

As Introduced

133rd General Assembly

Regular Session

2019-2020

H. B. No. 386

Representatives Hoops, Sobecki

**Cosponsors: Representatives Antani, Riedel, Cross, Green, Stoltzfus, Seitz,
Smith, K., Crossman, Strahorn, O'Brien, Lepore-Hagan, Ghanbari, Miller, A.,
Russo, Blair, Lightbody, Upchurch, Galonski, Weinstein, Miranda, Brent, Crawley**

A BILL

To amend sections 3333.38 and 3345.32 and to enact 1
section 3333.125 of the Revised Code and to 2
amend Sections 381.10 and 381.340 of Am. Sub. 3
H.B. 166 of the 133rd General Assembly to 4
establish the Commercial Truck Driver Student 5
Aid program and to make an appropriation. 6

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

Section 1. That sections 3333.38 and 3345.32 be amended 7
and section 3333.125 of the Revised Code be enacted to read as 8
follows: 9

Sec. 3333.125. (A) As used in this section: 10

(1) "Eligible student" means an individual who satisfies 11
all of the following: 12

(a) The individual is an Ohio resident. 13

(b) The individual has an expected family contribution of 14
two thousand one hundred ninety dollars or less. 15

(c) The individual is enrolled in a certified commercial driver's license school. 16
17

(d) The individual has passed a drug test. 18

(e) The individual does not have more than three moving violations in two consecutive years. If an individual who the chancellor of higher education has determined is an eligible student has three moving violations in two consecutive years while participating in the program, the individual shall no longer be considered eligible for continued participation in the program. 19
20
21
22
23
24
25

(f) The individual has not plead guilty to or been convicted of operating a vehicle under the influence of alcohol or a drug of abuse under section 4511.19 of the Revised Code in the past twelve months. If an individual who the chancellor has determined is an eligible student pleads guilty to or is convicted of operating a vehicle under the influence of alcohol or a drug of abuse while participating in the program, the individual shall no longer be considered eligible for continued participation in the program. 26
27
28
29
30
31
32
33
34

(g) The individual meets any additional eligibility criteria established under rules adopted by the chancellor under division (G) of this section. 35
36
37

(2) "Certified commercial driver's license school" means a commercial driver's license school certified by the chancellor. The chancellor shall adopt requirements for approval of certification and review applications based on those requirements. 38
39
40
41
42

No commercial driver's license school that charges employers recruiting fees shall be certified under this 43
44

division. 45

A certified commercial driver's license program offered by 46
a career college in this state that holds a certificate of 47
registration from the state board of career colleges and schools 48
under Chapter 3332. of the Revised Code or at a private 49
institution exempt from regulation under Chapter 3332. of the 50
Revised Code as prescribed in section 3333.046 of the Revised 51
Code shall be considered a certified commercial driver's license 52
school. 53

(3) "Cost of attendance" and "expected family 54
contribution" shall be defined by the chancellor. 55

(4) "Employed in this state" means either of the 56
following: 57

(a) An individual is employed as a truck driver by an 58
entity that has a valid mailing address in the state. 59

(b) An individual is self-employed as a truck driver using 60
a valid mailing address in the state. 61

(5) "Moving violation" has the same meaning as in section 62
4510.01 of the Revised Code. 63

(B) The commercial truck driver student aid program is 64
hereby established. Under the program, the chancellor of higher 65
education shall pay to an eligible student who commits to reside 66
in and be employed in this state for a minimum of one year upon 67
completion of a certified commercial driver's license program a 68
combination of a grant and a loan in the amounts prescribed by 69
division (D) of this section to pay for the costs of a certified 70
commercial driver's license program at a certified commercial 71
driver's license school. 72

(C) There is hereby established in the state treasury the 73
commercial truck driver student aid fund, which shall consist of 74
funds appropriated by the general assembly for purposes of this 75
section and funds received as repayment for loans awarded under 76
this section. 77

The fund shall be used by the chancellor for grants and 78
loans made under this section and for expenses of administering 79
the program. 80

(D) (1) The grant amount awarded to an eligible student 81
shall equal one-half of the student's remaining state cost of 82
attendance after the student's Pell grant and expected family 83
contribution are applied to the instructional and general 84
charges for the student's enrollment in the certified commercial 85
driver's license school. 86

Except as provided in divisions (D) (2) and (E) of this 87
section, the chancellor also shall award a loan to an eligible 88
student in the same amount. 89

