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Substitute Bill Comparative Synopsis

Sub. H.B. 155

133rd General Assembly

House Armed Services and Veterans Affairs

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (As Introduced)	Latest Version (I_133_0812-4)
Enforcement	
<p>Enumerates fines that may be assessed for various violations of the bill. However, the bill does not empower an individual or entity to enforce the law or assess a fine. Presumably, a party entitled to the proceeds of a fine could bring a civil action. Fines authorized in the bill are as follows:</p> <p>A purchaser who violates the law must be fined not more than \$10,000. The purchaser must pay the fine to the veterans service commission of the county in which the war relic was located and the</p>	<p>Includes the same potential fines for a violation of the law, but establishes that a violation will constitute an unclassified misdemeanor. Therefore, the crimes would be eligible for prosecution by a lawfully empowered prosecutor.</p> <p>Requires that fines be paid to United Service Organizations, Inc., (USO). Similarly, a seller who violates the law must pay any money received from selling or otherwise disposing of a war relic to the USO. (R.C. 155.99.)</p>

Previous Version (As Introduced)	Latest Version (I_133_0812-4)
<p>purchaser must return the war relic to the seller. A seller who violates the law must pay any money received from selling or otherwise disposing of a war relic to the veterans service commission of the county in which the war relic was located. Any person who destroys, relocates, removes, alters, or otherwise disturbs the war relic in violation of the law must be fined not more than \$10,000 unless the person returns the war relic to its original condition not later than 90 days after receiving a written notice that the person has violated the law. The fine shall be paid to the veterans service commission of the county in which the war relic was located. <i>(R.C. 155.28(D).)</i></p>	
Lawful transfer of a war relic	
<p>Sets forth the following:</p> <p>A war relic that is located on public property or on the property of a cemetery association may be returned to the federal government. If the federal government does not accept the war relic, it shall be offered to the Ohio History Connection. If the Ohio History Connection does not accept the war relic, it shall be given to the sons of union veterans of the civil war, department of Ohio. (Italics and emphasis added). <i>(R.C. 155.58(C).)</i></p>	<p>Same; except that the bill clarifies that this clause is with respect to a governmental agency, the state, a political subdivision, or a cemetery association that wishes to dispossess a war relic. Also, since it is possible that a war relic may not have been originally the property of the federal government, the phrase “returned to the federal government” has been changed. The bill clarifies that to whomever the war relic is transferred, it must be “given” to the entity rather than returned or offered. Finally, the bill specifies that if the war relic is not of the civil war era, and it is not wanted by the federal government or by the Ohio History Connection, it must be given to any congressionally chartered veterans’ organization at the discretion of the Ohio History Connection. <i>(R.C.155.58(C).)</i></p>
Definition of war	
<p>In order to qualify as a “war relic” subject to the provisions of the bill, an item must be related to one of the conflicts specified by the definition of “war” in the bill. The bill defines “war” as follows:</p>	<p>Same; except changed references to “Korean conflict” and “Vietnam era.” Also added the following:</p>

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<p>The French and Indian War, American revolution, War of 1812, United States-Mexican War, American Civil War 1861-1865, Spanish-American War, the Mexican border period, World War I, World War II, Korean War, Vietnam War, Operation Urgent Fury (Grenada), Operation El Dorado Canyon (Libya), Operation Just Cause (Panama), Operation Desert Shield/Desert Storm (Persian Gulf War I), Operation Enduring Freedom (Afghanistan), and Operation Iraqi Freedom (Persian Gulf War II). <i>(R.C. 155.28(A)(3).)</i></p>	<p>“[A]ny subsequent declaration of war by the [C]ongress of the United States, or any subsequent armed conflict in which the United States is engaged.” <i>(R.C. 155.28(A).)</i></p>
<p>Disbursement of revenue from fines</p>	
<p>Requires that 50% all fines and moneys collected by a veterans service commission under the bill to be used by the veterans service commission for the maintenance, repair, installation, or restoration of veterans’ memorials. The remainder must be evenly divided by the veterans service commission among and disbursed to congressionally chartered veterans’ services organizations in the county, including the sons of union veterans of the civil war, department of Ohio. <i>(R.C. 155.28(E).)</i></p>	<p>Authorizes a court to order an offender to pay fines directly to United Service Organizations, Inc., (USO), a federally chartered corporation. <i>(R.C. 155.28(D).)</i></p>