

1 **SENATE FLOOR VERSION**

2 March 2, 2022

3 **AS AMENDED**

4 SENATE BILL NO. 1418

By: David and Jett of the
Senate

5 and

6 Miller of the House

7
8 **[higher education - Oklahoma National Guard**
9 **Educational Assistance Act - codification - effective**
10 **date -**
11 **emergency]**

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

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 3231 of Title 70, unless there
15 is created a duplication in numbering, reads as follows:

16 A. This act shall be known and may be cited as the "Oklahoma
17 National Guard Educational Assistance Act".

18 B. As used in this act:

19 1. "Oklahoma educational institution" means an institution of
20 higher education within The Oklahoma State System of Higher
21 Education;

22 2. "Eligible Guard member" means a current member of the
23 Oklahoma National Guard in good standing who has a high school
24 diploma or who has completed General Educational Development (GED)

1 requirements and who has secured admission to and enrolled in an
2 Oklahoma educational institution;

3 3. "Graduate program" means a program offered by an Oklahoma
4 educational institution that leads to the award of a master's
5 degree;

6 4. "Program" means the Oklahoma National Guard Educational
7 Assistance Program established pursuant to the provisions of this
8 section; and

9 5. "Undergraduate program" means a program offered by an
10 Oklahoma educational institution that leads to the award of an
11 associate's degree or a baccalaureate degree.

12 C. There is hereby created the Oklahoma National Guard
13 Educational Assistance Program to provide assistance to eligible
14 Guard members who enroll in an Oklahoma educational institution.
15 Subject to the availability of funds, the amount of assistance shall
16 be equivalent to the amount of resident tuition, mandatory fees, and
17 academic service fees for courses in which the eligible Guard member
18 is enrolled, not to exceed a maximum of eighteen (18) credit hours
19 each semester.

20 1. The amount of assistance provided to an eligible Guard
21 member enrolled in an undergraduate program shall not exceed a
22 maximum of one hundred twenty (120) credit hours in pursuit of an
23 associate's degree and/or a baccalaureate degree.

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1 2. Subject to the assistance for eligible Guard members
2 enrolled in undergraduate programs being fully funded, assistance
3 shall be provided to an eligible Guard member with a baccalaureate
4 degree enrolled in a graduate program. The amount of assistance
5 provided to an eligible Guard member enrolled in a graduate program
6 shall not exceed a maximum of forty (40) credit hours in pursuit of
7 a master's degree.

8 3. Assistance provided pursuant to this section shall be
9 granted without any limitation other than the amount of funds
10 available for the Program and the number of eligible Guard members
11 who apply.

12 4. Assistance allowed by this section shall not be allowed for
13 courses taken in excess of the requirements for completion of an
14 undergraduate program or a graduate program, whichever is applicable
15 for the eligible Guard member.

16 D. Assistance provided pursuant to this section shall be
17 allocated to the Oklahoma educational institution from the Oklahoma
18 National Guard Educational Assistance Revolving Fund created
19 pursuant to Section 2 of this act.

20 E. To be eligible to apply for the Program, an eligible Guard
21 member shall:

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

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

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

7 F. To retain eligibility for the Program, an eligible Guard
8 member shall:

9 1. Maintain good academic standing and satisfactory academic
10 progress according to standards of the Oklahoma educational
11 institution in which the member is enrolled;

12 2. Maintain the requirements for retention and degree
13 completion as established by the Oklahoma educational institution in
14 which the member is enrolled;

15 3. Maintain a minimum grade point average of 2.0 on a 4.0
16 scale; and

17 4. Maintain satisfactory participation in the Oklahoma National
18 Guard.

19 G. An eligible Guard member seeking assistance pursuant to the
20 provisions of this section shall submit an application on a form
21 prescribed by the Military Department of the State of Oklahoma to
22 the Educational Service Office of the Military Department prior to
23 the semester for which assistance is sought. The eligible Guard
24 member's Commander or his or her designee shall confirm a member's

1 standing and eligibility to the Oklahoma educational institution in
2 which the student is enrolled.

3 H. The eligible Guard member's 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, or 3 of subsection F of this section.

7 I. An eligible Guard member who has received Program assistance
8 pursuant to the provisions of this section and who fails to comply
9 with the provisions of paragraph 4 of subsection F of this section
10 shall be required to repay an amount to be calculated as follows:

11 1. Determine the total amount of assistance provided pursuant
12 to the provisions of this section;

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

15 3. Multiply the amount determined in paragraph 2 of this
16 subsection by the number of months the member did not fulfill the
17 requirements of paragraph 4 of subsection F of this section.

18 Repayments shall be deposited into the Oklahoma National Guard
19 Educational Assistance Revolving Fund created pursuant to Section 2
20 of this act.

21 J. An eligible Guard member who has received Program assistance
22 pursuant to the provisions of this section and who fails to comply
23 with the provisions of paragraph 4 of subsection F of this section
24 due to hardship circumstances may request a waiver from repayment.

1 A waiver request shall be submitted in writing to the Adjutant
2 General.

3 K. By July 1 annually, the Oklahoma State Regents for Higher
4 Education shall notify the Adjutant General of the amount of funding
5 available in the Oklahoma National Guard Educational Assistance
6 Revolving Fund created pursuant to Section 2 of this act.

7 L. The Oklahoma State Regents for Higher Education shall
8 promulgate rules to implement the provisions of this act including
9 deadlines for submission of applications required by subsection G of
10 this section. The Adjutant General may promulgate regulations to
11 implement the provisions of this act.

12 SECTION 2. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 3232 of Title 70, unless there
14 is created a duplication in numbering, reads as follows:

15 There is hereby created in the State Treasury a revolving fund
16 for the Oklahoma State Regents for Higher Education to be designated
17 the "Oklahoma National Guard Educational Assistance Revolving Fund".
18 The fund shall be a continuing fund, not subject to fiscal year
19 limitations, and shall consist of all monies received by the
20 Oklahoma State Regents for Higher Education from state
21 appropriations. All monies accruing to the credit of the fund are
22 hereby appropriated and may be budgeted and expended by the Oklahoma
23 State Regents for Higher Education for the purpose of providing
24 assistance to eligible Guard members pursuant to the provisions of

1 Section 1 of this act. Expenditures from the fund shall be made
2 upon warrants issued by the State Treasurer against claims filed as
3 prescribed by law with the Director of the Office of Management and
4 Enterprise Services for approval and payment.

5 SECTION 3. This act shall become effective July 1, 2022.

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

10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
11 March 2, 2022 - DO PASS AS AMENDED

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