

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

SUBCOMMITTEE RECOMMENDATION  
FOR ENGROSSED

SENATE BILL NO. 70

By: Simpson of the Senate

and

Hardin (Tommy) of the House

SUBCOMMITTEE RECOMMENDATION

An Act relating to higher education; amending Section 1, Chapter 290, O.S.L. 2012, as amended by Section 1, Chapter 141, O.S.L. 2015 (70 O.S. Supp. 2020, Section 3247), which relates to in-state status for dependents of military personnel; modifying eligibility for in-state status for certain students; updating statutory language; 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, as amended by Section 1, Chapter 141, O.S.L. 2015 (70 O.S. Supp. 2020, Section 3247), is amended to read as follows:

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

1. Dependent child or spouse of a person currently serving as a member of the active uniformed services of the United States on

1 full-time active duty status of more than thirty (30) days and for  
2 whom Oklahoma is the home of record;

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

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

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

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

20 B. To be eligible for in-state status as provided for in  
21 subsection A of this section and to maintain eligibility, the  
22 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)~~ ten (10) years before the  
17 date of enrollment in the course(s) concerned, and

18            b. is pursuing a course of education with educational  
19 assistance under Chapter 30 or 33 of Title 38 of the  
20 United States Code while living in this state; or

21        2. Is a person who:

22            a. is entitled to assistance under Section 3311(b) (9) or  
23 3319 of Title 38 of the United States Code by virtue  
24 of a relationship to a person who was discharged or

1 released from a period of not fewer than ninety (90)  
2 days of active duty uniformed services, and

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

7 D. To be eligible for in-state status as provided for in  
8 subsection C of this section and to maintain eligibility, the  
9 student shall:

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

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

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

20 1. As described in ~~paragraphs~~ paragraph 1, 2 or 3 of subsection  
21 A of this section is discharged or released from active duty  
22 service;

23 2. As described in paragraph 4 of subsection A of this section  
24 or ~~paragraph~~ paragraphs 1 and 2 of subsection C of this section

1 exceeds the five-year period after being discharged or released from  
2 active duty uniformed service;

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

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

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

12 G. The Oklahoma State Regents for Higher Education shall  
13 develop policies and procedures necessary to implement the  
14 provisions of this section.

15 SECTION 2. This act shall become effective July 1, 2021.

16 SECTION 3. It being immediately necessary for the preservation  
17 of the public peace, health or safety, an emergency is hereby  
18 declared to exist, by reason whereof this act shall take effect and  
19 be in full force from and after its passage and approval.

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21 58-1-7996 EK 03/29/21  
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