

1 ENGROSSED SENATE
2 BILL NO. 70

By: Simpson of the Senate

3 and

4 Hardin (Tommy) of the House

5
6 [higher education - dependents of military personnel
7 - eligibility for in-state status - effective date -
emergency]

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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, as amended by Section 1, Chapter 141, O.S.L. 2015 (70 O.S.
13 Supp. 2020, Section 3247), is amended to read as 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 a:

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

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

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

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

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

15 B. To be eligible for in-state status as provided for in
16 subsection A of this section and to maintain eligibility, the
17 student shall:

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

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

1 C. A student who files with the institution within The Oklahoma
2 State System of Higher Education at which the student intends to
3 register a letter of intent to establish residence in the state and
4 who resides in the state while enrolled in the institution shall be
5 eligible for in-state status, regardless of the residency of the
6 student or home of record, if the student:

7 1. Is a person who:

8 a. was discharged or released from a period of not fewer
9 than ninety (90) days of active duty uniformed
10 service, less than ~~five (5)~~ ten (10) years before the
11 date of enrollment in the course(s) concerned, and

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

15 2. Is a person who:

16 a. is entitled to assistance under Section 3311(b) (9) or
17 3319 of Title 38 of the United States Code by virtue
18 of a relationship to a person who was discharged or
19 released from a period of not fewer than ninety (90)
20 days of active duty uniformed services, and

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

1 D. To be eligible for in-state status as provided for in
2 subsection C of this section and to maintain eligibility, the
3 student shall:

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

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

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

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

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

21 3. As described in paragraph 1 of subsection C of this section
22 has exhausted education assistance provided under Chapter 30 or 33
23 of Title 38 of the United States Code; or
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1 4. As described in paragraph 2 of subsection C of this section
2 has exhausted education assistance provided under Section 3311(b)(9)
3 or 3319 of Title 38 of the United States Code.

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

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

10 SECTION 2. This act shall become effective July 1, 2021.

11 SECTION 3. It being immediately necessary for the preservation
12 of the public peace, health or safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

15 Passed the Senate the 9th day of March, 2021.

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Presiding Officer of the Senate

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19 Passed the House of Representatives the ____ day of _____,
20 2021.

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Presiding Officer of the House
of Representatives

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