



H.B. 10

124th General Assembly
(As Passed by the General Assembly)

Reps. Harnett, Webster, D. Miller, Flowers, Sullivan, DePiero, Redfern, Allen, Aslanides, Jerse, R. Miller, Krupinski, Boccieri, Grendell, Cirelli, Kearns, Ford, Distel, Ogg, Williams, Seitz, Hollister, Barrett, Otterman, Sulzer, Latell, Schuring, Schneider, Willamowski, Lendrum, White, Manning, Schaffer, Stapleton, Hoops, Coates, Hughes, Jolivette, G. Smith, Carmichael, Reidelbach, Cates, Young, Latta, Blasdel, Setzer, Clancy, Niehaus, Damschroder, Carey, Reinhard, Schmidt, Patton, Hagan, Barnes, Key, Perry, Metelsky, Womer Benjamin, Kilbane, Driehaus, Seaver, Salerno, Widowfield, Beatty, Woodard, Fessler, Roman, Faber, Peterson, Core, Calvert, Olman, Oakar, Britton, Carano, Sferra, Jones, Evans

Sens. Spada, McLin, Armbruster, Austria, Blessing, Coughlin, DiDonato, Finan, Fingerhut, Randy Gardner, Robert Gardner, Goodman, Hagan, Harris, Herington, Hottinger, Mallory, Mead, Mumper, Oelslager, Prentiss, Ryan, White

Effective date: *

ACT SUMMARY

? Permits the Korean War Veterans Association to recommend persons to be appointed to a county veterans service commission and requires that one member of the commission be appointed to represent that Association, the Military Order of the Purple Heart of the U.S.A., or the Vietnam Veterans of America.

* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.*

CONTENT AND OPERATION

Veterans service commission appointments

Continuing and former law

Continuing law requires each county to create a five-person commission known as the veterans service commission. The members of the commission must be honorably discharged or honorably separated veterans, be residents of the county, and be appointed to five-year terms by a judge of the court of common pleas. At the time of appointment or reappointment to the commission, a commission member must not be an employee of the commission or hold an elective or other appointive office of the county served by the commission.

Under former law, appointments to the commission generally were required to be made in the following manner from lists of persons recommended by county posts or chapters of the following veterans organizations: one person had to be a representative recommended by the American Legion; one person had to be a representative recommended by the Veterans of Foreign Wars; one person had to be a representative recommended by the Disabled American Veterans; one person had to be a representative recommended by the AMVETS; and one person had to be a representative recommended by the Military Order of the Purple Heart of the U.S.A. or the Vietnam Veterans of America. If there was no post or chapter of any of those organizations located in the county, the appointment had to be made from lists of recommended persons submitted by posts or chapters of any other congressionally chartered veterans organizations located in the county. If there were no other congressionally chartered veterans organizations with posts or chapters in the county, the judge of the court of common pleas responsible for making appointments to the commission could appoint any qualified veteran to represent the veteran community. (R.C. 5901.02.)¹

Changes made by the act

The act requires the fifth member of a county veterans service commission to be a person recommended by the Korean War Veterans Association (added by the act) or by the Military Order of the Purple Heart of the U.S.A. or the Vietnam Veterans of America (continuing law).² Therefore, the Korean War Veterans

¹ *The provisions described in the last two sentences generally continue under the act, although they have an expanded scope because of the act's substantive changes described immediately below.*

² *Again, recommendations (if any) must be submitted by a post or chapter of each of these veterans organizations "within the county."*

Association may recommend persons to be appointed to a veterans service commission, but the act does not require that one member of the commission be a person recommended by the Association. The judge must choose a person recommended by one of these three veterans organizations. (R.C. 5901.02.)

Veterans service commission terms

Continuing and former law

Continuing law requires that, on or before October 15 of each year, the judge of the court of common pleas who is responsible for making appointments to the commission notify each county post or chapter of each organization from which a member may or must be appointed that it may submit a list containing three recommendations of persons who are eligible for appointment. If the judge does not receive any recommendations within 60 days after providing the required notification, the judge may appoint any qualified veteran to represent the veteran community. The judge must make the appointment on or before January 15 of each year. Vacancies occurring on the commission must be filled in the same manner as the original appointments.

Under former law, beginning in the year 2000, appointments to the commission were required to be made as follows: (1) appointments for members to represent the American Legion had to be made for terms to commence in years ending in zero and five, (2) appointments for members to represent the Veterans of Foreign Wars had to be made for terms to commence in years ending in one and six, (3) appointments for members to represent the Disabled American Veterans had to be made for terms to commence in years ending in two and seven, (4) appointments for members to represent the AMVETS had to be made for terms to commence in years ending in three and eight, and (5) appointments for members to represent the Military Order of the Purple Heart of the U.S.A. or the Vietnam Veterans of America had to be made for terms to commence in years ending in four and nine. (R.C. 5901.02(A) to (E).)

Changes made by the act

The act requires the appointments to the commission for members who represent the Korean War Veterans Association (or the Military Order of the Purple Heart or the Vietnam Veterans of America) to be made for terms to commence in years ending in four and nine (R.C. 5901.02(E)).

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	01-31-01	p. 95
Reported, H. Retirement & Aging	04-26-01	pp. 320-321
Passed House (99-0)	05-02-01	pp. 330-331
Reported, S. State & Local Gov't & Veterans Affairs	09-27-01	p. 911
Passed Senate (32-0)	10-03-01	p. 935

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