

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL 654

By: Rosino of the Senate

and

Burns and Menz of the House

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10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to relating to postsecondary
12 education; creating the Captain Steven L. Farley
13 Goldstar Families Act; providing short title;
14 providing certain tuition waivers for surviving
15 spouses and children of certain military members
16 killed after certain date; providing eligibility;
17 providing retention eligibility; directing certain
18 federal benefits to be exhausted prior to waiving of
19 certain tuition; providing for promulgation of rules;
20 creating the Oklahoma National Guard Educational
21 Certificate Program Assistance Revolving Fund;
22 providing for codification; providing an effective
23 date; and declaring an emergency.

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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 3234 of Title 70, unless there
is created a duplication in numbering, reads as follows:

1 A. This act shall be known and may be cited as the "Captain
2 Steven L. Farley Gold Star Families Act".

3 B. The surviving spouse and children of a member of any branch
4 of the United States Armed Forces who was killed in action or killed
5 in the performance of his or her duty after September 11, 2001,
6 shall be eligible for a waiver of:

7 1. Undergraduate resident tuition, mandatory fees, and academic
8 service fees at institutions within The Oklahoma State System of
9 Higher Education. A student shall be eligible for a tuition and
10 fees waiver for up to five (5) years or completion of the
11 requirements for a baccalaureate degree, whichever comes first; or

12 2. Resident tuition and mandatory fees for a postsecondary
13 program at a technology center school operating under the State
14 Board of Career and Technology Education. Students shall be
15 eligible for a tuition and fees waiver for up to five (5) years or
16 completion of a certificate, whichever comes first.

17 C. To be eligible for a tuition and fees waiver, a student
18 shall:

19 1. Be a resident of this state; and

20 2. Have secured admission to and enrolled in an institution
21 within The Oklahoma State System of Higher Education or a
22 postsecondary program at a technology center school operating under
23 the State Board of Career and Technology Education.

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1 D. To retain eligibility for a tuition and fees waiver, the
2 student shall maintain good academic standing and satisfactory
3 progress according to standards of the Oklahoma State Regents for
4 Higher Education or the State Board of Career and Technology
5 Education.

6 E. A student seeking a tuition and fees waiver pursuant to this
7 section who is eligible for federal education benefits shall exhaust
8 all available federal benefits. Any amount of tuition and fees owed
9 after federal benefits are exhausted shall be waived by the
10 institution of higher education or the technology center school.

11 F. The Oklahoma State Regents for Higher Education and the
12 State Board of Career and Technology Education shall promulgate
13 rules to implement the provisions of this section.

14 SECTION 2. AMENDATORY Section 1, Chapter 24, O.S.L. 2022
15 (70 O.S. Supp. 2022, Section 3231), is amended to read as follows:

16 Section 3231. A. This act shall be known and may be cited as
17 the "Oklahoma 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 or a technology center school operating under the State
22 Board of Career and Technology Education;

23 2. "Eligible Guard member" means a current member of the
24 Oklahoma National Guard in good standing who has a high school

1 diploma or who has completed General Educational Development (GED)
2 requirements and who has secured admission to and enrolled in an
3 Oklahoma educational institution;

4 3. "Certificate program" means a program offered by an Oklahoma
5 educational institution that leads to the award of a postsecondary
6 certificate;

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

10 ~~4.~~ 5. "Program" means the Oklahoma National Guard Educational
11 Assistance Program established pursuant to the provisions of this
12 section; and

13 ~~5.~~ 6. "Undergraduate program" means a program offered by an
14 Oklahoma educational institution that leads to the award of an
15 associate's degree or a baccalaureate degree.

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

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

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

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

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

20 D. Assistance provided pursuant to this section shall be
21 allocated to the Oklahoma educational institution from the Oklahoma
22 National Guard Educational Assistance Revolving Fund created
23 pursuant to Section ~~2~~ 3232 of this ~~act~~ title and the Oklahoma
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1 National Guard Educational Certificate Program Assistance Revolving
2 Fund created pursuant to Section 3 of this act.

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

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

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

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

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

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

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

22 3. Maintain a minimum grade point average of 2.0 on a 4.0
23 scale; and
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1 4. Maintain satisfactory participation in the Oklahoma National
2 Guard.

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

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

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

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

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

23 3. Multiply the amount determined in paragraph 2 of this
24 subsection by the number of months the member did not fulfill the

1 requirements of paragraph 4 of subsection F of this section.

2 Repayments shall be deposited into the Oklahoma National Guard
3 Educational Assistance Revolving Fund created pursuant to Section ~~2~~
4 3232 of this ~~act~~ title and the Oklahoma National Guard Educational
5 Certificate Program Assistance Revolving Fund created pursuant to
6 Section 3 of this act.

7 J. 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 due to hardship circumstances may request a waiver from repayment.
11 A waiver request shall be submitted in writing to the Adjutant
12 General.

13 K. By July 1 annually, the Oklahoma State Regents for Higher
14 Education and the State Board of Career and Technology Education
15 shall notify the Adjutant General of the amount of funding available
16 in the Oklahoma National Guard Educational Assistance Revolving Fund
17 created pursuant to Section ~~2~~ 3232 of this ~~act~~ title and the
18 Oklahoma National Guard Educational Certificate Program Assistance
19 Revolving Fund created pursuant to Section 3 of this act.

20 L. The Oklahoma State Regents for Higher Education and the
21 State Board of Career and Technology Education shall promulgate
22 rules to implement the provisions of ~~this act~~ the Oklahoma National
23 Guard Educational Assistance Act including deadlines for submission
24 of applications required by subsection G of this section. The

1 Adjutant General may promulgate regulations to implement the
2 provisions of ~~this act~~ the Oklahoma National Guard Educational
3 Assistance Act.

4 SECTION 3. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 3232.1 of Title 70, unless there
6 is created a duplication in numbering, reads as follows:

7 There is hereby created in the State Treasury a revolving fund
8 for the State Board of Career and Technology Education to be
9 designated the "Oklahoma National Guard Educational Certificate
10 Program Assistance Revolving Fund". The fund shall be a continuing
11 fund, not subject to fiscal year limitations, and shall consist of
12 all monies received by the State Board of Career and Technology
13 Education from state appropriations. All monies accruing to the
14 credit of the fund are hereby appropriated and may be budgeted and
15 expended by the State Board of Career and Technology Education for
16 the purpose of providing assistance to eligible Oklahoma National
17 Guard members pursuant to the provisions of Section 3231 of Title 70
18 of the Oklahoma Statutes. Expenditures from the fund shall be made
19 upon warrants issued by the State Treasurer against claims filed as
20 prescribed by law with the Director of the Office of Management and
21 Enterprise Services for approval and payment.

22 SECTION 4. This act shall become effective July 1, 2023.

23 SECTION 5. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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