

**As Passed by the Senate**

**126th General Assembly**

**Regular Session**

**2005-2006**

**Sub. H. B. No. 576**

**Representatives McGregor, R., Buehrer, Reinhard, Carmichael, Allen, Aslanides, Barrett, Beatty, Blasdel, Blessing, Boccieri, Book, Brown, Bulp, Carano, Cassell, Chandler, Coley, Collier, Combs, Core, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, Evans, C., Evans, D., Faber, Fende, Fessler, Flowers, Garrison, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Key, Kilbane, Koziura, Latta, Law, Mason, McGregor, J., Mitchell, Oelslager, Otterman, Patton, S., Patton, T., Perry, Peterson, Raussen, Redfern, Reed, Reidelbach, Sayre, Schaffer, Schlichter, Schneider, Seitz, Setzer, Skindell, Smith, G., Smith, S., Stewart, D., Stewart, J., Strahorn, Sykes, Taylor, Uecker, Wagner, Wagoner, Webster, White, Widener, Widowfield, Willamowski, Williams, Wolpert, Yates, Yuko, Ujvagi**

**Senators Cates, Grendell, Armbruster, Mumper, Niehaus, Schuring, Miller, D., Fedor, Kearney, Amstutz, Carey, Clancy, Dann, Fingerhut, Gardner, Harris, Hottinger, Miller, R., Prentiss, Roberts, Schuler, Spada, Stivers, Zurz, Austria, Hagan, Jordan, Wilson**

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**A B I L L**

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, if the spouse or  
qualified former spouse was a resident at that  
time.

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

**Section 1.** That section 3333.26 of the Revised Code be 8  
amended to 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 11  
of the United States as a soldier, sailor, nurse, or marine 12  
between April 6, 1917, and November 11, 1918, and who has been 13  
honorably discharged from ~~such~~ that service, shall be admitted to 14  
any school, college, or university that receives state funds in 15  
support 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 as~~ as in 20  
division (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 state 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, or of a member of the armed services of 30  
the United States, who is the custodial parent of a minor child of 31  
that marriage pursuant to an order allocating the parental rights 32  
and responsibilities for care of the child issued pursuant to 33  
section 3109.04 of the Revised Code. 34

(d) "Operation enduring freedom" means that period of 35  
conflict which began October 7, 2001, and ends on a date declared 36  
by the president of the United States or the congress. 37

(e) "Operation Iraqi freedom" means that period of conflict 38  
which began March 20, 2003, and ends on a date declared by the 39  
president of the United States or the congress. 40

(f) "Combat zone" means an area that the president of the 41  
United States by executive order designates, for purposes of 26 42  
U.S.C. 112, as an area in which armed forces of the United States 43  
are or have engaged in combat. 44

(2) Any resident of this state who is under twenty-six years 45  
of age, or under thirty years of age if the resident has been 46  
honorably discharged from the armed services of the United States, 47  
~~and~~ who is the child of a public service officer killed in the 48  
line of duty or of a member of the armed services of the United 49  
States killed in the line of duty during operation enduring 50  
freedom or operation Iraqi freedom, and who is admitted to any 51  
state university or college as defined in division (A)(1) of 52  
section 3345.12 of the Revised Code, community college, state 53  
community college, university branch, or technical college, shall 54  
not be required to pay any tuition or any student fee for up to 55  
four academic years of education, which shall be at the 56  
undergraduate level. 57

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

pursuant to division (A) of section 5910.04 of the Revised Code,  
the waiver of tuition and student fees under this division for a  
child of a member of the armed services of the United States  
killed in the line of duty during operation enduring freedom or  
operation Iraqi freedom shall be reduced by the same percentage.

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

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(4) Any resident of this state who is the spouse or qualified  
former spouse of a member of the armed services of the United  
States killed in the line of duty while serving in a combat zone  
after May 7, 1975, and who is admitted to any state university or  
college as defined in division (A)(1) of section 3345.12 of the  
Revised Code, community college, state community college,  
university branch, or technical college, shall not be required to  
pay any tuition or any student fee for up to four years of  
academic education, which shall be at the undergraduate level. In  
order to qualify under division (B)(4) of this section, the spouse  
or qualified former spouse shall have been a resident of this  
state at the time the member was killed in the line of duty.

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(C) Any institution that is not subject to division (B) of  
this section and that holds a valid certificate of registration  
issued under Chapter 3332. of the Revised Code, a valid  
certificate issued under Chapter 4709. of the Revised Code, or a  
valid license issued under Chapter 4713. of the Revised Code, or  
that is nonprofit and has a certificate of authorization issued  
under section 1713.02 of the Revised Code, or that is a private

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institution exempt from regulation under Chapter 3332. of the 98  
Revised Code as prescribed in section 3333.046 of the Revised Code 99  
~~that, which~~ reduces tuition and student fees of a student who is 100  
eligible to attend an institution of higher education under the 101  
provisions of division (B) of this section by an amount indicated 102  
by the Ohio board of regents shall be eligible to receive a grant 103  
in that amount from the board. ~~Each~~ 104

Each institution that enrolls students under division (B) of 105  
this section shall report to the board, by the first day of July 106  
of each year, the number of students who were so enrolled and the 107  
average amount of all such tuition and student fees waived during 108  
the preceding year. The board shall determine the average amount 109  
of all such tuition and student fees waived during the preceding 110  
year. The average amount of the tuition and student fees waived 111  
under division (B) of this section during the preceding year shall 112  
be the amount of grants that participating institutions shall 113  
receive under this division during the current year, but no grant 114  
under this division shall exceed the tuition and student fees due 115  
and payable by the student prior to the reduction referred to in 116  
this division. ~~Such~~ The grants shall be made for four years of 117  
undergraduate education of an eligible student. 118

**Section 2.** That existing section 3333.26 of the Revised Code 119  
is hereby repealed. 120