

Senate Bill 338

Sponsored by Senator HASS (Presession filed.)

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 to include community college students.
Declares emergency, effective July 1, 2011.

A BILL FOR AN ACT

1
2 Relating to tuition waivers; creating new provisions; amending ORS 351.656; and declaring an
3 emergency.

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

5 **SECTION 1.** ORS 351.656 is amended to read:

6 351.656. (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;

16 (B) As a member of the Armed Forces of the United States, died as a result of a military service
17 connected disability; or

18 (C) Is 100 percent disabled as the result of a military service connected disability, as certified
19 by the United States Department of Veterans Affairs or any branch of the Armed Forces of the
20 United States.

21 (2) Subject to subsections (3) to ~~[(6)]~~ (7) of this section, an eligible post-secondary institution
22 shall waive tuition for a qualified student for courses that may lead to a **certificate from a com-**
23 **munity college or to an associate degree, a baccalaureate degree or a master's degree. A quali-**
24 **fied student who received a tuition waiver for a certificate from a community college or an**
25 **associate degree may also qualify for a tuition waiver for a baccalaureate degree.** A qualified
26 student who received a tuition waiver for a baccalaureate degree may also qualify for a tuition
27 waiver for a master's degree.

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

29 **(A) For a certificate from a community college or an associate degree, the total number**
30 **of credit hours that equals two years of full-time attendance at an eligible post-secondary**
31 **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 [(A)] **(B)** For a baccalaureate degree, the total number of credit hours that equals four years
 2 of full-time attendance at an eligible post-secondary institution.

3 [(B)] **(C)** For a master’s degree, the total number of credit hours that equals two years of full-
 4 time attendance at an eligible post-secondary institution.

5 (b) Notwithstanding paragraph (a) of this subsection, a waiver may not exceed the total number
 6 of credit hours the qualified student needs to graduate with a **certificate from a community col-
 7 lege or an associate degree, a** baccalaureate degree or a master’s degree.

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

11 (5) **Except as provided in subsection (7) of this section,** a qualified student may receive a
 12 waiver under this section if the student:

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

15 (b) Has been admitted to an eligible post-secondary institution for a **program leading to a
 16 certificate from a community college, an associate degree, a** baccalaureate degree [*program*]
 17 or [*has been admitted to*] a master’s degree [*program at an eligible post-secondary institution*].

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

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

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

24 (B) Applied for a waiver for a master’s degree within 12 months of receiving a baccalaureate
 25 degree.

26 **(7) A qualified student is not eligible to receive a waiver under this section for any school
 27 year in which the student received a Marine Gunnery Sergeant John David Fry Scholarship
 28 under section 1002 of the Supplemental Appropriations Act of 2009 (P.L. 111-32).**

29 **SECTION 2. The amendments to ORS 351.656 by section 1 of this 2011 Act first apply to
 30 the 2011-2012 school year.**

31 **SECTION 3. This 2011 Act being necessary for the immediate preservation of the public
 32 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
 33 July 1, 2011.**