

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

In line 1 of the title, delete "section" and insert "sections"; 1  
after "135.71" insert "and 5919.34" 2

In line 4 of the title, after "program" insert "and regarding Ohio 3  
National Guard Scholarship Program repayment interest" 4

In line 5, delete "section" and insert "sections"; after "135.71" 5  
insert "and 5919.34" 6

After line 52, insert: 7

**"Sec. 5919.34.** (A) As used in this section: 8

(1) "Academic term" means any one of the following: 9

(a) Fall term, which consists of fall semester or fall 10  
quarter, as appropriate; 11

(b) Winter term, which consists of winter semester, winter 12  
quarter, or spring semester, as appropriate; 13

(c) Spring term, which consists of spring quarter; 14

(d) Summer term, which consists of summer semester or 15



summer quarter, as appropriate. 16

(2) "Eligible applicant" means any individual to whom all 17  
of the following apply: 18

(a) The individual does not possess a baccalaureate 19  
degree. 20

(b) The individual has enlisted, re-enlisted, or extended 21  
current enlistment in the Ohio national guard or is an 22  
individual to which division (F) of this section applies. 23

(c) The individual is actively enrolled as a full-time or 24  
part-time student for at least three credit hours of course work 25  
in a semester or quarter in a two-year or four-year degree- 26  
granting program at a state institution of higher education or a 27  
private institution of higher education, in a diploma-granting 28  
program at a state or private institution of higher education 29  
that is a school of nursing, or in a credential-certifying 30  
program, licensing program, trade certification program, or 31  
apprenticeship program for an in-demand occupation as identified 32  
by the adjutant general and the chancellor of higher education, 33  
in consultation with the governor's office of workforce 34  
transformation. 35

(d) The individual has not accumulated ninety-six 36  
eligibility units under division (E) of this section. 37

(3) "State institution of higher education" means any 38  
state university or college as defined in division (A)(1) of 39  
section 3345.12 of the Revised Code, community college 40  
established under Chapter 3354. of the Revised Code, state 41  
community college established under Chapter 3358. of the Revised 42  
Code, university branch established under Chapter 3355. of the 43  
Revised Code, or technical college established under Chapter 44

3357. of the Revised Code. 45

(4) "Private institution of higher education" means an 46  
Ohio institution of higher education that is nonprofit and has 47  
received a certificate of authorization pursuant to Chapter 48  
1713. of the Revised Code, that is a private institution exempt 49  
from regulation under Chapter 3332. of the Revised Code as 50  
prescribed in section 3333.046 of the Revised Code, or that 51  
holds a certificate of registration and program authorization 52  
issued by the state board of career colleges and schools 53  
pursuant to section 3332.05 of the Revised Code. 54

(5) "Tuition" means the charges imposed to attend an 55  
institution of higher education and includes general and 56  
instructional fees. "Tuition" does not include laboratory fees, 57  
room and board, or other similar fees and charges. 58

(B) There is hereby created a scholarship program to be 59  
known as the Ohio national guard scholarship program. 60

(C) (1) The adjutant general shall approve scholarships for 61  
all eligible applicants. The adjutant general shall process all 62  
applications for scholarships for each academic term in the 63  
order in which they are received. The scholarships shall be made 64  
without regard to financial need. At no time shall one person be 65  
placed in priority over another because of sex, race, or 66  
religion. 67

(2) The adjutant general shall develop and provide a 68  
written explanation that informs all eligible scholarship 69  
recipients that the recipient may become ineligible and liable 70  
for repayment for an amount of scholarship payments received in 71  
accordance with division (G) of this section. The written 72  
explanation shall be reviewed by the scholarship recipient 73

before acceptance of the scholarship and before acceptance of an 74  
enlistment, warrant, commission, or appointment for a term not 75  
less than the recipient's remaining term in the national guard 76  
or in the active duty component of the United States armed 77  
forces. 78

(D) (1) Except as provided in divisions (I) and (J) of this 79  
section, for each academic term that an eligible applicant is 80  
approved for a scholarship under this section and either remains 81  
a current member in good standing of the Ohio national guard or 82  
is eligible for a scholarship under division (F) (1) of this 83  
section, the institution of higher education in which the 84  
applicant is enrolled shall, if the applicant's enlistment 85  
obligation extends beyond the end of that academic term or if 86  
division (F) (1) of this section applies, be paid on the 87  
applicant's behalf the applicable one of the following amounts: 88

(a) If the institution is a state institution of higher 89  
education, an amount equal to one hundred per cent of the 90  
institution's tuition charges; 91

(b) If the institution is a nonprofit private institution 92  
or a private institution exempt from regulation under Chapter 93  
3332. of the Revised Code as prescribed in section 3333.046 of 94  
the Revised Code, an amount equal to one hundred per cent of the 95  
average tuition charges of all state universities; 96

(c) If the institution is an institution that holds a 97  
certificate of registration from the state board of career 98  
colleges and schools, the lesser of the following: 99

(i) An amount equal to one hundred per cent of the 100  
institution's tuition; 101

(ii) An amount equal to one hundred per cent of the 102

average tuition charges of all state universities, as that term  
is defined in section 3345.011 of the Revised Code.

