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Veterans Affairs Committee**

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**Sub. H. B. No. 426**

**Representatives Ujvagi, McGregor, Harwood, Book, Perry, Price, Carano,  
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Schmidt, Setzer, Slaby, J. Stewart, Taylor, Webster, Widener, Widowfield,  
Willamowski  
Senators Mumper, Roberts, Schuring**

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**A B I L L**

To amend sections 125.021, 3313.64, 4933.12, and 1  
4933.121 and to enact sections 317.322, 1343.031, 2  
1349.02, 1349.03, 1713.60, 1923.062, 3332.20, 3  
3345.53, and 3915.053 of the Revised Code to 4  
prohibit certain creditors from charging or 5  
collecting interest or finance charges exceeding 6  
six per cent per annum on specified obligations of 7  
persons who are deployed on active duty; to permit 8  
a child whose parent is deployed on active duty to 9  
continue to attend school in the district in which 10  
the child's parent lived before being called to 11  
active military duty; to permit a child living 12  
with an agent of the child's parent appointed 13

under a military power of attorney or a comparable 14  
document to attend school in the school district 15  
in which the agent resides; to exempt members of 16  
the armed forces of the United States from any 17  
recording fee associated with filing a military 18  
power of attorney with the county recorder; to 19  
provide under certain circumstances a tenant or 20  
resident who is deployed on active duty or a 21  
member of his or her immediate family with a stay 22  
of proceedings or an adjustment of their rental 23  
obligation in an action for possession of 24  
residential premises under the Eviction Law; to 25  
ensure that individual life insurance policies 26  
continue in force despite nonpayment of premiums 27  
during the insured's period of active duty; to 28  
prohibit a gas or electric company from 29  
disconnecting service to the residential premises 30  
of any consumer who is deployed on active duty; to 31  
allow gas and electric companies to recover 32  
arrearages incurred during a period of deployment 33  
in a specified time period and a specified manner 34  
and certain of those companies to recover certain 35  
uncollectible amounts owed by residential 36  
customers deployed on active duty through a 37  
recovery procedure approved by the Public 38  
Utilities Commission; to require public and 39  
private institutions of higher education to grant 40  
a military leave of absence to students who are 41  
deployed on active duty, to reinstate those 42  
students to the same educational status as before 43  
active duty, and to either partially refund paid 44  
tuition or credit paid tuition to a future 45  
academic term; to permit a person deployed on 46

active duty to terminate a motor vehicle lease or 47  
cellular phone contract under specified 48  
conditions; and to allow the Department of 49  
Administrative Services to make available bulk 50  
long distance telephone services at cost to the 51  
immediate family members of persons deployed on 52  
active duty. 53

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

**Section 1.** That sections 125.021, 3313.64, 4933.12, and 54  
4933.121 be amended and sections 317.322, 1343.031, 1349.02, 55  
1349.03, 1713.60, 1923.062, 3332.20, 3345.53, and 3915.053 of the 56  
Revised Code be enacted to read as follows: 57

**Sec. 125.021.** (A) Except as to the military department, the 58  
general assembly, the bureau of workers' compensation, and 59  
institutions administered by boards of trustees, the department of 60  
administrative services may ~~make contracts~~ contract for, operate, 61  
and superintend ~~the~~ telephone, other telecommunication, and 62  
computer services for state agencies. Nothing 63

~~Nothing~~ in this ~~section~~ division precludes the bureau from 64  
~~entering into a contract~~ contracting with the department of 65  
~~administrative services for~~ to authorize the department to ~~make~~ 66  
~~contracts~~ contract for, operate, or superintend ~~such systems~~ those 67  
services for the bureau. 68

(B)(1) As used in this division: 69

(a) "Active duty" means active duty pursuant to an executive 70  
order of the president of the United States, an act of the 71  
congress of the United States, or section 5919.29 or 5923.21 of 72  
the Revised Code. 73

(b) "Immediate family" means a person's spouse residing in 74  
the person's household, brothers and sisters of the whole or of 75  
the half blood, children, including adopted children and 76  
stepchildren, parents, and grandparents. 77

(2) The department of administrative services may enter into 78  
a contract to purchase bulk long distance telephone services and 79  
make them available at cost, or may make bulk long distance 80  
telephone services available at cost under any existing contract 81  
the department has entered into, to members of the immediate 82  
family of persons deployed on active duty so that those family 83  
members can communicate with the persons so deployed. If the 84  
department enters contracts under division (B)(2) of this section 85  
it shall do so in accordance with sections 125.01 to 125.11 of the 86  
Revised Code and in a nondiscriminatory manner that does not place 87  
any potential vendor at a competitive disadvantage. 88

(3) If the department decides to exercise either option under 89  
division (B)(2) of this section, it shall adopt, and may amend, 90  
rules under Chapter 119. of the Revised Code to implement that 91  
division. 92

**Sec. 317.322.** Notwithstanding any contrary provision of 93  
section 317.32 or Chapter 1337. of the Revised Code, the county 94  
recorder shall not charge a fee to any member of the armed forces 95  
of the United States who presents for recording a military power 96  
of attorney executed pursuant to section 574(a) of the "National 97  
Defense Authorization Act for Fiscal Year 1994," 107 Stat. 1674 98  
(1993), 10 U.S.C. 1044b. 99

**Sec. 1343.031.** (A) As used in this section: 100

(1) "Active duty" means active duty pursuant to an executive 101  
order of the president of the United States, an act of the 102  
congress of the United States, or section 5919.29 or 5923.21 of 103

the Revised Code. 104

(2) "Obligation" means any retail installment sales contract, 105  
other contract for the purchase of goods or services, or bond, 106  
bill, note, or other instrument of writing for the payment of 107  
money arising out of a contract or other transaction for the 108  
purchase of goods or services. 109

(B) Notwithstanding any contrary provision of the Revised 110  
Code, no creditor in connection with an obligation entered into on 111  
or after the effective date of this section shall charge or 112  
collect from a person, or spouse of a person, who is deployed on 113  
active duty interest or finance charges exceeding six per cent per 114  
annum during the period that the person is deployed on active 115  
duty. 116

(C) Notwithstanding any contrary provision of the Revised 117  
Code, interest or finance charges in excess of six per cent per 118  
annum that otherwise would be incurred but for the prohibition in 119  
division (B) of this section are forgiven. 120

