

As Re-Referred by the House Rules and Reference Committee

132nd General Assembly

Regular Session

2017-2018

H. B. No. 154

Representatives Smith, R., Manning

Cosponsors: Representatives Gavarone, Hambley

A BILL

To amend sections 3333.38 and 3345.32 and to enact 1
section 3333.125 of the Revised Code to 2
establish the Commercial Truck Driver Student 3
Aid program and to make an appropriation. 4

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

Section 1. That sections 3333.38 and 3345.32 be amended 5
and section 3333.125 of the Revised Code be enacted to read as 6
follows: 7

Sec. 3333.125. (A) As used in this section: 8

(1) "Eligible student" means an individual who satisfies 9
all of the following: 10

(a) The individual is an Ohio resident. 11

(b) The individual has an expected family contribution of 12
two thousand one hundred ninety or less. 13

(c) The individual is enrolled in a certified commercial 14
driver's license school. 15

(d) The individual has passed a drug test. 16

(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. 17
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(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. 24
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(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. 33
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No commercial driver's license school that charges employers recruiting fees shall be certified under this division. 38
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A certified driver's license program offered by a career college in this state that holds a certificate of registration from the state board of career colleges and schools under Chapter 3332. of the Revised Code or at a private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code shall be 41
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considered a certified commercial driver's license school. 47

(3) "Cost of attendance" and "expected family contribution" shall be defined by the chancellor. 48
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(4) "Moving violation" has the same meaning as in section 4510.01 of the Revised Code. 50
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(B) The commercial truck driver student aid program is hereby established. Under the program, the chancellor of higher education shall pay to an eligible student a combination of a grant and a loan in the amounts prescribed by division (D) of this section to pay for the costs of a commercial driver's license program at a certified commercial driver's license school. 52
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(C) There is hereby established in the state treasury the commercial truck driver student aid fund, which shall consist of funds appropriated by the general assembly for purposes of this section and funds received as repayment for loans awarded under this section. 59
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The fund shall be used by the chancellor for grants and loans made under this section and for expenses of administering the program. 64
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(D) (1) The grant amount awarded to an eligible student shall equal one-half of the student's remaining state cost of attendance after the student's Pell grant and expected family contribution are applied to the instructional and general charges for the student's enrollment in the certified commercial driver's license school. 67
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Except as provided in divisions (D) (2) and (E) of this section, the chancellor also shall award a loan to an eligible student in the same amount. 73
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(2) If, for any academic year, the amounts available for 76
support of the program are inadequate to provide grants and 77
loans to all eligible students who apply for participation or 78
are participating in the program, the chancellor shall 79
proportionately reduce the amount of each grant and loan to be 80
awarded for the academic year. 81

(E) The amount of a grant and a loan awarded to an 82
eligible student under this section shall be in addition to what 83
the eligible student receives under the Ohio college opportunity 84
grant under section 3333.122 of the Revised Code. 85

If an eligible student receives a grant under section 86
3333.122 of the Revised Code, the chancellor shall decrease the 87
amount of the eligible student's loan under this section by the 88
amount of the grant received under that section. 89

(F) The chancellor shall adopt rules, in accordance with 90
Chapter 119. of the Revised Code, necessary for the operation of 91
the program, including rules for both: 92

(1) Terms and conditions for loans under the program; 93

(2) Requirements for certification of commercial driver's 94
license schools. 95

Sec. 3333.38. (A) As used in this section: 96

(1) "Institution of higher education" includes all of the 97
following: 98

(a) A state institution of higher education, as defined in 99
section 3345.011 of the Revised Code; 100

(b) A nonprofit institution issued a certificate of 101
authorization under Chapter 1713. of the Revised Code; 102

(c) A private institution exempt from regulation under Chapter 3332. of the Revised Code, as prescribed in section 3333.046 of the Revised Code;

(d) An institution of higher education with a certificate of registration from the state board of career colleges and schools under Chapter 3332. of the Revised Code.

(2) "Student financial assistance supported by state funds" includes assistance granted under sections 3315.33, 3333.12, 3333.122, 3333.125, 3333.21, 3333.26, 3333.28, 3333.372, 3333.391, 5910.03, 5910.032, and 5919.34 of the Revised Code, financed by an award under the choose Ohio first scholarship program established under section 3333.61 of the Revised Code, or financed by an award under the Ohio co-op/internship program established under section 3333.72 of the Revised Code, and any other post-secondary student financial assistance supported by state funds.

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

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

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

(3) A violation of section 2917.13 of the Revised Code that is a misdemeanor of the fourth or first degree and occurs within the proximate area where four or more others are acting

in a course of conduct in violation of section 2917.11 of the Revised Code.

(C) If an individual is convicted of, pleads guilty to, or is adjudicated a delinquent child for committing a violation of section 2917.02 or 2917.03 of the Revised Code, and if the individual is enrolled in a state-supported institution of higher education, the institution in which the individual is enrolled shall immediately dismiss the individual. No state-supported institution of higher education shall admit an individual of that nature for one academic year after the individual applies for admission to a state-supported institution of higher education. This division does not limit or affect the ability of a state-supported institution of higher education to suspend or otherwise discipline its students.

