

**FLOOR AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB140 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_ Amendment submitted by: Toni Hasenbeck \_\_\_\_\_

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

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

FLOOR SUBSTITUTE  
FOR ENGROSSED

SENATE BILL NO. 140

By: Seifried of the Senate

and

Hasenbeck and Fugate of the  
House

FLOOR SUBSTITUTE

[ Oklahoma Higher Learning Access Program - student  
agreements - age limits - income eligibility -  
promulgation of rules - effective date ]

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 2605, as  
last amended by Section 2, Chapter 274, O.S.L. 2024 (70 O.S. Supp.  
2024, Section 2605), is amended to read as follows:

Section 2605. A. Each school year, every fifth- through  
eleventh-grade student in the public and private schools of this  
state and students who are educated by other means and are in the

1 equivalent of the fifth through eleventh grade shall be apprised,  
2 together with the parent, custodial parent, or guardian of the  
3 student, of the opportunity for access to higher learning under the  
4 Oklahoma Higher Learning Access Program. The Oklahoma State Regents  
5 for Higher Education and the State Board of Education shall develop,  
6 promote, and coordinate a public awareness program to be utilized in  
7 making students and parents aware of the Oklahoma Higher Learning  
8 Access Program.

9       B. On a form provided by the Oklahoma State Regents for Higher  
10 Education, every public school district shall designate at least one  
11 Oklahoma Higher Learning Access Program contact person, who shall be  
12 a counselor or teacher, at each public school site in this state in  
13 which eighth-, ninth-, tenth-, or eleventh-grade classes are taught.  
14 When requested by the State Regents, the State Board of Education  
15 shall assist the State Regents to ensure the designation of contact  
16 persons. Private schools shall also designate at least one school  
17 official as a contact person. For students who are educated by  
18 other means, a parent or guardian or other person approved by the  
19 State Regents shall be designated the contact person.

20       C. 1. Students who qualify on the basis of financial need  
21 according to subsection D or E of this section or who meet the  
22 eligibility qualification set forth in subparagraph a of paragraph 1  
23 of subsection B of Section 2603 of this title ~~prior to entering the~~  
24 ~~eleventh grade~~ no later than December 31 of their twelfth-grade year

1 or prior to reaching the age of ~~sixteen (16)~~ seventeen (17) and who  
2 qualify on the basis of the standards and provisions promulgated by  
3 the Oklahoma State Regents for Higher Education shall be given the  
4 opportunity throughout the eighth-, ninth-, tenth-, and eleventh-  
5 grade years, and no later than December 31 of the twelfth-grade  
6 year, for students enrolled in a public or private school, or  
7 between the ages of thirteen (13) and ~~sixteen (16)~~ seventeen (17),  
8 for students who are educated by other means, to enter into  
9 participation in the program by agreeing to, throughout the  
10 remainder of their school years or educational program:

- 11 a. attend school or an educational program regularly and
- 12 do homework regularly,
- 13 b. refrain from substance abuse,
- 14 c. refrain from commission of crimes or delinquent acts,
- 15 d. have school work and school records reviewed by
- 16 mentors designated pursuant to the program,
- 17 e. provide information requested by the Oklahoma State
- 18 Regents for Higher Education or the State Board of
- 19 Education, and
- 20 f. participate in program activities.

21 2. Students who meet the eligibility qualification set forth in  
22 subparagraph a of paragraph 1 of subsection B of Section 2603 of  
23 this title after ~~completing the eleventh grade~~ December 31 of their  
24 twelfth-grade year or after reaching the age of ~~seventeen (17)~~

1 eighteen (18) shall be given the opportunity prior to reaching the  
2 age of twenty-one (21) to enter into participation in the program  
3 and shall execute an agreement with provisions as determined by the  
4 Oklahoma State Regents for Higher Education.

5 3. The contact person shall maintain the agreements, which  
6 shall be executed on forms provided by the Oklahoma State Regents  
7 for Higher Education and managed according to regulations  
8 promulgated by the Oklahoma State Regents for Higher Education, and  
9 the contact person shall monitor compliance of the student with the  
10 terms of the agreement. The Oklahoma State Regents for Higher  
11 Education are authorized to process student agreements and verify  
12 compliance with the agreements. Students failing to comply with the  
13 terms of the agreement shall not be eligible for the awards provided  
14 in Section 2604 of this title.

15 4. The Oklahoma State Regents for Higher Education may provide  
16 an exception to the age limits provided for in paragraphs 1 and 2 of  
17 this subsection pursuant to subsection L of this section.

18 5. Notwithstanding the provisions of Sections 5-132 and 5-132.1  
19 of this title, a student who is age twenty-one (21) or older shall  
20 not be eligible to enter into participation in the program.

