



Lisa Sandberg

Final Analysis
Legislative Service Commission

Am. Sub. S.B. 120
123rd General Assembly
(As Passed by the General Assembly)

- Sens.** Watts, Spada, Schafrath, Latell, Shoemaker, Carnes, Latta, Prentiss, Wachtmann, DiDonato, Mumper, Nein, Gardner, Drake, Armbruster, White, Cupp, Hagan, Kearns, Finan, Brady
- Reps.** Callender, Hoops, Buehrer, Hollister, Stevens, Carey, Taylor, Grendell, Peterson, Willamowski, Krupinski, Jordan, Coughlin, Young, Tiberi, Buchy, Britton, Vesper, Harris, Womer Benjamin, Mottley, Allen, Metzger, Trakas, Calvert, Widener, Amstutz, Roman, Schuring, O'Brien, Aslanides, Salerno, Brading, A. Core, Patton, Austria, Bender, Distel, Redfern, Gooding, Flannery, D. Miller, Hartnett, Evans, Verich, DePiero, Smith

Effective date: *

ACT SUMMARY

- Requires members and service officers of county veterans service commissions to file their form DD214 with the Governor's Office of Veterans Affairs in accordance with guidelines established by the Director of that office.
- Designates November 10 of each year as "Veterans Educate Today's Students Day."
- Requires the Department of Education to distribute to secondary school libraries a videotape of the Ohio Veterans Plaza dedication and apparently requires the Department of Education to distribute the book *Letters Home: The Letters of the Ohio Veterans Plaza* or other appropriate written material regarding veterans.
- Eliminates the payment of the additional \$10 fee in connection with Purple Heart special license plates when the license plates are issued or renewed.

* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared.*

- Creates the criminal offense of "misrepresentation of veteran status."
- Requires the Governor or the Director of the Governor's Office of Veterans Affairs to convene a Military Activation Task Force if the U.S. President indicates that National Guard or reserve forces headquartered in Ohio may be called to active duty.
- Requires the Department of Administrative Services to provide suitable office space in state-owned facilities to accommodate the office operations of the state headquarters of the Ohio Veterans' Home.

CONTENT AND OPERATION

Designation of "Veterans Educate Today's Students Day"

Under continuing law, the 11th of November, known as Veterans' Day, must be commemorated in the schools (R.C. 5.23). The act designates the 10th of November as "Veterans Educate Today's Students Day" or "V.E.T.S. Day." The act states that each elementary and secondary school in Ohio is encouraged to commemorate and observe this day by inviting veterans, on or about this day, to visit the school and discuss their military experiences with the students of the school. (R.C. 5.23(B).)

Office space for office operations of Ohio Veterans' Home

Under continuing law, the Department of Administrative Services is required to assign and make available, at state expense, suitable office space in state-owned facilities to accommodate the office operations of the state headquarters of both of the following (R.C. 123.024(A)):

- (1) All veterans organizations in Ohio that either are incorporated and issued a charter by the Congress of the United States or are recognized by the United States Department of Veterans' Affairs;
- (2) The auxiliary organizations of veterans organizations described in (1) above.

The act includes a requirement that the Department of Administrative Services assign and make available, at state expense, suitable office space in state-owned facilities to accommodate the office operations of the state headquarters of the Ohio Veterans' Home (R.C. 123.024(A)(3)).

Distribution of information about the Ohio Veterans Plaza

The act requires the Department of Education to distribute to the library of each secondary school in Ohio a copy of a videotape of the Ohio Veterans Plaza Dedication. It also apparently requires the Department of Education to distribute the book *Letters Home: The Letters of the Ohio Veterans Plaza* or other appropriate written material regarding veterans. (R.C. 3301.25.)

Filing of discharge information with the Governor's Office of Veterans Affairs

Veterans service commission members

Under continuing law, each county must have a five-member veterans service commission. Among other requirements, each member must be an honorably discharged or honorably separated veteran. The act specifies that, within 60 days after the date of appointment, each member must file the member's form DD214 with the Governor's Office of Veterans Affairs in accordance with guidelines established by the Director of that office. (R.C. 5901.02.)

Service officers

The act adds a similar requirement for the county veterans service officers who must be employed by each veterans service commission, with their 60-day filing period commencing with their date of initial employment. Currently, these service officers also must be veterans. (R.C. 5901.07.)

