

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 4274

By: Miller

COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2021, Section 8-103.1, as amended by Section 2, Chapter 451, O.S.L. 2025 (70 O.S. Supp. 2025, Section 8-103.1), which relates to interdistrict transfers; requiring school districts to accept students of active duty military families on official orders; removing district residency requirements for students of active duty military families; requiring schools to treat students of military families as in-district residents for enrollment purposes; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 8-103.1, as amended by Section 2, Chapter 451, O.S.L. 2025 (70 O.S. Supp. 2025, Section 8-103.1), is amended to read as follows:

Section 8-103.1. A. A local school district board of education which receives a request for a transfer for a student who does not reside in the school district may refuse the transfer in accordance with the provisions of the open transfer policy adopted by the local school district board of education and subject to the provisions of

1 subsections B and C of this section. Each local board of education
2 shall adopt an open transfer policy for the school district which
3 specifies its criteria and standards for approval of transfers of
4 students who do not reside in the district. The policy shall
5 include, but shall not be limited to, provisions relating to the
6 availability of programs, staff, or space as criteria for approval
7 or denial of transfers. A school district may include in the policy
8 as the basis for denial of a transfer, the reasons outlined in
9 Section 24-101.3 of this title.

10 In considering requests for students to transfer into a school
11 district, the board of education shall consider the requests on a
12 first-come, first-serve basis. A school district shall not accept
13 or deny a transfer based on ethnicity, national origin, gender,
14 income level, disabling condition, proficiency in the English
15 language, measure of achievement, aptitude, or athletic ability.

16 Notwithstanding the provisions of the Education Open Transfer
17 Act, transfers of children with disabilities shall be granted as
18 authorized in Section 13-103 of this title.

19 ~~B. A local school district board of education shall adopt a~~
20 ~~policy for the school district regarding the transfer of students~~
21 Students who are the dependent children of a member of the active
22 uniformed military services of the United States on full-time active
23 duty status and students who are the dependent children of a member
24 of the military reserve on active duty orders shall be eligible for

1 admission to the school district of their choice if he or she is a
2 student whose parent or legal guardian is transferred or is pending
3 transfer to a military installation within the state while on active
4 military duty pursuant to an official military order. The policy
5 ~~shall provide for the approval of the transfer if:~~

6 1. ~~At~~ Students shall be eligible if at least one parent of the
7 student has a Department of Defense-issued identification card, and

8 2. ~~The student will be residing with a relative of the student~~
9 ~~who lives in the receiving school district or who will be living in~~
10 ~~the receiving school district within six (6) months of the filing of~~
11 ~~the application for transfer.~~

12 C. 1. A student shall be considered in compliance with the
13 residency provisions of Section 1-113 of this title if he or she is
14 a student whose parent or legal guardian is transferred or is
15 pending transfer to a military installation within the state while
16 on active military duty pursuant to an official military order.

17 2. A school district shall accept applications by electronic
18 means for enrollment including enrollment in a specific school or
19 program within the school district and course registration for
20 students described in paragraph 1 of this subsection.

21 3. Students described in subsection B of this section that
22 currently reside outside of a district they are transferring to
23 shall be treated by the receiving district as residing within the
24 receiving district for purposes of enrollment.

1 arrival date provided on official documentation. A parent or legal
2 guardian may use the following addresses as proof of residence:

- 3 a. a temporary on-base billeting facility,
- 4 b. a purchased or leased home or apartment, or
- 5 c. federal government or public-private venture off-base
6 military housing.

7 D. For purposes of this section:

8 1. "Active military duty" means full-time military duty status
9 in the active uniformed service of the United States including
10 members of the National Guard and Military Reserve on active duty
11 orders; and

12 2. "Military installation" means a base, camp, post, station,
13 yard, center, homeport facility for any ship or other installation
14 under the jurisdiction of the Department of Defense or the United
15 States Coast Guard.

16 SECTION 2. This act shall become effective July 1, 2026.

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

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