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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

## Fiscal Note & Local Impact Statement

[Click here for H.B. 16's Bill Analysis](#)

**Version:** As Passed by the Senate

**Primary Sponsor:** Rep. Perales

**Local Impact Statement Procedure Required:** No

Edward M. Millane, Senior Budget Analyst

### Highlights

- State institutions of higher education that currently enroll out-of-state active duty military personnel, including service members on active duty in the reserve or National Guard components, or their spouses and dependents may receive less tuition revenue per student under the bill since they will no longer be able to apply an out-of-state surcharge on tuition for these individuals.
- Conversely, the reduced tuition offered under the bill may incentivize additional active duty military personnel or their family members to enroll in state institutions, which would increase tuition revenues as well as instructional costs at those institutions.
- State institutions may gain or lose revenue from state share of instruction (SSI) formula payments depending on how the enrollment of out-of-state active duty military personnel or their family members changes the institution's share of student course and degree completions and other institutional outcome factors used in the formula.
- The bill does not necessarily increase the state's cost for SSI formula payments, even if enrollment were to increase, due to the manner in which the General Assembly allocates SSI funding to state institutions.

### Detailed Analysis

#### In-state tuition for military personnel and their families

##### Overview

Current law grants in-state tuition to members of the U.S. armed forces who are stationed in the state, members of the Ohio National Guard, and the spouses and dependents of these individuals. The bill adds active duty personnel of the armed forces, including service members on active duty in reserve or National Guard components, who are not stationed in

Ohio and their spouses and dependents to the students who are eligible for in-state tuition, as long as the student is living in the state as of the first day of a term of enrollment. State institutions that currently enroll these students will receive less tuition revenue than under current law. Most nonresident students attend four-year university main campus locations. The annual tuition revenue loss per full-time student would average \$9,577 for those institutions, which is the difference between the average out-of-state and the average in-state tuition charged at four-year campuses. On the other hand, the reduced tuition offered under the bill may incentivize additional active duty military personnel or their family members to enroll in Ohio institutions, which would increase tuition revenues as well as instructional costs. For each new full time student enrolled, the average annual tuition revenue gain per student would be \$9,801 for four-year main campus locations, which is the average in-state tuition amount. In addition, state institutions may gain or lose revenue from state share of instruction (SSI) formula payments. The following provides additional details.

### **Tuition revenues**

State institutions generally can charge a higher tuition rate to out-of-state students than they can for in-state students. Under the bill, state institutions will receive less tuition revenue for eligible active duty military personnel and family members that would have otherwise attended the institution at out-of-state tuition rates because the active duty member is not stationed in Ohio. The cost of this provision is uncertain, as enrollment data reported by state institutions to the Ohio Department of Higher Education (DHE) does not identify the number of active duty military personnel and family members attending the institutions by residency status. However, as a point of reference, institutions classified 14.7% of students as nonresidents in the fall 2017 headcount reported to DHE. About 85% of these students attended four-year main campus locations. The table below shows that, in FY 2019, the average in-state tuition for full-time undergraduate students enrolled at the main campuses of the state's 13 public four year universities was \$9,801, while the average out-of-state undergraduate tuition charged to a student was \$19,378. The difference, \$9,577, represents the average amount of the annual revenue loss per student at those locations due to the bill. The difference was less for students that attend community and technical colleges. The annualized in-state rate at those institutions averaged \$4,539 while the out-of-state rate averaged \$8,625, for an average difference of \$4,086.

<b>Average Annualized Undergraduate Tuition by Residency and Status, FY 2019</b>			
<b>Sector</b>	<b>Average Out-of-State Undergraduate Tuition</b>	<b>Average In-State Undergraduate Tuition</b>	<b>Difference</b>
University main campuses	\$19,378	\$9,801	\$9,577
University regional branches	\$15,741	\$5,814	\$9,927
Community colleges	\$8,625	\$4,539	\$4,086

On the other hand, offering in-state tuition to eligible active duty military personnel and family members, no matter where the active duty member is stationed, may provide an incentive for these individuals to attend Ohio institutions. That is, the bill may attract some students to Ohio institutions that otherwise would not have enrolled. For each new student, four-year state institutions would gain an annualized average of \$9,801 in tuition revenue while community and technical colleges would gain \$4,539. Ultimately, the bill's fiscal impact on tuition revenues will depend on the number of students that currently pay out-of-state tuition rates that would be newly eligible for in-state tuition as well as the number of new students and which type of institution the students attend. However, any increase in revenue as a result of additional students will be offset, at least in part, by the cost to educate the new students.

### **State share of instruction**

State share of instruction (SSI) is the state's primary funding source to support the instructional costs of the state's 61 public universities and community and technical colleges. Generally, only in-state students are counted in the SSI distribution formula. This is the main reason that tuition rates charged to out-of-state students are significantly higher than those charged to students that reside in this state. The General Assembly determines the overall amount appropriated for SSI payments each year. The SSI formula then allocates funding to institutions based on prescribed percentages for certain institutional outcome factors, such as student course and degree completions. In general, each institution's allocation is based on the campus's share of the total for each formula component.

Since the General Assembly determines SSI funding this way, the bill will not necessarily increase the state's cost for SSI formula payments even if enrollment were to increase. However, the institutions in which the students newly eligible for in-state tuition enroll may gain some additional SSI funding depending on whether the institutions attain a greater share of the statewide amounts computed for each formula component. Likewise, the institutions whose share of the formula components decreases may receive less SSI funding. In FY 2018, the latest year for which SSI per student data is available, the average SSI distribution per student was \$6,320 for the state's public four-year universities and regional campuses and \$4,699 for community and technical colleges.

### **Veterans Memorial and Museum**

There is no direct fiscal effect on the state or political subdivisions to exempt from the Open Meetings Law all meetings of the board of directors of the nonprofit corporation that operates the Veterans Memorial and Museum, located in Franklin County. In addition, the bill establishes that the records of the board of directors or of the nonprofit corporation are not public records under Public Records Law.