

# House Bill 2093

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Higher Education Coordinating Commission)

## 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**.

Alters eligibility requirements and formula for establishing amount of award for Oregon Opportunity Grant and renewal of grant.

Alters eligibility requirements and formula for establishing amount of award for Oregon Promise grant and renewal of grant. Expands Oregon Promise grant availability to qualified students enrolled at any eligible post-secondary institution.

Makes Higher Education Coordinating Commission, rather than Director of Office of Student Access and Completion, responsible for administering Oregon Opportunity Grant program and Oregon Promise program.

Changes name of Opportunity Grant Fund to College Opportunity Fund. Adds Oregon Opportunity Grant program to approved uses and purposes of fund.

Establishes cumulative four-year full-time enrollment lifetime eligibility limit on total amount of Oregon Opportunity Grant and Oregon Promise grant awards any individual student may receive.

Becomes operative August 1, 2022.

## A BILL FOR AN ACT

1  
2 Relating to grants for student aid for higher education; creating new provisions; and amending ORS  
3 314.772, 315.643, 315.646, 341.522, 348.180, 348.205, 348.250, 348.260, 348.263, 348.266 and 348.520.

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

5 **SECTION 1.** ORS 348.180 is amended to read:

6 348.180. As used in this section and ORS **341.522**, 348.205, 348.250, 348.260, 348.263 and 348.285

7 **and section 11 of this 2021 Act:**

8 (1) "Cost of education" [*includes but is not limited to, tuition, fees and living expenses.*] **means:**

9 (a) **For a qualified student attending a public university listed in ORS 352.002, the average**  
10 **cost of tuition and fees to attend a public university listed in ORS 352.002;**

11 (b) **For a qualified student attending a community college operated under ORS chapter**  
12 **341, the average cost of tuition and fees to attend a community college operated under ORS**  
13 **chapter 341;**

14 (c) **For a qualified student attending a two-year Oregon-based, generally accredited, not-**  
15 **for-profit institution of higher education, the average cost of tuition and fees to attend a**  
16 **community college operated under ORS chapter 341;**

17 (d) **For a qualified student attending Oregon Health and Science University or a four-year**  
18 **Oregon-based, generally accredited, not-for-profit institution of higher education, the average**  
19 **cost of tuition and fees to attend a public university listed in ORS 352.002; and**

20 (e) **For a qualified student who enrolls in a program leading to a credential of value at**  
21 **an institution of higher education other than an eligible post-secondary institution, the av-**  
22 **erage cost of tuition and fees to attend a community college operated under ORS chapter 341.**

23 (2) "Credential of value" means a credential that:

24 (a) **Is awarded to students who successfully complete a program; and**

**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) Has been identified by the Higher Education Coordinating Commission by rule as a**  
 2 **credential that is beneficial for workforce development in Oregon.**

3       [(2)] **(3) “Eligible post-secondary institution” means:**

4       (a) A public university listed in ORS 352.002;

5       (b) A community college operated under ORS chapter 341;

6       (c) [The] Oregon Health and Science University; [or]

7       (d) [An] **A two-year or four-year** Oregon-based, generally accredited, not-for-profit institution  
 8 of higher education[.]; **or**

9       **(e) An Oregon-based institution of higher education that offers a program leading to a**  
 10 **credential of value.**

11       **(4) “Program leading to a credential of value” means a program that awards a credential**  
 12 **of value upon completion of the program.**

13       [(3)] **(5) “Qualified student” means any resident student, or student exempted from paying non-**  
 14 **resident tuition under ORS 352.287, who plans to attend an eligible post-secondary institution and**  
 15 **who:**

16       (a) Has not achieved a baccalaureate or higher degree from any post-secondary institution;

17       (b) Is enrolled in an eligible program as defined by rule of the Higher Education Coordinating  
 18 Commission; and

19       (c) Is making satisfactory academic progress as defined by rule of the commission.

20       **SECTION 2.** ORS 348.180, as amended by section 16, chapter 384, Oregon Laws 2019, is  
 21 amended to read:

22       348.180. As used in this section and ORS **341.522**, 348.205, 348.250, 348.260 and 348.263 **and**  
 23 **section 11 of this 2021 Act:**

24       (1) “Cost of education” [*includes but is not limited to, tuition, fees and living expenses.*] **means:**

25       **(a) For a qualified student attending a public university listed in ORS 352.002, the average**  
 26 **cost of tuition and fees to attend a public university listed in ORS 352.002;**

27       **(b) For a qualified student attending a community college operated under ORS chapter**  
 28 **341, the average cost of tuition and fees to attend a community college operated under ORS**  
 29 **chapter 341;**

30       **(c) For a qualified student attending a two-year Oregon-based, generally accredited, not-**  
 31 **for-profit institution of higher education, the average cost of tuition and fees to attend a**  
 32 **community college operated under ORS chapter 341;**

33       **(d) For a qualified student attending Oregon Health and Science University or a four-year**  
 34 **Oregon-based, generally accredited, not-for-profit institution of higher education, the average**  
 35 **cost of tuition and fees to attend a public university listed in ORS 352.002; and**

36       **(e) For a qualified student who enrolls in a program leading to a credential of value at**  
 37 **an institution of higher education other than an eligible post-secondary institution, the av-**  
 38 **erage cost of tuition and fees to attend a community college operated under ORS chapter 341.**

39       **(2) “Credential of value” means a credential that:**

40       **(a) Is awarded to students who successfully complete a program; and**

41       **(b) Has been identified by the Higher Education Coordinating Commission by rule as a**  
 42 **credential that is beneficial for workforce development in Oregon.**

43       [(2)] **(3) “Eligible post-secondary institution” means:**

44       (a) A public university listed in ORS 352.002;

45       (b) A community college operated under ORS chapter 341;

1 (c) *[The]* Oregon Health and Science University; *[or]*

2 (d) *[An]* **A two-year or four-year** Oregon-based, generally accredited, not-for-profit institution  
3 of higher education[.]; **or**

4 **(e) An Oregon-based institution of higher education that offers a program leading to a**  
5 **credential of value.**

6 **(4) “Program leading to a credential of value” means a program that awards a credential**  
7 **of value upon completion of the program.**

8 *[(3)]* **(5) “Qualified student”** means any resident student, or student exempted from paying non-  
9 resident tuition under ORS 352.287, who plans to attend an eligible post-secondary institution and  
10 who:

11 (a) Has not achieved a baccalaureate or higher degree from any post-secondary institution;

12 (b) Is enrolled in an eligible program as defined by rule of the Higher Education Coordinating  
13 Commission; and

14 (c) Is making satisfactory academic progress as defined by rule of the commission.