(D) The amount of any periodic payment due from a person, or 121  
spouse of a person, who is deployed on active duty under the terms 122  
of the obligation shall be reduced by the amount of the interest 123  
and finance charges forgiven under division (C) of this section 124  
that is allocable to the period for which the periodic payment is 125  
made. 126

(E) In order for an obligation to be subject to the interest 127  
and finance charges limitation of this section, the person, or 128  
spouse of the person, deployed on active duty shall provide the 129  
creditor with written notice of and a copy of the military or 130  
gubernatorial orders calling the person to active duty and of any 131  
orders further extending active duty, not later than one hundred 132  
eighty days after the date of the person's termination of or 133  
release from active duty. 134

(F) Upon receipt of the written notice and a copy of the 135  
orders referred to in division (E) of this section, the creditor 136  
shall treat the obligation in accordance with division (B) of this 137  
section, effective as of the date on which the person is deployed 138  
to active duty. 139

(G) A court may grant a creditor relief from the interest and 140  
finance charges limitation of this section, if, in the opinion of 141  
the court, the ability of the person, or spouse of the person, 142  
deployed on active duty to pay interest or finance charges with 143  
respect to the obligation at a rate in excess of six per cent per 144  
annum is not materially affected by reason of the person's 145  
deployment on active duty. 146

**Sec. 1349.02. (A) As used in this section:** 147

(1) "Active duty" means active duty pursuant to an executive 148  
order of the president of the United States, an act of the 149  
congress of the United States, or section 5919.29 or 5923.21 of 150  
the Revised Code. 151

(2) "Motor vehicle" means any automobile, car minivan, 152  
passenger van, sport utility vehicle, pickup truck, or other 153  
self-propelled vehicle not operated or driven on fixed rails or 154  
track. 155

(B) Any person, or spouse of a person, who is deployed on 156  
active duty may terminate any motor vehicle lease that meets both 157  
of the following requirements: 158

(1) It is entered into on or after the effective date of this 159  
section. 160

(2) It is executed by or on behalf of the person who is 161  
deployed on active duty. 162

(C) Termination of the motor vehicle lease shall not be 163  
effective until: 164

(1) The person who is deployed on active duty or the person's spouse gives notice by certified mail, return receipt requested, of the intention to terminate the lease; and 165  
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(2) The motor vehicle subject to the lease is returned to the custody or control of the lessor not later than fifteen days after the delivery of the written notice. 168  
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(D) Lease amounts unpaid for the period preceding the effective date of the lease's termination shall be paid on a prorated basis. The lessor may not impose an early termination charge, but any taxes, costs of summons, and title or registration fees and any other obligation and liability of the lessee under the terms of the lease, including reasonable charges to the lessee for excess wear, use, and mileage, that are due and unpaid at the time of the lease's termination shall be paid by the lessee. 171  
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(E) The lessor shall refund to the lessee lease amounts paid in advance for a period after the effective date of the lease's termination within thirty days of the effective date of the lease's termination. 179  
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(F) Upon application by the lessor to a court before the effective date of the lease's termination, relief granted by this section may be modified as justice and equity require. 183  
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**Sec. 1349.03.** (A) As used in this section, "active duty" means active duty pursuant to an executive order of the president of the United States, an act of the congress of the United States, or section 5919.29 or 5923.21 of the Revised Code. 186  
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(B) Any person, or spouse of a person, who is deployed on active duty may terminate, without penalty, a cellular phone contract that meets both of the following requirements: 190  
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(1) It is entered into on or after the effective date of this section. 193  
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(2) It is executed by or on behalf of the person who is 195  
deployed on active duty. 196

(C) Termination of the cellular phone contract shall not be 197  
effective until: 198

(1) Thirty days after the person who is deployed on active 199  
duty or the person's spouse gives notice by certified mail, return 200  
receipt requested, of the intention to terminate the cellular 201  
phone contract; and 202

(2) Unless the person who is deployed on active duty owns the 203  
cellular phone, the cellular phone is returned to the custody or 204  
control of the cellular telephone company, or the person who is 205  
deployed on active duty or the person's spouse agrees in writing 206  
to return the cellular phone as soon as practicable after the 207  
deployment is completed. 208

**Sec. 1713.60.** As used in this section, "active duty" means 209  
full-time duty in the active military service of the United 210  
States, including full-time training duty, annual training duty, 211  
and active state duty for members of the national guard. 212

(A) Each institution of higher education that holds a 213  
certificate of authorization issued under this chapter shall grant 214  
a student a military leave of absence from the institution while 215  
the student is serving on active duty, and for one year after the 216  
conclusion of that service, if the student is a member of the 217  
United States national guard or other reserve component of the 218  
armed forces of the United States, or a member of those armed 219  
forces in a retired status, and is called to active duty. The 220  
student shall not suffer an academic penalty as a result of the 221  
leave of absence. 222

(B) If requested by a student granted a military leave of 223  
absence pursuant to division (A) of this section not later than 224



one year after the student's release from active duty, the 225  
institution in which the student is enrolled shall do either of 226  
the following, as elected by the student: 227

(1) Credit tuition and fee charges toward a subsequent 228  
academic term in an amount that is one hundred per cent of what 229  
the student paid the institution for the academic term in which 230  
the student withdraws; 231

(2) Refund tuition and fees paid for the academic term, 232  
provided the student withdraws before the withdraw date 233  
established by the institution. The refund shall equal one hundred 234  
per cent of the tuition and fee charges the student paid the 235  
institution for the academic term. If the student withdraws after 236  
the withdraw date established by the institution, the student is 237  
ineligible for a refund of tuition and fee charges. For the 238  
purposes of this section, the "withdraw date" shall be the same as 239  
the date set by the institution for its general student population 240  
to withdraw from the institution or a course or class without 241  
academic penalty. 242

(C) If requested by a student granted a military leave of 243  
absence pursuant to division (A) of this section not later than 244  
one year after the student's release from active duty, the 245  
institution shall restore the student to the educational status 246  
the student had attained prior to being called to active duty 247  
without loss of academic credits earned, scholarships or grants 248  
awarded, or tuition and other fees paid prior to the commencement 249  
of active duty, except as provided in division (B) of this 250  
section. 251

(D) If an institution fails to comply with this section, the 252  
student may bring an action against the institution to enforce its 253  
provisions in the court of common pleas of the county in which the 254  
student resides. If the student resides outside of this state, the 255

action shall be brought in the court of common pleas of the county 256  
in which the campus of the institution previously attended by the 257  
student is located. The court may award reasonable attorney's fees 258  
and expenses if the student prevails in the action. 259

