



# Ohio Legislative Service Commission

## Final Analysis

Alyssa Bethel

### Sub. H.B. 449

130th General Assembly  
(As Passed by the General Assembly)

- Reps.** Gonzales, Bishoff, Fedor, Grossman, Hackett, Hill, Hood, Stebelton, Wachtmann, Brenner, Amstutz, Baker, Beck, Blessing, Boose, Brown, Buchy, Budish, Burkley, Cera, Conditt, Curtin, Damschroder, Dovilla, Duffey, Gerberry, Green, Hall, Hayes, Heard, Hottinger, Huffman, Johnson, Kunze, Landis, Letson, Lundy, Lynch, Maag, Mallory, McClain, McGregor, Milkovich, Patterson, Perales, Phillips, Pillich, Rogers, Romanchuk, Rosenberger, Ruhl, Sears, Sheehy, Slaby, Slesnick, Smith, Sprague, Stautberg, Stinziano, Strahorn, Sykes, Terhar, Thompson, Young, Batchelder
- Sens.** LaRose, Coley, Brown, Turner, Burke, Eklund, Faber, Gardner, Hite, Hughes, Manning, Oelslager, Seitz, Skindell, Tavares

**Effective date:** Section 1 veterans' provisions effective March 9, 2015; Section 2 land conveyance, emergency, effective December 8, 2014

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## ACT SUMMARY

- Prohibits state institutions of higher education from applying residency-related admissions limits to a veteran or the veteran's spouse or dependent if certain conditions are met.
- Authorizes the Governor to convey certain parcels of real estate held for the use and benefit of the Ohio State University.

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## CONTENT AND OPERATION

### Admission of a veteran, spouse, or dependent

The act prohibits state institutions of higher education from applying any residency-related quota or restriction to the admission application of a veteran or veteran's spouse or dependent. This provision applies if the veteran either (1) served one or more years of active military duty and was honorably discharged or received a service-related medical discharge or (2) was killed while serving on active military duty or declared to be missing in action or a prisoner of war. Under the act, when a veteran, or the veteran's spouse or dependent, who lives in another state applies for admission

to a state institution of higher education in Ohio, that institution must consider that applicant as if that applicant were a resident of Ohio. Therefore, any limit an institution may have on accepting out-of-state applicants could not apply to the veteran, or to the veteran's spouse or dependent. Such an applicant would receive the same consideration the institution would give to an in-state applicant.<sup>1</sup>

## **OSU land conveyance**

The act authorizes the Governor to convey certain parcels of real estate that have been held for the use and benefit of the Ohio State University. Specifically, the act authorizes the Governor to execute a deed in the name of the state conveying to one or more purchasers, and the purchasers' heirs and assigns or successors and assigns, all of the state's right, title, and interest in any or all of specified parcels of real estate.

The act includes legal descriptions for the properties to be conveyed, and authorizes the legal descriptions to be adjusted to accommodate any corrections necessary to facilitate recordation of the deeds.<sup>2</sup>

The authorization to convey the real estate expires December 8, 2017.

The act specifies the following conditions and considerations:

- The parcels may be transferred individually, as a group, as multiple groups to a single purchaser, or to multiple purchasers.
- The real estate must be conveyed subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable.
- The conveyance of the real estate must include the buildings, parking areas, improvements, and fixtures now situated on the real estate, and are to be conveyed in "as-is, where is, with all faults" condition.
- Consideration for conveyance of the real estate must be a purchase price and any terms and conditions acceptable to the university board of trustees.

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<sup>1</sup> R.C. 3333.311.

<sup>2</sup> Section 2.



- The costs of the closing and conveyance must be paid by the university and any purchaser pursuant to the negotiated purchase contract.
- The net proceeds of the sale of the real estate must be paid to the university, and must be deposited into university accounts for purposes to be determined by the board of trustees.
- Each deed to the real estate must contain any exceptions, reservations, or conditions and any right of reentry or reverter specified in the resolution adopted by the board of trustees. Any exceptions, reservations, or conditions or any right of reentry or reverter contained in any deed may be released by the university without the necessity of further legislation, provided the release is specifically authorized by the board.

Finally, upon adoption of a resolution by the university board of trustees specifically identifying the parcel or parcels of real estate to be conveyed or transferred, the purchaser or purchasers, and the consideration paid or to be paid, the act requires the Auditor of State, with the assistance of the Attorney General, to prepare a deed or deeds to the real estate. The deeds must state the consideration specified in the resolution. The deeds must be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the purchasers. The purchasers must present the deed for recording in the office of the county recorder where each parcel of real estate is located.

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## HISTORY

ACTION	DATE
Introduced	02-18-14
Reported, H. Education	05-19-14
Passed House (95-0)	06-03-14
Reported, S. State Gov't Oversight & Reform	12-04-14
Passed Senate (32-0)	12-04-14
House concurred in Senate amendments (80-0)	12-04-14

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