(2) The adjutant general and the chancellor may jointly  
adopt rules to require the use of other federal educational  
financial assistance programs, including such programs offered  
by the United States department of defense, for which an  
applicant is eligible based on the applicant's military service.  
If such rules are adopted, the rules shall require that  
financial assistance received by a scholarship recipient under  
those programs be applied to all eligible expenses prior to the  
use of scholarship funds awarded under this section. Scholarship  
funds awarded under this section shall then be applied to the  
recipient's remaining eligible expenses.

(3) An eligible applicant's scholarship shall not be  
reduced by the amount of that applicant's benefits under "the  
Montgomery G.I. Bill Act of 1984," Pub. L. No. 98-525, 98 Stat.  
2553 (1984).

(E) A scholarship recipient under this section shall be  
entitled to receive scholarships under this section for the  
number of quarters or semesters it takes the recipient to  
accumulate ninety-six eligibility units as determined under  
divisions (E) (1) to (3) of this section.

(1) To determine the maximum number of semesters or  
quarters for which a recipient is entitled to a scholarship  
under this section, the adjutant general shall convert a  
recipient's credit hours of enrollment for each academic term  
into eligibility units in accordance with the following table:

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	1	2	3	4	5
A	Number of credit hours of enrollment in an academic term	equals	The following number of eligibility units if a semester	or	The following number of eligibility units if a quarter
B	12 or more hours		12 units		8 units
C	9 but less than 12		9 units		6 units
D	6 but less than 9		6 units		4 units
E	3 but less than 6		3 units		2 units

(2) A scholarship recipient under this section may  
 continue to apply for scholarships under this section until the  
 recipient has accumulated ninety-six eligibility units.

(3) If a scholarship recipient withdraws from courses  
 prior to the end of an academic term so that the recipient's  
 enrollment for that academic term is less than three credit  
 hours, no scholarship shall be paid on behalf of that person for  
 that academic term. Except as provided in division (F)(3) of  
 this section, if a scholarship has already been paid on behalf  
 of the person for that academic term, the adjutant general shall  
 add to that person's accumulated eligibility units the number of  
 eligibility units for which the scholarship was paid.

(F) This division applies to any eligible applicant called into active duty on or after September 11, 2001. As used in this division, "active duty" means active duty pursuant to an executive order of the president of the United States, an act of the congress of the United States, or section 5919.29 or 5923.21 of the Revised Code.

(1) For a period of up to five years from when an individual's enlistment obligation in the Ohio national guard ends, an individual to whom this division applies is eligible for scholarships under this section for those academic terms that were missed or could have been missed as a result of the individual's call into active duty. Scholarships shall not be paid for the academic term in which an eligible applicant's enlistment obligation ends unless an applicant is eligible under this division for a scholarship for such academic term due to previous active duty.

(2) When an individual to whom this division applies withdraws or otherwise fails to complete courses, for which scholarships have been awarded under this section, because the individual was called into active duty, the institution of higher education shall grant the individual a leave of absence from the individual's education program and shall not impose any academic penalty for such withdrawal or failure to complete courses. Division (F)(2) of this section applies regardless of whether or not the scholarship amount was paid to the institution of higher education.

(3) If an individual to whom this division applies withdraws or otherwise fails to complete courses because the individual was called into active duty, and if scholarships for those courses have already been paid, either:

(a) The adjutant general shall not add to that person's 173  
accumulated eligibility units calculated under division (E) of 174  
this section the number of eligibility units for the academic 175  
courses or term for which the scholarship was paid and the 176  
institution of higher education shall repay the scholarship 177  
amount to the state. 178

(b) The adjutant general shall add to that individual's 179  
accumulated eligibility units calculated under division (E) of 180  
this section the number of eligibility units for the academic 181  
courses or term for which the scholarship was paid if the 182  
institution of higher education agrees to permit the individual 183  
to complete the remainder of the academic courses in which the 184  
individual was enrolled at the time the individual was called 185  
into active duty. 186

(4) No individual who is discharged from the Ohio national 187  
guard under other than honorable conditions shall be eligible 188  
for scholarships under this division. 189

(G) A scholarship recipient under this section who fails 190  
to complete the term of enlistment, re-enlistment, or extension 191  
of current enlistment the recipient was serving at the time a 192  
scholarship was paid on behalf of the recipient under this 193  
section is liable to the state for repayment of a percentage of 194  
all Ohio national guard scholarships paid on behalf of the 195  
recipient under this section, ~~plus~~. Such a scholarship 196  
recipient is also liable for interest at the rate of ten per 197  
cent per annum calculated from the dates the scholarships were 198  
paid, unless the reason the recipient failed to complete the 199  
term of enlistment, re-enlistment, or extension of enlistment 200  
was due to enlistment, warrant, commission, or appointment to an 201  
active duty or reserve component of the armed forces of the 202