**Sec. 1923.062.** (A) In an action under this chapter for 260  
possession of residential premises of a tenant or manufactured 261  
home park resident who is deployed on active duty or of any member 262  
of the tenant's or resident's immediate family, if the tenant or 263  
resident entered into the rental agreement on or after the 264  
effective date of this section, the court may, on its own motion, 265  
and shall, upon motion made by or on behalf of the tenant or 266  
resident, do either of the following if the tenant's or resident's 267  
ability to pay the agreed rent is materially affected by the 268  
deployment on active duty: 269

(1) Stay the proceedings for a period of ninety days, unless, 270  
in the opinion of the court, justice and equity require a longer 271  
or shorter period of time; 272

(2) Adjust the obligation under the rental agreement to 273  
preserve the interest of all parties to it. 274

(B) If a stay is granted under division (A) of this section, 275  
the court may grant the landlord or park operator such relief as 276  
equity may require. 277

(C) This section does not apply to landlords or park 278  
operators operating less than four residential premises. 279

(D) As used in this section, "active duty" means active duty 280  
pursuant to an executive order of the president of the United 281  
States, an act of the congress of the United States, or section 282  
5919.29 or 5923.21 of the Revised Code. 283

**Sec. 3313.64.** (A) As used in this section and in section 284

3313.65 of the Revised Code:	285
(1)(a) Except as provided in division (A)(1)(b) of this	286
section, "parent" means either parent, unless the parents are	287
separated or divorced or their marriage has been dissolved or	288
annulled, in which case "parent" means the parent who is the	289
residential parent and legal custodian of the child. When a child	290
is in the legal custody of a government agency or a person other	291
than the child's natural or adoptive parent, "parent" means the	292
parent with residual parental rights, privileges, and	293
responsibilities. When a child is in the permanent custody of a	294
government agency or a person other than the child's natural or	295
adoptive parent, "parent" means the parent who was divested of	296
parental rights and responsibilities for the care of the child and	297
the right to have the child live with the parent and be the legal	298
custodian of the child and all residual parental rights,	299
privileges, and responsibilities.	300
(b) When a child is the subject of a power of attorney	301
executed under sections 3109.51 to 3109.62 of the Revised Code,	302
"parent" means the grandparent designated as attorney in fact	303
under the power of attorney. When a child is the subject of a	304
caretaker authorization affidavit executed under sections 3109.64	305
to 3109.73 of the Revised Code, "parent" means the grandparent	306
that executed the affidavit.	307
(2) "Legal custody," "permanent custody," and "residual	308
parental rights, privileges, and responsibilities" have the same	309
meanings as in section 2151.011 of the Revised Code.	310
(3) "School district" or "district" means a city, local, or	311
exempted village school district and excludes any school operated	312
in an institution maintained by the department of youth services.	313
(4) Except as used in division (C)(2) of this section, "home"	314
means a home, institution, foster home, group home, or other	315

residential facility in this state that receives and cares for	316
children, to which any of the following applies:	317
(a) The home is licensed, certified, or approved for such	318
purpose by the state or is maintained by the department of youth	319
services.	320
(b) The home is operated by a person who is licensed,	321
certified, or approved by the state to operate the home for such	322
purpose.	323
(c) The home accepted the child through a placement by a	324
person licensed, certified, or approved to place a child in such a	325
home by the state.	326
(d) The home is a children's home created under section	327
5153.21 or 5153.36 of the Revised Code.	328
(5) "Agency" means all of the following:	329
(a) A public children services agency;	330
(b) An organization that holds a certificate issued by the	331
Ohio department of job and family services in accordance with the	332
requirements of section 5103.03 of the Revised Code and assumes	333
temporary or permanent custody of children through commitment,	334
agreement, or surrender, and places children in family homes for	335
the purpose of adoption;	336
(c) Comparable agencies of other states or countries that	337
have complied with applicable requirements of section 2151.39, or	338
sections 5103.20 to 5103.28 of the Revised Code.	339
(6) A child is placed for adoption if either of the following	340
occurs:	341
(a) An agency to which the child has been permanently	342
committed or surrendered enters into an agreement with a person	343
pursuant to section 5103.16 of the Revised Code for the care and	344
adoption of the child.	345

(b) The child's natural parent places the child pursuant to 346  
section 5103.16 of the Revised Code with a person who will care 347  
for and adopt the child. 348

(7) "Handicapped preschool child" means a handicapped child, 349  
as defined by division (A) of section 3323.01 of the Revised Code, 350  
who is at least three years of age but is not of compulsory school 351  
age, as defined in section 3321.01 of the Revised Code, and who is 352  
not currently enrolled in kindergarten. 353

(8) "Child," unless otherwise indicated, includes handicapped 354  
preschool children. 355

(9) "Active duty" means active duty pursuant to an executive 356  
order of the president of the United States, an act of the 357  
congress of the United States, or section 5919.29 or 5923.21 of 358  
the Revised Code. 359

(B) Except as otherwise provided in section 3321.01 of the 360  
Revised Code for admittance to kindergarten and first grade, a 361  
child who is at least five but under twenty-two years of age and 362  
any handicapped preschool child shall be admitted to school as 363  
provided in this division. 364

(1) A child shall be admitted to the schools of the school 365  
district in which the child's parent resides. 366

(2) A child who does not reside in the district where the 367  
child's parent resides shall be admitted to the schools of the 368  
district in which the child resides if any of the following 369  
applies: 370

(a) The child is in the legal or permanent custody of a 371  
government agency or a person other than the child's natural or 372  
adoptive parent. 373

(b) The child resides in a home. 374

(c) The child requires special education. 375

(3) A child who is not entitled under division (B)(2) of this section to be admitted to the schools of the district where the child resides and who is residing with a resident of this state with whom the child has been placed for adoption shall be admitted to the schools of the district where the child resides unless either of the following applies:

(a) The placement for adoption has been terminated.

(b) Another school district is required to admit the child under division (B)(1) of this section.

Division (B) of this section does not prohibit the board of education of a school district from placing a handicapped child who resides in the district in a special education program outside of the district or its schools in compliance with Chapter 3323. of the Revised Code.

(C) A district shall not charge tuition for children admitted under division (B)(1) or (3) of this section. If the district admits a child under division (B)(2) of this section, tuition shall be paid to the district that admits the child as follows:

(1) If the child receives special education in accordance with Chapter 3323. of the Revised Code, tuition shall be paid in accordance with section 3323.091, 3323.13, 3323.14, or 3323.141 of the Revised Code regardless of who has custody of the child or whether the child resides in a home.

