

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1376

By: Hines

AS INTRODUCED

An Act relating to the Oklahoma National Guard; amending 44 O.S. 2021, Sections 26 and 243, as amended by Sections 4 and 6, Chapter 344, O.S.L. 2025 (44 O.S. Supp. 2025, Sections 26 and 243), which relate to authority under the Adjutant General and the Governor's authority over state militia; removing certain authority; allowing certain bequests to be defined by the Adjutant General in certain situations; requiring compensation to be provided by the Oklahoma National Guard Supplemental Retirement Pay Revolving Fund; amending Section 18, Chapter 344, O.S.L. 2025 (44 O.S. Supp. 2025, Section 271), which relates to the Oklahoma National Guard Supplemental Retirement Pay Revolving Fund; providing certain limitations for operability of certain fund; amending 44 O.S. Section 815, as amended by Section 7, Chapter 344, O.S.L. 2025 (44 O.S. Supp. 2025, Section 815), which relates to the commanding officer's nonjudicial punishment authority; providing certain requirements for certain payments to be made; removing certain requirements for reductions of certain pay grade; providing certain time period to respond to certain intent; amending Section 1, Chapter 390, O.S.L. 2025 (70 O.S. Supp. 2025, Section 14-140), which relates to the Oklahoma National Guard CareerTech Assistance Act; removing certain authority to promulgate regulations; requiring certain member to exhaust certain benefits before accessing certain funds; amending Section 21, Chapter 344, O.S.L. 2025 (70 O.S. Supp. 2025, Section 14-142.1), which relates to transfer of education assistance to dependents; allowing certain member to transfer certain entitlement; updating statutory references; updating statutory language; repealing Section 20, Chapter 344, O.S.L. 2025 (70 O.S. Supp. 2025, Section 14-

1 142), which relates to education assistance;
2 providing an effective date; and declaring an
3 emergency.

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

5 SECTION 1. AMENDATORY 44 O.S. 2021, Section 26, as
6 amended by Section 4, Chapter 344, O.S.L. 2025 (44 O.S. Supp. 2025,
7 Section 26), is amended to read as follows:

8 Section 26. A. The Adjutant General shall be in control of the
9 Military Department of the State of Oklahoma, subordinate only to
10 the Governor. Within the limitations and under the provisions of
11 law, he or she shall supervise and direct the Oklahoma National
12 Guard within the service of the state and when under state control
13 in all of its organization, training and other activities; shall
14 receive and give effect to the orders of the Governor; and shall
15 perform such other military and defense duties, not otherwise
16 assigned by law, as the Governor may prescribe. ~~The Adjutant~~
17 ~~General shall have the authority to arm members of the state~~
18 ~~military forces on military installations and other places under the~~
19 ~~control of the Military Department with weaponry as the Adjutant~~
20 ~~General deems necessary to adequately provide for the security of~~
21 ~~the facilities and their occupants.~~

22 B. The Adjutant General, when absent from the state, may
23 temporarily delegate any authority vested under this title and any
24 such duties as an agency appointing authority to an Assistant
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1 Adjutant General, other state officer or employee within the
2 Military Department of the State of Oklahoma. Such temporary
3 delegations of authority pursuant to this subsection shall be
4 accomplished in writing. The Adjutant General may also promulgate
5 regulations providing for the delegation of any such authority.

6 C. The Adjutant General shall develop, publish and maintain an
7 organizational chart depicting the chain of command between the
8 Adjutant General and the major commands of the Oklahoma National
9 Guard. Besides the major commands defined in Section 801 of this
10 title ~~(Article 1)~~, the Adjutant General, in his or her discretion,
11 may designate other military units within the Oklahoma National
12 Guard as major commands.

13 D. The organizational chart required in subsection C of this
14 section shall be updated no less than annually and shall include all
15 enlisted and officer billets assigned to joint ~~forces~~ force
16 headquarters and shall depict all existing command relationships
17 established by the Adjutant General within joint ~~forces~~ force
18 headquarters. The organizational chart required herein shall not be
19 considered a military publication within the meaning of Section 801
20 of this title ~~(Article 1)~~.

21 E. In accordance with all relevant requirements of the United
22 States Army, the United States Air Force or the National Guard
23 Bureau, the Adjutant General shall develop, publish and maintain an
24 enlisted and officer rating scheme for all enlisted and officer

1 billets assigned to joint ~~forces~~ force headquarters. The rating
2 scheme required herein shall not be considered a military
3 publication within the meaning of Section 801 of this title ~~(Article~~
4 ~~1)~~.

5 F. Pursuant to the rules established by the Adjutant General,
6 the Military Department of the State of Oklahoma is authorized to
7 expend appropriated and nonappropriated funds to enhance recruiting
8 and retention efforts for the Oklahoma National Guard.

9 G. The Adjutant General may establish rules allowing the
10 Military Department of the State of Oklahoma to accept donations and
11 bequests to create a program for the benefit of members of the
12 Oklahoma National Guard. The Adjutant General may define the
13 purpose of any bequests as authorized by law.

14 H. The Adjutant General shall serve as the chief of all fire
15 protection units operating under the ~~Oklahoma~~ Military Department of
16 the State of Oklahoma and shall supervise and administer the fire
17 protection units in accordance with the rules and procedures
18 prescribed by the Military Department of the State of Oklahoma.

