

As Introduced

**126th General Assembly
Regular Session
2005-2006**

H. B. No. 576

Representative McGregor, R.

—

A BILL

To amend section 3333.26 of the Revised Code to
provide college tuition waivers to spouses and
qualifying former spouses of members of the United
States armed forces killed in the line of duty in
a combat zone after May 7, 1975.

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

Section 1. That section 3333.26 of the Revised Code be
amended to read as follows:

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

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

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

(b) "Public service officer" means an Ohio firefighter, 20
volunteer firefighter, police officer, member of the highway 21
patrol, employee designated to exercise the powers of police 22
officers pursuant to section 1545.13 of the Revised Code, or other 23
peace officer as defined by division (B) of section 2935.01 of the 24
Revised Code, or a person holding any equivalent position in 25
another state; 26

(c) "Qualified former spouse" means the former spouse of a 27
public service officer, or of a member of the armed services of 28
the United States, who is the custodial parent of a minor child of 29
that marriage pursuant to an order allocating the parental rights 30
and responsibilities for care of the child issued pursuant to 31
section 3109.04 of the Revised Code. 32

(d) "Operation enduring freedom" means that period of 33
conflict which began October 7, 2001, and ends on a date declared 34
by the president of the United States or the congress. 35

(e) "Operation Iraqi freedom" means that period of conflict 36
which began March 20, 2003, and ends on a date declared by the 37
president of the United States or the congress. 38

(f) "Combat zone" means an area which the president of the 39
United States by executive order designates, for purposes of 26 40
U.S.C. 112, as an area in which armed forces of the United States 41
are or have engaged in combat. 42

(2) Any resident of this state who is under twenty-six years 43
of age, or under thirty years of age if the resident has been 44
honorably discharged from the armed services of the United States, 45
and who is the child of a public service officer killed in the 46
line of duty or of a member of the armed services of the United 47
States killed in the line of duty during operation enduring 48
freedom or operation Iraqi freedom, and who is admitted to any 49
state university or college as defined in division (A)(1) of 50

section 3345.12 of the Revised Code, community college, state 51
community college, university branch, or technical college, shall 52
not be required to pay any tuition or any student fee for up to 53
four academic years of education, which shall be at the 54
undergraduate level. 55

A child of a member of the armed services of the United 56
States killed in the line of duty during operation enduring 57
freedom or operation Iraqi freedom is eligible for a waiver of 58
tuition and student fees under this division only if the student 59
is not eligible for a war orphans scholarship authorized by 60
Chapter 5910. of the Revised Code. In any year in which the war 61
orphans scholarship board reduces the percentage of tuition 62
covered by a war orphans scholarship below one hundred per cent 63
pursuant to division (A) of section 5910.04 of the Revised Code, 64
the waiver of tuition and student fees under this division for a 65
child of a member of the armed services of the United States 66
killed in the line of duty during operation enduring freedom or 67
operation Iraqi freedom shall be reduced by the same percentage. 68

(3) Any resident of this state who is the spouse or qualified 69
former spouse of a public service officer killed in the line of 70
duty or of a member of the armed services of the United States 71
killed in the line of duty while serving in a combat zone after 72
May 7, 1975, and who is admitted to any state university or 73
college as defined in division (A)(1) of section 3345.12 of the 74
Revised Code, community college, state community college, 75
university branch, or technical college, shall not be required to 76
pay any tuition or any student fee for up to four academic years 77
of education, which shall be at the undergraduate level. 78

(C) Any institution that is not subject to division (B) of 79
this section and that holds a valid certificate of registration 80
issued under Chapter 3332., a valid certificate issued under 81
Chapter 4709., or a valid license issued under Chapter 4713. of 82

the Revised Code, or that is nonprofit and has a certificate of 83
authorization issued under section 1713.02 of the Revised Code or 84
that is a private institution exempt from regulation under Chapter 85
3332. of the Revised Code as prescribed in section 3333.046 of the 86
Revised Code that reduces tuition and student fees of a student 87
who is eligible to attend an institution of higher education under 88
the provisions of division (B) of this section by an amount 89
indicated by the Ohio board of regents shall be eligible to 90
receive a grant in that amount from the board. Each institution 91
that enrolls students under division (B) of this section shall 92
report to the board, by the first day of July of each year, the 93
number of students who were so enrolled and the average amount of 94
all such tuition and fees waived during the preceding year. The 95
board shall determine the average amount of all such tuition and 96
fees waived during the preceding year. The average amount of 97
tuition and fees waived under division (B) of this section during 98
the preceding year shall be the amount of grants that 99
participating institutions shall receive under this division 100
during the current year, but no grant under this division shall 101
exceed the tuition and student fees due and payable by the student 102
prior to the reduction referred to in this division. Such grants 103
shall be made for four years of undergraduate education of an 104
eligible student. 105

Section 2. That existing section 3333.26 of the Revised Code 106
is hereby repealed. 107