

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

H. B. No. 760

Representative Merrin

A BILL

To amend section 3333.26 of the Revised Code to 1
enact the "Anthony Dia Act" to modify the in- 2
state residency requirement for a college 3
tuition waiver granted to the child, spouse, or 4
qualified former spouse of a public service 5
officer or U.S. armed service member killed in 6
the line of duty. 7

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

Section 1. That section 3333.26 of the Revised Code be 8
amended to read as follows: 9

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

(B) (1) As used in this division: 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 23
highway patrol, employee designated to exercise the powers of 24
police officers pursuant to section 1545.13 of the Revised Code, 25
or other peace officer as defined by division (B) of section 26
2935.01 of the Revised Code, or a person holding any equivalent 27
position in 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 31
of that marriage pursuant to an order allocating the parental 32
rights and responsibilities for care of the child issued 33
pursuant to 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 36
declared by the president of the United States or the congress. 37

(e) "Operation Iraqi freedom" means that period of 38
conflict which began March 20, 2003, and ends on a date declared 39
by the 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 43
States are or have engaged in combat. 44

(2) ~~Any~~ Subject to division (D) of this section, any 45
resident of this state who is under twenty-six years of age, or 46
under thirty years of age if the resident has been honorably 47
discharged from the armed services of the United States, who is 48

the child of a public service officer killed in the line of duty 49
or of a member of the armed services of the United States killed 50
in the line of duty during operation enduring freedom or 51
operation Iraqi freedom, and who is admitted to any state 52
university or college as defined in division (A)(1) of section 53
3345.12 of the Revised Code, community college, state community 54
college, university branch, or technical college shall not be 55
required to pay any tuition or any student fee for up to four 56
academic years of education, which shall be at the undergraduate 57
level. 58

A child of a member of the armed services of the United 59
States killed in the line of duty during operation enduring 60
freedom or operation Iraqi freedom is eligible for a waiver of 61
tuition and student fees under this division only if the student 62
is not eligible for a war orphans and severely disabled 63
veterans' children scholarship authorized by Chapter 5910. of 64
the Revised Code. In any year in which the war orphans and 65
severely disabled veterans' children scholarship board reduces 66
the percentage of tuition covered by a war orphans and severely 67
disabled veterans' children scholarship below one hundred per 68
cent pursuant to division (A) of section 5910.04 of the Revised 69
Code, the waiver of tuition and student fees under this division 70
for a child of a member of the armed services of the United 71
States killed in the line of duty during operation enduring 72
freedom or operation Iraqi freedom shall be reduced by the same 73
percentage. 74

(3) ~~Any~~ Subject to division (D) of this section, any 75
resident of this state who is the spouse or qualified former 76
spouse of a public service officer killed in the line of duty, 77
and who is admitted to any state university or college as 78
defined in division (A)(1) of section 3345.12 of the Revised 79

Code, community college, state community college, university 80
branch, or technical college, shall not be required to pay any 81
tuition or any student fee for up to four academic years of 82
education, which shall be at the undergraduate level. 83

(4) ~~Any~~ Subject to division (D) of this section, any 84
resident of this state who is the spouse or qualified former 85
spouse of a member of the armed services of the United States 86
killed in the line of duty while serving in a combat zone after 87
May 7, 1975, and who is admitted to any state university or 88
college as defined in division (A) (1) of section 3345.12 of the 89
Revised Code, community college, state community college, 90
university branch, or technical college, shall not be required 91
to pay any tuition or any student fee for up to four years of 92
academic education, which shall be at the undergraduate level. 93
In order to qualify under division (B) (4) of this section, the 94
spouse or qualified former spouse shall have been a resident of 95
this state at the time the member was killed in the line of 96
duty. 97

(C) Any institution that is not subject to division (B) of 98
this section and that holds a valid certificate of registration 99
issued under Chapter 3332. of the Revised Code, a valid 100
certificate issued under Chapter 4709. of the Revised Code, or a 101
valid license issued under Chapter 4713. of the Revised Code, or 102
that is nonprofit and has a certificate of authorization issued 103
under section 1713.02 of the Revised Code, or that is a private 104
institution exempt from regulation under Chapter 3332. of the 105
Revised Code as prescribed in section 3333.046 of the Revised 106
Code, which reduces tuition and student fees of a student who is 107
eligible to attend an institution of higher education under the 108
provisions of division (B) of this section by an amount 109
indicated by the chancellor of higher education shall be 110

eligible to receive a grant in that amount from the chancellor. 111

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

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

However, no child, spouse, or qualified former spouse of a 135
public service officer or a member of the armed services of the 136
United States killed in the line of duty shall be required to be 137
a resident of this state at the time the public service officer 138
or member of the armed services of the United States was killed 139
in order to receive benefits under this section. 140

Section 2. That existing section 3333.26 of the Revised	141
Code is hereby repealed.	142
Section 3. This act shall be known as the "Anthony Dia	143
Act."	144