19 I. The Adjutant General shall serve as the ~~chief~~ commissioner
20 of all police units and officers appointed under the ~~Oklahoma~~
21 Military Department of the State of Oklahoma. The Adjutant General
22 may appoint police officers in accordance with Section 230 of this
23 title.

1 SECTION 2. AMENDATORY 44 O.S. 2021, Section 243, as
2 amended by Section 6, Chapter 344, O.S.L. 2025 (44 O.S. Supp. 2025,
3 Section 243), is amended to read as follows:

4 Section 243. A. The Governor is hereby authorized to prescribe
5 rules and regulations governing the enlistment, organization,
6 administration, equipment, discipline and discharge of the personnel
7 of such military forces; to requisition from the Secretary of
8 Defense such arms and equipment as may be in the possession of and
9 can be spared by the United States Department of Defense and to
10 extend thereto the facilities of state armories, Armed Forces
11 Reserve Centers, readiness centers, logistics, aviation, and
12 training facilities, warehouses and their equipment and such other
13 state premises and property as may be available for the purpose of
14 drill and instruction. Insofar as applicable, the procedure for the
15 enlistment, organization, pay, maintenance, equipment, and
16 discipline of such forces shall be in conformity with the law and
17 the rules and regulations governing and pertaining to the Oklahoma
18 National Guard; provided, that the officers and enlisted personnel
19 in the Oklahoma State Guard shall not receive any compensation or
20 monetary allowances from the state except when activated for state
21 active duty, as defined in Section 801 of this title, by order of
22 the Governor.

23 ~~B. Members of the Oklahoma National Guard shall be considered~~
24 ~~part of state military forces as defined in Section 801 of this~~

1 ~~title and shall be subject to the Oklahoma Uniform Code of Military~~
2 ~~Justice.~~

3 ~~C.~~ Any full-time state employee ~~that~~ who serves in a military
4 capacity shall receive compensation ~~equaling~~ equivalent to the
5 compensation, benefits, entitlements, or other compensation received
6 by a full-time active-duty service member at the same rank and time
7 in grade in perpetuity but such compensation shall not be
8 transferable. Compensation under this subsection shall be funded by
9 the revolving fund established pursuant to Section 272 of Title 44
10 of the Oklahoma Statutes or other appropriated funds.

11 ~~D.~~ C. When prescribing the rules and regulations governing
12 enlistment, organization, administration, equipment, discipline and
13 discharge of the personnel of the Oklahoma State Guard or Oklahoma
14 National Guard, the Governor shall issue such rules and regulations
15 in the form of an executive order or in a series of such orders. An
16 executive order or a series of such orders prescribing the rules and
17 regulations governing enlistment, organization, administration,
18 equipment, discipline and discharge of the personnel of the Oklahoma
19 State Guard or Oklahoma National Guard shall also be published by
20 the Adjutant General as a military publication.

21 SECTION 3. AMENDATORY Section 18, Chapter 344, O.S.L.
22 2025 (44 O.S. Supp. 2025, Section 271), is amended to read as
23 follows:
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1 Section 271. A. The provisions of this section shall not be
2 operative and no payments shall be made from the Oklahoma National
3 Guard Supplemental Retirement Pay Revolving Fund created in Section
4 19 272 of this act title until ~~November 1, 2027~~ January 1, 2027, or
5 until funds are appropriated, whichever date is earlier.

6 B. The provisions of this section shall only be applicable to a
7 member of the Oklahoma National Guard who has accrued enough service
8 credit ~~prior to the effective date of this act~~ in order to retire
9 from the system maintained by the Defense Finance and Accounting
10 Service, or its successor in interest, for the benefit of members of
11 state ~~National Guards~~ national guards, but who has not attained the
12 required age prior to ~~the effective date of this act~~ November 1,
13 2025, in order to be paid the full amount of such benefit. No
14 member of the Oklahoma National Guard shall be eligible to receive a
15 payment pursuant to the provisions of this section unless the member
16 has completed twenty-five (25) years of military service, which
17 shall include at least five (5) years in the Oklahoma National
18 Guard, and retires as a member of the Oklahoma National Guard.

19 C. The provisions of this section shall not be applicable to
20 any person who ~~retires with an active duty military pension~~ is
21 receiving funds pursuant to 10 U.S.C., Section 12732.

22 D. The amount of the payment shall be determined as follows:
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1 1. Determine the amount of retirement the member would receive
2 if the member had reached the age to accrue federal retirement
3 benefits based upon total points accrued;

4 2. If the members of the active duty military retirement system
5 were eligible for a cost-of-living adjustment for the year for which
6 the computation of the payment amount authorized by this section is
7 to be made, the cost-of-living adjustment amount in an annualized
8 form shall be added to the result of the computation in paragraph 1
9 of this subsection each year; and

10 3. The resulting amount shall be paid to the Oklahoma National
11 Guard member in twelve ~~(12)~~ equal monthly amounts with allowance as
12 required for rounding.

13 E. Any benefit payable to an eligible member of the Oklahoma
14 National Guard shall only be payable during the member's lifetime,
15 and no benefit authorized pursuant to the provisions of this section
16 shall be payable to a beneficiary other than amounts paid to a
17 member prior to the member's death which are payable to another
18 person pursuant to the provisions of a joint tenancy bank account
19 with a right of survivorship naming a person or persons as
20 beneficiary, a bank account with a transfer on death or payable on
21 death feature, an express trust, including, but not limited to, a
22 trust created by the payee member during his or her lifetime, a will
23 or the statute of intestate succession for distribution of the
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1 assets of a person who does not otherwise provide for the
2 disposition of his or her assets after death.