21 D. Except as otherwise provided for in subsection E of this  
22 section and except for students who qualify pursuant to subsection B  
23 of Section 2603 of this title, a student shall not be found to be in  
24

1 financial need for purposes of the Oklahoma Higher Learning Access  
2 Program if:

3 1. Beginning with eighth-, ninth-, or tenth-grade students who  
4 are enrolled in a public or private school or students between the  
5 ages of thirteen (13) and fifteen (15) who are educated by other  
6 means who apply for participation in the program in the 2017-2018  
7 school year, the federal adjusted gross income of the student's  
8 parent(s) exceeds Fifty-five Thousand Dollars (\$55,000.00) per year;

9 2. Beginning with eighth-, ninth-, tenth-, or eleventh-grade  
10 students who are enrolled in a public or private school or students  
11 between the ages of thirteen (13) and sixteen (16) who are educated  
12 by other means who apply for participation in the program in the  
13 2021-2022 school year, the federal adjusted gross income of the  
14 student's parent(s) exceeds Sixty Thousand Dollars (\$60,000.00) per  
15 year;

16 3. Beginning with eighth-, ninth-, tenth-, or eleventh-grade  
17 students who are enrolled in a public or private school or students  
18 between the ages of thirteen (13) and sixteen (16) who are educated  
19 by other means who apply for participation in the program in the  
20 2022-2023 school year:

21 a. the federal adjusted gross income of the student's  
22 parent(s), who have two or fewer dependent children,  
23 exceeds Sixty Thousand Dollars (\$60,000.00) per year,  
24

b. the federal adjusted gross income of the student's parent(s), who have three or four dependent children, exceeds Seventy Thousand Dollars (\$70,000.00) per year, or

c. the federal adjusted gross income of the student's parent(s), who have five or more dependent children, exceeds Eighty Thousand Dollars (\$80,000.00) per year;

4. Beginning with eighth-, ninth-, tenth-, or eleventh-grade students or twelfth-grade students no later than December 31 of their twelfth-grade year who are enrolled in a public or private school or students between the ages of thirteen (13) and seventeen (17) who are educated by other means who apply for participation in the program in the 2026-2027 school year:

a. the federal adjusted gross income of the student's parent(s), who have two or fewer dependent children, exceeds Sixty Thousand Dollars (\$60,000.00) per year,

b. the federal adjusted gross income of the student's parent(s), who have three or four dependent children, exceeds Seventy Thousand Dollars (\$70,000.00) per year, or

c. the federal adjusted gross income of the student's parent(s), who have five or more dependent children, exceeds Eighty Thousand Dollars (\$80,000.00) per year;

1        5. Beginning with the 2018-2019 academic year, prior to  
2 receiving any Oklahoma Higher Learning Access Program benefit award  
3 for any year during which the student is enrolled in an institution  
4 which is a member of The Oklahoma State System of Higher Education,  
5 a postsecondary vocational-technical program offered by a technology  
6 center school that meets the requirements to be eligible for federal  
7 student financial aid, or a private institution of higher learning  
8 located within this state and accredited pursuant to Section 4103 of  
9 this title, the federal adjusted gross income of the student's  
10 parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per  
11 year.

12        The determination of financial qualification as set forth in  
13 this paragraph shall be based on the income of the student, not the  
14 income of the parent(s), if a student:

- 15            a. is determined to be independent of the student's  
16                parents for federal financial aid purposes,
- 17            b. was in the permanent custody of the Department of  
18                Human Services at the time the student enrolled in the  
19                program, or
- 20            c. was in the court-ordered custody of a federally  
21                recognized Indian tribe, as defined by the federal  
22                Indian Child Welfare Act of 1978, at the time the  
23                student enrolled in the program.



1 The provisions of this paragraph shall apply to any student who  
2 has received an Oklahoma Higher Learning Access Program benefit  
3 award after the 2017-2018 school year; and

4 ~~5.~~ 6. The Oklahoma State Regents for Higher Education shall  
5 review the determination of financial qualification as set forth in  
6 paragraphs 1, 2, ~~and 3,~~ and 4 of this subsection if the income from  
7 taxable and nontaxable sources of the student's parent(s) includes  
8 income received from nontaxable military benefits or income received  
9 from the federal Social Security Administration due to the death or  
10 disability of the student's parent(s). If the income from taxable  
11 and nontaxable sources of the student's parent(s), excluding income  
12 received from nontaxable military benefits or income received from  
13 the federal Social Security Administration due to the death or  
14 disability of the student's parent(s), does not exceed the  
15 limitations set forth by paragraphs 1, 2, ~~and 3,~~ and 4 of this  
16 subsection, the student shall be determined to have met the  
17 financial qualification set forth in paragraphs 1, 2, ~~and 3,~~ and 4  
18 of this subsection.

