



Members Brief

An informational brief prepared by the LSC staff for members and staff of the Ohio General Assembly

Author: Daniel DeSantis, Research Analyst
Reviewer: Amber Hardesty, Division Chief

Volume 134 Issue 38
March 31, 2022

County Veterans Service Commissions

Ohio law requires each of Ohio’s 88 counties to have a veterans service commission (VSC), consisting of judge-appointed veterans, and employing veteran service officers, to assist veterans and their dependents in filing claims. VSCs are guaranteed funding per a portion of the authorized general property tax levy for current expenses in each county. This brief discusses the history, structure, duties, and funding processes for these VSCs.

Contents

History.....	1
County VSCs	2
Commission membership.....	2
Veterans service office and officers	2
VSC duties.....	3
Commission funding.....	4
Optional veterans service committee.....	4
Director of Veterans Services	4

History

During the Civil War, the state levied taxes for the expressed purpose of “providing relief of the necessities of the families of soldiers and marines in the service of the state or United States.” County commissioners then were required to apportion the funds “according to the necessities of the families.” This process involved annual legislation to authorize the tax.¹

In 1886, the Ohio General Assembly enacted legislation to establish in permanent law a soldiers’ relief commission in each county. Their purpose was to provide for the relief of indigent Union soldiers, sailors, and marines, as well as the wives, widows, and minor children of those who served the Union. The act authorized a tax to be levied, not exceeding 0.1 mills upon the taxable property of the county, to create a fund for the stated purposes. The act also required

¹ An act of the 55th General Assembly, Vol. LX, pages 18 and 19.

the common pleas court judge to appoint three honorably discharged Union soldiers to serve on the commission.²

In 1945, the law was amended to increase the size of the soldiers' relief commissions to five persons. Also, the commissions were given the authority to hire county veterans service officers and other employees as necessary to assist veterans and their dependents in filing claims for benefits to which they may be entitled under state and federal laws.³ A 1988 enactment changed the name of the county commissions, henceforth to be known as veterans service commissions (VSCs).⁴

County VSCs

Commission membership

Each county has a VSC composed of five residents of the county, whom the judge of the common pleas court appoints to five-year terms.⁵ Each commission member must be an honorably discharged or honorably separated veteran. The judge must appoint one person to the commission from lists of recommended persons provided by each of the following organizations:

- The American Legion;
- The Veterans of Foreign Wars;
- The Disabled American Veterans;
- AMVETS; and
- The Military Order of the Purple Heart of the U.S.A., the Vietnam Veterans of America, or the Korean War Veterans Association.

If any of the organizations do not have a post or chapter in the county, the judge must appoint a person from lists of recommended persons submitted by posts or chapters of any other congressionally chartered veterans organizations located in the county. If no other organizations have posts or chapters in the county, the judge may appoint any qualified veteran to represent the veteran community.⁶

Veterans service office and officers

Each VSC is authorized to employ an executive director as well as investigators, clerks, and other personnel as necessary to perform the VSC's duties. These individuals must be veterans, or if a qualified veteran is not available, the spouse, surviving spouse, child, or parent of a veteran. Also, each VSC must employ county veterans service officers whose primary duty is

² H.B. 316 of the 67th General Assembly, passed May 19, 1886, 83 v 232.

³ S.B. 26 of the 96th General Assembly, passed June 28, 1945, 121 v 673.

⁴ H.B. 626 of the 117th General Assembly, effective September 14, 1988, 142 v 626.

⁵ Qualifying larger counties are authorized to appoint up to an additional six members, for a total of 11. It is not clear whether any counties have created the larger commission (R.C. 5901.021).

⁶ R.C. 5901.02.

to “advise and assist present and former members of the armed forces of the United States, veterans, and their spouses, surviving spouses, children, parents, and dependents in presenting claims or obtaining rights or benefits under any law of the United States or of this state.” Each service officer must be a veteran. The VSC determines the compensation rates for all of these employees, who must be in the classified service and who are exempt from civil service examination.