3 F. The payment otherwise authorized pursuant to the provisions
4 of this ~~act~~ section may only be made to a person who has become
5 eligible to receive retirement benefits from the retirement system
6 under the supervision of the Defense Finance and Accounting Service,
7 or its successor in interest, as of the date the first payment
8 pursuant to this ~~act~~ section is authorized.

9 G. The payments authorized by this section shall be paid to the
10 eligible member until the member begins to receive federal
11 retirement benefits from the Defense Finance and Accounting Service,
12 or its successor in interest, but shall not be paid for any period
13 of time after such time period.

14 H. In the event the funds required for full payment to all
15 eligible members pursuant to the provisions of this section are not
16 sufficient, the payments to the eligible members shall be prorated
17 by dividing the total number of eligible members by the total amount
18 of available funds. The resulting quotient shall be multiplied by
19 the payment amount otherwise due to the eligible member and the
20 result of that computation shall be the reduced dollar amount paid
21 to each member for the applicable period. For any period of time
22 during which payments are prorated pursuant to this subsection, the
23 next increment of available funds shall be used to make payments to
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1 the eligible members whose payment amounts were prorated to
2 compensate for the reduction made in the prior payment period.

3 SECTION 4. AMENDATORY 44 O.S. 2021, Section 815, as
4 amended by Section 7, Chapter 344, O.S.L. 2025 (44 O.S. Supp. 2025,
5 Section 815), is amended to read as follows:

6 Section 815. ARTICLE 15. Commanding officer's nonjudicial
7 punishment.

8 A. Except as provided in subsection B of this section, any
9 commanding officer may impose disciplinary punishments for minor
10 offenses arising under the punitive articles of the Oklahoma Uniform
11 Code of Military Justice without the intervention of a court-
12 martial.

13 B. Any commanding officer may limit or withhold the exercise of
14 nonjudicial punishment authority by subordinate commanders,
15 including limiting authority over certain categories of military
16 personnel or offenses. Likewise, individual cases may be reserved
17 by a superior commander. A superior authority may limit or withhold
18 any power that a subordinate might otherwise exercise under this
19 section.

20 C. Except as provided in subsection L of this section, the
21 Governor or Adjutant General may delegate the powers established
22 under this section to a commanding officer who is a member of the
23 state military forces and is also a member of the same force
24 component as the accused.

1 D. Except as provided in subsection S of this section, any
2 commanding officer may impose upon enlisted members of the officer's
3 command:

- 4 1. An admonition;
- 5 2. A reprimand;
- 6 3. The withholding of privileges for not more than six (6)
7 months, which need not be consecutive;
- 8 4. The forfeiture of pay of not more than seven (7) days' pay;
- 9 5. A fine of not more than seven (7) days' pay;
- 10 6. A reduction to the next inferior pay grade, ~~if the grade~~
11 ~~from which demoted is within the promotion authority of the officer~~
12 ~~imposing the reduction or any officer subordinate to the one who~~
13 ~~imposes the reduction;~~
- 14 7. Extra duties, including fatigue or other duties, for not
15 more than fourteen (14) days, which need not be consecutive; and
- 16 8. Restriction to certain specified limits, with or without
17 suspension from duty, for not more than fourteen (14) days, which
18 need not be consecutive.

19 E. Except as provided in subsection S of this section, any
20 commanding officer of the grade of major or above may impose upon
21 enlisted members of the officer's command:

- 22 1. An admonition;
- 23 2. A reprimand;
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1 3. The withholding of privileges for not more than six (6)
2 months, which need not be consecutive;

3 4. The forfeiture of not more than one-half (1/2) of one (1)
4 month's pay per month for two (2) months;

5 5. A fine of not more than one (1) month's pay;

6 6. A reduction to the lowest or any intermediate pay grade, if
7 ~~the grade from which demoted is within the promotion authority of~~
8 ~~the commanding officer imposing the reduction or any officer~~
9 ~~subordinate to the one who imposes the reduction~~, but an enlisted
10 member in a pay grade above E-4 shall not be reduced more than two
11 pay grades;

12 7. Extra duties, including fatigue or other duties, for not
13 more than forty-five (45) days, which need not be consecutive; and

14 8. Restriction to certain specified limits, with or without
15 suspension from duty, for not more than sixty (60) days, which need
16 not be consecutive.

17 F. The Governor, the Adjutant General, or an officer exercising
18 general or special court-martial convening authority may impose:

19 1. Upon officers of the officer's command:

20 a. any punishment authorized in subsection E of this
21 section, except for the punishments provided in
22 paragraphs 6 and 7 of subsection E of this section,
23 and
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1 b. arrest in quarters for not more than thirty (30) days,
2 which need not be consecutive; and

3 2. Upon enlisted members of the officer's command, any
4 punishment authorized in subsection E of this section.

5 Admonitions or reprimands given as nonjudicial punishment to
6 commissioned officers and warrant officers shall be administered in
7 writing. In all other cases, unless otherwise prescribed by
8 regulations promulgated by the Adjutant General, such punishments
9 may be administered either orally or in writing.

10 G. Whenever any punishments are combined to run consecutively,
11 the total length of the combined punishment shall not exceed the
12 authorized duration of the longest punishment included in the
13 combination, and there shall be an apportionment of punishments so
14 that no single punishment in the combination exceeds its authorized
15 length under this section.

