

An Act

ENROLLED SENATE
BILL NO. 1418

By: David and Jett of the
Senate

and

Miller, Hasenbeck, Fugate,
and Davis of the House

An Act relating to higher education; creating the Oklahoma National Guard Educational Assistance Act; providing short title; providing definitions; creating the Oklahoma National Guard Educational Assistance Program to provide tuition and fee assistance to certain eligible members; providing for amount of assistance subject to availability of funding; limiting assistance to certain number of credit hours; providing for eligibility; providing eligibility retention requirements; providing application process; allowing denial of continued assistance for failure to meet certain requirements; requiring repayment of assistance for failure to meet certain requirement; providing for calculation of repayment amount; allowing for application of hardship waiver; directing certain notification on available funding; providing for promulgation of rules and regulations; creating the Oklahoma National Guard Educational Assistance Revolving Fund; specifying source of fund; providing for expenditures; providing purpose of fund; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Creating the Oklahoma National Guard Educational Assistance Act

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

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

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

B. As used in this act:

1. "Oklahoma educational institution" means an institution of higher education within The Oklahoma State System of Higher 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 secured admission to and enrolled in an Oklahoma educational institution;

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

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

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

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

1. The amount of assistance provided to an eligible Guard member enrolled in an undergraduate program shall not exceed a

maximum of one hundred twenty (120) credit hours in pursuit of an associate's degree and/or a baccalaureate degree.

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

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

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

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

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

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

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

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

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

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

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

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

4. Maintain satisfactory participation in the Oklahoma National Guard.

G. An eligible Guard member seeking assistance pursuant to the provisions of this section shall submit an application on a form prescribed by the Military Department of the State of Oklahoma to the Educational Service Office of the Military Department prior to the semester for which assistance is sought. The eligible Guard member's Commander or his or her designee shall confirm a member's standing and eligibility to the Oklahoma educational institution in which the student is enrolled.

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

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

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

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

3. Multiply the amount determined in paragraph 2 of this subsection by the number of months the member did not fulfill the requirements of paragraph 4 of subsection F of this section. Repayments shall be deposited into the Oklahoma National Guard Educational Assistance Revolving Fund created pursuant to Section 2 of this act.

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

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

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

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

There is hereby created in the State Treasury a revolving fund for the Oklahoma State Regents for Higher Education to be designated the "Oklahoma National Guard Educational Assistance Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Oklahoma State Regents for Higher Education from state appropriations. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Oklahoma State Regents for Higher Education for the purpose of providing assistance to eligible Guard members pursuant to the provisions of Section 1 of this act. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as

prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

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

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

Passed the Senate the 22nd day of March, 2022.

Presiding Officer of the Senate

Passed the House of Representatives the 14th day of April, 2022.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____