



Ohio Legislative Service Commission

Bill Analysis

Emily E. Wendel

H.B. 490

129th General Assembly
(As Passed by the House)

Reps. Dovilla, Landis, Johnson, Pillich, Bubb, Martin, Milkovich, Rosenberger, Yuko, R. Adams, Amstutz, Anielski, Antonio, Baker, Barnes, Beck, Blair, Blessing, Boose, Boyd, Brenner, Buchy, Budish, Carney, Celebrezze, Celeste, Cera, Combs, Conditt, Damschroder, Derickson, DeVitis, Driehaus, Duffey, Fedor, Fende, Foley, Gardner, Garland, Gerberry, Gonzales, Grossman, Hackett, C. Hagan, R. Hagan, Hall, Hayes, Hill, Hottinger, Huffman, Kozlowski, Letson, Lundy, Lynch, Maag, McClain, Murray, Newbold, O'Brien, Patmon, Pelanda, Phillips, Ramos, Reece, Ruhl, Schuring, Sears, Slesnick, Smith, Sprague, Stebelton, Stinziano, Szollosi, Terhar, Thompson, Uecker, Williams, Young, Batchelder

BILL SUMMARY

- Requires a county recorder's office to make a veteran's record of discharge available to a county veterans service officer who is certified by the Department of Veterans Services.
- Specifies that a county veterans service officer must need access to a record of discharge for the purpose of supporting a veteran's claim for benefits before the record may be requested from, and provided by, the county recorder.
- Removes the requirement that the Director of Veterans Services publish and distribute a listing of veterans service directors and officers in Ohio and elsewhere and their contact information, and requires the Director of Veterans Services to publish electronically a listing of county veterans service offices and commissioners.
- Adds a member of the National Guard Association of the United States who is an Ohio resident to the Veterans Advisory Committee.
- Clarifies that nonresident spouses and dependents of veterans who died after military discharge still may qualify for in-state tuition.
- Removes an obsolete reference to the State Commissioner of Soldiers' Claims from a law that requires various state officers, commissions, boards, and other entities to make an annual report.

CONTENT AND OPERATION

Availability of record of discharge to county veterans service officer

The bill requires a county recorder's office to make a veteran's record of discharge available to a county veterans service officer who is certified by the Department of Veterans Services. Current law specifies that a county recorder's office must make the record of discharge available to only certain authorized parties as are defined in law, including county veterans service officers. The bill expressly requires that a county veterans service officer, in order to be entitled to receive a veteran's record of discharge, must be certified by the Department of Veterans Services. The bill also specifies that a county veterans service officer must need access to a veteran's record of discharge for the purpose of supporting the veteran's claim for benefits before the record may be requested from, and provided by, the county recorder.¹

Publication of veterans service and organizational information

The bill removes a requirement that the Director of Veterans Services annually publish, update, and distribute a listing of county veterans service officers, state directors of veterans affairs, and national and state service officers of accredited veterans organizations and their state headquarters. Instead, the bill requires the Director to publish electronically a listing of county veterans service offices and, under continuing law, county veterans service commissioners. The electronic listing must include, under continuing law, the expiration dates of commission members' terms of office and the organizations they represent; the names, addresses, and telephone numbers of county veterans service offices; and the addresses and telephone numbers of the Ohio offices and headquarters of state and national veterans service organizations.²

Composition of the Veterans Advisory Committee

The bill adds to the Veterans Advisory Committee a member of the National Guard Association of the United States who is an Ohio resident. The existing Veterans Advisory Committee is composed of the following members: a member of the Military Officers Association of America who is a resident of Ohio; a state representative of one of the following congressionally chartered veterans organizations: the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, AMVETS, the Military Order of the Purple Heart of the U.S.A., the Vietnam Veterans of America, or the Korean War Veterans Association; a representative of any other congressionally

¹ R.C. 317.24.

² R.C. 5902.02(I).

chartered state veterans organization that has at least one veterans service commissioner in Ohio; three representatives of the Ohio State Association of County Veterans Service Commissioners, who together have one vote; three representatives of the State Association of County Veterans Service Officers, who together have one vote; one representative of the County Commissioners Association of Ohio who is not from the same county as any of the other county representatives; a member of the Advisory Committee on Women Veterans; a representative of a labor organization; and a representative of the Office of the Attorney General.³

In-state tuition for military survivors

The bill clarifies that a spouse or dependent of a veteran may remain eligible for in-state tuition at state institutions of higher education if the veteran dies after being discharged from the military and had not established Ohio residence. Under current law, a veteran, or a veteran's spouse or dependent, who has not lived in Ohio for the customary 12 months nonetheless may qualify for in-state tuition if the veteran (1) served at least one year on active military duty and (2) was honorably discharged or received a medical discharge that was related to military service. The bill makes a simple wording change acknowledging cases in which the veteran has died following discharge. As under current law, the spouse or dependent still must establish residence in Ohio by the first day of the academic term.⁴

Official reports

The bill removes an obsolete reference to the State Commissioner of Soldiers' Claims from the law that requires various state officers, commissions, boards, and other entities that receive state money for their use and purpose to make an annual report. This specific position no longer exists.⁵

HISTORY

ACTION	DATE
Introduced	03-22-12
Reported, H. Veterans Affairs	04-24-12
Passed House (95-0)	04-24-12

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³ R.C. 5902.02(J).

⁴ R.C. 3333.31.

⁵ R.C. 149.01.