(2) Except as otherwise provided in division (C)(2)(d) of this section, if the child is in the permanent or legal custody of a government agency or person other than the child's parent, tuition shall be paid by:

(a) The district in which the child's parent resided at the time the court removed the child from home or at the time the court vested legal or permanent custody of the child in the person

or government agency, whichever occurred first; 406

(b) If the parent's residence at the time the court removed 407  
the child from home or placed the child in the legal or permanent 408  
custody of the person or government agency is unknown, tuition 409  
shall be paid by the district in which the child resided at the 410  
time the child was removed from home or placed in legal or 411  
permanent custody, whichever occurred first; 412

(c) If a school district cannot be established under division 413  
(C)(2)(a) or (b) of this section, tuition shall be paid by the 414  
district determined as required by section 2151.357 of the Revised 415  
Code by the court at the time it vests custody of the child in the 416  
person or government agency; 417

(d) If at the time the court removed the child from home or 418  
vested legal or permanent custody of the child in the person or 419  
government agency, whichever occurred first, one parent was in a 420  
residential or correctional facility or a juvenile residential 421  
placement and the other parent, if living and not in such a 422  
facility or placement, was not known to reside in this state, 423  
tuition shall be paid by the district determined under division 424  
(D) of section 3313.65 of the Revised Code as the district 425  
required to pay any tuition while the parent was in such facility 426  
or placement. 427

(3) If the child is not in the permanent or legal custody of 428  
a government agency or person other than the child's parent and 429  
the child resides in a home, tuition shall be paid by one of the 430  
following: 431

(a) The school district in which the child's parent resides; 432

(b) If the child's parent is not a resident of this state, 433  
the home in which the child resides. 434

(D) Tuition required to be paid under divisions (C)(2) and 435

(3)(a) of this section shall be computed in accordance with 436  
section 3317.08 of the Revised Code. Tuition required to be paid 437  
under division (C)(3)(b) of this section shall be computed in 438  
accordance with section 3317.081 of the Revised Code. If a home 439  
fails to pay the tuition required by division (C)(3)(b) of this 440  
section, the board of education providing the education may 441  
recover in a civil action the tuition and the expenses incurred in 442  
prosecuting the action, including court costs and reasonable 443  
attorney's fees. If the prosecuting attorney or city director of 444  
law represents the board in such action, costs and reasonable 445  
attorney's fees awarded by the court, based upon the prosecuting 446  
attorney's, director's, or one of their designee's time spent 447  
preparing and presenting the case, shall be deposited in the 448  
county or city general fund. 449

(E) A board of education may enroll a child free of any 450  
tuition obligation for a period not to exceed sixty days, on the 451  
sworn statement of an adult resident of the district that the 452  
resident has initiated legal proceedings for custody of the child. 453

(F) In the case of any individual entitled to attend school 454  
under this division, no tuition shall be charged by the school 455  
district of attendance and no other school district shall be 456  
required to pay tuition for the individual's attendance. 457  
Notwithstanding division (B), (C), or (E) of this section: 458

(1) All persons at least eighteen but under twenty-two years 459  
of age who live apart from their parents, support themselves by 460  
their own labor, and have not successfully completed the high 461  
school curriculum or the individualized education program 462  
developed for the person by the high school pursuant to section 463  
3323.08 of the Revised Code, are entitled to attend school in the 464  
district in which they reside. 465

(2) Any child under eighteen years of age who is married is 466



entitled to attend school in the child's district of residence. 467

(3) A child is entitled to attend school in the district in 468  
which either of the child's parents is employed if the child has a 469  
medical condition that may require emergency medical attention. 470  
The parent of a child entitled to attend school under division 471  
(F)(3) of this section shall submit to the board of education of 472  
the district in which the parent is employed a statement from the 473  
child's physician certifying that the child's medical condition 474  
may require emergency medical attention. The statement shall be 475  
supported by such other evidence as the board may require. 476

(4) Any child residing with a person other than the child's 477  
parent is entitled, for a period not to exceed twelve months, to 478  
attend school in the district in which that person resides if the 479  
child's parent files an affidavit with the superintendent of the 480  
district in which the person with whom the child is living resides 481  
stating all of the following: 482

(a) That the parent is serving outside of the state in the 483  
armed services of the United States; 484

(b) That the parent intends to reside in the district upon 485  
returning to this state; 486

(c) The name and address of the person with whom the child is 487  
living while the parent is outside the state. 488

(5) Any child under the age of twenty-two years who, after 489  
the death of a parent, resides in a school district other than the 490  
district in which the child attended school at the time of the 491  
parent's death is entitled to continue to attend school in the 492  
district in which the child attended school at the time of the 493  
parent's death for the remainder of the school year, subject to 494  
approval of that district board. 495

(6) A child under the age of twenty-two years who resides 496

with a parent who is having a new house built in a school district 497  
outside the district where the parent is residing is entitled to 498  
attend school for a period of time in the district where the new 499  
house is being built. In order to be entitled to such attendance, 500  
the parent shall provide the district superintendent with the 501  
following: 502

(a) A sworn statement explaining the situation, revealing the 503  
location of the house being built, and stating the parent's 504  
intention to reside there upon its completion; 505

(b) A statement from the builder confirming that a new house 506  
is being built for the parent and that the house is at the 507  
location indicated in the parent's statement. 508

(7) A child under the age of twenty-two years residing with a 509  
parent who has a contract to purchase a house in a school district 510  
outside the district where the parent is residing and who is 511  
waiting upon the date of closing of the mortgage loan for the 512  
purchase of such house is entitled to attend school for a period 513  
of time in the district where the house is being purchased. In 514  
order to be entitled to such attendance, the parent shall provide 515  
the district superintendent with the following: 516

(a) A sworn statement explaining the situation, revealing the 517  
location of the house being purchased, and stating the parent's 518  
intent to reside there; 519

(b) A statement from a real estate broker or bank officer 520  
confirming that the parent has a contract to purchase the house, 521  
that the parent is waiting upon the date of closing of the 522  
mortgage loan, and that the house is at the location indicated in 523  
the parent's statement. 524

