

1 **SENATE FLOOR VERSION**

2 April 4, 2023

3 **AS AMENDED**

4 ENGROSSED HOUSE
5 BILL NO. 2663

6 By: West (Josh), Steagall, and
7 Roberts of the House

8 and

9 Stanley of the Senate

10 **[higher education - in-state tuition eligibility -
11 Armed Forces - time limitation -
12 emergency]**

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

14 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3247, as
15 amended by Section 1, Chapter 210, O.S.L. 2022 (70 O.S. Supp. 2022,
16 Section 3247), is amended to read as follows:

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

20 1. Dependent child or spouse of a person currently serving as a
21 member of the active uniformed services of the United States on
22 full-time active duty status of more than thirty (30) days and for
23 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 ten (10) years before~~
12 ~~the date of enrollment in the course(s) concerned and for whom~~
13 ~~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~~, 31, 33, or 35 of Title
17 38 of the United States Code while living in this
18 state; or

19 2. Is a person who:

20 a. is entitled to assistance under Section 3311(b)(9) or
21 3319 of Title 38 of the United States Code by virtue
22 of a relationship to a person who was discharged or
23 released from a period of not fewer than ninety (90)
24 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~~ paragraph 1, 2 or, 3, or 4 of
19 subsection A or paragraph 1 or 2 of subsection C of this section is
20 discharged or released from active duty service;

21 2. ~~As described in paragraph 4 of subsection A of this section~~
22 ~~or paragraph 1 and 2 of subsection C of this section exceeds the~~
23 ~~five-year period after being discharged or released from active duty~~
24 ~~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, 31,~~
3 33, or 35 of Title 38 of the United States Code; or

4 ~~4.~~ 3. As described in paragraph 2 of subsection C of this
5 section has exhausted education assistance provided under Section
6 3311(b) (9) 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. It being immediately necessary for the preservation
14 of the public peace, health or safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

17 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
18 April 4, 2023 - DO PASS AS AMENDED

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