

**As Passed by the House**

**128th General Assembly**

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**Am. Sub. H. B. No. 12**

**Representatives Lundy, Schneider**

**Cosponsors: Representatives Fende, Newcomb, Koziura, Dyer, Harris,  
Murray, DeGeeter, Phillips, Williams, B., DeBose, Hagan, Skindell, Okey,  
Luckie, Letson, Williams, S., Sykes, Boyd, Chandler, Foley, Garrison,  
Hackett, Harwood, Heard, Mallory, Pillich, Sayre, Szollosi, Ujvagi, Winburn,  
Yuko**

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**A B I L L**

To enact sections 3345.86 and 3345.87 of the Revised 1  
Code to require institutions of higher education 2  
to provide financial literacy education to 3  
students and adopt and adhere to policies 4  
regarding credit card marketing on campus. 5

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

**Section 1.** That sections 3345.86 and 3345.87 of the Revised 6  
Code be enacted to read as follows: 7

**Sec. 3345.86.** (A) The board of trustees of every private and 8  
state institution of higher education in this state, or any 9  
alternative governing board of such an institution, shall adopt 10  
and adhere to a policy regarding the marketing of credit cards on 11  
property owned or operated by the institution of higher education. 12  
The policy shall do both of the following: 13

(1) Prohibit campus credit card marketing activities; 14

(2) Require credit card marketers to register with the 15  
institution of higher education prior to engaging in credit card 16  
marketing that is excluded from the definition of campus credit 17  
card marketing activity under division (B)(3)(b) of this section 18  
and permitted by the institution of higher education. 19

(B) As used in this section: 20

(1) "State institution of higher education" has the same 21  
meaning as in section 3345.011 of the Revised Code. 22

(2) "Campus" means the land and buildings located in this 23  
state that a private or state institution of higher education uses 24  
for instruction or student services. 25

(3)(a) "Campus credit card marketing activity" means any 26  
activity conducted by an agent or employee of a card issuer that 27  
meets both of the following criteria: 28

(i) The activity is designed to encourage and enable students 29  
to apply for a credit card and includes the act of placing on the 30  
campus a display or poster together with a form that can be 31  
returned to the card issuer as a credit card application, even if 32  
an employee or agent of the card issuer is not present at the 33  
display; 34

(ii) The activity is conducted in this state on property 35  
owned or operated by, located on the campus of, or at an event 36  
sanctioned by a private or state institution of higher education. 37

(b) "Campus credit card marketing activity" does not include 38  
any of the following activities: 39

(i) Those that are conducted inside the office or other place 40  
at which a bank, savings and loan association, savings bank, or 41  
credit union organized under the laws of the United States or any 42  
state of the United States receives money or its equivalent from 43  
the public for deposit and conducts the general business of the 44

institution, or at an automated teller machine or other money 45  
transmission device owned, leased, or operated by any of those 46  
institutions; 47

(ii) Displaying a company logo or otherwise advertising a 48  
business in a manner that does not encourage and enable students 49  
to apply for a credit card, including television, radio, and print 50  
advertisements that are intended for the general public; 51

(iii) Mailing a credit card offer or advertisement to any 52  
residence, even if the residence is located on property owned or 53  
operated by a private or state institution of higher education; 54

(iv) Marketing a credit card at an athletic or entertainment 55  
event that is sanctioned by a private or state institution of 56  
higher education or located on property owned or operated by a 57  
private or state institution of higher education, provided that 58  
the person marketing the credit card does not knowingly accept a 59  
credit card application from an undergraduate student. To 60  
determine whether a person is an undergraduate student, the credit 61  
card marketer may rely on the person's statement that the person 62  
is or is not an undergraduate student. 63

(4) "Credit card" and "card issuer" have the same meanings as 64  
in section 1602 of the "Truth in Lending Act," 82 Stat. 146 65  
(1968), 15 U.S.C. 1601, except that "credit card" does not include 66  
a debit card or other access device that is a means to withdraw 67  
funds or initiate an electronic funds transfer from a deposit 68  
account. 69

**Sec. 3345.87.** (A) Every private and state institution of 70  
higher education in this state shall offer financial literacy 71  
education to students enrolled in the institution of higher 72  
education, either as part of student orientation or during the 73  
students' first grading period. 74

(B) Any state institution of higher education that receives 75  
funds from an agreement between the institution of higher 76  
education, or its alumni organization, and another entity to 77  
market credit cards to current or former students of the 78  
institution of higher education shall use a portion of those funds 79  
to pay for all or part of the costs associated with providing 80  
financial literacy education under this section. 81