The district superintendent shall establish a period of time 525  
not to exceed ninety days during which the child entitled to 526  
attend school under division (F)(6) or (7) of this section may 527

attend without tuition obligation. A student attending a school 528  
under division (F)(6) or (7) of this section shall be eligible to 529  
participate in interscholastic athletics under the auspices of 530  
that school, provided the board of education of the school 531  
district where the student's parent resides, by a formal action, 532  
releases the student to participate in interscholastic athletics 533  
at the school where the student is attending, and provided the 534  
student receives any authorization required by a public agency or 535  
private organization of which the school district is a member 536  
exercising authority over interscholastic sports. 537

(8) A child whose parent is a full-time employee of a city, 538  
local, or exempted village school district, or of an educational 539  
service center, may be admitted to the schools of the district 540  
where the child's parent is employed, or in the case of a child 541  
whose parent is employed by an educational service center, in the 542  
district that serves the location where the parent's job is 543  
primarily located, provided the district board of education 544  
establishes such an admission policy by resolution adopted by a 545  
majority of its members. Any such policy shall take effect on the 546  
first day of the school year and the effective date of any 547  
amendment or repeal may not be prior to the first day of the 548  
subsequent school year. The policy shall be uniformly applied to 549  
all such children and shall provide for the admission of any such 550  
child upon request of the parent. No child may be admitted under 551  
this policy after the first day of classes of any school year. 552

(9) A child who is with the child's parent under the care of 553  
a shelter for victims of domestic violence, as defined in section 554  
3113.33 of the Revised Code, is entitled to attend school free in 555  
the district in which the child is with the child's parent, and no 556  
other school district shall be required to pay tuition for the 557  
child's attendance in that school district. 558

The enrollment of a child in a school district under this 559

division shall not be denied due to a delay in the school 560  
district's receipt of any records required under section 3313.672 561  
of the Revised Code or any other records required for enrollment. 562  
Any days of attendance and any credits earned by a child while 563  
enrolled in a school district under this division shall be 564  
transferred to and accepted by any school district in which the 565  
child subsequently enrolls. The state board of education shall 566  
adopt rules to ensure compliance with this division. 567

(10) Any child under the age of twenty-two years whose parent 568  
has moved out of the school district after the commencement of 569  
classes in the child's senior year of high school is entitled, 570  
subject to the approval of that district board, to attend school 571  
in the district in which the child attended school at the time of 572  
the parental move for the remainder of the school year and for one 573  
additional semester or equivalent term. A district board may also 574  
adopt a policy specifying extenuating circumstances under which a 575  
student may continue to attend school under division (F)(10) of 576  
this section for an additional period of time in order to 577  
successfully complete the high school curriculum for the 578  
individualized education program developed for the student by the 579  
high school pursuant to section 3323.08 of the Revised Code. 580

(11) As used in this division, "grandparent" means a parent 581  
of a parent of a child. A child under the age of twenty-two years 582  
who is in the custody of the child's parent, resides with a 583  
grandparent, and does not require special education is entitled to 584  
attend the schools of the district in which the child's 585  
grandparent resides, provided that, prior to such attendance in 586  
any school year, the board of education of the school district in 587  
which the child's grandparent resides and the board of education 588  
of the school district in which the child's parent resides enter 589  
into a written agreement specifying that good cause exists for 590  
such attendance, describing the nature of this good cause, and 591

consenting to such attendance. 592

In lieu of a consent form signed by a parent, a board of 593  
education may request the grandparent of a child attending school 594  
in the district in which the grandparent resides pursuant to 595  
division (F)(11) of this section to complete any consent form 596  
required by the district, including any authorization required by 597  
sections 3313.712, 3313.713, and 3313.716 of the Revised Code. 598  
Upon request, the grandparent shall complete any consent form 599  
required by the district. A school district shall not incur any 600  
liability solely because of its receipt of a consent form from a 601  
grandparent in lieu of a parent. 602

Division (F)(11) of this section does not create, and shall 603  
not be construed as creating, a new cause of action or substantive 604  
legal right against a school district, a member of a board of 605  
education, or an employee of a school district. This section does 606  
not affect, and shall not be construed as affecting, any 607  
immunities from defenses to tort liability created or recognized 608  
by Chapter 2744. of the Revised Code for a school district, 609  
member, or employee. 610

(12) A child under the age of twenty-two years is entitled to 611  
attend school in a school district other than the district in 612  
which the child is entitled to attend school under division (B), 613  
(C), or (E) of this section provided that, prior to such 614  
attendance in any school year, both of the following occur: 615

(a) The superintendent of the district in which the child is 616  
entitled to attend school under division (B), (C), or (E) of this 617  
section contacts the superintendent of another district for 618  
purposes of this division; 619

(b) The superintendents of both districts enter into a 620  
written agreement that consents to the attendance and specifies 621  
that the purpose of such attendance is to protect the student's 622

physical or mental well-being or to deal with other extenuating  
circumstances deemed appropriate by the superintendents.

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While an agreement is in effect under this division for a  
student who is not receiving special education under Chapter 3323.  
of the Revised Code and notwithstanding Chapter 3327. of the  
Revised Code, the board of education of neither school district  
involved in the agreement is required to provide transportation  
for the student to and from the school where the student attends.

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A student attending a school of a district pursuant to this  
division shall be allowed to participate in all student  
activities, including interscholastic athletics, at the school  
where the student is attending on the same basis as any student  
who has always attended the schools of that district while of  
compulsory school age.

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(13) All school districts shall comply with the  
"McKinney-Vento Homeless Assistance Act," 42 U.S.C.A. 11431 et  
seq., for the education of homeless children. Each city, local,  
and exempted village school district shall comply with the  
requirements of that act governing the provision of a free,  
appropriate public education, including public preschool, to each  
homeless child.

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When a child loses permanent housing and becomes a homeless  
person, as defined in 42 U.S.C.A. 11481(5), or when a child who is  
such a homeless person changes temporary living arrangements, the  
child's parent or guardian shall have the option of enrolling the  
child in either of the following:

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(a) The child's school of origin, as defined in 42 U.S.C.A.  
11432(g)(3)(C);

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(b) The school that is operated by the school district in  
which the shelter where the child currently resides is located and  
that serves the geographic area in which the shelter is located.

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(14) A child under the age of twenty-two years who resides with a person other than the child's parent is entitled to attend school in the school district in which that person resides if both of the following apply:

(a) That person has been appointed, through a military power of attorney executed under section 574(a) of the "National Defense Authorization Act for Fiscal Year 1994," 107 Stat. 1674 (1993), 10 U.S.C. 1044b, or through a comparable document necessary to complete a family care plan, as the parent's agent for the care, custody, and control of the child while the parent is on active duty as a member of the national guard or a reserve unit of the armed forces of the United States or because the parent is a member of the armed forces of the United States and is on a duty assignment away from the parent's residence.