15 **SECTION 3.** ORS 348.205 is amended to read:

16 348.205. (1) The Oregon Opportunity Grant program is established within the Higher Education  
17 Coordinating Commission.

18 (2) **The commission shall award grants** under the program *[, the cost of education of a qualified*  
19 *student shall be shared by the student, the family of the student, the federal government and the*  
20 *state]* **for the purpose of improving the enrollment, retention and completion rates of qualified**  
21 **students in post-secondary fields of education and training.**

22 (3)(a) The **commission** *[Director of the Office of Student Access and Completion]* shall determine  
23 the cost of education of a qualified student based on the type of *[eligible]* post-secondary institution  
24 the student is attending. *[The cost of education equals:]*

25 *[(a) For a student attending a community college, the average cost of education of attending a*  
26 *community college in this state;]*

27 *[(b) For a student attending a public university listed in ORS 352.002, the average cost of education*  
28 *of attending a public university;]*

29 *[(c) For a student attending a two-year Oregon-based, generally accredited, not-for-profit institution*  
30 *of higher education, the average cost of education of attending a community college in this state; and]*

31 *[(d) For a student attending the Oregon Health and Science University or a four-year Oregon-*  
32 *based, generally accredited, not-for-profit institution of higher education, the average cost of education*  
33 *of attending a public university listed in ORS 352.002.]*

34 **(b) The cost of education identified under paragraph (a) of this subsection must be ad-**  
35 **justed for a qualified student who is enrolled less than full-time at a post-secondary institu-**  
36 **tion according to a schedule established by the commission by rule.**

37 *[(4)(a) The director shall determine the amount of the student share. The student share shall be*  
38 *based on:]*

39 *[(A) The type of eligible post-secondary institution the student is attending;]*

40 *[(B) The number of hours of work that the director determines may be reasonably expected from*  
41 *the student; and]*

42 *[(C) The amount of loans that the director determines would constitute a manageable debt burden*  
43 *for the student.]*

44 *[(b) The student shall determine how to cover the student share through income from work, loans,*  
45 *savings and scholarships.]*

1        *[(c) The student share for a student who attends a community college may not exceed the amount*  
 2 *that the director determines a student may earn based on the number of hours of work reasonably ex-*  
 3 *pected from the student under paragraph (a) of this subsection.]*

4        *[(d) The student share for a student who attends an eligible post-secondary institution that is not*  
 5 *a community college may not exceed the sum of the amount that the director determines a student may*  
 6 *receive as loans plus the amount a student may earn based on the number of hours of work reasonably*  
 7 *expected from the student under paragraph (a) of this subsection.]*

8        *[(5) The director shall determine the amount of the family share. The family share shall be based*  
 9 *on the resources of the family.]*

10       *[(6) The director shall determine the amount of the federal share based on how much the student*  
 11 *or the student's family is expected to receive from the federal government.]*

12       *[(7)(a) The director shall determine the amount of the state share. The state share shall be equal*  
 13 *to the cost of education reduced by the student share, family share and amount received by the student*  
 14 *from the federal government.]*

15       *[(b) The director shall establish a minimum amount that a student may receive as a state share.*  
 16 *If the director determines that the amount of the state share of a student is below the minimum amount,*  
 17 *the student may not receive the state share.]*

18       *[(c) The director may not reduce the amount of the state share of a student based on amounts*  
 19 *available to the student by virtue of being the designated beneficiary of a college savings network ac-*  
 20 *count established under ORS 178.300 to 178.360.]*

21       **(4)(a) The commission shall establish by rule the percentage of the cost of education**  
 22 **identified under subsection (3) of this section that will be awarded as a grant under the**  
 23 **program. The commission may choose to establish the percentage on a tiered basis of ad-**  
 24 **justed gross income, expected family contribution or a similar measure of a qualified**  
 25 **student's financial need identified by the commission by rule.**

26       **(b) Prior to the start of each academic year, the commission may revise the percentages**  
 27 **identified under paragraph (a) of this subsection if the commission determines that revision**  
 28 **is required based on financial and enrollment projections made by the commission.**

29       ~~[(8)]~~ **(5)** Subject to subsection ~~[(9)]~~ **(6)** of this section, if the ~~[director]~~ **commission** determines  
 30 that there are insufficient moneys to award ~~[the state share]~~ **a grant equal to the percentage of**  
 31 **the cost of education identified under subsection (4) of this section** to all qualified students, the  
 32 ~~[director]~~ **commission:**

33       (a) May establish the maximum amount that a student may receive ~~[as a state share]~~. This  
 34 amount may vary based on **the student's enrollment status** ~~[whether the student is attending an~~  
 35 ~~eligible post-secondary institution on a half-time or full-time basis]~~.

36       (b) May establish procedures that prioritize awarding Oregon Opportunity Grants to qualified  
 37 students:

38       **(A)** With the greatest financial need; ~~[or whose circumstances would enhance the promotion of~~  
 39 ~~equity guidelines published by the Higher Education Coordinating Commission.]~~

40       **(B)** Who have previously completed a significant number of credit hours and who are  
 41 returning to an eligible post-secondary institution to complete a degree after a significant  
 42 gap in enrollment as defined by the commission by rule; or

43       **(C)** Who are enrolled in a program leading to a credential of value.

44       (c) May adjust the percentage of the cost of education awarded to students in a given  
 45 income tier to zero.

1        [(c) (d) May not reduce the amount [of the state share] awarded to students in [the low] a lower  
2 income [range] tier in a greater proportion than the amount [that the state share for] awarded to  
3 students in higher income tiers [other income ranges is reduced].

4        [(9)(a) (6)(a) The [Higher Education Coordinating] commission shall adopt rules that prioritize  
5 current foster children and former foster children for receiving Oregon Opportunity Grants when  
6 the Oregon Opportunity Grant program does not have sufficient funding to serve all [eligible  
7 Oregon] qualified students.

8        (b) [For the purposes of] As used in this subsection, “former foster child” has the meaning given  
9 that term in ORS 350.300.

10        **SECTION 4.** ORS 348.250 is amended to read:

11        348.250. (1) Grants established under ORS 348.260 shall be awarded by the Higher Education  
12 Coordinating Commission in the manner provided in this section.

13        (2) Persons interested in obtaining a grant established under ORS 348.260 may apply to the  
14 [Director of the Office of Student Access and Completion] **commission** for a grant.