16 H. Once the commanding officer has determined that nonjudicial
17 punishment is appropriate, the commanding officer shall provide
18 reasonable notice to the member of his or her intent to impose
19 nonjudicial punishment. At the time the commanding officer provides
20 notification as required in this subsection, the member shall be
21 entitled to examine all statements and other evidence that the
22 commander has examined and intends to rely upon as the basis for
23 punishment. The member shall be provided a copy of the documentary
24 evidence unless it is privileged, classified, or otherwise

1 restricted by law, regulation, or instruction. At the time the
2 commanding officer provides notification as required in this
3 subsection, the commanding officer shall also inform the member as
4 to the quantum of punishment potentially to be imposed. While a
5 member undergoing nonjudicial punishment is not entitled to
6 representation by a duly appointed defense counsel, the member may
7 seek legal advice from any judge advocate available for this
8 purpose. Upon notification by the officer of his or her intent to
9 impose judicial punishment, the member shall provide a response
10 within forty-five (45) calendar days, or three (3) duty days if on
11 active duty.

12 I. The right to demand trial by court-martial in lieu of
13 nonjudicial punishment shall arise only when arrest in quarters or
14 restriction will be considered as punishments. If the commanding
15 officer determines that arrest in quarters or restriction will be
16 considered as punishments, prior to the offer of nonjudicial
17 punishment the member shall be notified in writing of the right to
18 demand trial by court-martial. Should the commanding officer
19 determine that the punishment options will not include arrest in
20 quarters or restriction, the member shall be notified that there is
21 no right to trial by court-martial in lieu of nonjudicial
22 punishment. Upon notification by the commanding officer of his or
23 her intent to impose nonjudicial punishment that includes arrest in
24 quarters or restriction, the member shall be afforded a reasonable

1 amount of time to confer with legal counsel and to prepare a
2 response.

3 J. The commanding officer who imposes the punishment, or his or
4 her successor in command, may at any time suspend, set aside,
5 mitigate or remit any part or amount of the punishment and restore
6 all rights, privileges and property affected. The commanding
7 officer may also mitigate:

- 8 1. Reduction in grade to forfeiture of pay;
- 9 2. Arrest in quarters to restriction; or
- 10 3. Extra duties to restriction.

11 The mitigated punishment shall not be for a greater period than
12 the punishment mitigated. When mitigating reduction in grade to
13 forfeiture of pay, the amount of the forfeiture shall not be greater
14 than the amount that could have been imposed initially under this
15 ~~article~~ section by the officer who imposed the punishment mitigated.

16 K. A person punished under this section who considers the
17 punishment unjust or disproportionate to the offense may, through
18 his or her chain of command, appeal to a senior officer designated
19 by the Adjutant General to adjudicate appeals arising from
20 nonjudicial punishment. A senior officer so designated by the
21 Adjutant General shall be a member of the same component of the
22 state military forces as the accused. An appeal made pursuant to
23 this subsection shall be lodged within fifteen (15) days after the
24 punishment is announced to the member. The commanding officer

1 exercising appellate authority may, at his or her discretion, extend
2 the deadline for an appeal. The appeal shall be promptly forwarded
3 and decided, and the member shall not be punished until the appeal
4 is decided. The senior officer designated by the Adjutant General
5 as exercising appellate authority may exercise the same powers with
6 respect to the punishment imposed as may be exercised under
7 subsection I of this section by the officer who imposed the
8 punishment. Before acting on an appeal ~~from~~ for a punishment, the
9 senior officer exercising appellate authority shall refer the case
10 to a judge advocate for consideration and advice. When a senior
11 officer is designated by the Adjutant General to adjudicate appeals
12 arising from nonjudicial punishment, such designation shall be
13 accomplished in writing and shall be considered a military
14 publication, as defined in Section 801 of this title ~~(Article 1)~~.

15 L. Except for nonjudicial punishment imposed by the Governor or
16 the Adjutant General, the final appellate authority for nonjudicial
17 punishment imposed within state military forces is the Adjutant
18 General. A person punished under this section whose appeal was
19 previously denied by a senior officer designated to adjudicate
20 appeals may, through his or her chain of command, lodge an
21 additional appeal with the Adjutant General within five (5) days
22 after the appeal is denied. In the event the officer imposing
23 nonjudicial punishment is a senior officer who is also designated to
24 adjudicate appeals arising from nonjudicial punishment, an appeal

1 thereof shall be addressed directly to the Adjutant General. In the
2 event the officer imposing nonjudicial punishment is the Adjutant
3 General, an appeal thereof shall be addressed directly to the
4 Governor. An appeal offered pursuant to this subsection shall be
5 made only in writing. Neither the Governor nor the Adjutant General
6 shall delegate his or her duties as an appellate authority under
7 this subsection.

8 M. Whenever nonjudicial punishment is imposed under this
9 section:

10 1. After adjudication and while the punishment is being carried
11 out or while the adjudged punishment is pending before the appellate
12 authority, the commander or officer in charge who imposed the
13 nonjudicial punishment, upon the request of the ~~member~~ officer, may:

- 14 a. excuse the ~~member~~ officer from attendance at scheduled
15 unit training assemblies, or
16 b. arrange for the ~~member~~ officer to drill on alternate
17 dates and in alternate locations; or

18 2. If necessary to maintain good order and discipline within
19 the unit, the commanding officer who imposed the nonjudicial
20 punishment may order the member to drill on alternate dates and in
21 alternate locations. The order shall be reduced to writing and
22 shall become part of the record of nonjudicial punishment.