(2) If, for any academic year, the amounts available for 90
support of the program are inadequate to provide grants and 91
loans to all eligible students who apply for participation or 92
are participating in the program, the chancellor shall 93
proportionately reduce the amount of each grant and loan to be 94
awarded for the academic year. 95

(E) The amount of a grant and a loan awarded to an 96
eligible student under this section shall be in addition to what 97
the eligible student receives under the Ohio college opportunity 98
grant under section 3333.122 of the Revised Code. If an eligible 99
student receives a grant under section 3333.122 of the Revised 100
Code, the chancellor shall decrease the amount of the eligible 101

student's loan under this section by the amount of the grant 102
received under that section. 103

(F) (1) Each eligible student who accepts a grant under 104
division (B) of this section shall sign a promissory note 105
payable to the state in the event the student fails to do either 106
of the following: 107

(a) Satisfy the residency and employment requirement under 108
that division; 109

(b) Complete the certified commercial driver's license 110
program in which the student was enrolled. 111

(2) The amount payable under the note shall be the amount 112
of the grant accepted by the student plus interest accrued 113
annually beginning either one calendar year after the student 114
completes a certified commercial driver's license program or 115
immediately after the student disenrolls from, or does not 116
complete, a certified commercial driver's license program. The 117
chancellor shall determine the interest rate and period of 118
repayment under the note. 119

(3) The note shall stipulate that the obligation to make 120
payments under the note is canceled once either of the following 121
applies to the student: 122

(a) The student completes a certified commercial driver's 123
license program and meets the residency and employment 124
requirement under division (B) of this section. 125

(b) The student dies or becomes totally and permanently 126
disabled. 127

(G) The chancellor shall adopt rules, in accordance with 128
Chapter 119. of the Revised Code, necessary for the operation of 129

<u>the program, including rules for all of the following:</u>	130
<u>(1) Terms and conditions for loans under the program;</u>	131
<u>(2) Requirements for certification of commercial driver's license schools;</u>	132
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	133
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	134
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	135
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	136
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	137
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	138
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	139
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	140
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	141
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	142
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	143
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	144
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	145
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	146
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	147
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	148
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	149
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	150
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	151
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	152
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	153
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	154
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	155
<u>(3) Additional eligibility criteria that the chancellor determines necessary for individuals participating in the program.</u>	156

co-op/internship program established under section 3333.72 of 157
the Revised Code, and any other post-secondary student financial 158
assistance supported by state funds. 159

(B) An individual who is convicted of, pleads guilty to, 160
or is adjudicated a delinquent child for one of the following 161
violations shall be ineligible to receive any student financial 162
assistance supported by state funds at an institution of higher 163
education for two calendar years from the time the individual 164
applies for assistance of that nature: 165

(1) A violation of section 2917.02 or 2917.03 of the 166
Revised Code; 167

(2) A violation of section 2917.04 of the Revised Code 168
that is a misdemeanor of the fourth degree; 169

(3) A violation of section 2917.13 of the Revised Code 170
that is a misdemeanor of the fourth or first degree and occurs 171
within the proximate area where four or more others are acting 172
in a course of conduct in violation of section 2917.11 of the 173
Revised Code. 174

(C) If an individual is convicted of, pleads guilty to, or 175
is adjudicated a delinquent child for committing a violation of 176
section 2917.02 or 2917.03 of the Revised Code, and if the 177
individual is enrolled in a state-supported institution of 178
higher education, the institution in which the individual is 179
enrolled shall immediately dismiss the individual. No state- 180
supported institution of higher education shall admit an 181
individual of that nature for one academic year after the 182
individual applies for admission to a state-supported 183
institution of higher education. This division does not limit or 184
affect the ability of a state-supported institution of higher 185

education to suspend or otherwise discipline its students.	186
Sec. 3345.32. (A) As used in this section:	187
(1) "State university or college" means the institutions described in section 3345.27 of the Revised Code and the northeast Ohio medical university.	188 189 190
(2) "Resident" has the meaning specified by rule of the chancellor of higher education.	191 192
(3) "Statement of selective service status" means a statement certifying one of the following:	193 194
(a) That the individual filing the statement has registered with the selective service system in accordance with the "Military Selective Service Act," 62 Stat. 604, 50 U.S.C. App. 453, as amended;	195 196 197 198
(b) That the individual filing the statement is not required to register with the selective service for one of the following reasons:	199 200 201
(i) The individual is under eighteen or over twenty-six years of age.	202 203
(ii) The individual is on active duty with the armed forces of the United States other than for training in a reserve or national guard unit.	204 205 206
(iii) The individual is a nonimmigrant alien lawfully in the United States in accordance with section 101 (a) (15) of the "Immigration and Nationality Act," 8 U.S.C. 1101, as amended.	207 208 209
(iv) The individual is not a citizen of the United States and is a permanent resident of the Trust Territory of the Pacific Islands or the Northern Mariana Islands.	210 211 212