Sec. 3345.32. (A) As used in this section:

(1) "State university or college" means the institutions described in section 3345.27 of the Revised Code and the northeast Ohio medical university.

(2) "Resident" has the meaning specified by rule of the chancellor of higher education.

(3) "Statement of selective service status" means a statement certifying one of the following:

(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;

(b) That the individual filing the statement is not required to register with the selective service for one of the following reasons:

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| (i) The individual is under eighteen or over twenty-six years of age. | 161 162 |
| (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. | 163 164 165 |
| (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. | 166 167 168 |
| (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. | 169 170 171 |
| (4) "Institution of higher education" means any eligible institution approved by the United States department of education pursuant to the "Higher Education Act of 1965," 79 Stat. 1219, as amended, or any institution whose students are eligible for financial assistance under any of the programs described by division (E) of this section. | 172 173 174 175 176 177 |
| (B) The chancellor shall, by rule, specify the form of statements of selective service status to be filed in compliance with divisions (C) to (E) of this section. Each statement of selective service status shall contain a section wherein a male student born after December 31, 1959, certifies that the student 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. For those students not required to register with the selective service, as specified in divisions (A) (2) (b) (i) to (iv) of this section, a section shall be provided on the statement of selective service status for the certification of nonregistration and for an explanation of the | 178 179 180 181 182 183 184 185 186 187 188 189 |

reason for the exemption. The chancellor may require that such 190
statements be accompanied by documentation specified by rule of 191
the chancellor. 192

(C) A state university or college that enrolls in any 193
course, class, or program a male student born after December 31, 194
1959, who has not filed a statement of selective service status 195
with the university or college shall, regardless of the 196
student's residency, charge the student any tuition surcharge 197
charged students who are not residents of this state. 198

(D) No male born after December 31, 1959, shall be 199
eligible to receive any loan, grant, scholarship, or other 200
financial assistance for educational expenses granted under 201
section 3315.33, 3333.12, 3333.122, 3333.125, 3333.21, 3333.22, 202
3333.26, 3333.391, 5910.03, 5910.032, or 5919.34 of the Revised 203
Code, financed by an award under the choose Ohio first 204
scholarship program established under section 3333.61 of the 205
Revised Code, or financed by an award under the Ohio co- 206
op/internship program established under section 3333.72 of the 207
Revised Code, unless that person has filed a statement of 208
selective service status with that person's institution of 209
higher education. 210

(E) If an institution of higher education receives a 211
statement from an individual certifying that the individual has 212
registered with the selective service system in accordance with 213
the "Military Selective Service Act," 62 Stat. 604, 50 U.S.C. 214
App. 453, as amended, or that the individual is exempt from 215
registration for a reason other than that the individual is 216
under eighteen years of age, the institution shall not require 217
the individual to file any further statements. If it receives a 218
statement certifying that the individual is not required to 219

register because the individual is under eighteen years of age, 220
the institution shall require the individual to file a new 221
statement of selective service status each time the individual 222
seeks to enroll for a new academic term or makes application for 223
a new loan or loan guarantee or for any form of financial 224
assistance for educational expenses, until it receives a 225
statement certifying that the individual has registered with the 226
selective service system or is exempt from registration for a 227
reason other than that the individual is under eighteen years of 228
age. 229

Section 2. That existing sections 3333.38 and 3345.32 of 230
the Revised Code are hereby repealed. 231

Section 3. All items in this section are hereby 232
appropriated as designated out of any moneys in the state 233
treasury to the credit of the designated fund. For all 234
appropriations made in this act, those in the first column are 235
for fiscal year 2018 and those in the second column are for 236
fiscal year 2019. The appropriations made in this act are in 237
addition to any other appropriations made for the FY 2018-FY 238
2019 biennium. 239

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| BOR DEPARTMENT OF HIGHER EDUCATION | | | | 240 |
| General Revenue Fund | | | | 241 |
| GRF | 235517 | Commercial Truck Driver | \$5,000,000 \$0 | 242 |
| Student Aid Program | | | | 243 |
| Total GRF General Revenue Fund | | | \$5,000,000 \$0 | 244 |
| TOTAL ALL BUDGET FUND GROUPS | | | \$5,000,000 \$0 | 245 |
| COMMERCIAL TRUCK DRIVER STUDENT AID PROGRAM | | | | 246 |

The foregoing appropriation item 235517, Commercial Truck Driver Student Aid Program, shall be used to provide grants and loans under the Commercial Truck Driver Student Aid Program established in section 3333.125 of the Revised Code.

Of the foregoing appropriation item 235517, Commercial Truck Driver Student Aid Program, up to \$2,500,000 in fiscal year 2018 shall be distributed by the Chancellor of Higher Education as grants pursuant to section 3333.125 of the Revised Code.

Of the foregoing appropriation item 235517, Commercial Truck Driver Student Aid Program, up to \$2,500,000 in fiscal year 2018 shall be distributed by the Chancellor of Higher Education as loans pursuant to section 3333.125 of the Revised Code.

Section 4. Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from appropriations contained in this act shall be accounted for as though made in the main operating appropriations act of the 132nd General Assembly.

The appropriations made in this act are subject to all provisions of the main operating appropriations act of the 132nd General Assembly that are generally applicable to such appropriations.