ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 138 By: Brooks of the Senate

and

Hardin of the House

An Act relating to higher education; amending Section 1, Chapter 290, O.S.L. 2012 (70 O.S. Supp. 2014, Section 3247), which relates to in-state status for dependents of military personnel; providing criteria for in-state status for military personnel, their dependent children, and their spouses; modifying eligibility criteria for in-state status; providing criteria for in-state status for students who file certain letter of intent; establishing criteria for maintaining certain eligibility; directing promulgation of rules; repealing Section 1, Chapter 168, O.S.L. 2014 (70 O.S. Supp. 2014, Section 3242.3), which relates to eligibility for certain resident tuition; providing an effective date; and declaring an emergency.

AUTHOR: Add the following House Coauthor: McDaniel (Randy)

AMENDMENT NO. 1. Strike the title, enacting clause and entire bill and insert

"An Act relating to higher education; amending Section 1, Chapter 290, O.S.L. 2012 (70 O.S. Supp. 2014, Section 3247), which relates to in-state status for dependents of military personnel; providing criteria for in-state status for military personnel and their dependent children and spouses; modifying eligibility criteria for in-state status;

providing criteria for in-state status for students who file certain letter of intent; establishing criteria for maintaining certain eligibility; directing the Oklahoma State Regents for Higher Education to develop policies and procedures; repealing Section 1, Chapter 168, O.S.L. 2014 (70 O.S. Supp. 2014, Section 3242.3), which relates to eligibility for certain resident tuition; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 290, O.S.L. 2012 (70 O.S. Supp. 2014, 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~~ Dependent child or spouse of a 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~~ Dependent child or spouse of a 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;

3. Person, or spouse or dependent child of a person, currently serving as a member of the uniformed services of the United States

who is on full-time active duty for a period of more than thirty (30) days and is stationed or temporarily present in Oklahoma through military orders;

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

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

B. To be eligible for ~~resident tuition~~ in-state status as provided for in subsection A 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~~ an institution within The Oklahoma State System of Higher Education; and

2. Have secured admission to and ~~enrolled in a~~ enrolls full-time or part-time in a 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. 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~~ files with the institution within The Oklahoma State System of Higher Education at which the student intends to register a letter of intent to establish residence in the state and who resides in the state while enrolled in the institution shall be eligible for in-state status, regardless of the residency of the student or home of record, if the student:

1. Is a person who:

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

b. is pursuing a course of education with educational assistance under Chapter 30 or 33 of Title 38 of the United States Code while living in this state; or

2. Is a person who:

a. is entitled to assistance under Section 3311(b)(9) or 3319 of Title 38 of the United States Code by virtue of a relationship to a person who was discharged or

released from a period of not fewer than ninety (90) days of active duty uniformed services, and

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

D. ~~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~~ To be eligible for in-state status as provided for in subsection C 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 an institution within The Oklahoma State System of Higher Education; and

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

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

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

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

3. As described in paragraph 1 of subsection C of this section has exhausted education assistance provided under Chapter 30 or 33 of Title 38 of the United States Code; or

4. As described in paragraph 2 of subsection C of this section has exhausted education assistance provided under Section 3311(b)(9) or 3319 of Title 38 of the United States Code.

~~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.

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

SECTION 2. REPEALER Section 1, Chapter 168, O.S.L. 2014 (70 O.S. Supp. 2014, Section 3242.3), is hereby repealed.

SECTION 3. This act shall become effective July 1, 2015.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

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

Passed the House of Representatives the 13th day of April, 2015.

_____
Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2015.

_____
Presiding Officer of the Senate

ENGROSSED SENATE
BILL NO. 138 By: Brooks of the Senate

and

Hardin of the House

An Act relating to higher education; amending Section 1, Chapter 290, O.S.L. 2012 (70 O.S. Supp. 2014, Section 3247), which relates to in-state status for dependents of military personnel; providing criteria for in-state status for military personnel, their dependent children, and their spouses; modifying eligibility criteria for in-state status; providing criteria for in-state status for students who file certain letter of intent; establishing criteria for maintaining certain eligibility; directing promulgation of rules; repealing Section 1, Chapter 168, O.S.L. 2014 (70 O.S. Supp. 2014, Section 3242.3), which relates to eligibility for certain resident tuition; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 290, O.S.L. 2012 (70 O.S. Supp. 2014, 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~~ <u>Dependent child or spouse of a person</u> 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~~ Dependent child or spouse of a 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;

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

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

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

B. To be eligible for ~~resident tuition~~ in-state status as provided for in subsection A 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~~ an institution within The Oklahoma State System of Higher Education; and

2. Have secured admission to and ~~enrolled in~~ ~~a~~ enroll full-time or part-time in a 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. 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~~ files with the institution within The Oklahoma State System of Higher Education, at which the student intends to register, a letter of intent to establish residence in the state and reside in the state while enrolled in the institution shall be eligible for in-state status, regardless of the residency of the student or home of record, if the individual:

1. Was discharged or released from a period of not fewer than ninety (90) days of active duty uniformed service, less than five

(5) years before the date of enrollment in the course(s) concerned; and

2. Is pursuing a course of education with educational assistance under Chapter 30 or 33 of Title 38, United States Code, while living in the state; or

3. Is entitled to assistance under Section 3311(b)(9) or 3319 of Title 38, United States Code, by virtue of a relationship to an eligible individual as described in paragraph 1 of this subsection.

D. ~~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~~ To be eligible for in-state status as provided for in subsection C 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 an institution within The Oklahoma State System of Higher Education; and

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

E. A student who meets the eligibility requirements for in-state status shall maintain in-state status if the student remains

continuously enrolled at an institution within The Oklahoma State System of Higher Education when:

1. A person described in paragraphs 1, 2, or 3 of subsection A of this section was discharged or released from active duty service;

2. A person described in paragraph 4 of subsection A of this section or paragraph 1 of subsection C of this section exceeds the five-year period after the individual is discharged or released from active duty uniformed service; or

3. A person described in paragraph 2 or 3 of subsection C of this section exhausted education assistance provided under Chapter 30 or 33 of Title 38, United States Code, or under Section 3311(b)(9) or 3319 of Title 38, United States Code.

~~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.

G. The State Regents for Higher Education shall promulgate rules necessary to implement the provisions of this section.

SECTION 2. REPEALER Section 1, Chapter 168, O.S.L. 2014 (70 O.S. Supp. 2014, Section 3242.3), is hereby repealed.

SECTION 3. This act shall become effective July 1, 2015.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 11th day of March, 2015.

_____
Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2015.

_____
Presiding Officer of the House of Representatives