Miscellaneous

The act adds to the list of duties of the Director of the Governor's Office of Veterans Affairs a duty to receive copies of these form DD214s from veterans service commission members and service officers. In addition, the act requires members and officers *who are serving on the effective date of the act* to file the required document within 60 days after that date. (R.C. 5902.02(M); Section 3.)

Criminal penalty for misrepresentation of veteran or veteran-related status

Under continuing law, the persons entitled to receive benefits or financial assistance from a veterans service commission are veterans, active-duty members of the U.S. Armed Forces, and the spouse, surviving spouse, dependent parents, minor children, or wards of a veteran or an active-duty member of the U.S. Armed Forces. The act creates a criminal offense, *misrepresentation of veteran status*, that is committed if any person who is not one of the persons listed above knowingly represents that (1) the person is a veteran, active-duty member of the U.S. Armed Forces, or the spouse, surviving spouse, dependent parent, minor

child, or ward of a veteran or active-duty member of the U.S. Armed Forces and (2) is eligible for *any benefits or financial assistance related to veteran status* for the purpose of receiving the benefits or financial assistance. The offense is a misdemeanor of the first degree. (R.C. 5901.99.)

Payment of \$10 fee in connection with a Purple Heart special license plate

Continuing law provides for the issuance of special license plates inscribed with the words "Purple Heart" to persons who are awarded a Purple Heart, who meet certain requirements, and who pay a regular license fee and any local motor vehicle license tax. Prior law also required the payment of an additional \$10 fee when the special license plates were first issued and when they were renewed to compensate the Bureau of Motor Vehicles for additional services required in issuing the special plates. The act eliminates the payment of the additional \$10 fee when the special license plates are first issued and when they are renewed. (R.C. 4503.571.)

Creation of the Military Activation Task Force

The act provides that, if the President of the United States indicates that National Guard or Reserve forces with headquarters in Ohio may be called to active military duty, the Governor or the Director of the Governor's Office of Veterans Affairs must convene, not later than ten days after all its members are appointed, a Military Activation Task Force to determine whether federal, state, and county agencies have prepared proper support mechanisms for that military activation. The Task Force is required to prepare and publish a report stating whether these mechanisms have been prepared and what further actions need to be taken to support that military activation. (R.C. 5902.15(A).)

The members of the Task Force are the chairpersons and ranking minority members of the committees of the House of Representatives and Senate that customarily consider bills dealing with the military and veterans affairs, and a representative appointed by each of the following agencies and organizations: (1) the Ohio Army National Guard, (2) the Ohio Air National Guard, (3) the United States Army Reserve, (4) the United States Marine Corps Reserve, (5) the United States Naval Reserve, (6) the United States Air Force Reserve, (7) the United States Coast Guard Reserve, (8) the United States Department of Veterans Affairs, (9) the American Legion, Department of Ohio, (10) the Veterans of Foreign Wars, Department of Ohio, (11) the AMVETS, Department of Ohio, (12) the Disabled American Veterans, Department of Ohio, (13) the American Ex-Prisoners of War, Department of Ohio, (14) the Vietnam Veterans of America, Department of Ohio, (15) the Ohio Attorney General's office, (16) the Ohio Association of County Veterans Service Officers, (17) the Ohio Association of County Veterans Service

Commissioners, (18) the Bureau of Employment Services, (19) the Department of Administrative Services, (20) the state Department of Human Services, (21) the Ohio office of the United States Department of Labor, (22) the Employer Support of the National Guard and Reserve, (23) the Ohio Military Family Support Group, (24) the National League of Families of Prisoners and Missing In Action, and (25) the Governor's Office of Veterans Affairs (R.C. 5902.15(B)).

The Task Force is required to elect at its first meeting a chairperson and other officers it considers necessary. Its members cannot receive compensation but must be reimbursed for expenses they incur in the performance of their duties. (R.C. 5902.15(C) and (D).)

Members must serve until the Task Force publishes its report. Any vacancy on the Task Force must be filled in the same manner as the original appointment. (R.C. 5902.15(E).)

The act requires the Governor's Office of Veterans Affairs to provide the Task Force with necessary personnel, supplies, and services (R.C. 5902.15(F)).

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	04-08-99	p. 267
Reported, S. State & Local Gov't & Veterans Affairs	05-25-99	p. 476
Passed Senate (33-0)	06-15-99	pp. 596-597
Reported, H. Veterans' Affairs	11-10-99	pp. 1354-1356
Passed House (96-0)	01-12-00	pp. 1499-1501

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