(4) "Institution of higher education" means any eligible 213
institution approved by the United States department of 214
education pursuant to the "Higher Education Act of 1965," 79 215
Stat. 1219, as amended, or any institution whose students are 216
eligible for financial assistance under any of the programs 217
described by division (E) of this section. 218

(B) The chancellor shall, by rule, specify the form of 219
statements of selective service status to be filed in compliance 220
with divisions (C) to (E) of this section. Each statement of 221
selective service status shall contain a section wherein a male 222
student born after December 31, 1959, certifies that the student 223
has registered with the selective service system in accordance 224
with the "Military Selective Service Act," 62 Stat. 604, 50 225
U.S.C. App. 453, as amended. For those students not required to 226
register with the selective service, as specified in divisions 227
(A) (2) (b) (i) to (iv) of this section, a section shall be 228
provided on the statement of selective service status for the 229
certification of nonregistration and for an explanation of the 230
reason for the exemption. The chancellor may require that such 231
statements be accompanied by documentation specified by rule of 232
the chancellor. 233

(C) A state university or college that enrolls in any 234
course, class, or program a male student born after December 31, 235
1959, who has not filed a statement of selective service status 236
with the university or college shall, regardless of the 237
student's residency, charge the student any tuition surcharge 238
charged students who are not residents of this state. 239

(D) No male born after December 31, 1959, shall be 240
eligible to receive any loan, grant, scholarship, or other 241
financial assistance for educational expenses granted under 242

section 3315.33, 3333.12, 3333.122, 3333.125, 3333.21, 3333.22, 243
3333.26, 3333.391, 5910.03, 5910.032, or 5919.34 of the Revised 244
Code, financed by an award under the choose Ohio first 245
scholarship program established under section 3333.61 of the 246
Revised Code, or financed by an award under the Ohio co- 247
op/internship program established under section 3333.72 of the 248
Revised Code, unless that person has filed a statement of 249
selective service status with that person's institution of 250
higher education. 251

(E) If an institution of higher education receives a 252
statement from an individual certifying that the individual has 253
registered with the selective service system in accordance with 254
the "Military Selective Service Act," 62 Stat. 604, 50 U.S.C. 255
App. 453, as amended, or that the individual is exempt from 256
registration for a reason other than that the individual is 257
under eighteen years of age, the institution shall not require 258
the individual to file any further statements. If it receives a 259
statement certifying that the individual is not required to 260
register because the individual is under eighteen years of age, 261
the institution shall require the individual to file a new 262
statement of selective service status each time the individual 263
seeks to enroll for a new academic term or makes application for 264
a new loan or loan guarantee or for any form of financial 265
assistance for educational expenses, until it receives a 266
statement certifying that the individual has registered with the 267
selective service system or is exempt from registration for a 268
reason other than that the individual is under eighteen years of 269
age. 270

Section 2. That existing sections 3333.38 and 3345.32 of 271
the Revised Code are hereby repealed. 272

Section 3. That Sections 381.10 and 381.340 of Am. Sub. 273
H.B. 166 of the 133rd General Assembly be amended to read as 274
follows: 275

Sec. 381.10. BOR DEPARTMENT OF HIGHER EDUCATION 276

277

1	2	3	4	5
A General Revenue Fund				
B GRF	235321	Operating Expenses	\$ 5,825,252	\$ 5,762,414
C GRF	235402	Sea Grants	\$ 299,250	\$ 299,250
D GRF	235406	Articulation and Transfer	\$ 1,844,372	\$ 1,851,773
E GRF	235408	Midwest Higher Education Compact	\$ 115,000	\$ 115,000
F GRF	235414	Grants and Scholarship Administration	\$ 837,799	\$ 855,433
G GRF	235417	Technology Maintenance and Operations	\$ 4,989,937	\$ 3,758,802
H GRF	235428	Appalachian New Economy Workforce Partnership	\$ 4,228,000	\$ 4,228,000