15        (3) The [director] **commission** shall screen or cause to be screened the applications and shall  
16 determine [for each available grant the person] **the persons** best qualified to receive [that] a grant.  
17 A qualified [applicant] **student** is eligible to receive a grant established under ORS 348.260 if:

18        (a) The [applicant’s] **qualified student’s** financial need is such that in the opinion of the [di-  
19 rector] **commission** financial aid is warranted; [and]

20        (b) The applicant plans to be a student at the [eligible] post-secondary institution where the  
21 grant is to be used[.];

22        (c) **The qualified student is not eligible for a grant under the Oregon Promise program**  
23 **established under ORS 341.522;**

24        (d) **The qualified student has not previously received cumulative grants equal to or in**  
25 **excess of the limit established in section 10 of this 2021 Act; and**

26        (e) **The qualified student is not in default of any obligations related to state or federally**  
27 **funded financial aid.**

28        (4) The [director] **commission** shall not discriminate for or against any applicant for a grant.

29        (5) Nothing in this section or ORS 348.260, 348.505 to 348.615, 348.696 or 348.992 shall be con-  
30 strued to require any institution to admit a grant recipient or to attempt to control or influence the  
31 policies of the institution.

32        [(6) Whenever funds are not available to award grants to all qualified students, the director may  
33 give priority to applicants who are or plan to be full-time students at the eligible post-secondary insti-  
34 tution where the grant is to be used. A student shall be considered to be a full-time student if the  
35 combination of credit hours at more than one eligible post-secondary institution equals full-time at-  
36 tendance, according to the institution disbursing the grant funds.]

37        [(7) (6) As used in this section, “discriminate” has the meaning given “discrimination” in ORS  
38 659.850.

39        **SECTION 5.** ORS 348.260 is amended to read:

40        348.260. (1) In addition to any other form of student financial aid authorized by law, the Higher  
41 Education Coordinating Commission may award Oregon Opportunity Grants to qualified students.

42        (2) The amount of a grant shall equal the [state share of] **percentage of** a qualified student’s cost  
43 of education as determined by the [Director of the Office of Student Access and Completion and  
44 comply with] **commission under the** applicable rules and procedures described in ORS 348.205.

45        [(3) Grant funds necessary to meet matching requirements for federal funds may also be used to

1 *award grants to qualified students in any eligible post-secondary institution approved by the commis-*  
2 *sion.]*

3 [(4)] (3) Grants may be awarded under this section to qualified students enrolled for any term,  
4 including summer term. The commission may prescribe the method and date or dates by which a  
5 student must apply to the commission to qualify for a grant.

6 [(5)(a)] (4)(a) A qualified student who receives a grant under this section may apply for renewal  
7 of the grant on an annual basis. The commission may not renew the grant if the qualified student  
8 has not made a timely application for renewal of the grant.

9 (b) The commission shall by rule establish **for qualified students the** academic standards and  
10 benchmarks **necessary for grant renewal** [*that a qualified student must meet to have the student's*  
11 *grant renewed*].

12 (c) **The commission may reevaluate the eligibility of a qualified student if the student**  
13 **was awarded a grant on the basis of enrollment in a program leading to a credential of value**  
14 **and the student changes the student's program enrollment.**

15 (d) **A qualified student who is awarded a grant on the basis of enrollment in a program**  
16 **leading to a credential of value is eligible to have the student's grant renewed if the qualified**  
17 **student maintains the student's enrollment in the program, regardless of whether the pro-**  
18 **gram continues to qualify as a program leading to a credential of value.**

19 [(c)] (e) **Except as provided under paragraph (c) of this subsection,** if a qualified student  
20 who receives a grant under this section makes a timely application for renewal of the grant, meets  
21 the academic standards and benchmarks established by the commission under this subsection and  
22 continues to meet all other grant eligibility criteria, the grant shall be renewed for a second year  
23 of attendance at [*an eligible*] a post-secondary institution.

24 [(d)] (f) **Subject to the limitations set forth in section 10 of this 2021 Act,** upon timely ap-  
25 plication by a qualified student who meets the academic standards and benchmarks established by  
26 the commission under this subsection and who continues to meet all other grant eligibility criteria,  
27 the commission may continue to renew the grant until the qualified student has received the  
28 equivalent of four full-time undergraduate years of grant funding for an eligible program as defined  
29 by the commission.

30 [(6)(a)] (5)(a) The [*Director of the Office of Student Access and Completion*] **commission** shall  
31 inform eligible post-secondary institutions of the identity of qualified students who attend the insti-  
32 tution and who receive a grant under this section for more than one academic year.

33 (b) To the extent possible, eligible post-secondary institutions shall ensure that qualified stu-  
34 dents identified under this subsection are made aware of the academic guidance and counseling  
35 services available at the institution.

36 [(7)] (6) A qualified student who receives a grant under this section must attend the [*eligible*]  
37 post-secondary institution upon which the grant application is based unless the [*Director of the Office*  
38 *of Student Access and Completion*] **commission** authorizes the grant to be used at a different [*eligi-*  
39 *ble*] post-secondary institution. **Subject to any provisions of a dual enrollment agreement or**  
40 **declaration of a financial aid home institution by the qualified student,** a qualified student who  
41 receives a grant under this section may attend more than one eligible post-secondary institution if  
42 the grant application was based on the qualified student attending more than one eligible post-  
43 secondary institution.

44 [(8)] (7) The commission may not make a grant award to any qualified student enrolled in a  
45 course of study required for and leading to a degree in theology, divinity or religious education.

1        [(9)(a) *The commission shall report annually on or before February 1 to committees of the Legis-*  
 2 *lative Assembly related to higher education regarding the academic success and performance of quali-*  
 3 *fied students who receive grants under this section.*]

4        [(b) *In order to meet the reporting requirements set forth in paragraph (a) of this subsection:*]

5        [(A) *The commission shall by rule design a method for evaluating the academic success and per-*  
 6 *formance of students who receive a grant under this section; and]*

7        [(B) *Upon a request from the commission, eligible post-secondary institutions must provide the*  
 8 *commission with the data necessary for the commission to conduct its analysis.*]

9        **SECTION 6.** ORS 348.263 is amended to read:

10        348.263. (1) In addition to any other form of student financial aid authorized by law, the Higher  
 11 Education Coordinating Commission may award moneys from the Oregon Opportunity Grant pro-  
 12 gram **and the Oregon Promise program** to qualified students to reward student persistence and  
 13 encourage completion of degree programs at eligible post-secondary institutions.

