

Sub. H.B. 33  
As Passed by the Senate  
BORCD30

\_\_\_\_\_ moved to amend as follows:

Delete line 219 of the title 1

In line 220 of the title, delete "5910.06, 5910.07, 5910.08," 2

In line 255 of the title, delete "3333.261," 3

In line 278 of the title, delete "5910.021," 4

In line 921, delete "5910.02, 5910.031, 5910.032, 5910.04," 5

In line 922, delete "5910.05, 5910.06, 5910.07, 5910.08," 6

In line 948, delete "3333.261," 7

In line 966, delete "5910.021," 8

Delete 57012 through 57169 and insert: 9

"**Sec. 3333.26.** (A) Any citizen of this state who has resided 10  
within the state for one year, who was in the active service of 11  
the United States as a soldier, sailor, nurse, or marine between 12  
~~April 6, 1917~~ September 1, 1939, and ~~November 11, 1918~~ September 13  
2, 1945, and who has been honorably discharged from that service, 14  
shall be admitted to any school, college, or university that 15  
receives state funds in support thereof, without being required to 16  
pay any tuition or matriculation fee, but is not relieved from the 17  
payment of laboratory or similar fees. 18

(B)(1) As used in this section:	19
(a) "Volunteer firefighter" has the meaning as in division	20
(B)(1) of section 146.01 of the Revised Code.	21
(b) "Public service officer" means an Ohio firefighter,	22
volunteer firefighter, police officer, member of the state highway	23
patrol, employee designated to exercise the powers of police	24
officers pursuant to section 1545.13 of the Revised Code, or other	25
peace officer as defined by division (B) of section 2935.01 of the	26
Revised Code, or a person holding any equivalent position in	27
another state.	28
(c) "Qualified former spouse" means the former spouse of a	29
public service officer, or of a member of the armed services of	30
the United States, who is the custodial parent of a minor child of	31
that marriage pursuant to an order allocating the parental rights	32
and responsibilities for care of the child issued pursuant to	33
section 3109.04 of the Revised Code.	34
(d) "Operation enduring freedom" means that period of	35
conflict which began October 7, 2001, and ends on a date declared	36
by the president of the United States or the congress.	37
(e) "Operation Iraqi freedom" means that period of conflict	38
which began March 20, 2003, and ends on a date declared by the	39
president of the United States or the congress.	40
(f) "Combat zone" means an area that the president of the	41
United States by executive order designates, for purposes of 26	42
U.S.C. 112, as an area in which armed forces of the United States	43
are or have engaged in combat.	44
(2) Subject to division (D) of this section, any resident of	45
this state who is under twenty-six years of age, or under thirty	46
years of age if the resident has been honorably discharged from	47

the armed services of the United States, who is the child of a  
public service officer killed in the line of duty or of a member  
of the armed services of the United States killed in the line of  
duty during operation enduring freedom or operation Iraqi freedom,  
and who is admitted to any state university or college as defined  
in division (A)(1) of section 3345.12 of the Revised Code,  
community college, state community college, university branch, or  
technical college shall not be required to pay any tuition or any  
student fee for up to four academic years of education, which  
shall be at the undergraduate level, or a certificate program as  
prescribed under division (E) of this section.

A child of a member of the armed services of the United  
States killed in the line of duty during operation enduring  
freedom or operation Iraqi freedom is eligible for a waiver of  
tuition and student fees under this division only if the student  
is not eligible for a war orphans and severely disabled veterans'  
children scholarship authorized by Chapter 5910. of the Revised  
Code. In any year in which the war orphans and severely disabled  
veterans' children scholarship board reduces the percentage of  
tuition covered by a war orphans and severely disabled veterans'  
children scholarship below one hundred per cent pursuant to  
division (A) of section 5910.04 of the Revised Code, the waiver of  
tuition and student fees under this division for a child of a  
member of the armed services of the United States killed in the  
line of duty during operation enduring freedom or operation Iraqi  
freedom shall be reduced by the same percentage.

(3) Subject to division (D) of this section, any resident of  
this state who is the spouse or qualified former spouse of a  
public service officer killed in the line of duty, and who is  
admitted to any state university or college as defined in division  
(A)(1) of section 3345.12 of the Revised Code, community college,

state community college, university branch, or technical college,  
shall not be required to pay any tuition or any student fee for up  
to four academic years of education, which shall be at the  
undergraduate level, or a certificate program as prescribed under  
division (E) of this section.