I	GRF	235438	Choose Ohio First Scholarship	\$	28,169,310	\$	40,177,613
J	GRF	235443	Adult Basic and Literacy Education - State	\$	8,083,344	\$	8,083,344
K	GRF	235444	Ohio Technical Centers	\$	19,669,559	\$	23,250,000
L	GRF	235474	Area Health Education Centers Program Support	\$	873,000	\$	873,000
M	GRF	235492	Campus Safety and Training	\$	750,000	\$	750,000
N	GRF	235501	State Share of Instruction	\$	2,019,202,822	\$	2,039,394,850
O	GRF	235504	War Orphans and Severely Disabled Veterans' Children Scholarships	\$	11,163,333	\$	12,502,933
P	GRF	235507	OhioLINK	\$	6,024,682	\$	6,024,682
Q	GRF	235508	Air Force Institute of Technology	\$	1,641,723	\$	1,641,723
R	GRF	235510	Ohio	\$	4,388,513	\$	4,388,513

		Supercomputer Center				
S	GRF	235511	Cooperative Extension Service	\$	25,110,186	\$ 25,110,186
T	GRF	235514	Central State Supplement	\$	11,685,516	\$ 11,685,516
U	GRF	235515	Case Western Reserve University School of Medicine	\$	2,038,940	\$ 2,038,940
V	GRF	235519	Family Practice	\$	3,007,876	\$ 3,007,876
W	GRF	235520	Shawnee State Supplement	\$	4,037,456	\$ 4,037,456
X	GRF	235525	Geriatric Medicine	\$	496,043	\$ 496,043
Y	GRF	235526	Primary Care Residencies	\$	1,425,000	\$ 1,425,000
Z	GRF	235533	Program and Project Support	\$	2,803,850	\$ 1,328,000
AA	GRF	235535	Ohio Agricultural Research and Development Center	\$	37,361,470	\$ 37,361,470
AB	GRF	235536	The Ohio State	\$	9,185,494	\$ 9,185,494

		University Clinical Teaching				
AC GRF	235537	University of Cincinnati Clinical Teaching	\$	7,904,944	\$	7,904,944
AD GRF	235538	University of Toledo Clinical Teaching	\$	5,888,670	\$	5,888,670
AE GRF	235539	Wright State University Clinical Teaching	\$	2,860,830	\$	2,860,830
AF GRF	235540	Ohio University Clinical Teaching	\$	2,765,651	\$	2,765,651
AG GRF	235541	Northeast Ohio Medical University Clinical Teaching	\$	2,844,469	\$	2,844,469
AH GRF	235543	Kent State University College of Podiatric Medicine Clinic Subsidy	\$	500,000	\$	500,000
AI GRF	235544	STEM Public-Private Partnership	\$	500,000	\$	500,000

		Program				
AJ GRF	235546	Central State Agricultural Research and Development	\$	3,492,485	\$	3,492,485
AK GRF	235548	Central State Cooperative Extension Services	\$	3,004,367	\$	3,004,367
AL GRF	235552	Capital Component	\$	1,584,491	\$	1,584,491
AM GRF	235555	Library Depositories	\$	1,396,592	\$	1,396,592
AN GRF	235556	Ohio Academic Resources Network	\$	3,077,343	\$	3,077,343
AO GRF	<u>235557</u>	<u>Commercial Truck Driver Student Aid Program</u>	\$	<u>0</u>	\$	<u>5,000,000</u>
AP GRF	235558	Long-term Care Research	\$	309,035	\$	309,035
AQ GRF	235563	Ohio College Opportunity Grant	\$	122,260,500	\$	148,200,000
AR GRF	235572	The Ohio State University Clinic Support	\$	728,206	\$	728,206

AS GRF	235591	Co-Op Internship Program	\$	1,262,500	\$	1,462,500
AT GRF	235597	High School STEM Innovation and Ohio College Scholarship and Retention Program	\$	1,000,000	\$	1,000,000
AU GRF	235598	Rural University Program	\$	500,000	\$	500,000
AV GRF	235599	National Guard Scholarship Program	\$	20,604,000	\$	21,222,120
AW GRF	235909	Higher Education General Obligation Bond Debt Service	\$	323,545,500	\$	348,550,200
AX TOTAL GRF	General Revenue Fund		\$	2,721,287,310	\$	2,807,425,214
						<u>2,812,425,214</u>
AY Dedicated Purpose Fund Group						
AZ 2200	235614	Program Approval and Reauthorization	\$	800,485	\$	744,562
BA 4560	235603	Sales and Services	\$	199,250	\$	199,250

