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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 16  
133<sup>rd</sup> General Assembly

## Final Analysis

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**Version:** As Passed by the General Assembly

**Primary Sponsor:** Rep. Perales

**Effective date:** September 15, 2020

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UPDATED VERSION\*

### SUMMARY

- Qualifies any active duty military service members, regardless of residency or where they are stationed, and their spouses and dependents, for in-state tuition at state institutions of higher education.

### DETAILED ANALYSIS

The act expands the grant of resident college tuition status to nonresident active duty military personnel to include those who are not stationed in Ohio and their families. That is, it requires the Chancellor of Higher Education to grant residency status to any military service members on active duty, as well as their spouses and dependents, to qualify for in-state tuition at state institutions of higher education. Further, it specifies that service members, spouses, and dependents do not need to establish domicile (a permanent home) in Ohio as of the first day of an institution's term of enrollment to qualify, as otherwise generally required by residency provisions. But the act does require the student seeking in-state tuition to be actually living in the state by that date.<sup>1</sup>

Under continuing law, in defining residency status for tuition purposes, the Chancellor generally must consider veterans who served on active duty, their spouses, and their dependents as residents of Ohio for such purposes.<sup>2</sup> In addition, a separate provision of continuing law prohibits state institutions of higher education from charging out-of-state tuition and fees to a nonresident student who is either a member of the U.S. armed forces

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\* This version updates the effective date.

<sup>1</sup> R.C. 3333.31(D).

<sup>2</sup> R.C. 3333.31(A), (B), and (C).

stationed in Ohio or a member of the Ohio National Guard. Similarly, state institutions are prohibited from charging out-of-state tuition and fees to their spouses or child dependents.<sup>3</sup>

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## HISTORY

Action	Date
Introduced	02-12-19
Reported, H. Higher Education	04-10-19
Passed House (96-0)	05-01-19
Reported, S. Higher Education	11-06-19
Passed Senate (31-0)	11-13-19
House refused to concur in Senate amendments (12-84)	02-12-20
Senate receded from amendments (33-0)	05-06-20

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<sup>3</sup> R.C. 3333.42, not in the act.