23 N. The imposition and enforcement of disciplinary punishment
24 under this section for any act or omission shall not be a bar to
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1 trial by court-martial or a civilian court of competent jurisdiction
2 for a crime or offense arising out of the same act or omission; but
3 the fact that a disciplinary punishment has been enforced may be
4 demonstrated by the member upon trial and, when so demonstrated, it
5 shall be considered in determining the measure of punishment to be
6 adjudged in the event of a finding or verdict of guilty.

7 Nonjudicial punishment shall not be imposed for an offense
8 previously tried by a civilian court unless so authorized by
9 regulations promulgated by the Adjutant General.

10 O. When nonjudicial punishment has been imposed for an offense,
11 punishment shall not again be imposed for the same offense under
12 this section. Once nonjudicial punishment has been imposed, it may
13 not be increased, upon appeal or otherwise. When a commanding
14 officer determines that nonjudicial punishment is appropriate for a
15 particular member, all known offenses determined to be appropriate
16 for disposition by nonjudicial punishment and ready to be considered
17 at that time, including all offenses arising from a single incident
18 or course of conduct, shall be considered together and shall not be
19 made the basis for multiple punishments. This subsection shall in
20 no way restrict the right of a commanding officer to prefer court-
21 martial charges for an offense previously punished under the
22 provisions of this section.

23 P. In accordance with subsection B of Section 843 of this title
24 ~~(Article 43, subsection B)~~, a person accused of an offense is not

1 liable to be punished under this section if the offense was
2 committed more than two (2) years before the imposition of
3 punishment. Periods in which the member is absent without authority
4 shall be excluded in computing the period of limitation prescribed
5 in this section.

6 Q. Whenever a punishment of forfeiture of pay is imposed under
7 this section, the forfeiture shall not apply to pay accruing before
8 the date that punishment is imposed, but only pay accruing on or
9 after the date that punishment is imposed.

10 R. The Adjutant General may promulgate regulations prescribing
11 the type and form of records to be kept of proceedings conducted
12 pursuant to this section. The Adjutant General may promulgate any
13 other regulations necessary to carry out the provisions of this
14 section.

15 S. For purposes of this section, no member of the Oklahoma
16 National Guard of the rank of E-8 or E-9 shall be reduced in rank
17 pursuant to this section except when the reduction results from
18 nonjudicial punishment imposed by an officer of the Oklahoma
19 National Guard of the rank of Brigadier General or by the Adjutant
20 General. When imposing nonjudicial punishment on enlisted persons
21 of the rank of E-7 or below, a commander or officer in charge who
22 possesses the rank of colonel may consider reduction in rank as a
23 possible punishment.
24

SECTION 5. AMENDATORY Section 1, Chapter 390, O.S.L.

2025 (70 O.S. Supp. 2025, Section 14-140), is amended to read as follows:

Section 14-140. A. This act shall be known and may be cited as the "Oklahoma National Guard CareerTech Assistance Act".

B. As used in ~~this act~~ the Oklahoma National Guard CareerTech Assistance Act:

1. "Technology center school" means a technology center school under the governance of the State Board of Career and Technology Education;

2. "Eligible Guard member" means a current member of the Oklahoma National Guard in good standing who has a high school diploma or who has completed General Educational Development (GED) requirements and who has enrolled in a technology center school; and

3. "Program" means the Oklahoma National Guard CareerTech Assistance Program established pursuant to the provisions of this section.

C. 1. There is hereby created the Oklahoma National Guard CareerTech Assistance Program to provide assistance to eligible Guard members who enroll in a technology center school. Subject to the availability of funds, the amount of assistance shall be equivalent to the amount of tuition for a career and technology program in which the eligible Guard member is enrolled leading to

1 certification or licensure, not to exceed a maximum of three (3)
2 years.

3 2. Assistance provided pursuant to this section shall be
4 granted without any limitation other than the amount of funds
5 available for the program and the number of eligible Guard members
6 who apply, subject to any cap established by the Military Department
7 of the State of Oklahoma.

8 3. Assistance allowed by this section shall not be allowed for
9 courses taken in excess of the requirements for completion of a
10 technology center school program leading to certification or
11 licensure.

12 D. Assistance provided pursuant to this section shall be
13 allocated to the technology center school from the Oklahoma National
14 Guard CareerTech Assistance Revolving Fund created pursuant to
15 Section ~~2~~ 14-141 of this ~~act~~ title.

16 E. To be eligible to apply for the program, an eligible Guard
17 member shall:

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

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

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

3 F. To retain eligibility for the program, an eligible Guard
4 member shall:

5 1. Maintain good academic standing and satisfactory progress
6 according to the standards of the technology center school in which
7 the member is enrolled;

8 2. Maintain the requirements for retention and completion as
9 established by the technology center school in which the member is
10 enrolled;

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

13 4. Maintain satisfactory participation in the Oklahoma National
14 Guard; and

15 5. Possess a Military Occupational Specialty (MOS) or Air Force
16 Specialty Code (AFSC) after his or her first semester.