(b) The military power of attorney or comparable document includes at least the authority to enroll the child in school.

The entitlement to attend school in the district in which the parent's agent under the military power of attorney or comparable document resides applies until the end of the school year in which the military power of attorney or comparable document expires.

(G) A board of education, after approving admission, may waive tuition for students who will temporarily reside in the district and who are either of the following:

(1) Residents or domiciliaries of a foreign nation who request admission as foreign exchange students;

(2) Residents or domiciliaries of the United States but not of Ohio who request admission as participants in an exchange program operated by a student exchange organization.

(H) Pursuant to sections 3311.211, 3313.90, 3319.01, 3323.04, 3327.04, and 3327.06 of the Revised Code, a child may attend

school or participate in a special education program in a school 684  
district other than in the district where the child is entitled to 685  
attend school under division (B) of this section. 686

(I)(1) Notwithstanding anything to the contrary in this 687  
section or section 3313.65 of the Revised Code, a child under 688  
twenty-two years of age may attend school in the school district 689  
in which the child, at the end of the first full week of October 690  
of the school year, was entitled to attend school as otherwise 691  
provided under this section or section 3313.65 of the Revised 692  
Code, if at that time the child was enrolled in the schools of the 693  
district but since that time the child or the child's parent has 694  
relocated to a new address located outside of that school district 695  
and within the same county as the child's or parent's address 696  
immediately prior to the relocation. The child may continue to 697  
attend school in the district, and at the school to which the 698  
child was assigned at the end of the first full week of October of 699  
the current school year, for the balance of the school year. 700  
Division (I)(1) of this section applies only if both of the 701  
following conditions are satisfied: 702

(a) The board of education of the school district in which 703  
the child was entitled to attend school at the end of the first 704  
full week in October and of the district to which the child or 705  
child's parent has relocated each has adopted a policy to enroll 706  
children described in division (I)(1) of this section. 707

(b) The child's parent provides written notification of the 708  
relocation outside of the school district to the superintendent of 709  
each of the two school districts. 710

(2) At the beginning of the school year following the school 711  
year in which the child or the child's parent relocated outside of 712  
the school district as described in division (I)(1) of this 713  
section, the child is not entitled to attend school in the school 714



district under that division.

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(3) Any person or entity owing tuition to the school district on behalf of the child at the end of the first full week in October, as provided in division (C) of this section, shall continue to owe such tuition to the district for the child's attendance under division (I)(1) of this section for the lesser of the balance of the school year or the balance of the time that the child attends school in the district under division (I)(1) of this section.

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(4) A pupil who may attend school in the district under division (I)(1) of this section shall be entitled to transportation services pursuant to an agreement between the district and the district in which the child or child's parent has relocated unless the districts have not entered into such agreement, in which case the child shall be entitled to transportation services in the same manner as a pupil attending school in the district under interdistrict open enrollment as described in division (H) of section 3313.981 of the Revised Code, regardless of whether the district has adopted an open enrollment policy as described in division (B)(1)(b) or (c) of section 3313.98 of the Revised Code.

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(J) This division does not apply to a child receiving special education.

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A school district required to pay tuition pursuant to division (C)(2) or (3) of this section or section 3313.65 of the Revised Code shall have an amount deducted under division (F) of section 3317.023 of the Revised Code equal to its own tuition rate for the same period of attendance. A school district entitled to receive tuition pursuant to division (C)(2) or (3) of this section or section 3313.65 of the Revised Code shall have an amount credited under division (F) of section 3317.023 of the Revised

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Code equal to its own tuition rate for the same period of 746  
attendance. If the tuition rate credited to the district of 747  
attendance exceeds the rate deducted from the district required to 748  
pay tuition, the department of education shall pay the district of 749  
attendance the difference from amounts deducted from all 750  
districts' payments under division (F) of section 3317.023 of the 751  
Revised Code but not credited to other school districts under such 752  
division and from appropriations made for such purpose. The 753  
treasurer of each school district shall, by the fifteenth day of 754  
January and July, furnish the superintendent of public instruction 755  
a report of the names of each child who attended the district's 756  
schools under divisions (C)(2) and (3) of this section or section 757  
3313.65 of the Revised Code during the preceding six calendar 758  
months, the duration of the attendance of those children, the 759  
school district responsible for tuition on behalf of the child, 760  
and any other information that the superintendent requires. 761

Upon receipt of the report the superintendent, pursuant to 762  
division (F) of section 3317.023 of the Revised Code, shall deduct 763  
each district's tuition obligations under divisions (C)(2) and (3) 764  
of this section or section 3313.65 of the Revised Code and pay to 765  
the district of attendance that amount plus any amount required to 766  
be paid by the state. 767

(K) In the event of a disagreement, the superintendent of 768  
public instruction shall determine the school district in which 769  
the parent resides. 770

(L) Nothing in this section requires or authorizes, or shall 771  
be construed to require or authorize, the admission to a public 772  
school in this state of a pupil who has been permanently excluded 773  
from public school attendance by the superintendent of public 774  
instruction pursuant to sections 3301.121 and 3313.662 of the 775  
Revised Code. 776

(M) In accordance with division (B)(1) of this section, a 777  
child whose parent is a member of the national guard or a reserve 778  
unit of the armed forces of the United States and is called to 779  
active duty, or a child whose parent is a member of the armed 780  
forces of the United States and is ordered to a temporary duty 781  
assignment outside of the district, may continue to attend school 782  
in the district in which the child's parent lived before being 783  
called to active duty or ordered to a temporary duty assignment 784  
outside of the district, as long as the child's parent continues 785  
to be a resident of that district, and regardless of where the 786  
child lives as a result of the parent's active duty status or 787  
temporary duty assignment. However, the district is not 788  
responsible for providing transportation for the child if the 789  
child lives outside of the district as a result of the parent's 790  
active duty status or temporary duty assignment. 791

**Sec. 3332.20.** As used in this section, "active duty" means 792  
full-time duty in the active military service of the United 793  
States, including full-time training duty, annual training duty, 794  
and active state duty for members of the national guard. 795

(A) Each institution that holds a certificate of registration 796  
from the state board of career colleges and schools under this 797  
chapter shall grant a student a military leave of absence from the 798  
institution while the student is serving on active duty, and for 799  
one year after the conclusion of that service, if the student is a 800  
member of the United States national guard or other reserve 801  
component of the armed forces of the United States, or a member of 802  
those armed forces in a retired status, and is called to active 803  
duty. The student shall not suffer an academic penalty as a result 804  
of the leave of absence. 805

