

House Bill 2179

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Department of Veterans' Affairs)

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**.

Makes veterans, their spouses and dependent children Oregon residents for purposes of payment of tuition at community colleges and state institutions of higher education.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to veterans; creating new provisions; amending ORS 341.529 and 351.642; and declaring an
3 emergency.

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

5 **SECTION 1.** ORS 341.529 is amended to read:

6 341.529. (1) As used in this section:

7 (a) "Active member of the Armed Forces of the United States" includes officers and enlisted
8 personnel of the Armed Forces of the United States who:

9 (A) Reside in this state while assigned to duty at any base, station, shore establishment or other
10 facility in this state;

11 (B) Reside in this state while serving as members of the crew of a ship that has an Oregon port
12 or shore establishment as its home port or permanent station; or

13 (C) Reside in another state or a foreign country and establish Oregon residency by filing Oregon
14 state income taxes no later than 12 months before leaving active duty.

15 (b) "Armed Forces of the United States" includes:

16 (A) The Army, Navy, Air Force, Marine Corps and Coast Guard of the United States;

17 (B) [*Reserve components of*] The Army, Navy, Air Force, Marine Corps and Coast Guard [*of the*
18 *United States*] **Reserves**; and

19 (C) The National Guard of the United States and the Oregon National Guard.

20 (c) "Dependent children" includes any children of **a veteran or** an active member of the Armed
21 Forces of the United States who:

22 (A) Are under 18 years of age and not married, otherwise emancipated or self-supporting; or

23 (B) Are under 23 years of age, unmarried, enrolled in a full-time course of study in an institution
24 of higher learning and dependent on the **veteran or active** member for over one-half of their sup-
25 port.

26 **(d) "Veteran" has the meaning given that term in ORS 408.225.**

27 (2) Community colleges in Oregon shall admit **veterans, their spouses and dependent children**
28 **and** active members of the Armed Forces of the United States, [*and*] their spouses and dependent
29 children in the same manner as Oregon residents who are residents of the community college dis-
30 trict and shall assess the same fees and tuition rates.

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.

SECTION 2. ORS 351.642 is amended to read:

351.642. (1) As used in this section:

(a) “Active member of the Armed Forces of the United States” includes officers and enlisted personnel of the Armed Forces of the United States who:

(A) Reside in this state while assigned to duty at any base, station, shore establishment or other facility in this state;

(B) Reside in this state while serving as members of the crew of a ship that has an Oregon port or shore establishment as its home port or permanent station; or

(C) Reside in another state or a foreign country and establish Oregon residency by filing Oregon state income taxes no later than 12 months before leaving active duty.

(b) “Armed Forces of the United States” includes:

(A) The Army, Navy, Air Force, Marine Corps and Coast Guard of the United States;

(B) [*Reserve components of*] The Army, Navy, Air Force, Marine Corps and Coast Guard [*of the United States*] **Reserves**; and

(C) The National Guard of the United States and the Oregon National Guard.

(c) “Dependent children” includes any children of **a veteran or** an active member of the Armed Forces of the United States who:

(A) Are under 18 years of age and not married, otherwise emancipated or self-supporting; or

(B) Are under 23 years of age, unmarried, enrolled in a full-time course of study in an institution of higher learning and dependent on the **veteran or active** member for over one-half of their support.

(d) **“Veteran” has the meaning given that term in ORS 408.225.**

(2) **Veterans, their spouses and dependent children and** active members of the Armed Forces of the United States [*and*], their spouses and dependent children [*shall be*] **are** considered residents of this state for the purpose of admission and for the purpose of determining fees and tuition to be paid by [*such*] **those** individuals while attending any educational institution in this state that is under the control of the State Board of Higher Education.

(3) The State Board of Higher Education may contract with the Armed Forces of the United States to furnish educational service in Oregon institutions to **veterans and** active members of the Armed Forces of the United States.

(4) The State Board of Higher Education shall determine the number of [*such students that*] **veterans and active members of the Armed Forces of the United States who** should be accepted and shall make final decisions on admission of individual applicants.

(5) Students attending Oregon institutions under contracts with the Armed Forces of the United States under this section shall pay fees and tuition customarily charged Oregon students.

(6) Payments made by the Armed Forces of the United States under such contracts shall be deposited in the State Treasury and credited to the accounts of the State Board of Higher Education in the same manner that fees and tuition payments for resident students are deposited and credited.

SECTION 3. The amendments to ORS 341.529 and 351.642 by sections 1 and 2 of this 2009 Act first apply to the 2009-2010 school year.

SECTION 4. This 2009 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect on its passage.