



Phil Mullin

## *Final Analysis*

Legislative Service Commission

### **Sub. H.B. 576**

126th General Assembly  
(As Passed by the General Assembly)

- Reps.** McGregor, R., Buehrer, Reinhard, Carmichael, Allen, Aslanides, Barrett, Beatty, Blasdel, Blessing, Boccieri, Book, Brown, Bup, 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
- Sens.** 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

Effective date: September 4, 2006

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### **ACT SUMMARY**

- Provides for college tuition and student fees waivers and reductions for the spouse or the qualified former spouse of a member of the United States Armed Services killed in the line of duty while serving in a combat zone after May 7, 1975, if the spouse or qualified former spouse was an Ohio resident at the time the member was killed in the line of duty.

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### **CONTENT AND OPERATION**

#### **Continuing law**

Continuing law generally provides that state-supported institutions of higher education *must waive* tuition and student fees for up to four academic years of undergraduate education for a student they admit who is (1) an Ohio resident who is under 26 years of age, or under 30 years of age if honorably discharged

from the United States Armed Services, and who is the child of a public service officer killed in the line of duty or of a member of the United States Armed Services killed in the line of duty during Operation Enduring Freedom or Operation Iraqi Freedom, or (2) an Ohio resident who is the spouse or qualified former spouse of a public service officer killed in the line of duty (R.C. 3333.26(B)(2) and (3)).<sup>1</sup>

Private institutions of higher education *may reduce* their tuition and student fees for the persons described above that they admit by an amount indicated by the Ohio Board of Regents and, by doing so, become eligible to receive a grant in that amount from the Board (R.C. 3333.26(C)).<sup>2</sup>

### **Changes made by the act**

The act extends the state-supported institutions of higher education mandatory tuition and student fees waiver and the private institutions of higher education tuition and student fees permissible reduction provisions discussed above to a *spouse or qualified former spouse* of a member of the United States Armed Services killed in the line of duty while serving in a *combat zone after May 7, 1975*, if the spouse or qualified former spouse was an Ohio resident at the time the member was killed in the line of duty. The act defines "combat zone" as an area that the President of the United States by executive order designates as an

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<sup>1</sup> *"Operation Enduring Freedom" continues to mean that period of conflict that began October 7, 2001, and ends on a date declared by the President of the United States or Congress (R.C. 3333.26(B)(1)(d)).*

*"Operation Iraqi Freedom" continues to mean that period of conflict that began March 20, 2003, and ends on a date declared by the President of the United States or Congress (R.C. 3333.26(B)(1)(e)).*

*"Public service officer" continues to mean an Ohio firefighter, volunteer firefighter, police officer, member of the State Highway Patrol, employee of a metropolitan park district who has been designated to exercise the powers of police officers under Ohio law, or other peace officer as defined by the Revised Code, or a person holding any equivalent position in another state (R.C. 3333.26(B)(1)(b)).*

*"Qualified former spouse" formerly was defined only as the former spouse of a public service officer who is the custodial parent of a minor child of that marriage pursuant to an order allocating parental rights and responsibilities for care of the child (R.C. 3333.26(B)(1)(c)). The act expands this definition.*

<sup>2</sup> *Private institutions of higher education include barber schools, schools of cosmetology, institutions with a certificate of authorization issued by the Ohio Board of Regents, and career colleges and universities (R.C. 3333.26(C)).*

area in which the United States Armed Forces are or have engaged in combat. Additionally, as part of the preceding change, the act expands the definition of a "qualified former spouse" to include the former spouse of a United States Armed Services member. (R.C. 3333.26(B)(1)(c) and (f) and (4) and (C).)

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## HISTORY

ACTION	DATE
Introduced	05-03-06
Reported, H. State Government	05-10-06
Passed House (94-0)	05-10-06
Reported, S. State & Local Gov't & Veterans Affairs	05-23-06
Passed Senate (33-0)	05-24-06
House concurred in Senate amendments (95-0)	05-25-06

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