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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 371  
133<sup>rd</sup> General Assembly

## Bill Analysis

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**Version:** As Passed by the House

**Primary Sponsor:** Rep. Merrin

Mike Niemi, Research Analyst

### SUMMARY

- Expands residency status for in-state college tuition rates to qualifying individuals who received a certificate of high school equivalency while residing in Ohio but subsequently relocated out of state.

### DETAILED ANALYSIS

#### Residency status

The bill requires the Chancellor of Higher Education to grant residency status, for purposes of in-state tuition, to students who, while residing in Ohio and meeting the requirements for in-state residency, officially withdrew from school, passed a high school equivalency test, and received a certificate of high school equivalency, but who subsequently moved out of state and then relocated back to Ohio. Additionally, the student must not have received a high school diploma in Ohio or another state or country.<sup>1</sup>

The bill's extension of residency status expands a provision of continuing law commonly known as the Forever Buckeye program.<sup>2</sup> Under the existing program, a student who graduated from an Ohio high school or who finished the final year of homeschooling in Ohio, and was eligible for in-state tuition at that time, may reestablish domicile in Ohio *at any time* to qualify for in-state tuition.<sup>3</sup> The program essentially exempts eligible students from the usual 12-month

<sup>1</sup> R.C. 3333.31(E)(1)(b).

<sup>2</sup> <https://www.ohiohighered.org/forever-buckeyes>.

<sup>3</sup> R.C. 3333.31(E)(1)(a).

waiting period necessary to establish Ohio residency.<sup>4</sup> Under the bill, students who received a certificate of high school equivalency in Ohio also may qualify for the program.

## Background

Under current law, the Chancellor must define residency status for tuition purposes at state institutions of higher education. Statutory law specifies that the rules must generally prevent individuals living in Ohio primarily to attend state institutions from being treated as residents of Ohio for the purposes of in-state tuition.<sup>5</sup>

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## HISTORY

Action	Date
Introduced	10-17-19
Reported, H. Higher Education	05-13-20
Passed House (87-0)	11-18-20

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<sup>4</sup> Ohio Administrative Code 3333-1-10.

<sup>5</sup> R.C. 3333.31(A).