

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 129

Representatives Hoops, Sobecki

Cosponsors: Representatives Lanese, Bird, Crossman, Miller, A., Riedel,
Weinstein, Cross

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 is enrolled in a certified commercial 12
driver's license school. 13

(c) The individual has passed a drug test. 14

(d) The individual does not have more than three moving 15
violations in two consecutive years. If an individual who the 16

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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(e) 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. 22
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(f) The individual meets any additional eligibility criteria established under rules adopted by the chancellor under division (G) of this section. 31
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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. 34
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No commercial driver's license school that charges employers recruiting fees shall be certified under this division. 39
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A certified commercial 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 42
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institution exempt from regulation under Chapter 3332. of the 46
Revised Code as prescribed in section 3333.046 of the Revised 47
Code shall be considered a certified commercial driver's license 48
school. 49

(3) "Cost of attendance" and "expected family 50
contribution" shall be defined by the chancellor. 51

(4) "Employed in this state" means either of the 52
following: 53

(a) An individual is employed as a truck driver by an 54
entity that has a valid mailing address in the state. 55

(b) An individual is self-employed as a truck driver using 56
a valid mailing address in the state. 57

(5) "Moving violation" has the same meaning as in section 58
4510.01 of the Revised Code. 59

(B) The commercial truck driver student aid program is 60
hereby established. Under the program, the chancellor of higher 61
education shall pay to an eligible student who commits to reside 62
in and be employed in this state for a minimum of one year upon 63
completion of a certified commercial driver's license program a 64
combination of a grant and a loan in the amounts prescribed by 65
division (D) of this section to pay for the costs of a certified 66
commercial driver's license program at a certified commercial 67
driver's license school. 68

(C) There is hereby established in the state treasury the 69
commercial truck driver student aid fund, which shall consist of 70
funds appropriated by the general assembly for purposes of this 71
section and funds received as repayment for loans awarded under 72
this section. 73

The fund shall be used by the chancellor for grants and 74
loans made under this section and for expenses of administering 75
the program. 76

(D)(1) The grant amount awarded to an eligible student 77
shall equal one-half of the student's remaining state cost of 78
attendance after the student's Pell grant and expected family 79
contribution are applied to the instructional and general 80
charges for the student's enrollment in the certified commercial 81
driver's license school. 82

Except as provided in divisions (D)(2) and (E) of this 83
section, the chancellor also shall award a loan to an eligible 84
student in the same amount. 85

(2) If, for any academic year, the amounts available for 86
support of the program are inadequate to provide grants and 87
loans to all eligible students who apply for participation or 88
are participating in the program, the chancellor shall 89
proportionately reduce the amount of each grant and loan to be 90
awarded for the academic year. 91

(E) The amount of a grant and a loan awarded to an 92
eligible student under this section shall be in addition to what 93
the eligible student receives under the Ohio college opportunity 94
grant under section 3333.122 of the Revised Code. If an eligible 95
student receives a grant under section 3333.122 of the Revised 96
Code, the chancellor shall decrease the amount of the eligible 97
student's loan under this section by the amount of the grant 98
received under that section. 99

(F)(1) Each eligible student who accepts a grant under 100
division (B) of this section shall sign a promissory note 101
payable to the state in the event the student fails to do either 102

<u>of the following:</u>	103
<u>(a) Satisfy the residency and employment requirement under</u>	104
<u>that division;</u>	105
<u>(b) Complete the certified commercial driver's license</u>	106
<u>program in which the student was enrolled.</u>	107
<u>(2) The amount payable under the note shall be the amount</u>	108
<u>of the grant accepted by the student plus interest accrued</u>	109
<u>annually beginning either one calendar year after the student</u>	110
<u>completes a certified commercial driver's license program or</u>	111
<u>immediately after the student disenrolls from, or does not</u>	112
<u>complete, a certified commercial driver's license program. The</u>	113
<u>chancellor shall determine the interest rate and period of</u>	114
<u>repayment under the note.</u>	115
<u>(3) The note shall stipulate that the obligation to make</u>	116
<u>payments under the note is canceled once either of the following</u>	117
<u>applies to the student:</u>	118
<u>(a) The student completes a certified commercial driver's</u>	119
<u>license program and meets the residency and employment</u>	120
<u>requirement under division (B) of this section.</u>	121
<u>(b) The student dies or becomes totally and permanently</u>	122
<u>disabled.</u>	123
<u>(G) The chancellor shall adopt rules, in accordance with</u>	124
<u>Chapter 119. of the Revised Code, necessary for the operation of</u>	125
<u>the program, including rules for all of the following:</u>	126
<u>(1) Terms and conditions for loans under the program;</u>	127
<u>(2) Requirements for certification of commercial driver's</u>	128
<u>license schools;</u>	129

