

House Bill 2035

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Veterans' Affairs for Mac MacDonald, United Veterans Groups of Oregon)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Expands post-secondary institution tuition waiver for children, spouses and unremarried surviving spouses of deceased or disabled veterans.

Declares emergency, effective July 1, 2009.

A BILL FOR AN ACT

1
2 Relating to tuition waivers; creating new provisions; amending section 9, chapter 39, Oregon Laws
3 2008; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** Section 9, chapter 39, Oregon Laws 2008, is amended to read:

6 **Sec. 9.** (1) As used in this section:

7 (a) "Child" means a child, adopted child or stepchild of a service member.

8 (b) "Eligible post-secondary institution" means:

9 (A) A state institution of higher education listed in ORS 352.002; *[and]*

10 (B) The Oregon Health and Science University~~].~~; **and**

11 **(C) A community college, as defined in ORS 341.005.**

12 (c) "Qualified student" means a child, a spouse or an unremarried surviving spouse of a service
13 member.

14 (d) "Service member" means a person who:

15 (A) As a member of the Armed Forces of the United States, died on active duty *[after September*
16 *11, 2001]*;

17 (B) As a member of the Armed Forces of the United States, died as a result of a military service
18 connected disability *[sustained after September 11, 2001]*; or

19 (C) Is 100 percent disabled as the result of a military service connected disability *[sustained after*
20 *September 11, 2001]*, as certified by the United States Department of Veterans Affairs or any branch
21 of the Armed Forces of the United States.

22 (2) Subject to subsections (3) to (6) of this section, an eligible post-secondary institution shall
23 waive tuition for a qualified student for courses that may lead to a baccalaureate degree or a mas-
24 ter's degree. A qualified student who received a tuition waiver for a baccalaureate degree may also
25 qualify for a tuition waiver for a master's degree.

26 (3)(a) The maximum waiver granted under this section shall be as follows:

27 (A) For a baccalaureate degree, the total number of credit hours that equals four years of full-
28 time attendance at an eligible post-secondary institution.

29 (B) For a master's degree, the total number of credit hours that equals two years of full-time
30 attendance at an eligible post-secondary institution.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (b) Notwithstanding paragraph (a) of this subsection, a waiver may not exceed the total number
2 of credit hours the qualified student needs to graduate with a baccalaureate degree or a master's
3 degree.

4 (4) A waiver may be granted under this section only for credit hours for courses that are offered
5 by an eligible post-secondary institution and are available for enrollment regardless of whether the
6 qualified student attends the course and pays tuition.

7 (5) A qualified student may receive a waiver under this section if the student:

8 (a) At the time of application for a waiver, is considered a resident of this state for the purpose
9 of determining tuition to be paid at an eligible post-secondary institution; and

10 (b) Has been admitted to an eligible post-secondary institution for a baccalaureate degree pro-
11 gram or has been admitted to a master's degree program at an eligible post-secondary institution.

12 (6)(a) A child who applies for a waiver under this section must be 23 years of age or younger
13 at the time the child applies for a waiver.

14 (b) Notwithstanding paragraph (a) of this subsection, a child who is older than 23 years of age
15 is eligible for a waiver for a master's degree if the child:

16 (A) Applied for and received a waiver for a baccalaureate degree when the child was 23 years
17 of age or younger; and

18 (B) Applied for a waiver for a master's degree within 12 months of receiving a baccalaureate
19 degree.

20 **SECTION 2. The amendments to section 9, chapter 39, Oregon Laws 2008, by section 1**
21 **of this 2009 Act first apply to the 2009-2010 school year.**

22 **SECTION 3. This 2009 Act being necessary for the immediate preservation of the public**
23 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
24 **July 1, 2009.**