

1 ENGROSSED SENATE
2 BILL NO. 1418

By: David and Jett of the
Senate

3 and

4 Miller of the House

5
6 An Act relating to higher education; creating the
7 Oklahoma National Guard Educational Assistance Act;
8 providing short title; providing definitions;
9 creating the Oklahoma National Guard Educational
10 Assistance Program to provide tuition and fee
11 assistance to certain eligible members; providing for
12 amount of assistance subject to availability of
13 funding; limiting assistance to certain number of
14 credit hours; providing for eligibility; providing
15 eligibility retention requirements; providing
16 application process; allowing denial of continued
17 assistance for failure to meet certain requirements;
18 requiring repayment of assistance for failure to meet
19 certain requirement; providing for calculation of
20 repayment amount; allowing for application of
21 hardship waiver; directing certain notification on
22 available funding; providing for promulgation of
23 rules and regulations; creating the Oklahoma National
24 Guard Educational Assistance Revolving Fund;
specifying source of fund; providing for
expenditures; providing purpose of fund; providing
for codification; providing an effective date; and
declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 3231 of Title 70, unless there
is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Oklahoma
National Guard Educational Assistance Act".

1 B. As used in this act:

2 1. "Oklahoma educational institution" means an institution of
3 higher education within The Oklahoma State System of Higher
4 Education;

5 2. "Eligible Guard member" means a current member of the
6 Oklahoma National Guard in good standing who has a high school
7 diploma or who has completed General Educational Development (GED)
8 requirements and who has secured admission to and enrolled in an
9 Oklahoma educational institution;

10 3. "Graduate program" means a program offered by an Oklahoma
11 educational institution that leads to the award of a master's
12 degree;

13 4. "Program" means the Oklahoma National Guard Educational
14 Assistance Program established pursuant to the provisions of this
15 section; and

16 5. "Undergraduate program" means a program offered by an
17 Oklahoma educational institution that leads to the award of an
18 associate's degree or a baccalaureate degree.

19 C. There is hereby created the Oklahoma National Guard
20 Educational Assistance Program to provide assistance to eligible
21 Guard members who enroll in an Oklahoma educational institution.
22 Subject to the availability of funds, the amount of assistance shall
23 be equivalent to the amount of resident tuition, mandatory fees, and
24 academic service fees for courses in which the eligible Guard member

1 is enrolled, not to exceed a maximum of eighteen (18) credit hours
2 each semester.

3 1. The amount of assistance provided to an eligible Guard
4 member enrolled in an undergraduate program shall not exceed a
5 maximum of one hundred twenty (120) credit hours in pursuit of an
6 associate's degree and/or a baccalaureate degree.

7 2. Subject to the assistance for eligible Guard members
8 enrolled in undergraduate programs being fully funded, assistance
9 shall be provided to an eligible Guard member with a baccalaureate
10 degree enrolled in a graduate program. The amount of assistance
11 provided to an eligible Guard member enrolled in a graduate program
12 shall not exceed a maximum of forty (40) credit hours in pursuit of
13 a master's degree.

14 3. Assistance provided pursuant to this section shall be
15 granted without any limitation other than the amount of funds
16 available for the Program and the number of eligible Guard members
17 who apply.

18 4. Assistance allowed by this section shall not be allowed for
19 courses taken in excess of the requirements for completion of an
20 undergraduate program or a graduate program, whichever is applicable
21 for the eligible Guard member.

22 D. Assistance provided pursuant to this section shall be
23 allocated to the Oklahoma educational institution from the Oklahoma
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1 National Guard Educational Assistance Revolving Fund created
2 pursuant to Section 2 of this act.

3 E. To be eligible to apply for the Program, an eligible Guard
4 member shall:

5 1. Have at least one (1) year remaining on his or her
6 enlistment contract at the beginning of any semester for which the
7 member applies for assistance pursuant to this section;

8 2. Agree in writing to complete his or her current service
9 obligation in the Oklahoma National Guard; and

10 3. Agree in writing to serve actively in good standing with the
11 Oklahoma National Guard for not less than twenty-four (24) months
12 after completion of the last semester for which the member receives
13 assistance pursuant to this section.