<u>(3) Additional eligibility criteria that the chancellor</u>	130
<u>determines necessary for individuals participating in the</u>	131
<u>program.</u>	132
Sec. 3333.38. (A) As used in this section:	133
(1) "Institution of higher education" includes all of the	134
following:	135
(a) A state institution of higher education, as defined in	136
section 3345.011 of the Revised Code;	137
(b) A nonprofit institution issued a certificate of	138
authorization under Chapter 1713. of the Revised Code;	139
(c) A private institution exempt from regulation under	140
Chapter 3332. of the Revised Code, as prescribed in section	141
3333.046 of the Revised Code;	142
(d) An institution of higher education with a certificate	143
of registration from the state board of career colleges and	144
schools under Chapter 3332. of the Revised Code.	145
(2) "Student financial assistance supported by state	146
funds" includes assistance granted under sections 3315.33,	147
3333.12, 3333.122, <u>3333.125</u> , 3333.21, 3333.26, 3333.28,	148
3333.372, 3333.391, 5910.03, 5910.032, and 5919.34 of the	149
Revised Code, financed by an award under the choose Ohio first	150
scholarship program established under section 3333.61 of the	151
Revised Code, or financed by an award under the Ohio co-	152
op/internship program established under section 3333.72 of the	153
Revised Code, and any other post-secondary student financial	154
assistance supported by state funds.	155
(B) An individual who is convicted of, pleads guilty to,	156
or is adjudicated a delinquent child for one of the following	157

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	187
chancellor of higher education.	188
(3) "Statement of selective service status" means a	189
statement certifying one of the following:	190
(a) That the individual filing the statement has	191
registered with the selective service system in accordance with	192
the "Military Selective Service Act," 62 Stat. 604, 50 U.S.C.	193
App. 453, as amended;	194
(b) That the individual filing the statement is not	195
required to register with the selective service for one of the	196
following reasons:	197
(i) The individual is under eighteen or over twenty-six	198
years of age.	199
(ii) The individual is on active duty with the armed	200
forces of the United States other than for training in a reserve	201
or national guard unit.	202
(iii) The individual is a nonimmigrant alien lawfully in	203
the United States in accordance with section 101 (a) (15) of the	204
"Immigration and Nationality Act," 8 U.S.C. 1101, as amended.	205
(iv) The individual is not a citizen of the United States	206
and is a permanent resident of the Trust Territory of the	207
Pacific Islands or the Northern Mariana Islands.	208
(4) "Institution of higher education" means any eligible	209
institution approved by the United States department of	210
education pursuant to the "Higher Education Act of 1965," 79	211
Stat. 1219, as amended, or any institution whose students are	212
eligible for financial assistance under any of the programs	213
described by division (E) of this section.	214

(B) The chancellor shall, by rule, specify the form of 215
statements of selective service status to be filed in compliance 216
with divisions (C) to (E) of this section. Each statement of 217
selective service status shall contain a section wherein a male 218
student born after December 31, 1959, certifies that the student 219
has registered with the selective service system in accordance 220
with the "Military Selective Service Act," 62 Stat. 604, 50 221
U.S.C. App. 453, as amended. For those students not required to 222
register with the selective service, as specified in divisions 223
(A) (2) (b) (i) to (iv) of this section, a section shall be 224
provided on the statement of selective service status for the 225
certification of nonregistration and for an explanation of the 226
reason for the exemption. The chancellor may require that such 227
statements be accompanied by documentation specified by rule of 228
the chancellor. 229

