

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 3367

By: Roberts (Eric)

4
5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2021,
8 Section 3247, which relates to in-state status and
9 tuition for children of military members; modifying
10 time span for applicability; creating in-state
11 tuition status for member of Armed Forces; creating
12 in-state tuition status for spouse and dependent
13 children of members of Armed Forces; providing for
14 codification; and providing an effective date.

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

16 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3247, is
17 amended to read as follows:

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

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

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

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

9 4. Person, or spouse or dependent child of a person, who was
10 discharged or released from a period of not fewer than ninety (90)
11 days of active uniformed service, less than ~~five (5)~~ ten (10) years
12 before the date of enrollment in the course(s) concerned and for
13 whom Oklahoma is the home of record; or

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

18 B. To be eligible for in-state status as provided for in
19 subsection A of this section and to maintain eligibility, the
20 student shall:

21 1. Satisfy admission and retention standards as determined by
22 the Oklahoma State Regents for Higher Education for an institution
23 within The Oklahoma State System of Higher Education; and
24

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

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

10 1. Is a person who:

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

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

18 2. Is a person who:

19 a. is entitled to assistance under Section 3311(b) (9) or
20 3319 of Title 38 of the United States Code by virtue
21 of a relationship to a person who was discharged or
22 released from a period of not fewer than ninety (90)
23 days of active duty uniformed services, and

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

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

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

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

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

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

20 2. As described in paragraph 4 of subsection A of this section
21 or paragraph 1 and 2 of subsection C of this section exceeds the
22 five-year period after being discharged or released from active duty
23 uniformed service;

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

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

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

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

13 SECTION 2. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 3249 of Title 70, unless there
15 is created a duplication in numbering, reads as follows:

16 If a member of the Armed Forces has been stationed for more than
17 one (1) year in Oklahoma any time in the previous ten (10) years
18 before the date of enrollment in the course(s) concerned, then the
19 member, or the spouse or dependent child of the member, shall be
20 eligible for in-state tuition at a public institution of higher
21 education.

22 SECTION 3. This act shall become effective November 1, 2022.

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