14 F. To retain eligibility for the Program, an eligible Guard
15 member shall:

16 1. Maintain good academic standing and satisfactory academic
17 progress according to standards of the Oklahoma educational
18 institution in which the member is enrolled;

19 2. Maintain the requirements for retention and degree
20 completion as established by the Oklahoma educational institution in
21 which the member is enrolled;

22 3. Maintain a minimum grade point average of 2.0 on a 4.0
23 scale; and
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1 4. Maintain satisfactory participation in the Oklahoma National
2 Guard.

3 G. An eligible Guard member seeking assistance pursuant to the
4 provisions of this section shall submit an application on a form
5 prescribed by the Military Department of the State of Oklahoma to
6 the Educational Service Office of the Military Department prior to
7 the semester for which assistance is sought. The eligible Guard
8 member's Commander or his or her designee shall confirm a member's
9 standing and eligibility to the Oklahoma educational institution in
10 which the student is enrolled.

11 H. The eligible Guard member's Commander may deny an
12 application submitted by an eligible Guard member for continued
13 Program assistance if he or she fails to comply with the provisions
14 of paragraph 1, 2, or 3 of subsection F of this section.

15 I. An eligible Guard member who has received Program assistance
16 pursuant to the provisions of this section and who fails to comply
17 with the provisions of paragraph 4 of subsection F of this section
18 shall be required to repay an amount to be calculated as follows:

19 1. Determine the total amount of assistance provided pursuant
20 to the provisions of this section;

21 2. Divide the amount determined in paragraph 1 of this
22 subsection by twenty-four (24); and

23 3. Multiply the amount determined in paragraph 2 of this
24 subsection by the number of months the member did not fulfill the

1 requirements of paragraph 4 of subsection F of this section.

2 Repayments shall be deposited into the Oklahoma National Guard
3 Educational Assistance Revolving Fund created pursuant to Section 2
4 of this act.

5 J. An eligible Guard member who has received Program assistance
6 pursuant to the provisions of this section and who fails to comply
7 with the provisions of paragraph 4 of subsection F of this section
8 due to hardship circumstances may request a waiver from repayment.
9 A waiver request shall be submitted in writing to the Adjutant
10 General.

11 K. By July 1 annually, the Oklahoma State Regents for Higher
12 Education shall notify the Adjutant General of the amount of funding
13 available in the Oklahoma National Guard Educational Assistance
14 Revolving Fund created pursuant to Section 2 of this act.

15 L. The Oklahoma State Regents for Higher Education shall
16 promulgate rules to implement the provisions of this act including
17 deadlines for submission of applications required by subsection G of
18 this section. The Adjutant General may promulgate regulations to
19 implement the provisions of this act.

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 3232 of Title 70, unless there
22 is created a duplication in numbering, reads as follows:

23 There is hereby created in the State Treasury a revolving fund
24 for the Oklahoma State Regents for Higher Education to be designated

1 the "Oklahoma National Guard Educational Assistance Revolving Fund".
2 The fund shall be a continuing fund, not subject to fiscal year
3 limitations, and shall consist of all monies received by the
4 Oklahoma State Regents for Higher Education from state
5 appropriations. All monies accruing to the credit of the fund are
6 hereby appropriated and may be budgeted and expended by the Oklahoma
7 State Regents for Higher Education for the purpose of providing
8 assistance to eligible Guard members pursuant to the provisions of
9 Section 1 of this act. Expenditures from the fund shall be made
10 upon warrants issued by the State Treasurer against claims filed as
11 prescribed by law with the Director of the Office of Management and
12 Enterprise Services for approval and payment.

13 SECTION 3. This act shall become effective July 1, 2022.

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

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