14        (2) Awards made under this section **are subject to the limitations set forth in section 10 of**  
 15 **this 2021 Act but** are not subject to the maximum Oregon Opportunity Grant amount established  
 16 under ORS 348.205 **or the maximum Oregon Promise grant amount established under ORS**  
 17 **341.522.**

18        (3) The commission shall establish by rule eligibility criteria for awards made under this section.  
 19 [*These criteria shall include, but not be limited to, whether the qualified student is attending an eligible*  
 20 *post-secondary institution on a full-time or half-time basis.*]

21        (4)(a) The [*Director of the Office of Student Access and Completion*] **commission** shall administer,  
 22 and determine the size of, awards made under this section.

23        (b) In determining the size of awards made under this section, the [*director*] **commission** shall  
 24 consider basing the size of the awards on a percentage of the maximum Oregon Opportunity Grant  
 25 amount established under ORS 348.205 **or on a percentage of the Oregon Promise grant amount**  
 26 **established under ORS 341.522.**

27        **SECTION 7.** ORS 348.266 is amended to read:

28        348.266. (1) The **College** Opportunity [*Grant*] Fund is established in the State Treasury, separate  
 29 and distinct from the General Fund. Interest earned by the **College** Opportunity [*Grant*] Fund shall  
 30 be credited to the fund.

31        (2) Moneys in the **College** Opportunity [*Grant*] Fund shall consist of:

32        (a) Amounts donated to the fund;

33        (b) Amounts appropriated or otherwise transferred to the fund by the Legislative Assembly;

34        (c) Other amounts deposited in the fund from any source; and

35        (d) Interest earned by the fund.

36        (3) Moneys in the fund are continuously appropriated to the Higher Education Coordinating  
 37 Commission. After the payment of refunds to taxpayers as described in ORS 315.643 and 315.646 and  
 38 payments to a tax credit marketer for marketing services provided by the marketer as described in  
 39 ORS 348.267, the balance remaining in the fund shall be used for the Oregon Opportunity Grant  
 40 program under ORS 348.260 **and the Oregon Promise program under in ORS 341.522.**

41        (4) **The commission may allocate moneys in the fund to the Oregon Opportunity Grant**  
 42 **program and the Oregon Promise program in the manner that the commission determines**  
 43 **best meets the goals for higher education established in ORS 350.009.**

44        [(4)] (5) Expenditures from the fund are not subject to ORS 291.232 to 291.260.

45        **SECTION 8.** ORS 341.522, as amended by section 1, chapter 19, Oregon Laws 2020 (first special

1 session), is amended to read:

2 341.522. (1) The [*Office of Student Access and Completion*] **Higher Education Coordinating**  
3 **Commission** shall administer the Oregon Promise program as provided by this section.

4 (2) [*Subject to subsections (7) to (10) of this section, the office*] **The commission** shall provide a  
5 grant **under this section** [*for community college courses*] to a person who:

6 (a) **Is a qualified student; and**

7 (b) Meets the criteria described in subsections (3) to (6) of this section. [*The grant shall be*  
8 *limited as provided by subsections (7) to (10) of this section.*]

9 (3) A grant shall be awarded under this section to a [*person*] **qualified student** who meets the  
10 following criteria:

11 (a) Is enrolled in courses that are:

12 (A) Offered at [*a community college in this state*]:

13 (i) **A public university listed in ORS 352.002;**

14 (ii) **A community college operated under ORS chapter 341;**

15 (iii) **Oregon Health and Science University; or**

16 (iv) **An Oregon-based, generally accredited, not-for-profit institution of higher education;**

17 and

18 (B) Determined [*by the office*], in accordance with rules adopted by the [*Higher Education Coor-*  
19 *minating*] commission, to be required for completion of:

20 (i) **A program in career and technical education** [*one-year curriculum for students who plan*  
21 *to transfer to another post-secondary institution of education*];

22 (ii) An associate degree; or

23 (iii) A **bachelor's degree** [*program in career and technical education*];

24 (b) Except as provided in subsection (5) of this section, has been a resident of this state for at  
25 least 12 months prior to enrolling in the courses described in paragraph (a) of this subsection;

26 (c) Attained the [*person's*] **qualified student's** highest level of education, except as provided in  
27 subsection (5) of this section, in this state prior to:

28 (A) Receiving a diploma under ORS 329.451;

29 (B) Receiving a certificate for passing an approved high school equivalency test such as the  
30 General Educational Development (GED) test as provided by ORS 350.175;

31 (C) Completing grade 12 in compliance with the requirements of ORS 339.035; or

32 (D) Completing grade 12 at a private or parochial school, as described in ORS 339.030 (1)(a);

33 (d) Except as provided in subsections (4) and (5) of this section, [*attained the person's highest*  
34 *level of education as described in paragraph (c) of this subsection within six months from the date that*  
35 *the person*] first enrolls in courses described in paragraph (a) of this subsection for the purpose of  
36 receiving a grant under this section **no later than 18 months after the qualified student attained**  
37 **the student's highest level of education as described in paragraph (c) of this subsection;**

38 (e) Earned a cumulative grade point average of [2.5] **2.0** or better in high school or otherwise  
39 demonstrated an equivalent academic ability, as determined by [*the office according to rules adopted*  
40 *by*] the commission **by rule;**

41 (f) Completed and submitted the Free Application for Federal Student Aid, **or an equivalent**  
42 **form designated by the commission by rule**, for each academic year [*and accepted all state and*  
43 *federal aid grants available to the person, if eligible to file the application*]; and

44 [(g) *Has not completed either of the following:*]

45 [(A) *More than a total of 90 credit hours, or the equivalent, at a post-secondary institution of ed-*



1 *ucation; or]*

2 *[(B) A curriculum, degree or program, as described in paragraph (a)(B) of this subsection.]*

3 **(g) Has not received cumulative grants from the commission equal to or in excess of the**  
 4 **limit set forth in section 10 of this 2021 Act.**

5 *[(4)(a) If a person otherwise meets the required criteria and has been awarded a grant under sub-*  
 6 *section (3) of this section, but the person enters into service with a career and technical student or-*  
 7 *ganization relating to agriculture or farming that is approved by the Department of Education under*  
 8 *ORS 344.077 within six months after the person attained the person’s highest level of education as*  
 9 *described in subsection (3)(c) of this section, the person will continue to be eligible to receive the grant*  
 10 *if the person first enrolls in courses described in subsection (3)(a) of this section within six months of*  
 11 *finishing the person’s service with the career and technical student organization.]*

12 *[(b)]* **(4)** *[In addition to the situation described in paragraph (a) of this subsection,]* The commission  
 13 may waive the requirement set forth in subsection (3)(d) of this section for a *[person]* **qualified**  
 14 **student** who shows that the *[person]* **student** was unable to timely enroll in courses described in  
 15 subsection (3)(a) of this section due to a significant hardship. The commission may adopt rules to  
 16 implement this paragraph.