17 G. An eligible Guard member seeking assistance pursuant to the
18 provisions of this section shall submit an application on a form
19 prescribed by the Military Department of the State of Oklahoma to
20 the Educational Service Office of the Military Department prior to
21 the semester for which assistance is sought. The eligible Guard
22 member's ~~Commander~~ commander or his or her designee shall confirm a
23 member's standing and eligibility to the technology center school in
24 which the student is enrolled. The Military Department may

1 establish a cap on the number of eligible Guard members allowed to
2 participate per semester per technology center school program.

3 H. The eligible Guard member's ~~Commander~~ commander may deny an
4 application submitted by an eligible Guard member for continued
5 program assistance if he or she fails to comply with the provisions
6 of paragraph 1, 2, 3, 4, or 5 of subsection F of this section.

7 I. An eligible Guard member seeking assistance pursuant to this
8 section who is eligible for federal education benefits for
9 vocational training shall exhaust all such federal benefits, when
10 available, first.

11 J. An eligible Guard member who has received program assistance
12 pursuant to the provisions of this section and who fails to comply
13 with the provisions of paragraph 4 of subsection F of this section
14 shall be required to repay an amount to be calculated as follows:

15 1. Determine the total amount of assistance provided pursuant
16 to the provisions of this section;

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

19 3. Multiply the amount determined in paragraph 2 of this
20 subsection by the number of months the member did not fulfill the
21 requirements of paragraph 4 of subsection F of this section.

22 Repayments shall be deposited into the Oklahoma National Guard
23 CareerTech Assistance Revolving Fund created pursuant to Section ~~2~~
24 14-141 of this ~~act~~ title.

1 K. An eligible Guard member who has received program assistance
2 pursuant to the provisions of this section and who fails to comply
3 with the provisions of paragraph 4 of subsection F of this section
4 due to hardship circumstances may request a waiver from repayment.
5 A waiver request shall be submitted in writing to the Adjutant
6 General.

7 L. By July 1 annually, the State Board of Career and Technology
8 Education shall notify the Adjutant General of the amount of funding
9 available in the Oklahoma National Guard CareerTech Assistance
10 Revolving Fund created pursuant to Section ~~2~~ 14-141 of this ~~act~~
11 title.

12 M. The State Board of Career and Technology Education shall
13 promulgate rules to implement the provisions of ~~this act~~ the
14 Oklahoma National Guard CareerTech Assistance Act including
15 deadlines for submission of applications required by subsection G of
16 this section. The Military Department of the State of Oklahoma
17 shall promulgate regulations pertaining to the application process
18 and the determination of eligibility for the program. The Board and
19 the Department shall coordinate the promulgation of rules and
20 regulations, respectively. ~~The Adjutant General may promulgate~~
21 ~~regulations to implement the provisions of this act~~

22 N. An eligible Guard member seeking assistance pursuant to this
23 section who is eligible for federal education benefits for
24

1 vocational training shall exhaust all such federal benefits, when
2 available, first.

3 SECTION 6. AMENDATORY Section 21, Chapter 344, O.S.L.
4 2025 (70 O.S. Supp. 2025, Section 14-142.1), is amended to read as
5 follows:

6 Section 14-142.1. A. Subject to the provisions of this
7 section, the Adjutant General may permit ~~a qualifying member~~
8 ~~described in Section 18 of this act~~ an eligible Guard member as
9 defined in Section 14-140 or 3231 of this title who is entitled to
10 education assistance under ~~this act~~ the Oklahoma National Guard
11 CareerTech Assistance Act to elect to transfer to one or more of the
12 dependents specified in subsection C of this section a portion of
13 such individual's entitlement to such assistance, subject to the
14 limitation under subsection D of this section.

15 B. An individual referred to in subsection A of this section is
16 any member of the uniformed services who, at the time of the
17 approval of the individual's request to transfer entitlement to
18 educational assistance under this section, has completed at least:

19 1. Six (6) years of service in the Oklahoma National Guard and
20 enters into an agreement to serve at least four (4) more years as a
21 member of the uniformed services; ~~or~~

22 2. Twenty (20) years of service in the Oklahoma National Guard;
23 or

1 3. The years of service as determined in regulations pursuant
2 to subsection J of this section.

3 C. Eligible dependents.

4 1. An individual approved to transfer an entitlement to
5 educational assistance under this section may transfer the
6 individual's entitlement to an eligible dependent or a combination
7 of eligible dependents.

8 2. For purposes of this subsection, the term "eligible
9 dependent" has the meaning given to the term "dependent" under
10 ~~subparagraphs A, D, and I~~ of Section 1072(2) (A), (D), and (I) of
11 Title 10 of the United States Code.

12 D. Limitation of months of transfer.

13 The total number of months of entitlement transferred by an
14 individual under this section may not exceed thirty-six (36) months.
15 The Adjutant General may prescribe regulations that would limit the
16 months of entitlement that may be transferred under this section to
17 no less than eighteen (18) months.

18 E. Designation of transferee. An individual transferring an
19 entitlement to education assistance under this section shall:

20 1. Designate the dependent or dependents to whom such
21 entitlement is being transferred; and

22 2. Designate the number of months of such entitlement to be
23 transferred to such dependent.

24 F. Time for transfer; revocation and modification:

1 1. Subject to the time limitation for use of entitlement under
2 ~~this act~~ the Oklahoma National Guard CareerTech Assistance Act, and
3 except as provided in subsection K or L of this section, an
4 individual approved to transfer entitlement to educational
5 assistance under this section may transfer such entitlement only
6 while serving as a member of the Oklahoma National Guard when the
7 transfer is executed.

