



# Ohio Legislative Service Commission

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## Bill Analysis

Emily E. Wendel

### **H.B. 532**

129th General Assembly  
(As Introduced)

**Reps.** Kozlowski and Gonzales, Henne, Gardner, Derickson, J. Adams, Bulp, Pillich, Garland, Grossman, Sears, Szollosi, Hottinger, Buchy, Fende, Wachtmann, Lundy, Ruhl, Yuko, Reece, Dovilla, Boose, Conditt, Stebelton, Maag, Young, Goodwin

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## **BILL SUMMARY**

- Amends the categories of individuals who, if they are killed under qualifying circumstances, may receive the Ohio Military Medal of Distinction.
  - Expands the circumstances of death that qualify an individual to receive the Ohio Military Medal of Distinction.
  - Makes changes to the annual process by which the previous year's qualifying recipients of the Ohio Military Medal of Distinction are identified and recognized.
  - Establishes a process by which a qualifying family member of a recipient of the Ohio Military Medal of Distinction may request a duplicate of the medal that has been awarded to the recipient.
  - Creates the Ohio Military Medal of Distinction Fund, which is used to pay for the production of the medals.
  - Appropriates \$2,500 to the new Ohio Military Medal of Distinction Fund from the General Revenue Fund for the purpose of producing the medals.
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## **CONTENT AND OPERATION**

### **Eligibility for the Ohio Military Medal of Distinction**

#### **Qualifications of the recipient**

The bill amends the categories of individuals who, if they are killed under qualifying circumstances, may receive the Ohio Military Medal of Distinction. The bill specifies that an Ohio National Guard member, regardless of the individual's state of

residence, and a National Guard member who is a resident of Ohio may receive the medal. Under current law, an Ohio National Guard member who is a resident of Ohio may receive the medal.

The bill also removes from eligibility a member of the United States armed forces who is stationed in Ohio by order of the United States Department of Defense. Under continuing law, a United States military reserves member who is a resident of Ohio and a United States armed forces member who is a resident of Ohio are eligible to receive the medal.<sup>1</sup>

### **Circumstances of the recipient's death**

The bill expands the circumstances of death that qualify an individual to receive the Ohio Military Medal of Distinction. The bill removes the requirement that an individual have been killed in the line of duty in order to be eligible to receive the Ohio Military Medal of Distinction. Instead, the bill requires only that the person have been killed on or after September 10, 2001, while engaged in one of the following four military activities, which the bill does not amend:

- Engaging in an action against an enemy of the United States;
- Engaging in military operations involving conflict with an opposing foreign force;
- Serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party; or
- Serving in a combat zone designated by presidential order.<sup>2</sup>

### **Recognition of medal recipients**

The bill requires the Department of Veterans Services annually to provide the Governor and the Adjutant General with a list of eligible recipients of the Ohio Military Medal of Distinction. The Adjutant General must prepare a medal for each medal recipient. Each year, the Governor and the General Assembly must recognize the medal recipients for the prior year.

Under current law, the General Assembly annually must obtain a list of eligible medal recipients from the Adjutant General, and must meet in a joint convention to

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<sup>1</sup> R.C. 5913.11(B).

<sup>2</sup> R.C. 5913.11(A).

recognize the medal recipients for the prior year.<sup>3</sup> Existing law does not require the Adjutant General to prepare the medals, but it has been the practice of the Adjutant General to prepare one medal for each recipient and to present the medal to the recipient's next of kin, as determined by United States Department of Defense regulations.<sup>4</sup>

### **Availability of duplicate medals**

The bill establishes a process by which a qualifying family member of a recipient of the Ohio Military Medal of Distinction may request a duplicate of the medal that has been awarded to the recipient. The bill permits a recipient's surviving spouse, parent, or grandparent, or the recipient's natural or adopted child, sibling, or half sibling who is at least 18 years of age, to request a duplicate medal. The applicant must submit a form, to be prescribed by the Adjutant General, and pay a fee in an amount that the Adjutant General must set to cover the cost of producing the duplicate medal. Existing law does not provide a process to request a duplicate medal.<sup>5</sup>

### **Ohio Military Medal of Distinction Fund**

The bill creates the Ohio Military Medal of Distinction Fund, which is used to pay for the production of the medals. The fund consists of fees collected from applicants for duplicate medals and any appropriations made by the General Assembly for the purposes of the Ohio Military Medal of Distinction program. The investment earnings of the fund are credited to the fund.<sup>6</sup>

The bill appropriates \$2,500 to the new fund from the General Revenue Fund for the purpose of producing the medals.<sup>7</sup>

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	05-01-12

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<sup>3</sup> R.C. 5913.11(C).

<sup>4</sup> Per conversation with Johann Klein, the Ohio Adjutant General's legislative liaison.

<sup>5</sup> R.C. 5913.11(D).

<sup>6</sup> R.C. 5913.11(E).

<sup>7</sup> Section 3 of the bill.