17 **(5)(a)** A member of the Oregon National Guard who has completed initial active duty training  
 18 is not required to comply with the criteria set forth in subsection (3)(d) of this section in order to  
 19 receive a grant, provided that the member first enrolls in courses described in subsection (3)(a)  
 20 of this section within six months after completing initial active duty training, as evidenced by an offi-  
 21 cial form issued by the United States Department of Defense.

22 **(b)(A)** A *[person]* **qualified student** who completes the highest level of education as described  
 23 in subsection (3)(c) of this section while confined in a correctional facility, either serving a sentence  
 24 of incarceration or as a young person, youth or youth offender, is not required to comply with the  
 25 criteria set forth in subsection (3)(d) of this section in order to receive a grant, provided that the  
 26 *[person]* **student** first enrolls in courses described in subsection (3)(a) of this section within six  
 27 months after the date on which the *[person]* **student** is first released from a correctional facility  
 28 following completion of the highest level of education described in subsection (3)(c) of this section.

29 **(B)** The eligibility requirements described in subsection (6)(a)(C) of this section may be waived  
 30 by *[the office according to rules adopted by]* the commission **by rule** for a *[person]* **qualified student**  
 31 who receives a grant under this section in the manner described in subparagraph (A) of this para-  
 32 graph.

33 **(C)** As used in this paragraph:

34 **(i)** “Correctional facility” means any place used for the confinement of young persons, youth or  
 35 youth offenders or persons charged with or convicted of a crime or otherwise confined under a court  
 36 order, including a:

37 **(I)** Youth correction facility;

38 **(II)** Detention facility;

39 **(III)** Department of Corrections institution;

40 **(IV)** Local correctional facility; or

41 **(V)** State hospital or a secure intensive community inpatient facility, with respect to persons  
 42 detained therein who are youth or youth offenders, who are charged with or convicted of a crime  
 43 or who are detained therein after having been found guilty except for insanity of a crime under ORS  
 44 161.290 to 161.373 or having been found responsible except for insanity under ORS 419C.411.

45 **(ii)** “Department of Corrections institution” has the meaning given that term in ORS 421.005.

1 (iii) “Detention facility,” “young person,” “youth” and “youth offender” have the meanings given  
 2 those terms in ORS 419A.004.

3 (iv) “Local correctional facility” has the meaning given that term in ORS 169.005.

4 (v) “Youth correction facility” has the meaning given that term in ORS 420.005.

5 (c)(A) If a *[person]* **qualified student** was a foster child:

6 (i) The *[person]* **qualified student** shall be treated as meeting the residency criteria for eligi-  
 7 bility under subsection (3)(b) of this section if, but for the *[person’s]* **student’s** placement in out-of-  
 8 state foster care, the *[person]* **student** otherwise meets the requirements of subsection (3)(b) of this  
 9 section.

10 (ii) The *[person]* **qualified student** shall be treated as attaining the *[person’s]* **student’s** highest  
 11 level of education in this state under subsection (3)(c) of this section if the *[person]* **student** attained  
 12 the *[person’s]* **student’s** highest level of education while placed in out-of-state foster care and the  
 13 *[person’s]* **student’s** highest level of education substantially meets the requirements under sub-  
 14 section (3)(c) of this section.

15 (iii) The *[person]* **qualified student** is not required to comply with the criteria set forth in sub-  
 16 section (3)(d) of this section in order to receive a grant provided that the *[person]* **student** completes  
 17 the highest level of education as described in subparagraph (A)(ii) of this paragraph while in a  
 18 treatment program and the *[person]* **student** first enrolls in courses described in subsection (3)(a)  
 19 of this section within 12 months after the date on which the *[person]* **student** is released from the  
 20 treatment program.

21 (B) Upon request from the commission, the Department of Human Services shall provide docu-  
 22 mentation of the placement status of a *[person]* **qualified student** described in paragraph (c)(A) of  
 23 this subsection.

24 (C) As used in this paragraph:

25 (i) “Foster care” means substitute care for children placed by the Department of Human Ser-  
 26 vices or a tribal child welfare agency away from the child’s parents and for whom the department  
 27 or agency has placement and care responsibility, including placements in foster family homes, foster  
 28 homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and  
 29 preadoptive homes.

30 (ii) “Foster child” means a child over whom the Department of Human Services retained juris-  
 31 diction under ORS 417.200 for the duration of the child’s placement in foster care outside the State  
 32 of Oregon.

33 (6)(a) A *[person]* **qualified student** continues to remain eligible to receive a grant under this  
 34 section if the *[person]* **qualified student**, in addition to satisfying the criteria specified in subsection  
 35 (3) of this section, meets the following criteria:

36 (A) Maintains at least the minimum cumulative grade point average prescribed by the commis-  
 37 sion based on federal aid grant requirements;

38 (B) Makes satisfactory academic progress toward a *[curriculum,]* degree or program, as de-  
 39 scribed in subsection (3)(a)(B) of this section, as *[prescribed by the commission based on federal aid*  
 40 *grant requirements;]* **determined by the institution at which the qualified student is enrolled;**  
 41 **and**

42 (C) Enrolls in courses described in subsection (3)(a) of this section for a sufficient number of  
 43 credit hours to be considered at least a half-time student each term for at least *[three terms]* **one**  
 44 **term** in each consecutive academic year<sup>44</sup>; *and*].

45 *[(D) Completes a first-year experience, as identified by the community college and reported by the*

1 *community college to the commission.]*

2 (b) A [*person*] **qualified student** who fails to meet an eligibility requirement described in para-  
3 graph (a) of this subsection becomes ineligible to receive a grant under this section for the term  
4 after which the [*person*] **student** fails to meet the eligibility requirement, unless the eligibility re-  
5 quirement is waived by [*the office according to rules adopted by*] the commission **by rule**.

