Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: Am. Sub. H.B. 490 of the 129th G.A. **Date**: June 13, 2012

Status: As Passed by the Senate **Sponsor**: Reps. Dovilla and Landis

Local Impact Statement Procedure Required: No

Contents: Veterans services

State Fiscal Highlights

STATE FUND	FY 2013 – FUTURE YEARS
General Revenue Fund (Department of Veterans Services)	
Revenues	- 0 -
Expenditures	Potential decrease in annual publication expenses

Note: The state fiscal year is July 1 through June 30. For example, FY 2013 is July 1, 2012 – June 30, 2013.

- The bill removes from existing law 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. The bill requires that the list be published electronically. The change to the publication requirement could decrease costs for the Department of Veterans Services, specifically those associated with the printing and distribution of documents. No other provisions of the bill will have a direct fiscal effect on the Department of Veterans Services.
- The Adjutant General's Department may experience a minimal annual increase in expenditures for the Court of Military Appeals, created by the bill, to hear and determine appeals from courts-martial.
- The 40 state licensing entities, including independent occupational and professional boards and commissions, as well as those housed within state agencies, could incur small annual losses for waiving certain license and certification fees for qualifying veterans and their spouses. Likewise, these entities could incur some small annual administrative costs to process fee waivers and issue temporary licenses or certificates.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

Detailed Fiscal Analysis

Records of discharge

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 and who specifies that the record is needed for the purpose of supporting a veteran's claim for benefits.

Indirectly, this provision may make it easier for county veterans service officers to process benefit claims for veterans, thus creating administrative efficiencies. Under current law, the individual seeking benefits may request the record and then forward it to the county veterans service officer. County recorders would not experience any increase in workload since these records would be requested, if available, by others who are already permitted to make such requests (i.e., the veteran or the veteran's survivors).

Listing of veterans service directors

The bill removes from existing law 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. This change to the publication requirement could decrease costs for the Department of Veterans Services, specifically those associated with the printing and distribution of documents.

Veterans Advisory Committee

The bill adds a member of the National Guard Association of the United States who is an Ohio resident to the Veterans Advisory Committee. This provision would have no direct fiscal effect on the state or its political subdivisions.

In-state tuition for veterans' dependents

The bill clarifies that nonresident spouses and dependents of veterans who died after military discharge still may qualify for in-state tuition. Since the change is clarifying in nature, this provision would have no direct fiscal effect on the state or its political subdivisions.

State Commissioner of Soldiers' Claims

The bill removes an obsolete reference to the State Commissioner of Soldiers' Claims, a position that no longer exists, from a law that requires various state officers, commissions, boards, and other entities to make an annual report. This provision would have no direct fiscal effect on the state or its political subdivisions.

Code of Military Justice

The bill updates Ohio's Uniform Code of Military Justice, which has remained largely unchanged since the 1960s, to conform to the federal Uniform Code of Military Justice. Although a number of the bill's provisions appear to modify or expand the existing duties of the Adjutant General's Department, these provisions are generally codifying current practice and are not likely to result in additional costs.

The bill also creates the Court of Military Appeals consisting of at least three judges to be appointed by the Adjutant General as necessary to hear and determine appeals from courts-martial. The Department will be required to pay each judge a per diem and if the judge resides more than 50 miles from the court to reimburse the judge for their actual and necessary travel expenses. It is likely that the Department will also have to find space for the court to hold such hearings. As the Department averages about one court-martial per year, it is unlikely that the court's associated costs will exceed minimal annually.

Professional licensing and certification

The bill waives penalty fees and reexamination requirements, under certain conditions, for license or certificate holders whose service, or spouse's service, in the armed forces or a reserve component of the armed forces precluded a timely renewal. The bill also provides that a temporary license or certificate may be issued to an individual whose spouse is on active duty in Ohio, as long as certain conditions are met. As a result, the 40 state licensing entities, including independent occupational and professional boards and commissions, as well as those housed within state agencies, could incur small annual losses for waiving certain license and certification fees for qualifying veterans and their spouses. Since the number of licensees or certificate holders eligible to qualify for a waiver is expected to be small, any loss is likely to be negligible. There may also be a slight increase in administrative costs to process applications for temporary licenses and certifications however, these costs are likely to be absorbed within existing resources.

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