

House Bill 2902

Sponsored by Representative EVANS; Representatives MEEK, POST (at the request of former Representative Carla Piluso) (Pre-session 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**.

Requires public post-secondary institutions to grant 12 academic credits to veterans who have served two or more years on active duty.

A BILL FOR AN ACT

1
2 Relating to veterans; creating new provisions; amending ORS 352.138; and repealing ORS 352.309.

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

4 **SECTION 1. (1) Each public post-secondary institution shall grant a student who is a**
5 **veteran and who has served two or more years on active duty with the Armed Forces of the**
6 **United States the following academic credits for prior learning:**

- 7 (a) **Four academic credits in the subject area of physical education;**
8 (b) **Four academic credits in the subject area of cultural studies; and**
9 (c) **Four academic credits in the subject area of science or applied technology.**

10 (2) **The academic credits shall:**

- 11 (a) **Be granted at no charge or cost to the student;**
12 (b) **Be transferable between public post-secondary institutions; and**
13 (c) **Be counted toward the student's degree requirements.**

14 (3) **As used in this section,**

15 (a) **"Armed Forces of the United States" means:**

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

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

19 (C) **The Oregon National Guard and a National Guard of any other state or territory.**

20 (b) **"Public post-secondary institution" means:**

21 (A) **A public university listed in ORS 352.002; and**

22 (B) **A community college operated under ORS chapter 341.**

23 (c) **"Veteran" has the meaning given that term in ORS 408.225.**

24 **SECTION 2. ORS 352.138 is amended to read:**

25 352.138. (1) The following entities are not subject to any provision of law enacted after January
26 1, 2013, that is unique to governmental entities unless the following entities are expressly named:

27 (a) A public university listed in ORS 352.002; and

28 (b) Any not-for-profit organization or other entity if the equity of the entity is owned or con-
29 trolled exclusively by a public university and if the organization or entity is created by the univer-
30 sity to advance any of the university's statutory missions.

31 (2) Notwithstanding subsection (1) of this section and ORS 352.033, the provisions of ORS 30.260

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 to 30.460, 33.710, 33.720, 200.005 to 200.025, 200.045 to 200.090, 236.605 to 236.640, 279.835, 279.840,
 2 279.850 and 297.040 and ORS chapters 35, 190, 192 and 244 apply to a public university listed in ORS
 3 352.002 under the same terms as they apply to public bodies other than the state.

4 (3) Except as otherwise provided by law, the provisions of ORS 35.550 to 35.575, 180.060, 180.210
 5 to 180.235, 184.305 to 184.345, 190.480, 190.490, 200.035, 243.696, 357.805 to 357.895 and 656.017 (2)
 6 and ORS chapters 182, 183, 240, 270, 273, 276, 278, 279A, 279B, 279C, 282, 283, 291, 292, 293, 294, 295
 7 and 297 do not apply to a public university listed in ORS 352.002.

8 (4)(a) Notwithstanding subsections (1) and (3) of this section and ORS 352.033, ORS 240.167,
 9 279C.600 to 279C.625, 279C.800, 279C.810, 279C.825, 279C.827, 279C.830, 279C.835, 279C.836, 279C.838,
 10 279C.840, 279C.845, 279C.850, 279C.855, 279C.860, 279C.865, 279C.870 and 292.043 apply to a public
 11 university listed in ORS 352.002 under the same terms as they apply to public bodies other than the
 12 state.

13 (b) Notwithstanding subsections (1) and (3) of this section, ORS 279C.800 to 279C.870 apply to
 14 an agreement under the terms of which a private entity constructs, reconstructs, renovates or paints
 15 an improvement on real property owned by a public university listed in ORS 352.002 or by a not-
 16 for-profit organization or other entity that a public university owns or controls exclusively.

17 (5) Notwithstanding subsection (2) of this section, ORS 190.430 and 192.105 do not apply to a
 18 public university listed in ORS 352.002 or any organization or other entity described in subsection
 19 (1) of this section.

20 (6)(a) Notwithstanding ORS 352.033, except as set forth in subsection (3) of this section, ORS
 21 243.650 to 243.806 and 276.073 to 276.090 and ORS chapters 238 and 238A apply to a public univer-
 22 sity listed in ORS 352.002 under the same terms as they apply to the state.

23 (b) For purposes of determining the salary of an active member of the Public Employees Re-
 24 tirement System under ORS 238A.005 (17), remuneration paid to a member in return for services to
 25 a public university listed in ORS 352.002 is deemed includable in the member's taxable income under
 26 Oregon law during a period of continuous employment with any public university listed in ORS
 27 352.002 if:

28 (A) The member was hired in a qualifying position by a public university listed in ORS 352.002
 29 on or after August 29, 2003, and on or before December 31, 2016; and

30 (B) The member resided and performed services in the United States during the period of con-
 31 tinuous employment.

32 (7) ORS 350.285, 350.290, 352.198, 352.226, 352.232, 352.293, 352.296, 352.303[352.309] and 352.313
 33 **and section 1 of this 2021 Act** apply to a public university listed in ORS 352.002.

34 (8) Notwithstanding ORS 352.033, a public university listed in ORS 352.002 and its agents and
 35 employees remain subject to all statutes and administrative rules of this state that create rights,
 36 benefits or protections in favor of military veterans, service members and families of service mem-
 37 bers to the same extent as an agency of this state would be subject to such statutes and adminis-
 38 trative rules.

39 (9) Notwithstanding ORS 352.033, ORS 350.540, 350.545 and 350.550 apply to a public university
 40 listed in ORS 352.002. A public university may not issue a tax credit certificate under ORS 350.540,
 41 350.545 and 350.550 that will cause the General Fund to be owed more than \$8.4 million at any one
 42 time under ORS 350.540, 350.545 and 350.550.

43 (10) If state bonds are issued for the benefit of a public university listed in ORS 352.002 under
 44 Article XI-Q of the Oregon Constitution:

45 (a) The Higher Education Coordinating Commission shall have the powers and duties of a

1 project agency, as defined in ORS 286A.816, to the extent necessary for the issuance of the state
2 bonds and the administration of the proceeds of the state bonds; and

3 (b) The university and the Higher Education Coordinating Commission shall enter into grant
4 contracts or loan agreements that comply with rules adopted by the Oregon Department of Admin-
5 istrative Services relating to:

6 (A) Disbursement of project funds by a project agency through grant contracts or loan agree-
7 ments;

8 (B) Submission of a request for project funds to the commission under ORS 350.095; and

9 (C) Any other matters determined by the Oregon Department of Administrative Services to be
10 necessary for the administration of the Article XI-Q bond program.

11 (11) Nothing in this section may be construed so that statutory provisions that are not set forth
12 in this section apply to a public university listed in ORS 352.002.

13 **SECTION 3. ORS 352.309 is repealed.**

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