

# As Passed by the House

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Representatives Key, Allen, Otterman, C. Evans, Redfern, Seitz, Domenick,  
Barrett, Jolivette, Schaffer, Sykes, D. Stewart, Sferra, Strahorn, Ujvagi,  
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Webster, Wilson, Aslanides, Book, Brown, Buehrer, Callender, Carano,  
Carmichael, Cates, Chandler, Cirelli, Clancy, Collier, Daniels, Distel,  
Driehaus, D. Evans, Gibbs, Gilb, Hagan, Harwood, Kilbane, Koziura, Latta,  
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Raussen, Reidelbach, Reinhard, Schneider, Seaver, Setzer, Skindell,  
G. Smith, Taylor, Wagner, Walcher, White, Widener, Widowfield,  
Willamowski, Woodard, Yates, Young

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## A B I L L

To amend sections 3333.26, 5910.04, and 5910.05 and 1  
to enact section 5910.033 of the Revised Code to 2  
provide college scholarships to children of 3  
members of the United States armed forces killed 4  
or disabled in the line of duty during Operation 5  
Iraqi Freedom. 6

### BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

**Section 1.** That sections 3333.26, 5910.04, and 5910.05 be 7  
amended and section 5910.033 of the Revised Code be enacted to 8  
read as follows: 9

Sec. 3333.26. (A) Any citizen of this state who has resided 10  
within the state for one year and who was in the active service of 11  
the United States as a soldier, sailor, nurse, or marine between 12  
April 6, 1917, and November 11, 1918, and who has been honorably 13  
discharged from such service, shall be admitted to any school, 14  
college, or university that receives state funds in support 15  
thereof, without being required to pay any tuition or 16  
matriculation fee, but is not relieved from the payment of 17  
laboratory or similar fees. 18

(B)(1) As used in this division: 19

(a) "Volunteer firefighter" has the meaning given in division 20  
(B)(1) of section 146.01 of the Revised Code; 21

(b) "Public service officer" means an Ohio firefighter, 22  
volunteer firefighter, police officer, member of the highway 23  
patrol, employee designated to exercise the powers of police 24  
officers pursuant to section 1545.13 of the Revised Code, or other 25  
peace officer as defined by division (B) of section 2935.01 of the 26  
Revised Code, or a person holding any equivalent position in 27  
another state; 28

(c) "Qualified former spouse" means the former spouse of a 29  
public service officer who is the custodial parent of a minor 30  
child of that marriage pursuant to an order allocating the 31  
parental rights and responsibilities for care of the child issued 32  
pursuant to section 3109.04 of the Revised Code. 33

(2) Any resident of this state who is under twenty-six years 34  
of age, or under thirty years of age if the resident has been 35  
honorably discharged from the armed services of the United States, 36  
and who is the child of a public service officer killed in the 37  
line of duty or of a member of the armed services of the United 38  
States killed in the line of duty during operation Iraqi freedom, 39

and who is admitted to any state university or college as defined 40  
in division (A)(1) of section 3345.12 of the Revised Code, 41  
community college, state community college, university branch, or 42  
technical college, shall not be required to pay any tuition or any 43  
student fee for up to four academic years of education, which 44  
shall be at the undergraduate level. 45

A child of a member of the armed services of the United 46  
States killed in the line of duty during operation Iraqi freedom 47  
is only eligible for a waiver of tuition and student fees under 48  
this division to the extent the student is not eligible for a war 49  
orphans scholarship authorized by Chapter 5910. of the Revised 50  
Code. 51

(3) Any resident of this state who is the spouse or qualified 52  
former spouse of a public service officer killed in the line of 53  
duty, and who is admitted to any state university or college as 54  
defined in division (A)(1) of section 3345.12 of the Revised Code, 55  
community college, state community college, university branch, or 56  
technical college, shall not be required to pay any tuition or any 57  
student fee for up to four academic years of education, which 58  
shall be at the undergraduate level. 59

