



# Ohio Legislative Service Commission

## Bill Analysis

Amber Hardesty

### Am. H.B. 449

130th General Assembly  
(As Passed by the House)

**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

---

## BILL SUMMARY

- Prohibits state institutions of higher education from applying residency-related admissions limits for a qualifying veteran or the veteran's spouse or dependent.

---

## CONTENT AND OPERATION

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

The bill prohibits state institutions of higher education from applying any residency-related quota or restriction to the admission application of a qualified 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.<sup>1</sup> Under the bill, when a qualified veteran, or the veteran's spouse or dependent, who lives in another state applies for admission to a state institution of higher education, that institution must consider that applicant as if that applicant were a resident of the state. Therefore, any limit an institution may have on accepting out-of-state applicants could not apply to the veteran, or the veteran's spouse or dependent. That applicant would receive the same consideration the state institution of higher education would give to an in-state applicant.

---

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

## Background

Statutory law requires the Chancellor of the Board of Regents to adopt a rule that defines residency for tuition purposes. The statute requires that the rule must "have the objective of excluding from treatment as residents those who are present in the state primarily for the purpose of attending a state-supported or state-assisted institution of higher education." In general, the Chancellor's rule considers a person to be an Ohio "resident" if the person maintains a 12-month place of residence in Ohio, meets residency requirements to vote and receive public assistance in Ohio, and is liable to the Ohio income tax.<sup>2</sup> There are several exceptions to these requirements, both statutory and by the Chancellor's rules.

---

## HISTORY

ACTION	DATE
Introduced	02-18-14
Reported, H. Education	05-19-14
Passed House (95-0)	06-03-14

H0449-PH-130.docx/ks

---

<sup>2</sup> R.C. 3333.31(A), not in the bill; see also Ohio Administrative Code 3333-1-10.