The board of county commissioners, upon the recommendation or approval of the VSC, may provide suitable office space, supplies, and office and incidental expenses for each service officer. The compensation of each service officer and of any employee and any expenses incurred must be paid from the county allotment of veterans service funds.⁷

VSC duties

VSCs provide financial assistance to needy veterans, or the spouse, surviving spouse, dependent parent, minor child, or ward of a veteran or active duty member of the U.S. armed forces. An individual seeking assistance must have been a resident of the county for at least three months.⁸ Applicants must provide a statement concerning household income and other personal financial information. The information provided is not a public record and not subject to disclosure under the Public Records Law.⁹

The VSC of each county has certain statutory duties, including:

- Employing staff necessary to carry out the VSC’s duties, and fixing their compensation;
- Establishing policies and procedures for the administration of the VSC and the veterans service office;
- Establishing policies and procedures for administering assistance as provided under the Veterans Service Commission Law;
- Causing the budgets of the VSC and veterans service office to be presented to the board of county commissioners for approval;
- Establishing programs of outreach and coordination with other agencies to enhance available services to veterans within the county;
- Promoting, monitoring, and providing funding for ongoing education and training for its commissioners and staff;
- Making reports to the organizations represented on the VSC;
- Establishing regularly scheduled transportation for veterans to and from Veterans Administration medical centers whose districts the county is within, through contractual

⁷ R.C. 5901.06 and 5901.07.

⁸ R.C. 5901.08.

⁹ R.C. 5901.09 and 149.43.

agreements or through other arrangements determined by the VSC to be most cost-effective;

- Participating in appropriate memorial and commemorative activities to help promote patriotism and veterans services.¹⁰

Commission funding

The funding for VSCs is a portion of the authorized general property tax levy for current expenses in each county.¹¹ Each VSC annually must meet and determine in an itemized manner the probable amount necessary for the aid and financial assistance of persons entitled to it and for the operation of the veterans service office for the ensuing year. After determining the probable amount, the VSC must prepare and submit a budget to the board of county commissioners.

The board may review the proposed budget and must appropriate funds to the VSC, provided the amount appropriated does not exceed the cap set forth in statute, which is 0.5 mills (that is, 0.05¢) per dollar on the assessed value of the property of the county. The board must make the necessary levy to raise the amount it has approved.¹² This funding formula applies to all counties regardless of population. Counties with populations exceeding 500,000, who submit a budget request for the ensuing fiscal year that exceeds 0.025% of the assessed value of property in the county (in other words, 0.25 mills per dollar, which is half of the 0.5 mills cap), are authorized to create an additional six memberships on the county's VSC.¹³ This is merely a qualification for a county to create a larger commission. It does not limit the county's entitlement to 0.5 mills per dollar of assessed property value with an appropriate budget request.

Optional veterans service committee

Each veterans service commission is authorized to establish, for the county, a veterans service committee and to set forth the duties of the committee. If established, the committee must consist of at least three persons who are residents of the county and who are veterans, appointed by the VSC.¹⁴

Director of Veterans Services

Because VSCs are statutory bodies of the many counties, they are not administered by the Director of Veterans Services. Nevertheless, the Director has certain statutory duties with respect to VSCs and their officers.

¹⁰ R.C. 5901.03.

¹¹ R.C. 5705.05 and 5901.11.

¹² R.C. 5705.05 and 5901.11.

¹³ R.C. 5901.021.

¹⁴ R.C. 5901.05.

First, the Director must adopt rules under the Administrative Procedure Act¹⁵ pertaining to all of the following:

1. Education, training, certification, and duties of veterans service commissioners;
2. Minimum qualifications for hiring, certifying, and accrediting county veterans service officers;
3. Required duties of county veterans service officers;
4. Revocation of the certification of county veterans service officers and of county veterans service commissioners.¹⁶

All appointed members of VSCs as well as all county veterans service officers, must file a copy of their DD214 (record of discharge) form with the Department of Veterans Services. The Director is tasked with establishing guidelines for these filings.¹⁷

¹⁵ R.C. Chapter 119.

¹⁶ R.C. 5902.02(C) and (D).

¹⁷ R.C. 5901.02, 5901.07, and 5902.02(L).