(4) Any resident of this state who is the spouse or qualified  
former spouse of a member of the armed services of the United  
States killed in the line of duty while serving in a combat zone  
after May 7, 1975, and who is admitted to any state university or  
college as defined in division (A)(1) of section 3345.12 of the  
Revised Code, community college, state community college,  
university branch, or technical college, shall not be required to  
pay any tuition or any student fee for up to four years of  
academic education, which shall be at the undergraduate level, or  
a certificate program as prescribed under division (E) of this  
section. In order to qualify under division (B)(4) of this  
section, the spouse or qualified former spouse shall have been a  
resident of this state at the time the member was killed in the  
line of duty.

(C) Any institution that is not subject to division (B) of  
this section and that holds a valid certificate of registration  
issued under Chapter 3332. of the Revised Code, a valid  
certificate issued under Chapter 4709. of the Revised Code, or a  
valid license issued under Chapter 4713. of the Revised Code, or  
that is nonprofit and has a certificate of authorization issued  
under section 1713.02 of the Revised Code, or that is a private  
institution exempt from regulation under Chapter 3332. of the  
Revised Code as prescribed in section 3333.046 of the Revised  
Code, which reduces tuition and student fees of a student who is  
eligible to attend an institution of higher education under the  
provisions of division (B) of this section by an amount indicated

by the chancellor of higher education shall be eligible to receive 110  
a grant in that amount from the chancellor. 111

Each institution that enrolls students under division (B) of 112  
this section shall report to the chancellor, by the first day of 113  
July of each year, the number of students who were so enrolled and 114  
the average amount of all such tuition and student fees waived 115  
during the preceding year. The chancellor shall determine the 116  
average amount of all such tuition and student fees waived during 117  
the preceding year. The average amount of the tuition and student 118  
fees waived under division (B) of this section during the 119  
preceding year shall be the amount of grants that participating 120  
institutions shall receive under this division during the current 121  
year, but no grant under this division shall exceed the tuition 122  
and student fees due and payable by the student prior to the 123  
reduction referred to in this division. The grants shall be made 124  
for two certificate programs or four years of undergraduate 125  
education of an eligible student. 126

(D) Notwithstanding anything to the contrary in section 127  
3333.31 of the Revised Code, for the purposes of divisions (B)(2) 128  
and (3) of this section, the child, spouse, or qualified former 129  
spouse of a public service officer or a member of the armed 130  
services of the United States killed in the line of duty shall be 131  
considered a resident of this state for the purposes of this 132  
section if the child, spouse, or qualified former spouse was a 133  
resident of this state at the time that the public service officer 134  
or member of the armed services was killed. 135

However, no child, spouse, or qualified former spouse of a 136  
public service officer or a member of the armed services of the 137  
United States killed in the line of duty shall be required to be a 138  
resident of this state at the time the public service officer or 139

member of the armed services of the United States was killed in 140  
 order to receive benefits under divisions (B)(2) and (3) of this 141  
 section. 142

(E) A child, spouse, or qualified former spouse of a public 143  
 service officer or a member of the armed services killed in the 144  
 line of duty shall receive benefits for a certificate program in 145  
 accordance with division (B) or (C) of this section, except that a 146  
 particular child, spouse, or qualified former spouse shall not 147  
 receive benefits for: 148

(1) More than two certificate programs; 149

(2) A total number of academic credits or instructional hours 150  
 equivalent to more than four academic years; 151

(3) For any particular academic year, an amount that is 152  
 greater than eight thousand dollars." 153

Delete lines 124036 through 124343 and insert: 154

"**Sec. 5910.01.** As used in this chapter and section 5919.34 of 155  
 the Revised Code: 156

(A) "Child" includes natural and adopted children and 157  
 stepchildren who have not been legally adopted by the veteran 158  
 parent provided that the relationship between the stepchild and 159  
 the veteran parent meets the following criteria: 160

(1) The veteran parent is married to the child's natural or 161  
 adoptive parent at the time application for a scholarship granted 162  
 under this chapter is made; or if the veteran parent is deceased, 163  
 the child's natural or adoptive parent was married to the veteran 164  
 parent at the time of the veteran parent's death; 165

(2) The child resided with the veteran parent for a period of 166  
 not less than ten consecutive years immediately prior to making 167

application for the scholarship; or if the veteran parent is 168  
deceased, the child resided with the veteran parent for a period 169  
of not less than ten consecutive years immediately prior to the 170  
veteran parent's death; 171

(3) The child received financial support from the veteran 172  
parent for a period of not less than ten consecutive years 173  
immediately prior to making application for the scholarship; or if 174  
the veteran parent is deceased, the child received financial 175  
support from the veteran parent for a period of not less than ten 176  
consecutive years immediately prior to the veteran parent's death. 177

