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February 26, 2020

**AS AMENDED**

SENATE BILL NO. 1379

By: Simpson of the Senate

and

Hardin (Tommy) of the House

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[ higher education - in-state status for dependents
of military personnel - students - effective-date -
                                         emergency ]
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 1, Chapter 290, O.S.L. 2012, as amended by Section 1, Chapter 141, O.S.L. 2015 (70 O.S. Supp. 2019, 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 a:

1. Dependent child or spouse of a person currently serving as a member of the active uniformed 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;

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 eligible for in-state status as provided for in  
19 subsection A of this section and to maintain eligibility, the  
20 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)~~ **ten (10)** years before the  
14           date of enrollment in the course(s) concerned, and

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

18       2. Is a person who:

19           a. is entitled to assistance under Section 3311(b)(9) or  
20           3319 of Title 38 of the United States Code by virtue  
21           of a relationship to a person who was discharged or  
22           released from a period of not fewer than ninety (90)  
23           days of active duty uniformed services, and  
24

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. 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~~ paragraph 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~~ paragraphs 1 and 2 of subsection C of this section exceeds the five-year period after being discharged or released from active duty uniformed service;

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

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

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

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

13       ~~SECTION 2. This act shall become effective July 1, 2020.~~

14       ~~SECTION 3. 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.~~

18 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
19 February 26, 2020 - DO PASS AS AMENDED  
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