(B) If requested by a student granted a military leave of 806  
absence pursuant to division (A) of this section not later than 807

one year after the student's release from active duty, the 808  
institution in which the student is enrolled shall do either of 809  
the following, as elected by the student: 810

(1) Credit tuition and fee charges toward a subsequent 811  
academic term in an amount that is one hundred per cent of what 812  
the student paid the institution for the academic term in which 813  
the student withdraws; 814

(2) Refund tuition and fees paid for the academic term, 815  
provided the student withdraws before the withdraw date 816  
established by the institution. The refund shall equal one hundred 817  
per cent of the tuition and fee charges the student paid the 818  
institution for the academic term. If the student withdraws after 819  
the withdraw date established by the institution, the student is 820  
ineligible for a refund of tuition and fee charges. For the 821  
purposes of this section, the "withdraw date" shall be the same as 822  
the date set by the institution for its general student population 823  
to withdraw from the institution or a course or class without 824  
academic penalty. 825

(C) If requested by a student granted a military leave of 826  
absence pursuant to division (A) of this section not later than 827  
one year after the student's release from active duty, the 828  
institution shall restore the student to the educational status 829  
the student had attained prior to being called to active duty 830  
without loss of academic credits earned, scholarships or grants 831  
awarded, or tuition and other fees paid prior to the commencement 832  
of active duty, except as provided in division (B) of this 833  
section. 834

(D) If an institution fails to comply with this section, the 835  
student may bring an action against the institution to enforce its 836  
provisions in the court of common pleas of the county in which the 837  
student resides. If the student resides outside of this state, the 838

action shall be brought in the court of common pleas of the county 839  
in which the campus of the institution previously attended by the 840  
student is located. The court may award reasonable attorney's fees 841  
and expenses if the student prevails in the action. 842

Sec. 3345.53. As used in this section, "active duty" means 843  
full-time duty in the active military service of the United 844  
States, including full-time training duty, annual training duty, 845  
and active state duty for members of the national guard. 846

(A) Each state institution of higher education, as defined in 847  
section 3345.011 of the Revised Code, shall grant a student a 848  
military leave of absence from the institution while the student 849  
is serving on active duty, and for one year after the conclusion 850  
of that service, if the student is a member of the United States 851  
national guard or other reserve component of the armed forces of 852  
the United States, or a member of those armed forces in a retired 853  
status, and is called to active duty. The student shall not suffer 854  
an academic penalty as a result of the leave of absence. 855

(B) If requested by a student granted a military leave of 856  
absence pursuant to division (A) of this section not later than 857  
one year after the student's release from active duty, the state 858  
institution of higher education in which the student is enrolled 859  
shall do either of the following, as elected by the student: 860

(1) Credit tuition and fee charges toward a subsequent 861  
academic term in an amount that is one hundred per cent of what 862  
the student paid the institution for the academic term in which 863  
the student withdraws; 864

(2) Refund tuition and fees paid for the academic term, 865  
provided the student withdraws before the withdraw date 866  
established by the institution. The refund shall equal one hundred 867  
per cent of the tuition and fee charges the student paid the 868

institution for the academic term. If the student withdraws after 869  
the withdraw date established by the institution, the student is 870  
ineligible for a refund of tuition and fee charges. For the 871  
purposes of this section, the "withdraw date" shall be the same as 872  
the date set by the institution for its general student population 873  
to withdraw from the institution or a course or class without 874  
academic penalty. 875

(C) If requested by a student granted a military leave of 876  
absence pursuant to division (A) of this section not later than 877  
one year after the student's release from active duty, the state 878  
institution of higher education shall restore the student to the 879  
educational status the student had attained prior to being called 880  
to active duty without loss of academic credits earned, 881  
scholarships or grants awarded, or tuition and other fees paid 882  
prior to the commencement of active duty, except as provided in 883  
division (B) of this section. 884

(D) If a state institution of higher education fails to 885  
comply with this section, the student may bring an action against 886  
the institution to enforce its provisions in the court of claims. 887  
The court may award reasonable attorney's fees and expenses if the 888  
student prevails in the action. 889

**Sec. 3915.053.** (A)(1) Except as provided in division (A)(2) 890  
of this section, this section shall apply to any individual life 891  
insurance policy insuring the life of a reservist, as defined in 892  
section 3923.381 of the Revised Code, who is on active duty 893  
pursuant to an executive order of the president of the United 894  
States, an act of the congress of the United States, or section 895  
5919.29 or 5923.21 of the Revised Code, if the life insurance 896  
policy meets both of the following conditions: 897

(a) The policy has been in force for at least one hundred 898  
eighty days. 899

(b) The policy has been brought within the "Servicemembers Civil Relief Act," 117 Stat. 2835 (2003), 50 U.S.C. App. 541, et seq. 900  
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(2) This section does not apply to any policy that was cancelled or that had lapsed for the nonpayment of premiums prior to the commencement of the insured's period of military service. 903  
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(B) An individual life insurance policy described in division (A) of this section shall not lapse or be forfeited for the nonpayment of premiums during a reservist's period of military service or during the two-year period subsequent to the end of the reservist's period of military service. 906  
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(C) This section does not limit a life insurance company's enforcement of provisions in the insured's policy relating to naval or military service in time of war. 911  
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**Sec. 4933.12.** (A) Except as provided in division (C) of this section and division (E) of section 5117.11 of the Revised Code, if any person supplied with gas neglects or refuses to pay the amount due for ~~such the~~ gas or for rent of articles hired by ~~him~~ the person from a natural gas company or a gas company, the company may stop the gas from entering the premises of ~~such the~~ person. In such cases, after twenty-four hours' notice, the officers, servants, or workers of the company may enter the premises of such persons, between eight a.m. and four p.m., take away such property of the company, and disconnect any meter from the mains or pipes of the company. 914  
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(B) The company shall not refuse to furnish gas on account of arrearages due it for gas furnished to persons formerly receiving services at the premises as customers of the company, provided the former customers are not continuing to reside at ~~such the~~ premises. 925  
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(C) The company shall not, for any reason, unless required by the consumer, for safety reasons, or unless tampering with utility company equipment or theft of gas or utility company equipment has occurred, stop gas from entering the premises of any residential consumer for the period beginning on the fifteenth day of November and ending on the fifteenth day of the following April, unless both of the following apply:

(1) The account of the consumer is in arrears thirty days or more.