8 2. An individual transferring entitlement under this section
9 may modify or revoke at any time the transfer of any unused portion
10 of the entitlement so transferred. The modification or revocation
11 of the transfer of entitlement under this subsection shall be made
12 by the submittal of written notice of the action to the Adjutant
13 General and Governor.

14 3. Entitlement transferred under this section may not be
15 treated as marital property, or the asset of a marital estate,
16 subject to division in a divorce or other civil proceeding.

17 G. A dependent to whom entitlement to educational assistance is
18 transferred under this section may not commence the use of the
19 transferred entitlement until:

20 1. In the case of entitlement transferred to a spouse, the
21 completion by the individual making the transfer of at least:

- 22 a. six (6) years of service in the Oklahoma National
23 Guard, or

b. the years of service as determined in regulations pursuant to subsection J of this section; or

2. In the case of entitlement transferred to a child, both:

a. the completion by the individual making the transfer of at least:

(1) six (6) years of service in the Oklahoma National Guard, or

(2) the years of service as determined in regulations pursuant to subsection J of this section, or

b. either:

(1) the completion by the child of the requirements of a secondary school diploma ~~for~~ or equivalency ~~certificate~~ certificate, or

(2) the attainment by the child of eighteen (18) years of age.

H. Additional Administrative Matters.

1. The use of any entitlement to educational assistance transferred under this section shall be charged against the entitlement of the individual making the transfer at the rate of one (1) month for each month of transferred entitlement that is used.

2. Except as provided under paragraph 2 of subsection E of this section and subject to paragraphs 5 and 6 of this subsection:

a. in the case of entitlement transferred to a spouse under this section, the spouse is entitled to

1 educational assistance under ~~this chapter~~ the Oklahoma
2 National Guard CareerTech Assistance Act in the same
3 manner as the individual from whom the entitlement was
4 transferred as if the individual were not on active
5 duty, and

- 6 b. in the case of entitlement transferred to a child
7 under this section, the child is entitled to
8 educational assistance under ~~this act~~ the Oklahoma
9 National Guard CareerTech Assistance Act in the same
10 manner as the individual from whom the entitlement was
11 transferred as if the individual were not on active
12 duty.

13 3. The monthly rate of education assistance payable to a
14 dependent to whom entitlement referred to in paragraph 2 of this
15 subsection is transferred under this section shall be payable:

- 16 a. in the case of a spouse, at the same rate as such
17 entitlement would otherwise be payable under ~~this act~~
18 the Oklahoma National Guard CareerTech Assistance Act
19 to the individual making the transfer as if the
20 individual were not on active duty, and
21 b. in the case of a child, at the same rate as such
22 entitlement would otherwise be payable under ~~this act~~
23 the Oklahoma National Guard CareerTech Assistance Act
24

1 to the individual making the transfer as if the
2 individual were not on active duty.

3 4. Death of transferor: The death of an individual
4 transferring an entitlement under this section shall not affect the
5 use of the entitlement by the dependent to whom the entitlement is
6 transferred.

7 a. Death prior to transfer to designated transferees: In
8 the case of an eligible individual whom the Adjutant
9 General has approved to transfer the individual's
10 entitlement under this section who, at the time of
11 death, is entitled to educational assistance under
12 ~~this act~~ the Oklahoma National Guard CareerTech
13 Assistance Act and has designated a transferee or
14 transferees under subsection E of this section but has
15 not transferred all of such entitlement to such
16 transferee or transferees, the Adjutant General shall
17 transfer the entitlement of the individual under this
18 section by evenly distributing the amount of such
19 entitlement between all such transferees who would not
20 be precluded from using some or all of the transferred
21 benefits due to the expiration of time limitations
22 found in paragraph 5 of this subsection
23 notwithstanding the limitations under subsection F of
24 this section.

1 b. If a transferee cannot use all of the transferred
2 benefits under subparagraph a of this subsection
3 because of expiration of a time limitation, the unused
4 benefits will be distributed among the other
5 designated transferees who would not be precluded from
6 using some or all of the transferred benefits due to
7 ~~expiration of~~ time limitations found in paragraph 5 of
8 this subsection, unless or until there are no
9 transferees who would not be precluded from using the
10 transferred benefits because of expiration of a time
11 limitation.

12 5. Limitation on age of use by child transferees.

13 a. In general. A child to whom entitlement is
14 transferred under this section may use the benefits
15 transferred without regard to the fifteen-year
16 delimiting date specified in ~~this act~~ the Oklahoma
17 National Guard CareerTech Assistance Act, but may not,
18 except as provided in subparagraph b or c of this
19 paragraph, use any benefits so transferred after
20 attaining the age of twenty-six (26) years.

21 b. Primary caregivers of seriously injured members of the
22 armed forces and veterans.

23 (1) In general. Subject to division (2) of this
24 subparagraph, in the case of a child who, before

1 attaining the age of twenty-six (26) years, is
2 prevented from pursuing a chosen program of
3 education by reason of acting as the primary
4 provider of personal care services for a veteran
5 or member of the Oklahoma National Guard, the
6 child may use the benefits beginning on the date
7 specified in division (3) of this subparagraph
8 for a period whose length is specified in
9 ~~division (4) of this~~ subparagraph 6 of this
10 section.

