

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 70

By: Simpson of the Senate

and

Hardin (Tommy) of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to higher education; amending Section
12 1, Chapter 290, O.S.L. 2012, as amended by Section 1,
13 Chapter 141, O.S.L. 2015 (70 O.S. Supp. 2020, Section
14 3247), which relates to in-state status for
15 dependents of military personnel; modifying
16 eligibility for in-state status for certain students;
17 updating statutory language; providing an effective
18 date; and declaring an emergency.

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

20 SECTION 1. AMENDATORY Section 1, Chapter 290, O.S.L.
21 2012, as amended by Section 1, Chapter 141, O.S.L. 2015 (70 O.S.
22 Supp. 2020, Section 3247), is amended to read as follows:

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

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

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

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

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

18 5. Person who is participating in or has received a partial or
19 full scholarship from the Air Force Reserve Officers' Training
20 Corps, Army Reserve Officers' Training Corps or the Navy/Marines
21 Reserve Officers' Training Corps.

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

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)~~ ten (10) years before the
17 date of 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)~~ ten
4 (10) years of the date the related person was
5 discharged or released from a period of not fewer than
6 ninety (90) 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 subsection
21 A of this section is discharged or released from active duty
22 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~~ ten-year period after being discharged or
2 released from 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, 2021.

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 APPROPRIATIONS AND BUDGET, dated
22 04/08/2021 - DO PASS, As Amended.
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