(C) Any institution that is not subject to division (B) of 60  
this section and that holds a valid certificate of registration 61  
issued under Chapter 3332., a valid certificate issued under 62  
Chapter 4709., or a valid license issued under Chapter 4713. of 63  
the Revised Code, or that is nonprofit and has a certificate of 64  
authorization issued under section 1713.02 of the Revised Code or 65  
that is a private institution exempt from regulation under Chapter 66  
3332. of the Revised Code as prescribed in section 3333.046 of the 67  
Revised Code that reduces tuition and student fees of a student 68  
who is eligible to attend an institution of higher education under 69  
the provisions of division (B) of this section by an amount 70  
indicated by the Ohio board of regents shall be eligible to 71

receive a grant in that amount from the board. Each institution 72  
that enrolls students under division (B) of this section shall 73  
report to the board, by the first day of July of each year, the 74  
number of students who were so enrolled and the average amount of 75  
all such tuition and fees waived during the preceding year. The 76  
board shall determine the average amount of all such tuition and 77  
fees waived during the preceding year. The average amount of 78  
tuition and fees waived under division (B) of this section during 79  
the preceding year shall be the amount of grants that 80  
participating institutions shall receive under this division 81  
during the current year, but no grant under this division shall 82  
exceed the tuition and student fees due and payable by the student 83  
prior to the reduction referred to in this division. Such grants 84  
shall be made for four years of undergraduate education of an 85  
eligible student. 86

Sec. 5910.033. War orphans' scholarships, provided in 87  
sections 5910.01 to 5910.06 of the Revised Code, shall be granted 88  
to the child of any person who in the course of honorable service 89  
in the armed forces of the United States during operation Iraqi 90  
freedom was either killed while on active duty or disabled while 91  
on active duty and was discharged from the armed services due to 92  
that disability. Such scholarships shall be granted only to a 93  
child who further qualifies pursuant to divisions (A), (B), and 94  
(C) of section 5910.03 of the Revised Code. 95

As used in this section, "operation Iraqi freedom" means that 96  
period of conflict which began March 20, 2003, and ends on a date 97  
declared by the president of the United States or the congress. 98

**Sec. 5910.04.** Scholarships granted under sections 5910.01 to 99  
5910.06 of the Revised Code shall consist of either of the 100  
following: 101

(A) An exemption from the payment of one hundred per cent of 102  
the general and instructional fees at colleges and universities 103  
which receive support from the state of Ohio and are approved by 104  
the chancellor of the board of regents, except that the percentage 105  
may be reduced by the war orphans scholarship board in any year 106  
that insufficient funds are appropriated to fully fund 107  
scholarships for all eligible students; 108

(B) A grant to an eligible child who is enrolled in an 109  
institution that has received a certificate of authorization from 110  
the board of regents under Chapter 1713. of the Revised Code, or a 111  
private institution exempt from regulation under Chapter 3332. of 112  
the Revised Code as prescribed in section 3333.046 of the Revised 113  
Code, or an institution that has received a certificate of 114  
registration from the state board of proprietary school 115  
registration. Students who attend an institution that holds a 116  
certificate of registration shall be enrolled in either a program 117  
leading to an associate degree or a program leading to a 118  
bachelor's degree for which associate or bachelor's degree program 119  
the institution has received program authorization issued under 120  
section 3332.05 of the Revised Code to offer such degree program. 121  
The grant shall be paid to the child through the institution in 122  
which the child is enrolled, and shall equal one hundred per cent 123  
of the average value of all scholarships granted under division 124  
(A) of this section during the preceding year, except that the 125  
percentage may be reduced by the war orphans scholarship board in 126  
any year that insufficient funds are appropriated to fully fund 127  
scholarships for all eligible students. In no case shall the grant 128  
exceed the total general and instructional charges of the 129  
institution. 130

The board shall not reduce the percentage to be paid for 131  
scholarships awarded pursuant to section 5910.032 or 5910.033 of 132  
the Revised Code below one hundred per cent. 133

**Sec. 5910.05.** The Ohio war orphans scholarship board shall 134  
determine how many scholarships are to be granted based upon 135  
available funds provided by the Ohio general assembly. If funds 136  
are available all eligible applicants shall be granted a 137  
scholarship. There shall be no limitation on the number of 138  
scholarships granted under section 5910.032 or 5910.033 of the 139  
Revised Code, nor any limitation on the number of scholarships 140  
granted to any college or university under such ~~section~~ sections. 141  
No person shall be granted a scholarship for more than five 142  
academic years of education, which shall be at the undergraduate 143  
level. The board shall provide minimum scholastic requirements for 144  
recipients and shall withdraw the aid from any person who fails to 145  
maintain such requirements. 146

**Section 2.** That existing sections 3333.26, 5910.04, and 147  
5910.05 of the Revised Code are hereby repealed. 148