11 (2) Inapplicability for revocation.

12 Division (1) of this subparagraph shall not apply with
13 respect to the period of an individual as a primary
14 provider of personal care services if the period concludes
15 with the revocation of the individual's designation as such
16 a primary provider.

17 (3) Date for commencement of use. The date specified
18 in this division for the beginning of the use of
19 benefits by a child under division (1) of this
20 subparagraph is the later of:

- 21 (a) the date on which the child ceases acting as
22 the primary provider of personal care
23 services for the veteran or member concerned

1 as described in division (1) of this
2 subparagraph,

- 3 (b) the date on which it is reasonably feasible,
4 as determined under regulations prescribed
5 by the Adjutant General, for the child to
6 initiate or resume the use of benefits, or
7 (c) the date on which the child attains the age
8 of twenty-six (26) years.

9 6. Length of use. The length of the period specified in this
10 paragraph for the use of benefits by a child under division (1) of
11 subparagraph b of paragraph 5 of this section is the length equal to
12 the length of the period that:

- 13 a. begins on the date on which the child begins acting as
14 the primary provider of personal care services for the
15 veteran or member ~~concerned~~ as described in division
16 (1) of subparagraph b of paragraph 5 of this section,
17 and

- 18 b. ends on the later of:

- 19 (1) the date on which the child ceases acting as the
20 primary provider of personal care services for
21 the veteran or member as described in division
22 (1) of subparagraph b of paragraph 5 of this
23 section, or
24

1 (2) the date on which it is reasonably feasible, as
2 so determined, for the child to initiate or
3 resume the use of benefits; or

4 c. in any case in which the Adjutant General determines
5 that an individual to whom entitlement is transferred
6 under this section has been prevented from pursuing
7 the individual's chosen program of education before
8 the individual attains the age of twenty-six (26)
9 years because the educational institution or training
10 ~~established~~ establishment closed ~~(temporarily,~~
11 temporarily or ~~permanently)~~ permanently, under an
12 established policy based on an executive order of the
13 Governor or due to an emergency situation, the
14 Adjutant General shall extend the period during which
15 the individual may use such entitlement for a period
16 equal to the number of months that the individual was
17 so prevented from pursuing the program of education,
18 as determined by the Adjutant General.

19 7. The purposes for which a dependent to whom entitlement is
20 transferred under this section may use such entitlement shall
21 include the pursuit and completion of the requirements of a
22 secondary school diploma ~~(or or equivalency certificate)~~
23 certificate.

1 8. The administrative provisions of ~~this act~~ the Oklahoma
2 National Guard CareerTech Assistance Act shall apply to the use of
3 entitlement transferred under this section, except that the
4 dependent to whom the entitlement is transferred shall be treated as
5 the eligible individual for purposes of such provisions.

6 I. Overpayment.

7 1. Subject to paragraph 2 of this subsection, in the event of
8 an overpayment of educational assistance with respect to a dependent
9 to whom entitlement is transferred under this section, the dependent
10 and the individual making the transfer shall be jointly and
11 severally liable to the State of Oklahoma for the amount of the
12 overpayment.

13 2. Failure to complete service agreement.

14 a. ~~Except as provided in subparagraph b of this~~
15 ~~paragraph, if~~ If an individual transferring
16 entitlement under this section fails to complete the
17 service agreed to by the individual ~~under division (1)~~
18 ~~of subsection b of this paragraph in accordance with~~
19 ~~the terms of the agreement of the individual under~~
20 ~~that subsection~~ pursuant to this section, the amount
21 of any transferred entitlement under this section that
22 is used by a dependent of the individual as of the
23 date of such failure shall be treated as an
24 overpayment of educational assistance for which the

individual shall be solely liable to the State of
Oklahoma for the amount of the overpayment for
purposes of this act in the case of an individual who
fails to complete service agreed to by the individual:
(1) by reason of death of the individual, or
(2) for a reason referred to in ~~this act~~ the Oklahoma
National Guard CareerTech Assistance Act.

J. Regulations.

1. The Adjutant General shall prescribe regulations for
purposes of this section.

2. Such regulations shall specify:

- a. the manner of authorizing the transfer of entitlements
under this section,
- b. the eligibility criteria in accordance with subsection
B of this section, and
- c. the manner and effect of an election to modify or
revoke a transfer of entitlement under paragraph 2 of
subsection F of this section.

3. The Adjutant General may not prescribe any regulation that
would provide for a limitation on eligibility to transfer unused
education benefits to family members based on a maximum number of
years in the Oklahoma National Guard.

K. In the case of a dependent to whom entitlement to
educational assistance is transferred under this section who dies

1 before using all of such entitlement, the individual who transferred
2 the entitlement to the dependent may transfer any remaining
3 entitlement to a different eligible dependent, notwithstanding
4 whether the individual is serving as a member of the Armed Forces
5 when such transfer is executed.

6 L. In the case of an individual who transfers entitlement to
7 educational assistance under this section who dies before the
8 dependent to whom entitlement to educational assistance is so
9 transferred has used all of such entitlement, such dependent may
10 transfer such entitlement to another eligible dependent in
11 accordance with the provisions of this section.

12 SECTION 7. REPEALER Section 20, Chapter 344, O.S.L. 2025
13 (70 O.S. Supp. 2025, Section 14-142), is hereby repealed.

14 SECTION 8. This act shall become effective July 1, 2026.

15 SECTION 9. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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