

As Introduced

**127th General Assembly
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H. B. No. 608

Representatives Lundy, Huffman

**Cosponsors: Representatives Letson, Dyer, Hagan, R., Skindell, Harwood,
Celeste, Luckie, Ujvagi, Fende, Fessler, Boyd, DeGeeter, Sayre, Okey, Hite**

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A B I L L

To amend section 1349.99 and to enact sections 1
1349.38 and 3345.331 of the Revised Code to 2
prohibit campus credit card marketing activities 3
and to prohibit a state institution of higher 4
education from releasing student directory 5
information to any person or group for use in a 6
profit-making plan or activity. 7

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

Section 1. That section 1349.99 be amended and sections 8
1349.38 and 3345.331 of the Revised Code be enacted to read as 9
follows: 10

Sec. 1349.38. (A) No person shall engage in campus credit 11
card marketing activities. 12

(B) No person shall knowingly mail an advertisement or offer 13
for a credit card to an on-campus student housing address. 14

(C) As used in this section: 15

(1) "Credit card" and "card issuer" have the same meanings as 16
in the "Truth in Lending Act," 82 Stat. 146 (1968), 15 U.S.C. 17

1602. 18

(2) "Campus" means the land and buildings that a state 19
institution of higher education uses for instruction or student 20
services. 21

(3) "Campus credit card marketing activity" means any 22
activity conducted by an agent or employee of a card issuer on 23
property owned or operated by, located on the campus of, or at an 24
event sanctioned by a state institution of higher education, 25
designed to encourage and enable students to apply for a credit 26
card and includes the act of placing on the campus a display or 27
poster together with a form that can be returned to the card 28
issuer as a credit card application, even if an employee or agent 29
of the card issuer is not present at the display. 30

(4) "On-campus student housing" has the same meaning as in 31
section 3345.85 of the Revised Code. 32

Sec. 1349.99. (A) Whoever violates section 1349.06 or 1349.17 33
of the Revised Code is guilty of a minor misdemeanor. 34

(B)(1) Whoever violates section 1349.45 of the Revised Code 35
is guilty of a misdemeanor of the first degree. 36

(2) Notwithstanding division (B)(1) of this section, the only 37
remedies that are available for a violation of section 1349.45 of 38
the Revised Code by a registrant or licensee under sections 39
1322.01 to 1322.12 of the Revised Code are those set forth in 40
section 1322.10 of the Revised Code or otherwise provided by 41
statute or common law. 42

(3) The provisions of division (B) of this section are not 43
intended to be exclusive remedies and do not preclude the use of 44
any other remedy provided by law. 45

(C) Whoever knowingly violates section 1349.38 of the Revised 46
Code shall be fined twenty-five hundred dollars for each 47

violation. 48

Sec. 3345.331. (A) No state institution of higher education 49
or an agent, employee, student or alumni organization, booster 50
organization, or affiliate, of a state institution of higher 51
education, shall do any of the following: 52

(1) Release, through sale or otherwise, student directory 53
information to any person or group for use in a profit-making plan 54
or activity; 55

(2) Enter into, renew, or rollover a contract or agreement 56
with any entity to market credit cards to students; 57

(3) Permit a card issuer to promote a credit card business or 58
to solicit or distribute applications for a credit card on the 59
property of the state institution of higher education or at any 60
event sanctioned by the state institution of higher education; 61

(4) Promote a credit card business on the state institution 62
of higher education's internet site, or include on the internet 63
site an electronic link to the internet site of a credit card 64
business. 65

(B) As used in this section: 66

(1) "State institution of higher education" has the same 67
meaning as in section 3345.011 of the Revised Code. 68

(2) "Student directory information" means the name, address, 69
telephone listing, date and place of birth, social security 70
number, or e-mail address of a student. 71

(3) "Credit card" and "card issuer" have the same meanings as 72
in the "Truth in Lending Act," 82 Stat. 146 (1968), 15 U.S.C. 73
1602. 74

Section 2. That existing section 1349.99 of the Revised Code 75
is hereby repealed. 76

Section 3. The Ohio Board of Regents shall provide a written 77
report to the Speaker of the House of Representatives and the 78
President of the Senate within thirty days after the effective 79
date of this act. The report shall list each contract or agreement 80
in effect between a state institution of higher education with any 81
entity to market credit cards to students, the name of the entity, 82
and the termination date of the contract or agreement. The report 83
also shall list each contract or agreement in effect between a 84
state institution of higher education or an agent, employee, 85
student or alumni organization, or affiliate, of a state 86
institution of higher education, and any entity, for the release, 87
through sale or otherwise, of student directory information to any 88
person or group for use in a profit-making plan or activity, the 89
name of the entities subject to the contract or agreement, and the 90
termination date of the contract or agreement. 91