

## FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB654 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Chris Kannady

\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

FLOOR SUBSTITUTE  
FOR ENGROSSED

SENATE BILL NO. 654

By: Rosino of the Senate

and

Burns of the House

FLOOR SUBSTITUTE

An Act relating to postsecondary education; creating the Captain Steven L. Farley Gold Star Families Act; providing short title; providing certain tuition waivers for surviving spouses and children of certain military members killed after certain date; providing eligibility; providing retention eligibility; directing certain federal benefits to be exhausted prior to waiving of certain tuition; amending Section 1, Chapter 24, O.S.L. 2022 (70 O.S. Supp. 2022, Section 3231), which relates to the Oklahoma National Guard Educational Assistance Act; providing definitions; providing eligibility for members in technology center school certificate programs; modifying requirements; creating the Oklahoma National Guard Educational Certificate Program Assistance Revolving Fund; modifying source of funds; modifying reporting requirements; providing for promulgation of rules; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3234 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Captain Steven L. Farley Gold Star Families Act".

B. The surviving spouse and children of a member of any branch of the United States Armed Forces who was killed in action or killed in the performance of his or her duty after September 11, 2001, shall be eligible for a waiver of:

1. Undergraduate resident tuition, mandatory fees, and academic service fees at institutions within The Oklahoma State System of Higher Education. A student shall be eligible for a tuition and fees waiver for up to five (5) years or completion of the requirements for a baccalaureate degree, whichever comes first; or

2. Resident tuition and mandatory fees for a postsecondary program at a technology center school operating under the State Board of Career and Technology Education. Students shall be eligible for a tuition and fees waiver for up to five (5) years or completion of a certificate, whichever comes first.

C. To be eligible for a tuition and fees waiver, a student shall:

1. Be a resident of this state; and

2. Have secured admission to and enrolled in an institution within The Oklahoma State System of Higher Education or a

1 postsecondary program at a technology center school operating under  
2 the State Board of Career and Technology Education.

3 D. To retain eligibility for a tuition and fees waiver, the  
4 student shall maintain good academic standing and satisfactory  
5 progress according to standards of the Oklahoma State Regents for  
6 Higher Education or the State Board of Career and Technology  
7 Education.

8 E. A student seeking a tuition and fees waiver pursuant to this  
9 section who is eligible for federal education benefits shall exhaust  
10 all available federal benefits. Any amount of tuition and fees owed  
11 after federal benefits are exhausted shall be waived by the  
12 institution of higher education or the technology center school.

13 F. The Oklahoma State Regents for Higher Education and the  
14 State Board of Career and Technology Education shall promulgate  
15 rules to implement the provisions of this section.

16 SECTION 2. AMENDATORY Section 1, Chapter 24, O.S.L. 2022  
17 (70 O.S. Supp. 2022, Section 3231), is amended to read as follows:

18 Section 3231. A. This act shall be known and may be cited as  
19 the "Oklahoma National Guard Educational Assistance Act".

20 B. As used in this act:

21 1. "Oklahoma educational institution" means an institution of  
22 higher education within The Oklahoma State System of Higher  
23 Education or a technology center school operating under the State  
24 Board of Career and Technology Education;

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

6        3. "Certificate program" means a program offered by an Oklahoma  
7 educational institution that leads to the award of a postsecondary  
8 certificate;

9        4. "Graduate program" means a program offered by an Oklahoma  
10 educational institution that leads to the award of a master's  
11 degree;

12        ~~4.~~ 5. "Program" means the Oklahoma National Guard Educational  
13 Assistance Program established pursuant to the provisions of this  
14 section; and

15        ~~5.~~ 6. "Undergraduate program" means a program offered by an  
16 Oklahoma educational institution that leads to the award of an  
17 associate's degree or a baccalaureate degree.

18        C. There is hereby created the Oklahoma National Guard  
19 Educational Assistance Program to provide assistance to eligible  
20 Guard members who enroll in an Oklahoma educational institution.  
21 Subject to the availability of funds, the amount of assistance shall  
22 be equivalent to the amount of resident tuition, mandatory fees, and  
23 academic service fees for courses in which the eligible Guard member  
24

1 is enrolled, not to exceed a maximum of eighteen (18) credit hours  
2 each semester.

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

7 2. Subject to the assistance for eligible Guard members  
8 enrolled in undergraduate programs being fully funded, assistance  
9 shall be provided to an eligible Guard member with a baccalaureate  
10 degree enrolled in a graduate program. The amount of assistance  
11 provided to an eligible Guard member enrolled in a graduate program  
12 shall not exceed a maximum of forty (40) credit hours in pursuit of  
13 a master's degree.

14 3. Assistance provided pursuant to this section shall be  
15 granted without any limitation other than the amount of funds  
16 available for the Program and the number of eligible Guard members  
17 who apply.

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

22 D. Assistance provided pursuant to this section shall be  
23 allocated to the Oklahoma educational institution from the Oklahoma  
24 National Guard Educational Assistance Revolving Fund created

pursuant to Section ~~2~~ 3232 of this ~~act~~ title and the Oklahoma National Guard Educational Certificate Program Assistance Revolving Fund created pursuant to Section 3 of this act.

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

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

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

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

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

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

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

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

1        4. Maintain satisfactory participation in the Oklahoma National  
2 Guard.

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

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

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

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

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

23        3. Multiply the amount determined in paragraph 2 of this  
24 subsection by the number of months the member did not fulfill the

1 requirements of paragraph 4 of subsection F of this section.

2 Repayments shall be deposited into the Oklahoma National Guard  
3 Educational Assistance Revolving Fund created pursuant to Section ~~2~~  
4 3232 of this act title and the Oklahoma National Guard Educational  
5 Certificate Program Assistance Revolving Fund created pursuant to  
6 Section 3 of this act.

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

13 K. By July 1 annually, the Oklahoma State Regents for Higher  
14 Education and the State Board of Career and Technology Education  
15 shall notify the Adjutant General of the amount of funding available  
16 in the Oklahoma National Guard Educational Assistance Revolving Fund  
17 created pursuant to Section ~~2~~ 3232 of this act title and the  
18 Oklahoma National Guard Educational Certificate Program Assistance  
19 Revolving Fund created pursuant to Section 3 of this act.

20 L. The Oklahoma State Regents for Higher Education and the  
21 State Board of Career and Technology Education shall promulgate  
22 rules to implement the provisions of this act including deadlines  
23 for submission of applications required by subsection G of this  
24

1 section. The Adjutant General may promulgate regulations to  
2 implement the provisions of this act.

3 SECTION 3. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 3232.1 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 State Board of Career and Technology Education to be  
8 designated the "Oklahoma National Guard Educational Certificate  
9 Program Assistance Revolving Fund". The fund shall be a continuing  
10 fund, not subject to fiscal year limitations, and shall consist of  
11 all monies received by the State Board of Career and Technology  
12 Education from state appropriations. All monies accruing to the  
13 credit of the fund are hereby appropriated and may be budgeted and  
14 expended by the State Board of Career and Technology Education for  
15 the purpose of providing assistance to eligible Oklahoma National  
16 Guard members pursuant to the provisions of Section 3231 of Title 70  
17 of the Oklahoma Statutes. Expenditures from the fund shall be made  
18 upon warrants issued by the State Treasurer against claims filed as  
19 prescribed by law with the Director of the Office of Management and  
20 Enterprise Services for approval and payment.

21 SECTION 4. This act shall become effective July 1, 2023.

22 SECTION 5. It being immediately necessary for the preservation  
23 of the public peace, health, or safety, an emergency is hereby  
24

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

4 59-1-8279 MJ 04/25/23

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24