

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 3333-1-10

**Rule Type:** Amendment

**Rule Title/Tagline:** Ohio student residency for state subsidy and tuition surcharge purposes.

**Agency Name:** Department of Higher Education

**Division:**

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#### I. Rule Summary

1. Is this a five year rule review? No
  - A. What is the rule's five year review date? 12/15/2020
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 3333.31, 3333.04
5. What statute(s) does the rule implement or amplify? 3333.31
6. What are the reasons for proposing the rule?

Amending the rule to comply with changes from federal legislation, S. 3479 from the 115th Congress. Section 301 of Public Law 115-251 further amended 38 U.S.C. 3679(c) to require that individuals using educational assistance under chapter 31, Vocational Rehabilitation and Employment (VR&E), also be charged the resident rate.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

The rule outlines the definition of residency for subsidy and tuition surcharge purposes for institutions of higher education. The rule needs to be amended to comply with recent federal law changes that require states receiving federal funds to provide in-state rates to those using federal veterans benefits educational assistance under Chapter 31.

8. **Does the rule incorporate material by reference? No**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**

*Not Applicable*

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Correcting the statutory grant rule writing authority.

## **II. Fiscal Analysis**

11. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

NA

Not Applicable

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

Not Applicable

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

### **III. Common Sense Initiative (CSI) Questions**

**15. Was this rule filed with the Common Sense Initiative Office? No**

**16. Does this rule have an adverse impact on business? No**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**