6 (7) **The commission shall determine the cost of education for a qualified student based**  
7 **on the type of institution the student is attending. The cost of education must be adjusted**  
8 **for a qualified student who is enrolled less than full-time according to a schedule established**  
9 **by the commission by rule.**

10 (8)(a) **The commission shall establish by rule the percentage of the cost of education**  
11 **identified under subsection (7) of this section that will be awarded as a grant under the**  
12 **program. The commission may choose to establish the percentage on a tiered basis of ad-**  
13 **justed gross income, expected family contribution or a similar measure of a qualified**  
14 **student's financial need identified by the commission by rule.**

15 (b) **Prior to the start of each academic year, the commission may revise the percentages**  
16 **identified under paragraph (a) of this subsection if the commission determines that revision**  
17 **is required based on financial and enrollment projections made by the commission.**

18 (9) **If the commission determines that there are insufficient moneys to award a grant**  
19 **equal to the percentage of the cost of education identified under subsection (8) of this section**  
20 **to all qualified students, the commission:**

21 (a) **May establish the maximum amount that a qualified student may receive. This**  
22 **amount may vary based on the student's enrollment status.**

23 (b) **May establish procedures that prioritize awarding Oregon Promise grants to qualified**  
24 **students:**

25 (A) **With the greatest financial need; or**

26 (B) **Whose circumstances would enhance the promotion of equity guidelines published by**  
27 **the commission.**

28 (c) **May adjust the percentage of the cost of education awarded to qualified students in**  
29 **a given income tier to zero.**

30 (d) **May not reduce the amount awarded to qualified students in a lower income tier in**  
31 **a greater proportion than the amount awarded for students in higher income tiers.**

32 [(7)(a) *The total amount of a grant awarded under this section shall be based on each term that*  
33 *a person is enrolled in courses described in subsection (3)(a) of this section. Except as provided in*  
34 *subsections (9) and (10) of this section, after the amount of tuition for the person for the term is reduced*  
35 *by any amounts received by the person in state and federal aid grants, the person shall be eligible for*  
36 *a grant under this section in an amount that equals:]*

37 [(A) *Except as provided by paragraphs (b) and (c) of this subsection, not less than the greater*  
38 *of:]*

39 [(i) *\$1,000; and]*

40 [(ii) *The person's actual cost for tuition.]*

41 [(B) *Not more than the lesser of:]*

42 [(i) *The average cost of tuition at a community college in this state, as determined by the office;*  
43 *and]*

44 [(ii) *The person's actual cost for tuition.]*

45 [(b) *The amount of a grant, as calculated under paragraph (a) of this subsection, shall be reduced*

1 by \$50 for each term that the person receives a grant under this section.]

2 [(c)(A) If the office determines both that the person's actual cost for tuition exceeds the amount set  
3 forth in paragraph (a)(A)(i) of this subsection and that the person's actual cost for tuition exceeds the  
4 average cost of tuition at a community college in this state, the person shall be eligible for a grant in  
5 an amount that equals the average cost of tuition at a community college in this state.]

6 [(B) If the office determines that the person's actual cost for tuition is less than the amount set forth  
7 in paragraph (a)(A)(i) of this subsection, the person shall be eligible for a grant in an amount that  
8 equals the amount set forth in paragraph (a)(A)(i) of this subsection.]

9 [(d) The minimum amount of a grant, as calculated under paragraphs (a) to (c) of this subsection,  
10 may be prorated for a person who is enrolled in courses described in subsection (3)(a) of this section  
11 for a sufficient number of credit hours to be considered at least a half-time student but not a full-time  
12 student.]

13 [(e) The commission may prescribe by rule whether to include fees, and any limitations related to  
14 the inclusion of fees, when determining the actual cost of tuition or the average cost of tuition under  
15 this subsection.]

16 [(8) The commission may adopt by rule the priority by which grants are awarded, which may allow  
17 for preference to be given to persons enrolled in school districts or high schools that meet specified  
18 criteria.]

19 [(9) Prior to the start of the fall term of each academic year, the commission shall determine  
20 whether there are sufficient moneys to award a grant under this section to each person who meets the  
21 criteria described in subsections (3) to (6) of this section. On the basis of this determination the com-  
22 mission may:]

23 [(a) Limit eligibility to receive a grant under this section to a person whose family contribution,  
24 as determined by the commission by rule, is at or below the level the commission determines is neces-  
25 sary to allow the commission to operate the Oregon Promise program with available moneys; or]

26 [(b) Reduce or eliminate any limitation on eligibility previously imposed by the commission under  
27 paragraph (a) of this subsection.]

28 [(10)(a) If at any time the commission determines that there are insufficient moneys to provide a  
29 grant to each person who has been awarded a grant under this section, the commission may:]

30 [(A) Decrease the total amount of the grant awarded; or]

31 [(B) Increase the amount that a person must pay under subsection (7)(b) of this section for each  
32 term that the person receives a grant under this section.]

33 [(b) If at any time the commission determines that the amount of moneys available to operate the  
34 Oregon Promise program exceeds the amount determined under subsection (9) of this section, the com-  
35 mission may reduce or eliminate any limitation on eligibility to receive a grant under this section that  
36 was previously imposed by the commission under subsection (9)(a) of this section.]

37 [(c) The commission shall promptly notify the interim committees of the Legislative Assembly re-  
38 sponsible for higher education each time the commission takes any action under paragraph (a) or (b)  
39 of this subsection.]

40 [(11)] (10) The commission shall adopt any rules necessary for the administration of this section,  
41 including any requirements related to:

42 (a) Specifying the form and timelines for submitting an application for a grant under this section;

43 [(b) Determining whether a person is eligible for a grant under this section, including whether the  
44 person shall be given priority as allowed under subsection (8) of this section;]

45 [(c)] (b) Implementing programs or policies that improve the academic success or completion

1 rates for *[persons]* **qualified students** who receive a grant under this section; **and**

2 *[(d)] (c) Prescribing eligibility requirements and grant calculations for [persons] qualified stu-*  
 3 **dents** dually enrolled in a community college and a public university.]; *and]*

4 *[(e) Evaluating the impact of the program established under this section, including any require-*  
 5 *ments for reporting data needed for evaluations.]*

6 *[(12) No later than December 31 of each even-numbered year, the commission shall submit to an*  
 7 *interim legislative committee related to education a report that summarizes the commission's findings*  
 8 *on the impact of the program established under this section. The report shall include:]*

9 *[(a) Student completion rates of curricula, degrees and programs described in subsection (3)(a)(B)*  
 10 *of this section;]*

11 *[(b) The amount of federal aid grants received by persons who received a grant under this*  
 12 *section;]*

13 *[(c) The financial impact of the program on school districts that had students receive a grant under*  
 14 *this section;]*

15 *[(d) The financial impact and the enrollment impact of the program on community colleges and*  
 16 *public universities in this state; and]*

17 *[(e) The overall success rate of the program and financial impact of the program.]*

