



Ohio Legislative Service Commission

Bill Analysis

Abby McMahon

Sub. H.B. 464

131st General Assembly

(As Reported by H. Armed Services, Veterans Affairs, and Public Safety)

Reps. Terhar and Brinkman, Becker, Brenner, Dever, Perales, Retherford, Rogers, Vitale, T. Johnson, Anielski, Bishoff, Fedor, Landis, M. O'Brien, Zeltwanger

BILL SUMMARY

- Eliminates repayment liability for Ohio National Guard scholarship recipients who enlist in, or are warranted, commissioned, or appointed to an active component or active reserve component of the United States Armed Forces.
 - Creates a liability exemption to scholarship recipients who were liable for repayment on or before September 30, 2016, for failing to complete their enlistment term with the Ohio National Guard due to enlistment, warrant, commission or appointment in the active reserve component of the United States Armed Forces.
 - Requires the state to return payments already made by scholarship recipients previously liable for repayments on or before September 30, 2016, that would no longer be liable under the bill.
 - Requires the Adjutant General to develop and provide a written explanation that must be reviewed by the scholarship recipient that informs all eligible scholarship recipients that the recipient may become ineligible and liable for scholarship repayment under certain circumstances.
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CONTENT AND OPERATION

Elimination of repayment liability for enlisting

The bill eliminates repayment liability for Ohio National Guard scholarship recipients who fail to complete the recipient's term of enlistment, re-enlistment, or extension of current enlistment if it is due to enlisting in, or being warranted, commissioned, or appointed to an active component or active reserve component of the United States Armed Forces. Briefly, the Ohio National Guard Scholarship Program

provides eligible Ohio National Guard members with tuition scholarships for colleges and universities in Ohio. A scholarship recipient who does not complete the term of enlistment, re-enlistment, or extension of current enlistment in the Ohio National Guard the recipient was serving at the time a scholarship was paid on the recipient's behalf is liable to the state for repayment of a percentage of all scholarships paid on behalf of the recipient, plus interest. The percentage must equal the percentage of the current term of enlistment, re-enlistment, or extension of enlistment a recipient has not completed as of the date the recipient is discharged from the Ohio National Guard. Currently, Ohio law allows for repayment liability exemptions only if the recipient is unable to complete the recipient's term due to death or discharge from the Ohio National Guard due to disability.¹

The bill also creates a liability exemption to scholarship recipients who were liable for repayment on or before September 30, 2016, for failing to complete their enlistment term with the Ohio National Guard due to enlistment, warrant, commission or appointment in the active reserve component of the United States Armed Forces. Within one year of the bill's effective date, the bill requires the state to return payments already made by scholarship recipients previously liable for repayments on or before September 30, 2016, that would no longer be liable under this bill.²

Adjutant General to provide explanation

The bill requires the Adjutant General to develop and provide a written explanation that informs all eligible scholarship recipients that the recipient may become ineligible and liable for scholarship repayment under certain circumstances. The bill also requires the written explanation to be reviewed by the scholarship recipient before accepting the scholarship and before accepting an enlistment, warrant, commission, or appointment in the active component of the United States Armed Forces.³

HISTORY

ACTION	DATE
Introduced	02-16-16
Reported, H. Armed Services, Veterans Affairs, & Public Safety	11-30-16

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¹ R.C. 5919.34.

² Section 3 of the bill.

³ R.C. 5919.34(C)(2).