(C) A state university or college that enrolls in any 230
course, class, or program a male student born after December 31, 231
1959, who has not filed a statement of selective service status 232
with the university or college shall, regardless of the 233
student's residency, charge the student any tuition surcharge 234
charged students who are not residents of this state. 235

(D) No male born after December 31, 1959, shall be 236
eligible to receive any loan, grant, scholarship, or other 237
financial assistance for educational expenses granted under 238
section 3315.33, 3333.12, 3333.122, 3333.125, 3333.21, 3333.22, 239
3333.26, 3333.391, 5910.03, 5910.032, or 5919.34 of the Revised 240
Code, financed by an award under the choose Ohio first 241
scholarship program established under section 3333.61 of the 242
Revised Code, or financed by an award under the Ohio co- 243
op/internship program established under section 3333.72 of the 244
Revised Code, unless that person has filed a statement of 245

selective service status with that person's institution of 246
higher education. 247

(E) If an institution of higher education receives a 248
statement from an individual certifying that the individual has 249
registered with the selective service system in accordance with 250
the "Military Selective Service Act," 62 Stat. 604, 50 U.S.C. 251
App. 453, as amended, or that the individual is exempt from 252
registration for a reason other than that the individual is 253
under eighteen years of age, the institution shall not require 254
the individual to file any further statements. If it receives a 255
statement certifying that the individual is not required to 256
register because the individual is under eighteen years of age, 257
the institution shall require the individual to file a new 258
statement of selective service status each time the individual 259
seeks to enroll for a new academic term or makes application for 260
a new loan or loan guarantee or for any form of financial 261
assistance for educational expenses, until it receives a 262
statement certifying that the individual has registered with the 263
selective service system or is exempt from registration for a 264
reason other than that the individual is under eighteen years of 265
age. 266

Section 2. That existing sections 3333.38 and 3345.32 of 267
the Revised Code are hereby repealed. 268

Section 3. All items in this section are hereby 269
appropriated as designated out of any moneys in the state 270
treasury to the credit of the designated fund. For all 271
appropriations made in this act, those in the first column are 272
for fiscal year 2022 and those in the second column are for 273
fiscal year 2023. The appropriations made in this act are in 274
addition to any other appropriations made for the FY 2022-FY 275

2023 biennium.	276
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A	BOR DEPARTMENT OF HIGHER EDUCATION				
B	General Revenue Fund				
C	GRF	235557	Commercial Truck Driver Student Aid Program	\$5,000,000	\$5,000,000
D	TOTAL GRF General Revenue Fund			\$5,000,000	\$5,000,000
E	TOTAL ALL BUDGET FUND GROUPS			\$5,000,000	\$5,000,000

COMMERCIAL TRUCK DRIVER STUDENT AID PROGRAM 279

The foregoing appropriation item 235557, 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. 280
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Of the foregoing appropriation item 235557, Commercial Truck Driver Student Aid Program, up to \$2,500,000 in each fiscal year shall be distributed by the Chancellor of Higher Education as grants pursuant to section 3333.125 of the Revised Code. 284
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Of the foregoing appropriation item 235557, Commercial Truck Driver Student Aid Program, up to \$2,500,000 in each fiscal year shall be distributed by the Chancellor of Higher Education as loans pursuant to section 3333.125 of the Revised 289
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Code.	293
Section 4. Within the limits set forth in this act, the	294
Director of Budget and Management shall establish accounts	295
indicating the source and amount of funds for each appropriation	296
made in this act, and shall determine the form and manner in	297
which appropriation accounts shall be maintained. Expenditures	298
from appropriations contained in this act shall be accounted for	299
as though made in the main operating appropriations act of the	300
134th General Assembly.	301
The appropriations made in this act are subject to all	302
provisions of the main operating appropriations act of the 134th	303
General Assembly that are generally applicable to such	304
appropriations.	305