(2) ~~Where~~ If the occupant of residential premises is a tenant whose landlord is responsible for payment for the service provided by the company, the company has, five days previously, notified the occupant of its intent to discontinue service to ~~him~~ the occupant.

(D) No company shall stop the gas from entering any residential premises between the fifteenth day of November and the fifteenth day of April because of a failure to pay the amount due for ~~such~~ the gas unless the company, at the time it sends or delivers to the premises notices of termination, informs the occupant of the premises where to obtain state and federal aid for payment of utility bills and for home weatherization and information on local government aid for payment of utility bills and for home weatherization.

(E) On or before the first day of November, a county human services department may request a company to give prior notification of any residential service terminations to occur during the period beginning on the fifteenth day of November immediately following the department's request and ending on the fifteenth day of the following April. If a department makes such a written request, at least twenty-four hours before the company terminates services to a residential customer in the county during



that period for failure to pay the amount due for service, the  
company shall provide written notice to the department of the  
residential customer whose service the company so intends to  
terminate. No company that has received such a request shall  
terminate such service during that period unless it has provided  
the notice required under this division.

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(F) No company shall stop gas from entering the residential  
premises of any residential consumer who is deployed on active  
duty for nonpayment for gas supplied to the residential premises.

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Upon return of a residential consumer from active duty, the  
company shall offer the residential consumer a period equal to at  
least the period of deployment on active duty to pay any  
arrearages incurred during the period of deployment. The company  
shall inform the residential consumer that, if the period the  
company offers presents a hardship to the consumer, the consumer  
may request a longer period to pay the arrearages and, in the case  
of a company that is a public utility as defined in section  
4905.02 of the Revised Code, may request the assistance of the  
public utilities commission to obtain a longer period. No late  
payment fees or interest shall be charged to the residential  
consumer during the period of deployment or the repayment period.

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If a company that is a public utility determines that amounts  
owed by a residential consumer who is deployed on active duty are  
uncollectible, the company may file an application with the public  
utilities commission for approval of authority to recover the  
amounts. The recovery shall be through a rider on the base rates  
of customers of the company or through other means as may be  
approved by the commission, provided that any amount approved to  
be recovered through a rider or other means shall not be  
considered by the commission in any subsequent rate determination.

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As used in this division, "active duty" means active duty

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pursuant to an executive order of the president of the United 992  
States, an act of the congress of the United States, or section 993  
5919.29 or 5923.21 of the Revised Code. 994

**Sec. 4933.121.** (A) Except as provided in division (E) of 995  
section 5117.11 of the Revised Code, an electric light company 996  
shall not, for any reason, unless requested by the consumer, for 997  
safety reasons, or unless tampering with utility company equipment 998  
or theft of electricity or utility company equipment has occurred, 999  
cease to provide electricity to any residential consumer for the 1000  
period beginning on the fifteenth day of November and ending on 1001  
the fifteenth day of the following April, unless both of the 1002  
following apply: 1003

(1) The account of the consumer is in arrears thirty days or 1004  
more. 1005

(2) ~~Where~~ If the occupant of residential premises is a tenant 1006  
whose landlord is responsible for payment for the service provided 1007  
by the company, the company has, five days previously, notified 1008  
the occupant of its intent to discontinue service to ~~him~~ the 1009  
occupant. 1010

(B) The company shall not refuse to furnish electricity on 1011  
account of arrearages due it for electricity furnished to persons 1012  
formerly receiving services at the premises as customers of the 1013  
company, provided the former customers are not continuing to 1014  
reside at ~~such~~ the premises. 1015

(C) No company shall cease to provide electricity to any 1016  
residential premises between the fifteenth day of November and the 1017  
fifteenth day of April because of a failure to pay the amount due 1018  
for ~~such~~ the electricity unless the company, at the time it sends 1019  
or delivers to the premises notices of termination, informs the 1020  
occupant of the premises where to obtain state and federal aid for 1021

payment of utility bills and for home weatherization and 1022  
information on local government aid for payment of utility bills 1023  
and for home weatherization. 1024

(D) On or before the first day of November, a county human 1025  
services department may request a company to give prior 1026  
notification of any residential service terminations to occur 1027  
during the period beginning on the fifteenth day of November 1028  
immediately following the department's request and ending on the 1029  
fifteenth day of the following April. If a department makes such a 1030  
written request, at least twenty-four hours before the company 1031  
terminates services to a residential customer in the county during 1032  
that period for failure to pay the amount due for service, the 1033  
company shall provide written notice to the department of the 1034  
residential customer whose service the company so intends to 1035  
terminate. No company that has received such a request shall 1036  
terminate such service during that period unless it has provided 1037  
the notice required under this division. 1038

(E) No company shall cease to provide electricity to the 1039  
residential premises of any residential consumer who is deployed 1040  
on active duty for nonpayment for electricity provided to the 1041  
residential premises. 1042

Upon return of a residential consumer from active duty, the 1043  
company shall offer the residential consumer a period equal to at 1044  
least the period of deployment on active duty to pay any 1045  
arrears incurred during the period of deployment. The company 1046  
shall inform the residential consumer that, if the period the 1047  
company offers presents a hardship to the consumer, the consumer 1048  
may request a longer period to pay the arrears and, in the case 1049  
of a company that is a public utility as defined in section 1050  
4905.02 of the Revised Code, may request the assistance of the 1051  
public utilities commission to obtain a longer period. No late 1052  
payment fees or interest shall be charged to the residential 1053

consumer during the period of deployment or the repayment period. 1054

If a company that is a public utility determines that amounts 1055  
owed by a residential consumer who is deployed on active duty are 1056  
uncollectible, the company may file an application with the public 1057  
utilities commission for approval of authority to recover the 1058  
amounts. The recovery shall be through a rider on the base rates 1059  
of customers of the company or through other means as may be 1060  
approved by the commission, provided that any amount approved to 1061  
be recovered through a rider or other means shall not be 1062  
considered by the commission in any subsequent rate determination. 1063

As used in this division, "active duty" means active duty 1064  
pursuant to an executive order of the president of the United 1065  
States, an act of the congress of the United States, or section 1066  
5919.29 or 5923.21 of the Revised Code. 1067

**Section 2.** That existing sections 125.021, 3313.64, 4933.12, 1068  
and 4933.121 of the Revised Code are hereby repealed. 1069