

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2158**

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

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

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

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

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

12 **“(b)** Was relieved or discharged from that service [*under honorable con-*
13 *ditions.*] **with either an honorable discharge or a general discharge un-**
14 **der honorable conditions; and**

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

18 “[*(2) Every public university listed in ORS 352.002 and community college*
19 *in this state shall participate to the fullest extent allowed in the federal edu-*
20 *cational assistance programs under the Supplemental Appropriations Act of*
21 *2008 (P.L. 110-252) so as to reduce the overall tuition rate for students eligible*
22 *for tuition rate reduction under subsection (1) of this section to the resident*”

1 *tuition rate.]*

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

7 “[4] (3) Distance education and self-support courses as identified by each
8 public university listed in ORS 352.002 and community college are exempt
9 from the tuition reduction provisions of this section.

10 “[5] (4) If a nonresident student otherwise eligible for tuition benefits
11 under this section is receiving federal vocational rehabilitation education
12 benefits, that student shall pay full nonresident tuition and fees charged by
13 a public university listed in ORS 352.002 or a community college.

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

15 “351.656. (1) As used in this section:

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

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

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

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

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

22 “(A) **Served as a member of the Armed Forces of the United States**
23 **as defined in ORS 348.282;**

24 “(B) **Was relieved or discharged from service in the Armed Forces**
25 **of the United States with either an honorable discharge or a general**
26 **discharge under honorable conditions; and**

27 “(C) **Was awarded the Purple Heart in 2001 or thereafter for wounds**
28 **received in combat.**

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

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

2 “(A) As a member of the Armed Forces of the United States, died on ac-
3 tive duty;

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

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

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

14 “(3)(a) The maximum waiver granted under this section shall be as fol-
15 lows:

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

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

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

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

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

30 “(a) At the time of application for a waiver, is considered a resident of

1 this state for the purpose of determining tuition to be paid at an eligible
2 post-secondary institution; and

3 “(b) Has been admitted to an eligible post-secondary institution for a
4 baccalaureate degree program or has been admitted to a master’s degree
5 program at an eligible post-secondary institution.

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

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

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

13 “(B) Applied for a waiver for a master’s degree within 12 months of re-
14 ceiving a baccalaureate degree.

15 “(7)(a) **The amount of tuition waived under this section may be re-**
16 **duced by the amount of any federal aid scholarships or grants, awards**
17 **from the Oregon Opportunity Grant program established under ORS**
18 **348.205, or any other aid from the eligible post-secondary institution,**
19 **received by the qualified student.**

20 “(b) **The amount of tuition waived under this section may not be**
21 **reduced by the amount of any Survivors’ and Dependents’ Educational**
22 **Assistance under 38 U.S.C. chapter 35 paid to a qualified student.**

23 “**SECTION 3. The State Board of Education and the State Board of**
24 **Higher Education shall report annually on or before February 1 to**
25 **committees of the Legislative Assembly related to veterans and mili-**
26 **tary affairs and to higher education regarding students who have re-**
27 **ceived tuition relief and assistance under ORS 351.656 and 352.375**
28 **including but not limited to the following:**

29 “(1) **The number of nonresident veterans who were assessed reduced**
30 **tuition rates under ORS 352.375 and the amount of nonresident tuition**

1 moneys not assessed as a result of receiving the reduced tuition rates
2 under ORS 352.375;

3 “(2) The number of qualified students receiving tuition waivers un-
4 der ORS 351.656, the amount of tuition waived and the relationship of
5 the qualified student to a service member or Purple Heart recipient
6 under ORS 351.656; and

7 “(3) Any other relevant information.

8 “SECTION 4. The amendments to ORS 351.656 and 352.375 by
9 sections 1 and 2 of this 2013 Act apply only to persons admitted as new
10 but not continuing students for enrollment to a community college, a
11 public university or an eligible post-secondary institution on or after
12 September 1, 2013.

13 “SECTION 5. This 2013 Act being necessary for the immediate
14 preservation of the public peace, health and safety, an emergency is
15 declared to exist, and this 2013 Act takes effect on its passage.”.

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