

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 ENGROSSED SENATE
5 BILL NO. 1416

 By: David, Dossett (J.J.), and
 Jett of the Senate

6 and

7 Miller of the House

8
9 An Act relating to higher education; amending 70 O.S.
10 2021, Section 3247, which relates to in-state status
11 for military personnel and their dependents;
12 providing in-state status for certain persons;
13 updating references; providing an effective date; and
14 declaring an emergency.

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

16 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3247, is
17 amended to read as follows:

18 Section 3247. A. A student shall be eligible for in-state
19 status regardless of the residency of the student if the student is
20 a:

21 1. Dependent child or spouse of a person currently serving as a
22 member of the active uniformed services of the United States on
23 full-time active duty status of more than thirty (30) days and for
24 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; or

18 6. Person who is a current member of the Oklahoma National
19 Guard.

20 B. To be eligible for in-state status as provided for in
21 subsection A of this section and to maintain eligibility, the
22 student shall:
23
24

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

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

7 C. A student who files with the institution within The Oklahoma
8 State System of Higher Education at which the student intends to
9 register a letter of intent to establish residence in the state and
10 who resides in the state while enrolled in the institution shall be
11 eligible for in-state status, regardless of the residency of the
12 student or home of record, if the 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. To be eligible for in-state status as provided for in
8 subsection C of this section and to maintain eligibility, the
9 student shall:

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

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

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

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

23 2. As described in paragraph 4 of subsection A of this section
24 or ~~paragraph~~ paragraphs 1 and 2 of subsection C of this section

1 exceeds the five-year period after being discharged or released from
2 active duty uniformed service;

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

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

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

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

15 SECTION 2. This act shall become effective July 1, 2022.

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

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