United States. As used in this division, "armed forces" has the 203  
same meaning as in section 5903.01 of the Revised Code. This 204  
repayment percentage shall equal the percentage of the current 205  
term of enlistment, re-enlistment, or extension of enlistment a 206  
recipient has not completed as of the date the recipient is 207  
discharged from the Ohio national guard. 208

The attorney general may commence a civil action on behalf 209  
of the chancellor to recover the amount of the scholarships and 210  
the interest provided for in this division and the expenses 211  
incurred in prosecuting the action, including court costs and 212  
reasonable attorney's fees. A scholarship recipient is not 213  
liable under this division if the recipient's failure to 214  
complete the term of enlistment being served at the time a 215  
scholarship was paid on behalf of the recipient under this 216  
section is due to the recipient's death or discharge from the 217  
national guard due to disability. 218

(H) On or before the first day of each academic term, the 219  
adjutant general shall provide an eligibility roster to the 220  
chancellor and to each institution of higher education at which 221  
one or more scholarship recipients have applied for enrollment. 222  
The institution shall use the roster to certify the actual full- 223  
time or part-time enrollment of each scholarship recipient 224  
listed as enrolled at the institution and return the roster to 225  
the adjutant general and the chancellor. Except as provided in 226  
division (J) of this section, the chancellor shall provide for 227  
payment of the appropriate number and amount of scholarships to 228  
each institution of higher education pursuant to division (D) of 229  
this section. If an institution of higher education fails to 230  
certify the actual enrollment of a scholarship recipient listed 231  
as enrolled at the institution within thirty days of the end of 232  
an academic term, the institution shall not be eligible to 233

receive payment from the Ohio national guard scholarship program 234  
or from the individual enrollee. The adjutant general shall 235  
report on a semiannual basis to the director of budget and 236  
management, the speaker of the house of representatives, the 237  
president of the senate, and the chancellor the number of Ohio 238  
national guard scholarship recipients, the size of the 239  
scholarship-eligible population, and a projection of the cost of 240  
the program for the remainder of the biennium. 241

(I) The chancellor and the adjutant general may adopt 242  
rules pursuant to Chapter 119. of the Revised Code governing the 243  
administration and fiscal management of the Ohio national guard 244  
scholarship program and the procedure by which the chancellor 245  
and the department of the adjutant general may modify the amount 246  
of scholarships a member receives based on the amount of other 247  
state financial aid a member receives. 248

(J) The adjutant general, the chancellor, and the 249  
director, or their designees, shall jointly estimate the costs 250  
of the Ohio national guard scholarship program for each upcoming 251  
fiscal biennium, and shall report that estimate prior to the 252  
beginning of the fiscal biennium to the chairpersons of the 253  
finance committees in the general assembly. During each fiscal 254  
year of the biennium, the adjutant general, the chancellor, and 255  
the director, or their designees, shall meet regularly to 256  
monitor the actual costs of the Ohio national guard scholarship 257  
program and update cost projections for the remainder of the 258  
biennium as necessary. If the amounts appropriated for the Ohio 259  
national guard scholarship program and any funds in the Ohio 260  
national guard scholarship reserve fund and the Ohio national 261  
guard scholarship donation fund are not adequate to provide 262  
scholarships in the amounts specified in division (D) (1) of this 263  
section for all eligible applicants, the chancellor shall do all 264

of the following: 265

(1) Notify each private institution of higher education, 266  
where a scholarship recipient is enrolled, that, by accepting 267  
the Ohio national guard scholarship program as payment for all 268  
or part of the institution's tuition, the institution agrees 269  
that if the chancellor reduces the amount of each scholarship, 270  
the institution shall provide each scholarship recipient a grant 271  
or tuition waiver in an amount equal to the amount the 272  
recipient's scholarship was reduced by the chancellor. 273

(2) Reduce the amount of each scholarship under division 274  
(D) (1) (a) of this section proportionally based on the amount of 275  
remaining available funds. Each state institution of higher 276  
education shall provide each scholarship recipient under 277  
division (D) (1) (a) of this section a grant or tuition waiver in 278  
an amount equal to the amount the recipient's scholarship was 279  
reduced by the chancellor. 280

(K) Notwithstanding division (A) of section 127.14 of the 281  
Revised Code, the controlling board shall not transfer all or 282  
part of any appropriation for the Ohio national guard 283  
scholarship program. 284

(L) The chancellor and the adjutant general may apply for, 285  
and may receive and accept grants, and may receive and accept 286  
gifts, bequests, and contributions, from public and private 287  
sources, including agencies and instrumentalities of the United 288  
States and this state, and shall deposit the grants, gifts, 289  
bequests, or contributions into the national guard scholarship 290  
donation fund. " 291

In line 53, delete "section" and insert "sections"; after "135.71" 292  
insert "and 5919.34" 293

In line 54, delete "is" and insert "are"

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

SYNOPSIS

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**Ohio National Guard Scholarship Program - repayment  
interest**

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**R.C. 5919.34**

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Eliminates the interest rate of ten percent applied to  
repayments for the Ohio National Guard scholarship program, for  
recipients who fail to complete their term of enlistment in the  
Ohio National Guard due to the recipient being in active or  
reserve duty.

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