

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 ENGROSSED SENATE

5 BILL NO. 1418

By: David and Jett of the
Senate

6 and

7 Miller of the House

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

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

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

6 B. As used in this act:

7 1. "Oklahoma educational institution" means an institution of
8 higher education within The Oklahoma State System of Higher
9 Education;

10 2. "Eligible Guard member" means a current member of the
11 Oklahoma National Guard in good standing who has a high school
12 diploma or who has completed General Educational Development (GED)
13 requirements and who has secured admission to and enrolled in an
14 Oklahoma educational institution;

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

18 4. "Program" means the Oklahoma National Guard Educational
19 Assistance Program established pursuant to the provisions of this
20 section; and

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

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1 C. There is hereby created the Oklahoma National Guard
2 Educational Assistance Program to provide assistance to eligible
3 Guard members who enroll in an Oklahoma educational institution.
4 Subject to the availability of funds, the amount of assistance shall
5 be equivalent to the amount of resident tuition, mandatory fees, and
6 academic service fees for courses in which the eligible Guard member
7 is enrolled, not to exceed a maximum of eighteen (18) credit hours
8 each semester.

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

13 2. Subject to the assistance for eligible Guard members
14 enrolled in undergraduate programs being fully funded, assistance
15 shall be provided to an eligible Guard member with a baccalaureate
16 degree enrolled in a graduate program. The amount of assistance
17 provided to an eligible Guard member enrolled in a graduate program
18 shall not exceed a maximum of forty (40) credit hours in pursuit of
19 a master's degree.

20 3. Assistance provided pursuant to this section shall be
21 granted without any limitation other than the amount of funds
22 available for the Program and the number of eligible Guard members
23 who apply.

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

5 D. Assistance provided pursuant to this section shall be
6 allocated to the Oklahoma educational institution from the Oklahoma
7 National Guard Educational Assistance Revolving Fund created
8 pursuant to Section 2 of this act.

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

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

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

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

20 F. To retain eligibility for the Program, an eligible Guard
21 member shall:

22 1. Maintain good academic standing and satisfactory academic
23 progress according to standards of the Oklahoma educational
24 institution in which the member is enrolled;

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

4 3. Maintain a minimum grade point average of 2.0 on a 4.0
5 scale; and

6 4. Maintain satisfactory participation in the Oklahoma National
7 Guard.

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

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

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

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

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

5 3. Multiply the amount determined in paragraph 2 of this
6 subsection by the number of months the member did not fulfill the
7 requirements of paragraph 4 of subsection F of this section.

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

11 J. An eligible Guard member who has received Program assistance
12 pursuant to the provisions of this section and who fails to comply
13 with the provisions of paragraph 4 of subsection F of this section
14 due to hardship circumstances may request a waiver from repayment.
15 A waiver request shall be submitted in writing to the Adjutant
16 General.

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

21 L. The Oklahoma State Regents for Higher Education shall
22 promulgate rules to implement the provisions of this act including
23 deadlines for submission of applications required by subsection G of
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1 this section. The Adjutant General may promulgate regulations to
2 implement the provisions of this act.

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

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

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

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

3 COMMITTEE REPORT BY: COMMITTEE ON HIGHER EDUCATION AND CAREER TECH,
4 dated 04/04/2022 - DO PASS.
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