19 E. 1. A student who was adopted between birth and twelve (12)  
20 years of age while in the permanent custody of the Department of  
21 Human Services, in the court-ordered custody of a licensed private  
22 nonprofit child-placing agency, or federally recognized Indian  
23 tribe, as defined by the federal Indian Child Welfare Act of 1978,  
24 shall not be found to be in financial need for purposes of the

Oklahoma Higher Learning Access Program if at the time the student begins postsecondary education and prior to receiving any Oklahoma Higher Learning Access Program benefit award, the federal adjusted gross income of the student's parent(s) exceeds One Hundred Fifty Thousand Dollars (\$150,000.00) per year. The provisions of this paragraph shall not apply to any student who has received an Oklahoma Higher Learning Access Program benefit award prior to the 2012-2013 school year.

2. A student who was adopted between thirteen (13) and seventeen (17) years of age while in the permanent custody of the Department of Human Services, in the court-ordered custody of a licensed private nonprofit child-placing agency, or federally recognized Indian tribe, as defined by the federal Indian Child Welfare Act of 1978, shall not be found to be in financial need for purposes of the Oklahoma Higher Learning Access Program if at the time the student begins postsecondary education and prior to receiving any Oklahoma Higher Learning Access Program benefit award, the federal adjusted gross income of the student's parent(s) exceeds Two Hundred Thousand Dollars (\$200,000.00) per year. The provisions of this paragraph shall not apply to any student who has received an Oklahoma Higher Learning Access Program benefit award prior to the 2012-2013 school year.

3. A student who was placed in the custody of the Department of Human Services at any time during the eighth, ninth, tenth, or

1 eleventh grades and enrolls in the program no later than his or her  
2 official date of high school graduation shall not be found to be in  
3 financial need for purposes of the Oklahoma Higher Learning Access  
4 Program if the federal adjusted gross income of the student exceeds  
5 Sixty Thousand Dollars (\$60,000.00) per year.

6 4. Except for students who qualify pursuant to subsection B of  
7 Section 2603 of this title, the determination of financial  
8 qualification as set forth in this subsection shall be based on the  
9 income of the student, not the income of the parent(s), if the  
10 student is determined to be independent of the student's parent(s)  
11 for federal financial aid purposes. A determination of financial  
12 qualification shall not be required for the student who meets the  
13 criteria set forth in this subsection at the time the student  
14 applies for participation in the program. The provisions of this  
15 paragraph shall not apply to any student who has received an  
16 Oklahoma Higher Learning Access Program benefit award prior to the  
17 2008-2009 school year.

18 F. The financial qualification of a student as set forth in  
19 subsections D and E of this section shall be certified by the  
20 contact person or by the Oklahoma State Regents for Higher Education  
21 on the agreement form provided by the Oklahoma State Regents for  
22 Higher Education. The form shall be retained in the permanent  
23 record of the student and a copy forwarded to the Oklahoma State  
24 Regents for Higher Education.

1 G. Agreements shall be witnessed by the parent, custodial  
2 parent, or guardian of the student, who shall further agree to:

3 1. Assist the student in achieving compliance with the  
4 agreements;

5 2. Confer, when requested to do so, with the school contact  
6 person, other school personnel, and program mentors;

7 3. Provide information requested by the Oklahoma State Regents  
8 for Higher Education or the State Board of Education; and

9 4. Assist the student in completing forms and reports required  
10 for program participation, making applications to institutions and  
11 schools of higher learning, and filing applications for student  
12 grants and scholarships.

13 H. The Oklahoma State Regents for Higher Education shall  
14 promulgate rules for the determination of student compliance with  
15 agreements made pursuant to this section.

16 I. The Oklahoma State Regents for Higher Education shall  
17 designate personnel to coordinate tracking of program records for  
18 the years when students participating in the program are still in  
19 the schools or are being educated by other means, provide staff  
20 development for contact persons in the schools, and provide liaison  
21 with the State Board of Education and local organizations and  
22 individuals participating in the program.

23 J. The school district where an Oklahoma Higher Learning Access  
24 Program student is enrolled when the student begins participation in

1 the program and any subsequent school district where the student  
2 enrolls shall forward information regarding participation by the  
3 student in the program to a school to which the student transfers  
4 upon the request of the school for the records of the student.

5 K. Students participating in the Oklahoma Higher Learning  
6 Access Program shall provide their Social Security number or their  
7 student identification number used by their school to the Oklahoma  
8 State Regents for Higher Education. The State Regents shall keep  
9 the numbers confidential and use them only for administrative  
10 purposes.

11 L. The State Regents may provide an exception to the age limits  
12 provided for in paragraphs 1 and 2 of subsection C of this section  
13 to a student due to hardship circumstances and allow an application  
14 to the Oklahoma Higher Learning Access Program for twelfth-grade  
15 students enrolled in a public or private school and students who are  
16 educated by other means and are in the equivalent of twelfth grade.  
17 Provided, however, the exception due to hardship circumstances shall  
18 not apply to:

19 1. A student enrolled in a public or private school after the  
20 student's official date of high school graduation;

21 2. A student educated by other means who is age nineteen (19)  
22 or older; or

23 3. Any student who is age twenty-one (21) or older.  
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1 The Oklahoma State Regents for Higher Education shall promulgate  
2 rules to implement the provisions of this subsection.

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

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