18 **SECTION 9. Sections 10 and 11 of this 2021 Act are added to and made a part of ORS**  
 19 **chapter 348.**

20 **SECTION 10. Notwithstanding ORS 341.522, 348.180, 348.205, 348.250, 348.260 and 348.263:**

21 **(1) A person may not receive an Oregon Opportunity Grant under ORS 348.260, an Oregon**  
 22 **Promise grant under ORS 341.522 or an award of moneys under ORS 348.263 if the person**  
 23 **has previously received cumulative Oregon Opportunity Grants or Oregon Promise grants for**  
 24 **a period equal to or exceeding the equivalent of four years of full-time enrollment.**

25 **(2) The Higher Education Coordinating Commission shall adjust any Oregon Opportunity**  
 26 **Grant or Oregon Promise grant that would otherwise be awarded to ensure that a person**  
 27 **does not receive a grant award in excess of the limit established in subsection (1) of this**  
 28 **section.**

29 **SECTION 11. (1) Not later than February 1 of each odd-numbered year, the Higher Edu-**  
 30 **cation Coordinating Commission shall report to the committees of the Legislative Assembly**  
 31 **related to higher education on the academic success and performance of qualified students**  
 32 **who receive grants under the Oregon Opportunity Grant and Oregon Promise program. The**  
 33 **information required to be included in the report:**

34 **(a) Shall identify student data on a disaggregated basis when possible; and**

35 **(b) May include any other information the commission determines is necessary to eval-**  
 36 **uate the effectiveness of the programs.**

37 **(2) Upon request from the commission, eligible post-secondary institutions shall provide**  
 38 **the commission with any data the commission determines is necessary for the commission**  
 39 **to compile the report required by subsection (1) of this section.**

40 **(3) The commission may by rule adopt definitions, methodologies or data requirements**  
 41 **necessary to facilitate the production of the report required by subsection (1) of this section.**

42 **SECTION 12. ORS 314.772 is amended to read:**

43 314.772. (1) Except as provided in ORS 314.766 (5)(b), the tax credits allowed or allowable to a  
 44 C corporation for purposes of ORS chapter 317 or 318 shall not be allowed to an S corporation. The  
 45 business tax credits allowed or allowable for purposes of ORS chapter 316 shall be allowed or are

1 allowable to the shareholders of the S corporation.

2 (2) In determining the tax imposed under ORS chapter 316, as provided under ORS 314.763, on  
3 income of the shareholder of an S corporation, there shall be taken into account the shareholder's  
4 pro rata share of business tax credit (or item thereof) that would be allowed to the corporation (but  
5 for subsection (1) of this section) or recapture or recovery thereof. The credit (or item thereof), re-  
6 capture or recovery shall be passed through to shareholders in pro rata shares as determined in the  
7 manner prescribed under section 1377(a) of the Internal Revenue Code.

8 (3) The character of any item included in a shareholder's pro rata share under subsection (2)  
9 of this section shall be determined as if such item were realized directly from the source from which  
10 realized by the corporation, or incurred in the same manner as incurred by the corporation.

11 (4) If the shareholder is a nonresident and there is a requirement applicable for the business tax  
12 credit that in the case of a nonresident the credit be allowed in the proportion provided in ORS  
13 316.117, then that provision shall apply to the nonresident shareholder.

14 (5) As used in this section, "business tax credit" means the following credits: ORS 315.104  
15 (forestation and reforestation), ORS 315.138 (fish screening, by-pass devices, fishways), ORS 315.141  
16 (biomass production for biofuel), ORS 315.156 (crop gleanings), ORS 315.164 and 315.169 (agriculture  
17 workforce housing), ORS 315.176 (bovine manure), ORS 315.204 (dependent care assistance), ORS  
18 315.208 (dependent care facilities), ORS 315.213 (contributions for child care), ORS 315.237 (employee  
19 and dependent scholarships), ORS 315.271 (individual development accounts), ORS 315.304 (pollution  
20 control facility), ORS 315.326 (renewable energy development contributions), ORS 315.331 (energy  
21 conservation projects), ORS 315.336 (transportation projects), ORS 315.341 (renewable energy re-  
22 source equipment manufacturing facilities), ORS 315.354 and 469B.151 (energy conservation facili-  
23 ties), ORS 315.506 (tribal taxes on reservation enterprise zones and reservation partnership zones),  
24 ORS 315.507 (electronic commerce), ORS 315.514 (film production development contributions), ORS  
25 315.523 (employee training programs), ORS 315.533 (low income community jobs initiative), ORS  
26 315.593 (short line railroads), ORS 315.640 (university venture development funds), ORS 315.643  
27 (**College** Opportunity [*Grant*] Fund contributions), ORS 315.675 (Trust for Cultural Development  
28 Account contributions), ORS 317.097 (loans for affordable housing), ORS 317.124 (long term enter-  
29 prise zone facilities), ORS 317.147 (loans for agriculture workforce housing), ORS 317.152 (qualified  
30 research expenses) and ORS 317.154 (alternative qualified research expenses) and section 9, chapter  
31 774, Oregon Laws 2013 (alternative fuel vehicle contributions).

32 **SECTION 13.** ORS 315.643 is amended to read:

33 315.643. (1) A credit against the taxes that are otherwise due under ORS chapter 316 or, if the  
34 taxpayer is a corporation, under ORS chapter 317 or 318, is allowed to a taxpayer for certified Op-  
35 portunity Grant contributions made by the taxpayer during the tax year to the **College** Opportunity  
36 [*Grant*] Fund established under ORS 348.266.

37 (2)(a) The Department of Revenue shall, in cooperation with the Higher Education Coordinating  
38 Commission, conduct an auction of tax credits under this section. The auction may be conducted no  
39 later than April 15 following December 31 of any tax year for which the credit is allowed. The de-  
40 partment may conduct the auction in the manner that it determines is best suited to maximize the  
41 return to the state on the sale of tax credit certifications and shall announce a reserve bid prior to  
42 conducting the auction. The reserve amount shall be at least 90 percent of the total amount of the  
43 tax credit. Moneys necessary to reimburse the department for the actual costs incurred by the de-  
44 partment in administering an auction, not to exceed 0.25 percent of auction proceeds, are contin-  
45 uously appropriated to the department. Moneys necessary to reimburse the commission for the

1 actual costs incurred by the commission in administering an auction, not to exceed 0.25 percent of  
2 auction proceeds, are continuously appropriated to the commission. The department shall deposit  
3 net receipts from the auction required under this section in the **College Opportunity [Grant] Fund**.

