

## SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2158

By COMMITTEE ON VETERANS AND EMERGENCY PREPAREDNESS

June 5

1 On page 1 of the printed A-engrossed bill, line 2, after “ORS” insert “351.656 and”.

2 Delete lines 5 through 19 and delete page 2 and insert:

3 “**SECTION 1.** ORS 352.375 is amended to read:

4 “352.375. (1) A public university listed in ORS 352.002 or a community college shall charge an  
5 enrolled student who is not a resident of this state and who is attending classes as an undergraduate  
6 on a public university or community college campus in this state tuition and fees no greater than  
7 the resident rate [*plus 50 percent of the difference between the resident rate and the nonresident rate*]  
8 if the student:

9 “(a) Served in the Armed Forces of the United States; [*and*]

10 “(b) Was relieved or discharged from that service [*under honorable conditions.*] **with either an**  
11 **honorable discharge or a general discharge under honorable conditions; and**

12 “(c) **Provides proof that the student has established a physical presence in Oregon within**  
13 **12 months of being enrolled at the public university or community college.**

14 “[*2*] *Every public university listed in ORS 352.002 and community college in this state shall par-*  
15 *ticipate to the fullest extent allowed in the federal educational assistance programs under the Supple-*  
16 *mental Appropriations Act of 2008 (P.L. 110-252) so as to reduce the overall tuition rate for students*  
17 *eligible for tuition rate reduction under subsection (1) of this section to the resident tuition rate.*]

18 “[*3*] **(2)** A person who served in the Armed Forces of the United States and who receives fed-  
19 eral tuition benefits in excess of the tuition and fees the person is charged under subsection (1) of  
20 this section at a public university listed in ORS 352.002 or a community college where the person  
21 is enrolled shall pay tuition and fees equal to the federal tuition benefits received.

22 “[*4*] **(3)** Distance education and self-support courses as identified by each public university  
23 listed in ORS 352.002 and community college are exempt from the tuition reduction provisions of this  
24 section.

25 “[*5*] **(4)** If a nonresident student otherwise eligible for tuition benefits under this section is  
26 receiving federal vocational rehabilitation education benefits, that student shall pay full nonresident  
27 tuition and fees charged by a public university listed in ORS 352.002 or a community college.

28 “**SECTION 2.** ORS 351.656 is amended to read:

29 “351.656. (1) As used in this section:

30 “(a) ‘Child’ means a child, adopted child or stepchild of **either** a service member **or a Purple**  
31 **Heart recipient.**

32 “(b) ‘Eligible post-secondary institution’ means:

33 “(A) A public university listed in ORS 352.002; and

34 “(B) The Oregon Health and Science University.

35 “(c) ‘**Purple Heart recipient**’ means a person, alive or deceased, who:

1       “(A) Was relieved or discharged from service in the Armed Forces of the United States  
2 with either an honorable discharge or a general discharge under honorable conditions; and

3       “(B) Was awarded the Purple Heart in 2001 or thereafter for wounds received in combat.

4       “[(c)] (d) ‘Qualified student’ means a child, a spouse or an unremarried surviving spouse of a  
5 service member or a child of a Purple Heart recipient.

6       “[(d)] (e) ‘Service member’ means a person who:

7       “(A) As a member of the Armed Forces of the United States, died on active duty;

8       “(B) As a member of the Armed Forces of the United States, died as a result of a military ser-  
9 vice connected disability; or

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

13       “(2) Subject to subsections (3) to [(6)] (7) of this section, an eligible post-secondary institution  
14 shall waive tuition for a qualified student for courses that may lead to a baccalaureate degree or  
15 a master’s degree. A qualified student who received a tuition waiver for a baccalaureate degree may  
16 also qualify for a tuition waiver for a master’s degree.

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

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

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

22       “(b) Notwithstanding paragraph (a) of this subsection, a waiver may not exceed the total number  
23 of credit hours the qualified student needs to graduate with a baccalaureate degree or a master’s  
24 degree.

25       “(4) A waiver may be granted under this section only for credit hours for courses that are of-  
26 fered by an eligible post-secondary institution and are available for enrollment [*regardless of whether*  
27 *the qualified student attends the course and pays tuition*].

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

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

31       “(b) Has been admitted to an eligible post-secondary institution for a baccalaureate degree pro-  
32 gram or has been admitted to a master’s degree program at an eligible post-secondary institution.

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

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

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

39       “(B) Applied for a waiver for a master’s degree within 12 months of receiving a baccalaureate  
40 degree.

41       “(7)(a) **The amount of tuition waived under this section may be reduced by the amount**  
42 **of any federal aid scholarships or grants, awards from the Oregon Opportunity Grant pro-**  
43 **gram established under ORS 348.205, or any other aid from the eligible post-secondary insti-**  
44 **tution, received by the qualified student.**

45       “(b) **The amount of tuition waived under this section may not be reduced by the amount**

1 of any Survivors' and Dependents' Educational Assistance under 38 U.S.C. chapter 35 paid  
2 to a qualified student.

3 **"SECTION 3.** The State Board of Education and the State Board of Higher Education  
4 shall report annually on or before February 1 to committees of the Legislative Assembly  
5 related to veterans and military affairs and to higher education regarding students who have  
6 received tuition relief and assistance under ORS 351.656 and 352.375 including but not limited  
7 to the following:

8 **"(1)** The number of nonresident veterans who were assessed reduced tuition rates under  
9 ORS 352.375 and the amount of nonresident tuition moneys not assessed as a result of re-  
10 ceiving the reduced tuition rates under ORS 352.375;

11 **"(2)** The number of qualified students receiving tuition waivers under ORS 351.656, the  
12 amount of tuition waived and the relationship of the qualified student to a service member  
13 or Purple Heart recipient under ORS 351.656; and

14 **"(3)** Any other relevant information.

15 **"SECTION 4.** The amendments to ORS 351.656 and 352.375 by sections 1 and 2 of this 2013  
16 Act apply only to persons admitted as new but not continuing students for enrollment to a  
17 community college, a public university or an eligible post-secondary institution on or after  
18 September 15, 2013.

19 **"SECTION 5.** This 2013 Act being necessary for the immediate preservation of the public  
20 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect  
21 on its passage."  
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