(B) "Veteran" includes any of the following: 178

(1) Any person who was a member of the armed services of the 179  
United States for a period of ninety days or more, or who was 180  
discharged from the armed services due to a disability incurred 181  
while a member with less than ninety days' service, or who died 182  
while a member of the armed services; provided that such service, 183  
disability, or death occurred during one of the following periods: 184  
~~April 6, 1917, to November 11, 1918;~~ December 7, 1941, to December 185  
31, 1946; June 25, 1950, to January 31, 1955; January 1, 1960, to 186  
May 7, 1975; August 2, 1990, to the end of operations conducted as 187  
a result of the invasion of Kuwait by Iraq, including support for 188  
operation desert shield and operation desert storm, as declared by 189  
the president of the United States or the congress; October 7, 190  
2001, to the end of operation enduring freedom as declared by the 191  
president of the United States or the congress; March 20, 2003, to 192  
the end of operation Iraqi freedom as declared by the president of 193  
the United States or the congress; or any other period of conflict 194  
established by the United States department of veterans affairs 195  
for pension purposes; 196

(2) Any person who was a member of the armed services of the 197

United States and participated in an operation for which the armed	198
forces expeditionary medal was awarded;	199
(3) Any person who served as a member of the United States	200
merchant marine and to whom either of the following applies:	201
(a) The person has an honorable report of separation from the	202
active duty military service, form DD214 or DD215.	203
(b) The person served in the United States merchant marine	204
between December 7, 1941, and December 31, 1946, and died on	205
active duty while serving in a war zone during that period of	206
service.	207
(C) "Armed services of the United States" or "United States	208
armed forces" includes the army, air force, navy, marine corps,	209
coast guard, and such other military service branch as may be	210
designated by congress as a part of the armed forces of the United	211
States.	212
(D) "Board" means the Ohio war orphans and severely disabled	213
veterans' children scholarship board created by section 5910.02 of	214
the Revised Code.	215
(E) "Disabled" means having a sixty per cent or greater	216
service-connected disability or receiving benefits for permanent	217
and total nonservice-connected disability, as determined by the	218
United States department of veterans affairs.	219
(F) "United States merchant marine" includes the United	220
States army transport service and the United States naval	221
transport service."	222
In line 124745, delete "5910.02, 5910.031, 5910.032, 5910.04,	223
5910.05, 5910.06,"	224
In line 124746, delete "5910.07, 5910.08,"	225



The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

Ohio War Orphans Scholarship and veterans' tuition waiver	226
R.C. 3333.26, 3333.261, 5910.01, 5910.02, 5910.021, 5910.031,	227
5910.032, 5910.04, 5910.05, 5910.06, 5910.07, and 5910.08	228
Restores Executive and House-passed provisions that:	229
(1) Update eligibility standards for tuition waivers at	230
state-supported colleges and universities by replacing references	231
to veterans who served between April 6, 1917, and November 11,	232
1918, with veterans who served between September 1, 1939, and	233
September 2, 1945; and	234
(2) Update eligibility standards for receiving a War Orphans	235
and Severely Disabled Veterans' Children Scholarship by removing	236
references to children of veterans who died or were discharged due	237
to a disability between April 6, 1917, and November 11, 1918.	238
Removes Senate-passed provisions that:	239
(1) Rename the War Orphans and Severely Disabled Veterans'	240
Scholarship to the Deceased or Severely Disabled Veterans'	241
Children's Scholarship;	242
(2) Updates the eligibility standards for the Deceased or	243
Severely Disabled Veterans' Children's Scholarship by removing	244
references to the children of a veteran who, while a member of the	245
armed services, died or was discharged due to a disability between	246
April 6, 1917, to November 11, 1918; December 7, 1941, to December	247
31, 1946; June 25, 1950, to January 31, 1955; and January 1, 1960,	248

to May 7, 1975;	249
(3) Require the Ohio Deceased or Severely Disabled Veterans' Children's Scholarship Board to notify each scholarship applicant whose parent was killed in action of the Machine Gunnery Sergeant John David Fry Scholarship;	250 251 252 253
(4) Prohibit the Ohio Deceased or Severely Disabled Veterans' Children's Scholarship Board from awarding a scholarship to an applicant who is eligible for a Fry scholarship unless the board verifies that the applicant was denied a Fry scholarship;	254 255 256 257
(5) Updates eligibility standards for tuition waivers at state-supported colleges and universities by eliminating references to veterans who served between April 6, 1917, and November 11, 1918;	258 259 260 261
(6) Require the Chancellor of Higher Education to notify applicants for a tuition waiver whose parent, spouse, or former spouse was a member of the armed services of the United States killed in the line of duty of the Machine Gunnery Sergeant John David Fry Scholarship;	262 263 264 265 266
(7) Prohibit the Chancellor from awarding a tuition waiver under R.C. 3333.26 to an applicant who is eligible for a Fry scholarship unless the Chancellor verifies that the applicant was denied a Fry scholarship.	267 268 269 270