4 (b) The commission may adopt rules necessary for the administration of the auction.

5 (3) Contributions made under this section shall be deposited in the **College Opportunity**  
6 **[Grant] Fund**.

7 (4)(a) Upon receipt of a contribution, the commission shall, except as provided in ORS 315.646,  
8 issue to the taxpayer written certification of the amount certified for tax credit under this section  
9 to the extent the amount certified for tax credit, when added to all amounts previously certified for  
10 tax credit under this section, does not exceed \$14 million for the fiscal year in which certification  
11 is made.

12 (b) The commission and the department are not liable, and a refund of a contributed amount  
13 need not be made, if a taxpayer that has received tax credit certification is unable to use all or a  
14 portion of the tax credit to offset the tax liability of the taxpayer.

15 (5) To the extent the commission does not certify contributed amounts as eligible for a tax credit  
16 under this section, the taxpayer may request a refund of the amount the taxpayer contributed, and  
17 the commission shall refund that amount.

18 (6)(a) Except as provided in paragraph (b) of this subsection, a tax credit claimed under this  
19 section may not exceed the tax liability of the taxpayer and may not be carried over to another tax  
20 year.

21 (b) Any tax credit otherwise allowable under this section that is not used by the taxpayer in a  
22 particular tax year may be carried forward and offset against the taxpayer's tax liability for the next  
23 succeeding tax year. Any credit remaining unused in the next succeeding tax year may be carried  
24 forward and used in the second succeeding tax year, and likewise, any credit not used in that second  
25 succeeding tax year may be carried forward and used in the third succeeding tax year but may not  
26 be carried forward for any tax year thereafter.

27 (c) A taxpayer is not eligible for a tax credit under this section if the first tax year for which  
28 the credit would otherwise be allowed begins on or after January 1, 2024.

29 (7) If a tax credit is claimed under this section by a nonresident or part-year resident taxpayer,  
30 the amount shall be allowed without proration under ORS 316.117.

31 (8) If the amount of contribution for which a tax credit certification is made is allowed as a  
32 deduction for federal tax purposes, the amount of the contribution shall be added to federal taxable  
33 income for Oregon tax purposes.

34 **SECTION 14.** ORS 315.646 is amended to read:

35 315.646. (1) In lieu of the issuance of certifications for tax credit under ORS 315.643 by the  
36 Higher Education Coordinating Commission, the Legislative Assembly may, no later than 30 days  
37 prior to the end of each fiscal year, appropriate to the commission for deposit into the **College Op-**  
38 **portunity [Grant] Fund** established under ORS 348.266 an amount equal to the total amount that  
39 would otherwise be certified for tax credits during the upcoming fiscal year, based on the amount  
40 of contributions and accompanying applications for credit received by the commission during the  
41 fiscal year.

42 (2) If the Legislative Assembly makes the election allowed in subsection (1) of this section:

43 (a) Any contributions to the **College Opportunity [Grant] Fund** made for the upcoming fiscal  
44 year and for which an application for a credit under ORS 315.643 is pending shall, at the request  
45 of the taxpayer, be refunded by the commission; and

1 (b) A credit under ORS 315.643 may not be claimed for any contribution made during the current  
2 fiscal year.

3 **SECTION 15.** ORS 348.520 is amended to read:

4 348.520. The Director of the Office of Student Access and Completion shall:

5 (1) Make available to qualified persons financial aid from financial sources available to the di-  
6 rector.

7 (2) Determine qualifications of persons to receive financial aid.

8 (3) Maintain reports and records on persons applying for and receiving financial aid from the  
9 director.

10 (4) Withhold any financial aid if the recipient thereof fails to maintain the standards established  
11 for receipt of that aid.

12 (5) Recommend to the Legislative Assembly not less than once every biennium matters relating  
13 to the establishment, administration, modification, transfer, reduction or cancellation of financial  
14 aid.

15 *[(6) Prior to implementing changes to the Oregon Opportunity Grant program, report to the Higher  
16 Education Coordinating Commission and the Legislative Assembly or the Emergency Board any pro-  
17 posed change:]*

18 *[(a) That increases or decreases the total amount awarded as Oregon Opportunity Grants that was  
19 approved as part of the budget enacted by the Legislative Assembly for the Higher Education Coordi-  
20 nating Commission; and]*

21 *[(b) To the methodology used to determine the student share, family share or state share under  
22 ORS 348.205.]*

23 [(7)] (6) Encourage the establishment of financial aid programs by private agencies.

24 [(8)] (7) Collect and disseminate information pertaining to all types of available financial aid.

25 [(9)] (8) Review the administrative practices and evaluate the effectiveness of all public and  
26 private post-secondary financial aid programs in Oregon.

27 [(10)] (9) Disburse state appropriations for financial aid in such a manner as to maximize its role  
28 in cooperative coordination of financial aid programs.

29 **SECTION 16.** Sections 10 and 11 of this 2021 Act and the amendments to ORS 314.772,  
30 315.643, 315.646, 341.522, 348.180, 348.205, 348.250, 348.260, 348.263, 348.266 and 348.520 by  
31 sections 1 to 8 and 12 to 15 of this 2021 Act first apply to the 2022-2023 academic year.

32 **SECTION 17.** Sections 10 and 11 of this 2021 Act and the amendments to ORS 314.772,  
33 315.643, 315.646, 341.522, 348.180, 348.205, 348.250, 348.260, 348.263, 348.266 and 348.520 by  
34 sections 1 to 8 and 12 to 15 of this 2021 Act become operative August 1, 2022.

35 **SECTION 18.** The Higher Education Coordinating Commission may take any action before  
36 the operative date specified in section 17 of this 2021 Act that is necessary to enable the  
37 commission to exercise, on and after the operative date specified in section 17 of this 2021  
38 Act, all the duties, functions and powers conferred on the commission by sections 10 and 11  
39 of this 2021 Act and the amendments to ORS 314.772, 315.643, 315.646, 341.522, 348.180, 348.205,  
40 348.250, 348.260, 348.263, 348.266 and 348.520 by sections 1 to 8 and 12 to 15 of this 2021 Act.

41 **SECTION 19.** The Higher Education Coordinating Commission shall evaluate the eligibil-  
42 ity and renewal of Oregon Opportunity Grants awarded under ORS 348.260 and Oregon  
43 Promise grants awarded under ORS 341.522 that were initially awarded to students prior to  
44 the operative date set forth in section 17 of this 2021 Act under the terms of those grant  
45 awards in effect immediately prior to the operative date set forth in section 17 of this 2021



1 **Act.**

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