ Title 38 of the United States Code
4 or any other federal law authorizing educational or
5 training assistance for veterans while living in this
6 state; or

7 2. Is a person who:

8 a. is entitled to educational or training assistance
9 under ~~Section 3311(b)(9) or 3319 of~~ Title 38 of the
10 United States Code or any other federal law
11 authorizing educational or training assistance for
12 persons by virtue of a relationship to a person who
13 was discharged or released from a period of not fewer
14 than ninety (90) days of active duty uniformed
15 services, and

16 b. enrolls in the course(s) concerned within five (5)
17 years of the date the related person was discharged or
18 released from a period of not fewer than ninety (90)
19 days of active duty uniformed services.

20 D. ~~To be~~ In order for a student eligible for in-state status as
21 provided for in subsection C of this section ~~and~~ to maintain
22 eligibility, the student shall:

1 1. Satisfy admission and retention standards as determined by
2 the Oklahoma State Regents for Higher Education for an institution
3 within The Oklahoma State System of Higher Education; and

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

7 E. A student who meets the eligibility requirements for in-
8 state status shall maintain in-state status if the student remains
9 continuously enrolled at an institution within The Oklahoma State
10 System of Higher Education after the student:

11 1. As described in paragraphs 1, 2 or 3 of subsection A of this
12 section is discharged or released from active duty service;

13 2. As described in paragraph 4 of subsection A of this section
14 or paragraph 1 and 2 of subsection C of this section exceeds the
15 five-year period after being discharged or released from active duty
16 uniformed service;

17 3. As described in paragraph 1 of subsection C of this section
18 has exhausted education assistance provided under ~~Chapter 30 or 33~~
19 ~~of~~ Title 38 of the United States Code or any other federal law
20 authorizing educational or training assistance; or

21 4. As described in paragraph 2 of subsection C of this section
22 has exhausted education assistance provided under ~~Section 3311(b)(9)~~
23 ~~or 3319~~ of Title 38 of the United States Code or any other federal
24 law authorizing educational or training assistance.

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

4 G. The State Regents for Higher Education shall develop
5 policies and procedures necessary to implement the provisions of
6 this section.

7 SECTION 2. This act shall become effective July 1, 2016.

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

12 Passed the Senate the 11th day of April, 2016.

13

14

Presiding Officer of the Senate

15

16 Passed the House of Representatives the ____ day of _____,
17 2016.

18

19

Presiding Officer of the House
of Representatives

20

21

22

23

24

1 ENGROSSED HOUSE
2 BILL NO. 2676

By: Williams, Sherrer and
Hoskin of the House

3 and

4 Brooks of the Senate
5

6
7 [higher education - modifying certain eligibility
8 criteria for in-state status for military personnel
9 and their dependents - ~~effective date~~ -
10 emergency]
11
12
13

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

15 SECTION 1. AMENDATORY Section 1, Chapter 290, O.S.L.
16 2012, as amended by Section 1, Chapter 141, O.S.L. 2015 (70 O.S.
17 Supp. 2015, Section 3247), is amended to read as follows:

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

21 1. Dependent child or spouse of a person currently serving as a
22 member of the active uniformed services of the United States on
23 full-time active duty status of more than thirty (30) days and for
24 whom Oklahoma is the home of record;

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

4 3. Person, or spouse or dependent child of a person, currently
5 serving as a member of the uniformed services of the United States
6 who is on full-time active duty for a period of more than thirty
7 (30) days and is stationed or temporarily present in Oklahoma
8 through military orders;

9 4. Person, or spouse or dependent child of a person, who was
10 discharged or released from a period of not fewer than ninety (90)
11 days of active uniformed service, ~~less than five (5) years before~~
12 ~~the date of enrollment in the course(s) concerned~~ and for whom
13 Oklahoma is the home of record; or

14 5. Person who is participating in or has received a partial or
15 full scholarship from the Air Force Reserve Officers' Training
16 Corps, Army Reserve Officers' Training Corps or the Navy/Marines
17 Reserve Officers' Training Corps.

18 B. ~~To be~~ In order for a student eligible for in-state status as
19 provided for in subsection A of this section ~~and~~ to maintain
20 eligibility, the student shall:

21 1. Satisfy admission and retention standards as determined by
22 the Oklahoma State Regents for Higher Education for an institution
23 within The Oklahoma State System of Higher Education; and
24

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

4 C. A student who files with the institution within The Oklahoma
5 State System of Higher Education at which the student intends to
6 register a letter of intent to establish residence in the state and
7 who resides in the state while enrolled in the institution shall be
8 eligible for in-state status, regardless of the residency of the
9 student or home of record, if the student:

10 1. Is a person who:

11 a. was discharged or released from a period of not fewer
12 than ninety (90) days of active duty uniformed
13 service, ~~less than five (5) years before the date of~~
14 ~~enrollment in the course(s) concerned,~~ and

15 b. is pursuing a course of education ~~with~~ and is
16 utilizing any educational or training assistance under
17 ~~Chapter 30 or 33 of Title 38 of the United States Code~~
18 or any other federal law authorizing educational or
19 training assistance for veterans while living in this
20 state; or

21 2. Is a person who:

22 a. is entitled to educational or training assistance
23 under ~~Section 3311(b)(9) or 3319 of Title 38 of the~~
24 United States Code or any other federal law

1 authorizing educational or training assistance for
2 persons by virtue of a relationship to a person who
3 was discharged or released from a period of not fewer
4 than ninety (90) days of active duty uniformed
5 services, and

6 b. enrolls in the course(s) concerned ~~within five (5)~~
7 ~~years of the date the related person was discharged or~~
8 ~~released from a period of not fewer than ninety (90)~~
9 ~~days of active duty uniformed services.~~

10 D. ~~To be~~ In order for a student eligible for in-state status as
11 provided for in subsection C of this section ~~and~~ to maintain
12 eligibility, the student shall:

13 1. Satisfy admission and retention standards as determined by
14 the Oklahoma State Regents for Higher Education for an institution
15 within The Oklahoma State System of Higher Education; and

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

19 E. A student who meets the eligibility requirements for in-
20 state status shall maintain in-state status if the student remains
21 continuously enrolled at an institution within The Oklahoma State
22 System of Higher Education after the student:

23 1. As described in paragraphs 1, 2 or 3 of subsection A of this
24 section is discharged or released from active duty service;

1 2. As described in paragraph 4 of subsection A of this section
2 or paragraph 1 and 2 of subsection C of this section ~~exceeds the~~
3 ~~five-year period after being discharged or released from active duty~~
4 ~~uniformed service~~ first enrolls at an institution;

5 3. As described in paragraph 1 of subsection C of this section
6 has exhausted education assistance provided under ~~Chapter 30 or 33~~
7 ~~of Title 38 of the United States Code~~ or any other federal law
8 authorizing educational or training assistance; or

9 4. As described in paragraph 2 of subsection C of this section
10 has exhausted education assistance provided under ~~Section 3311(b)(9)~~
11 ~~or 3319 of Title 38 of the United States Code~~ or any other federal
12 law authorizing educational or training assistance.

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

16 G. The State Regents for Higher Education shall develop
17 policies and procedures necessary to implement the provisions of
18 this section.

19 ~~SECTION 2. This act shall become effective July 1, 2016.~~

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

24

1 Passed the House of Representatives the 7th day of March, 2016.

2
3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2016.

6
7
8 _____
9 Presiding Officer of the Senate