BB 4E80	235602	Higher Educational Facility Commission Administration	\$	53,239	\$	60,000
BC 5D40	235675	Conference/Special Purposes	\$	1,000,000	\$	1,000,000
BD 5FR0	235650	State and Non- Federal Grants and Award	\$	1,402,150	\$	1,402,150
BE 5JC0	235654	Federal Research Network	\$	4,950,000	\$	4,950,000
BF 5NH0	235684	OhioMeansJobs Workforce Development Revolving Loan Program	\$	245,163	\$	0
BG 5P30	235663	Variable Savings Plan	\$	7,743,050	\$	7,915,343
BH 6450	235664	Guaranteed Savings Plan	\$	956,973	\$	1,001,626
BI 6820	235606	Nursing Loan Program	\$	889,611	\$	891,320
BJ TOTAL	DPF Dedicated Purpose Fund Group		\$	18,239,921	\$	18,164,251

BK Bond Research and Development Fund Group

BL 7011	235634	Research Incentive Third Frontier	\$	6,500,000	\$	6,500,000
---------	--------	---	----	-----------	----	-----------

BM 7014	235639	Research Incentive Third Frontier - Tax	\$	1,500,000	\$	1,500,000
---------	--------	---	----	-----------	----	-----------

BN TOTAL BRD Bond Research and Development Fund Group			\$	8,000,000	\$	8,000,000
--	--	--	----	-----------	----	-----------

BO Federal Fund Group

BP 3120	235611	Gear-up Grant	\$	1,995,808	\$	2,000,000
---------	--------	---------------	----	-----------	----	-----------

BQ 3120	235612	Carl D. Perkins Grant/Plan Administration	\$	1,332,315	\$	1,350,000
---------	--------	---	----	-----------	----	-----------

BR 3120	235641	Adult Basic and Literacy Education - Federal	\$	17,579,996	\$	17,600,000
---------	--------	---	----	------------	----	------------

BS 3BG0	235651	Gear Up Grant Scholarships	\$	1,750,000	\$	1,750,000
---------	--------	-------------------------------	----	-----------	----	-----------

BT 3H20	235608	Human Services Project	\$	375,000	\$	375,000
---------	--------	---------------------------	----	---------	----	---------

BU 3N60	235658	John R. Justice Student Loan	\$	70,000	\$	70,000
---------	--------	---------------------------------	----	--------	----	--------

Repayment Program

BV TOTAL FED Federal Fund Group	\$	23,103,119	\$	23,145,000
BW TOTAL ALL BUDGET FUND GROUPS	\$	2,770,630,350	\$	2,856,734,465
				<u>2,861,734,465</u>

Sec. 381.340. OHIO ACADEMIC RESOURCES NETWORK (OARNET) 278

The foregoing appropriation item 235556, Ohio Academic 279
Resources Network, shall be used by the Chancellor of Higher 280
Education to support the operations of the Ohio Academic 281
Resources Network, a consortium organized under division (T) of 282
section 3333.04 of the Revised Code, which shall include support 283
for Ohio's colleges and universities in maintaining and 284
enhancing network connections, using new network technologies to 285
improve research, education, and economic development programs, 286
and sharing information technology services. To the extent 287
network capacity is available, OARnet shall support allocating 288
bandwidth to eligible programs directly supporting Ohio's 289
economic development. 290

COMMERCIAL TRUCK DRIVER STUDENT AID PROGRAM 291

The foregoing appropriation item 235557, Commercial Truck 292
Driver Student Aid Program, shall be used to provide grants and 293
loans under the Commercial Truck Driver Student Aid Program 294
established in section 3333.125 of the Revised Code. 295

Of the foregoing appropriation item 235557, Commercial 296
Truck Driver Student Aid Program, up to \$2,500,000 in fiscal 297
year 2021 shall be distributed by the Chancellor of Higher 298
Education as grants pursuant to section 3333.125 of the Revised 299
Code. 300

Of the foregoing appropriation item 235557, Commercial 301
Truck Driver Student Aid Program, up to \$2,500,000 in fiscal 302
year 2021 shall be distributed by the Chancellor of Higher 303
Education as loans pursuant to section 3333.125 of the Revised 304
Code. 305

Section 4. That existing Sections 381.10 and 381.340 of 306
Am. Sub. H.B. 166 of the 133rd General Assembly are hereby 307
repealed. 308