

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 138

By: Brooks of the Senate

and

Hardin of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to higher education; amending Section  
11 1, Chapter 290, O.S.L. 2012 (70 O.S. Supp. 2014,  
12 Section 3247), which relates to in-state status for  
13 dependents of military personnel; providing criteria  
14 for in-state status for military personnel and their  
15 dependent children and spouses; modifying eligibility  
16 criteria for in-state status; providing criteria for  
17 in-state status for students who file certain letter  
18 of intent; establishing criteria for maintaining  
19 certain eligibility; directing the Oklahoma State  
20 Regents for Higher Education to develop policies and  
21 procedures; repealing Section 1, Chapter 168, O.S.L.  
22 2014 (70 O.S. Supp. 2014, Section 3242.3), which  
23 relates to eligibility for certain resident tuition;  
24 providing an effective date; and declaring an  
emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 290, O.S.L.

2012 (70 O.S. Supp. 2014, Section 3247), is amended to read as

follows:

1 Section 3247. A. A student shall be eligible for in-state  
2 status regardless of the residency of the student if the student is  
3 ~~the dependent child of a:~~

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

8 2. ~~Person~~ Dependent child or spouse of a person currently  
9 serving as a member of the military reserve on active duty orders of  
10 more than thirty (30) days and for whom Oklahoma is the home of  
11 record;

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

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

22 5. Person who is enrolled in an institution which hosts an Air  
23 Force Reserve Officers' Training Corps, Army Reserve Officers'  
24 Training Corps or Navy/Marines Reserve Officers' Training Corps

1 program and is currently receiving a partial or full scholarship for  
2 participating in one of the programs.

3 B. To be eligible for ~~resident tuition~~ in-state status as  
4 provided for in subsection A of this section and to maintain  
5 eligibility, the student shall:

6 1. Satisfy admission and retention standards as determined by  
7 the Oklahoma State Regents for Higher Education for ~~the appropriate~~  
8 ~~type of institution~~ an institution within The Oklahoma State System  
9 of Higher Education; and

10 2. Have secured admission to and ~~enrolled in a~~ enrolls full-  
11 time or part-time in a program of study at an institution within The  
12 Oklahoma State System of Higher Education;

13 3. ~~Be enrolled in a program of study leading to an associate or~~  
14 ~~a baccalaureate degree; and~~

15 4. ~~Be continuously enrolled in a program of study at an~~  
16 ~~institution within The Oklahoma State System of Higher Education.~~

17 C. A student who ~~meets the requirements of this section shall~~  
18 ~~continue to be classified as in-state status for as long as they~~  
19 ~~remain continuously enrolled in a program of study at an institution~~  
20 ~~within The Oklahoma State System of Higher Education~~ files with the  
21 institution within The Oklahoma State System of Higher Education at  
22 which the student intends to register a letter of intent to  
23 establish residence in the state and who resides in the state while  
24 enrolled in the institution shall be eligible for in-state status,

1 regardless of the residency of the student or home of record, if the  
2 student:

3 1. Is a person who:

- 4 a. was discharged or released from a period of not fewer  
5 than ninety (90) days of active duty uniformed  
6 service, less than five (5) years before the date of  
7 enrollment in the course(s) concerned, and  
8 b. is pursuing a course of education with educational  
9 assistance under Chapter 30 or 33 of Title 38 of the  
10 United States Code while living in this state; or

11 2. Is a person who:

- 12 a. is entitled to assistance under Section 3311(b) (9) or  
13 3319 of Title 38 of the United States Code by virtue  
14 of a relationship to a person who was discharged or  
15 released from a period of not fewer than ninety (90)  
16 days of active duty uniformed services, and  
17 b. enrolls in the course(s) concerned within five (5)  
18 years of the date the related person was discharged or  
19 released from a period of not fewer than ninety (90)  
20 days of active duty uniformed services.

21 ~~D. A student who meets the requirements of this section shall~~  
22 ~~continue to be classified as in-state status even after the person~~  
23 ~~who was serving on active duty has been discharged or released under~~  
24 ~~conditions other than dishonorable as long as the student remains~~

1 ~~continuously enrolled in a program of study at an institution within~~  
2 ~~The Oklahoma State System of Higher Education~~ To be eligible for in-  
3 state status as provided for in subsection C of this section and to  
4 maintain eligibility, the student shall:

5 1. Satisfy admission and retention standards as determined by  
6 the Oklahoma State Regents for Higher Education for an institution  
7 within The Oklahoma State System of Higher Education; and

8 2. Have secured admission to and enrolls full-time or part-time  
9 in a program of study at an institution within The Oklahoma State  
10 System of Higher Education.

11 E. A student who meets the eligibility requirements for in-  
12 state status shall maintain in-state status if the student remains  
13 continuously enrolled at an institution within The Oklahoma State  
14 System of Higher Education after the student:

15 1. As described in paragraphs 1, 2 or 3 of subsection A of this  
16 section is discharged or released from active duty service;

17 2. As described in paragraph 4 of subsection A of this section  
18 or paragraph 1 and 2 of subsection C of this section exceeds the  
19 five-year period after being discharged or released from active duty  
20 uniformed service;

21 3. As described in paragraph 1 of subsection C of this section  
22 has exhausted education assistance provided under Chapter 30 or 33  
23 of Title 38 of the United States Code; or

1        4. As described in paragraph 2 of subsection C of this section  
2 has exhausted education assistance provided under Section 3311(b) (9)  
3 or 3319 of Title 38 of the United States Code.

4        ~~E.~~ F. For purposes of this section, "home of record" means the  
5 place where one was living when the person enlisted or was  
6 commissioned into the military or reenlisted in the military.

7        G. The State Regents for Higher Education shall develop  
8 policies and procedures necessary to implement the provisions of  
9 this section.

10        SECTION 2.        REPEALER        Section 1, Chapter 168, O.S.L. 2014  
11 (70 O.S. Supp. 2014, Section 3242.3), is hereby repealed.

12        SECTION 3. This act shall become effective July 1, 2015.

13        SECTION 4. It being immediately necessary for the preservation  
14 of the public peace, health and safety, an emergency is hereby  
15 declared to exist, by reason whereof this act shall take effect and  
16 be in full force from and after its passage and approval.

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18        55-1-7305        JM        04/02/15

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