

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 55th Legislature (2016)

4 HOUSE BILL 2676

By: Williams of the House

5 and

6 Brooks of the Senate

7  
8  
9 AS INTRODUCED

1 0 [ higher education - modifying certain eligibility  
1 1 criteria for in-state status for military personnel  
1 2 and their dependents - effective date -  
1 3 emergency.

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1 7 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 8 SECTION 1. AMENDATORY Section 1, Chapter 290, O.S.L.  
1 9 2012, as amended by Section 1, Chapter 141, O.S.L. 2015 (70 O.S.  
2 0 Supp. 2015, Section 3247), is amended to read as follows:

2 1 Section 3247. A. A student shall be eligible for in-state  
2 2 status regardless of the residency of the student if the student is  
2 3 a:  
2 4

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

5 2. Dependent child or spouse of a person currently serving as a  
6 member of the military reserve on active duty orders of more than  
7 thirty (30) days and for whom Oklahoma is the home of record;

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

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

18 5. Person who is participating in or has received a partial or  
19 full scholarship from the Air Force Reserve Officers' Training  
20 Corps, Army Reserve Officers' Training Corps or the Navy/Marines  
21 Reserve Officers' Training Corps.

22 B. ~~To be~~ In order for a student eligible for in-state status as  
23 provided for in subsection A of this section ~~and~~ to maintain  
24 eligibility, the student shall:

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

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

7 C. A student who files with the institution within The Oklahoma  
8 State System of Higher Education at which the student intends to  
9 register a letter of intent to establish residence in the state and  
10 who resides in the state while enrolled in the institution shall be  
11 eligible for in-state status, regardless of the residency of the  
12 student or home of record, if the student:

13 1. Is a person who:

14 a. was discharged or released from a period of not fewer  
15 than ninety (90) days of active duty uniformed  
16 service, ~~less than five (5) years before the date of~~  
17 ~~enrollment in the course(s) concerned,~~ and

18 b. is pursuing a course of education ~~with~~ and is  
19 utilizing any educational or training assistance under  
20 ~~Chapter 30 or 33 of~~ Title 38 of the United States Code  
21 or any other federal law authorizing educational or  
22 training assistance for veterans while living in this  
23 state; or

24 2. Is a person who:

1 a. is entitled to educational or training assistance  
2 under ~~Section 3311(b)(9) or 3319~~ of Title 38 of the  
3 United States Code or any other federal law  
4 authorizing educational or training assistance for  
5 persons by virtue of a relationship to a person who  
6 was discharged or released from a period of not fewer  
7 than ninety (90) days of active duty uniformed  
8 services, and

9 b. enrolls in the course(s) concerned ~~within five (5)~~  
10 ~~years of the date the related person was discharged or~~  
11 ~~released from a period of not fewer than ninety (90)~~  
12 ~~days of active duty uniformed services.~~

13 D. ~~To be~~ In order for a student eligible for in-state status as  
14 provided for in subsection C of this section ~~and~~ to maintain  
15 eligibility, the student shall:

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

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

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

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

5 2. As described in paragraph 4 of subsection A of this section  
6 or paragraph 1 and 2 of subsection C of this section ~~exceeds the~~  
7 ~~five-year period after being discharged or released from active duty~~  
8 ~~uniformed service~~ first enrolls at an institution;

9 3. As described in paragraph 1 of subsection C of this section  
10 has exhausted education assistance provided under ~~Chapter 30 or 33~~  
11 ~~of Title 38 of the United States Code~~ or any other federal law  
12 authorizing educational or training assistance; or

13 4. As described in paragraph 2 of subsection C of this section  
14 has exhausted education assistance provided under ~~Section 3311(b)(9)~~  
15 ~~or 3319 of Title 38 of the United States Code~~ or any other federal  
16 law authorizing educational or training assistance.

17 F. For purposes of this section, "home of record" means the place  
18 where one was living when the person enlisted or was commissioned  
19 into the military or reenlisted in the military.

20 G. The State Regents for Higher Education shall develop  
21 policies and procedures necessary to implement the provisions of  
22 this section.

23 SECTION 2. This act shall become effective July 1, 2016.  
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1 SECTION 3. It being immediately necessary for the preservation  
2 of the public peace, health and safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

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6 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
02/24/2016 - DO PASS, As Amended and Coauthored.  
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