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Bill Analysis
Legislative Service Commission

H.B. 110

123rd General Assembly
(As Introduced)

Reps. Ogg, Willamowski, Sulzer, Allen, Bender, Pringle, Schuck, Opfer, Logan, Patton, Metelsky, Ford, Winkler

BILL SUMMARY

- Provides for a state payment of \$300 to veterans of Operation Desert Shield and Operation Desert Storm who meet certain eligibility conditions.
- Makes an appropriation.

CONTENT AND OPERATION

Veterans bonus

(Section 1(A), (B), and (C); Section (2))

The bill provides for state compensation of \$300 to veterans of Operation Desert Shield and Operation Desert Storm. A person must meet all of the following qualifications to be eligible to receive the payment:

--The person, on or after August 2, 1990, must have served (1) as a member of the United States armed forces in the area designated as a combat zone by President Bush in Executive Order 12744, or (2) as a member of the Ohio National Guard or a reserve component of the armed forces on active duty in support of Operation Desert Shield or Desert Storm, regardless of where the active duty was served.¹

--The person was a resident of Ohio at the time of commencing the service, and had been for at least the preceding year.

¹ *The combat zone designated by President Bush consisted of the land areas of Iraq, Kuwait, Saudi Arabia, Oman, Bahrain, Qatar, and the United Arab Emirates, the waters of the Persian Gulf, Red Sea, Gulf of Oman, Gulf of Aden, and a portion of the Arabian Sea, and the airspace above those locations. Executive Order 12744 of January 21, 1991, 56 Fed. Reg. 2663.*

--The person served on active duty for at least 90 days during the compensable period, unless the active duty within that period was terminated due to injury or illness sustained in the service.

--The person is still in, has retired from, or has been separated under honorable conditions from the armed forces, Ohio National Guard, or reserve component.

A person who received a Desert Storm or Desert Shield bonus from another state is not eligible for the Ohio compensation. In addition, a person who spent any of their qualifying active duty under penal confinement is ineligible.

For a deceased veteran who would otherwise be eligible to receive the compensation, the compensation is to be paid instead to the surviving spouse, child or children, or parent or parents (including a person legally acting in place of a parent for at least a year preceding the deceased person's commencement of service). The surviving spouse has first priority to receive the payment, followed by the child or children and then the parent or parents.

Payment procedures

(Section 1(D))

The bill requires the Adjutant General to prepare a list of all persons eligible to receive the veterans bonus. Within 90 days after the bill's effective date, the Adjutant General must present the list to the Controlling Board, and the Board is to release funds to pay the bonuses from a \$3 million General Revenue Fund appropriation the bill makes for that purpose. (As the bill is currently written, the appropriation is for fiscal year 1999; this provision will need to be updated.) After the Board releases the funds, the Adjutant General must promptly pay the compensation to all eligible persons on the list. If the Adjutant General subsequently identifies more eligible persons, he can prepare and submit to the Controlling Board an additional list. But the additional list must be submitted no more than six months after the original list is presented to the Board.

Tax exemption

(Section (1)(E))

Compensation received under the bill is exempt from the state, municipal, and school district income taxes.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	01-28-99	p. 121

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