

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 138

By: Brooks of the Senate

3 and

4 Hardin of the House

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6
7 An Act relating to higher education; amending Section
8 1, Chapter 290, O.S.L. 2012 (70 O.S. Supp. 2014,
9 Section 3247), which relates to in-state status for
10 dependents of military personnel; providing criteria
11 for in-state status for military personnel, their
12 dependent children, and their spouses; modifying
13 eligibility criteria for in-state status; providing
14 criteria for in-state status for students who file
15 certain letter of intent; establishing criteria for
16 maintaining certain eligibility; directing
17 promulgation of rules; repealing Section 1, Chapter
18 168, O.S.L. 2014 (70 O.S. Supp. 2014, Section
19 3242.3), which relates to eligibility for certain
20 resident tuition; providing an effective date; and
21 declaring an emergency.

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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;

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

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

11 SECTION 1. AMENDATORY Section 1, Chapter 290, O.S.L.
12 2012 (70 O.S. Supp. 2014, Section 3247), is amended to read as
13 follows:

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

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

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

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

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

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

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

13 B. To be eligible for ~~resident tuition~~ in-state status as
14 provided for in subsection A of this section and to maintain
15 eligibility, the student shall:

16 1. Satisfy admission and retention standards as determined by
17 the Oklahoma State Regents for Higher Education for ~~the appropriate~~
18 ~~type of institution~~ an institution within The Oklahoma State System
19 of Higher Education; and

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

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

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

3 C. A student who ~~meets the requirements of this section shall~~
4 ~~continue to be classified as in-state status for as long as they~~
5 ~~remain continuously enrolled in a program of study at an institution~~
6 ~~within The Oklahoma State System of Higher Education~~ files with the
7 institution within The Oklahoma State System of Higher Education at
8 which the student intends to register a letter of intent to
9 establish residence in the state and who resides in the state while
10 enrolled in the institution shall be eligible for in-state status,
11 regardless of the residency of the student or home of record, if the
12 student:

13 1. Is a person who:

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

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

21 2. Is a person who:

22 a. is entitled to assistance under Section 3311(b) (9) or
23 3319 of Title 38 of the United States Code by virtue
24 of a relationship to a person who was discharged or

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

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

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

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

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

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

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

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

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

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

13 ~~E.~~ 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. REPEALER Section 1, Chapter 168, O.S.L. 2014
20 (70 O.S. Supp. 2014, Section 3242.3), is hereby repealed.

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

22 SECTION 4. It being immediately necessary for the preservation
23 of the public peace, health and safety, an emergency is hereby
24

