

Sub. H.B. 59
LSC 130 0009-3

_____ moved to amend as follows:

In line 612, after "3333.041," insert "3333.31," 1

Between lines 48989 and 48990, insert: 2

"**Sec. 3333.31.** (A) For state subsidy and tuition surcharge 3
purposes, status as a resident of Ohio shall be defined by the 4
chancellor of the Ohio board of regents by rule promulgated 5
pursuant to Chapter 119. of the Revised Code. No adjudication as 6
to the status of any person under such rule, however, shall be 7
required to be made pursuant to Chapter 119. of the Revised Code. 8
The term "resident" for these purposes shall not be equated with 9
the definition of that term as it is employed elsewhere under the 10
laws of this state and other states, and shall not carry with it 11
any of the legal connotations appurtenant thereto. Rather, except 12
as provided in divisions (B) and (D) of this section, for such 13
purposes, the rule promulgated under this section shall have the 14
objective of excluding from treatment as residents those who are 15
present in the state primarily for the purpose of attending a 16
state-supported or state-assisted institution of higher education, 17
and may prescribe presumptive rules, rebuttable or conclusive, as 18
to such purpose based upon the source or sources of support of the 19
student, residence prior to first enrollment, evidence of 20
intention to remain in the state after completion of studies, or 21

such other factors as the chancellor deems relevant. 22

(B) The rules of the chancellor for determining student 23
residency shall grant residency status to a veteran and to the 24
veteran's spouse and any dependent of the veteran, if both of the 25
following conditions are met: 26

(1) The veteran either: 27

(a) Served one or more years on active military duty and was 28
honorably discharged or received a medical discharge that was 29
related to the military service; 30

(b) Was killed while serving on active military duty or has 31
been declared to be missing in action or a prisoner of war. 32

(2) If the veteran seeks residency status for tuition 33
surcharge purposes, the veteran has established domicile in this 34
state as of the first day of a term of enrollment in an 35
institution of higher education. If the spouse or a dependent of 36
the veteran seeks residency status for tuition surcharge purposes, 37
the veteran and the spouse or dependent seeking residency status 38
have established domicile in this state as of the first day of a 39
term of enrollment in an institution of higher education, except 40
that if the veteran was killed while serving on active military 41
duty, has been declared to be missing in action or a prisoner of 42
war, or is deceased after discharge, only the spouse or dependent 43
seeking residency status shall be required to have established 44
domicile in accordance with this division. 45

(C) The rules of the chancellor for determining student 46
residency shall not deny residency status to a student who is 47
either a dependent child of a parent, or the spouse of a person 48
who, as of the first day of a term of enrollment in an institution 49
of higher education, has accepted full-time employment and 50
established domicile in this state for reasons other than gaining 51

the benefit of favorable tuition rates. 52

Documentation of full-time employment and domicile shall 53
include both of the following documents: 54

(1) A sworn statement from the employer or the employer's 55
representative on the letterhead of the employer or the employer's 56
representative certifying that the parent or spouse of the student 57
is employed full-time in Ohio; 58

(2) A copy of the lease under which the parent or spouse is 59
the lessee and occupant of rented residential property in the 60
state, a copy of the closing statement on residential real 61
property of which the parent or spouse is the owner and occupant 62
in this state or, if the parent or spouse is not the lessee or 63
owner of the residence in which the parent or spouse has 64
established domicile, a letter from the owner of the residence 65
certifying that the parent or spouse resides at that residence. 66

Residency officers may also evaluate, in accordance with the 67
chancellor's rule, requests for immediate residency status from 68
dependent students whose parents are not living and whose domicile 69
follows that of a legal guardian who has accepted full-time 70
employment and established domicile in the state for reasons other 71
than gaining the benefit of favorable tuition rates. 72

(D) (1) The rules of the chancellor for determining student 73
residency shall grant residency status to a person who, while a 74
resident of this state for state subsidy and tuition surcharge 75
purposes, graduated from a high school in this state or completed 76
the final year of instruction at home as authorized under section 77
3321.04 of the Revised Code, if the person enrolls in an 78
institution of higher education and establishes domicile in this 79
state, regardless of the student's residence prior to that 80
enrollment. 81

(2) The rules of the chancellor for determining student 82
 residency shall not grant residency status to an alien if the 83
 alien is not also an immigrant or a nonimmigrant. 84

(E) The rules of the chancellor for determining student 85
residency shall grant residency status to a student to whom a 86
state institution of higher education issues a letter or utility 87
bill for use as proof that the student is a qualified elector in 88
this state. 89

Nothing in division (E) of this section shall be used to 90
grant residency to a student for any purpose other than for state 91
subsidy and tuition surcharge purposes. 92

(F) As used in this section: 93

(1) "Dependent," "domicile," "institution of higher 94
 education," and "residency officer" have the meanings ascribed in 95
 the chancellor's rules adopted under this section. 96

(2) "Alien" means a person who is not a United States citizen 97
 or a United States national. 98

(3) "Immigrant" means an alien who has been granted the right 99
 by the United States bureau of citizenship and immigration 100
 services to reside permanently in the United States and to work 101
 without restrictions in the United States. 102

(4) "Nonimmigrant" means an alien who has been granted the 103
 right by the United States bureau of citizenship and immigration 104
 services to reside temporarily in the United States. 105

(5) "State institution of higher education" has the same 106
meaning as in section 3345.011 of the Revised Code." 107

In line 113171, after "3333.041," insert "3333.31," 108

In line 82 of the title, after "3333.041," insert "3333.31," 109