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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 155
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 155's Bill Analysis](#)

Version: As Introduced

Primary Sponsor: Reps. Schaffer and Rogers

Local Impact Statement Procedure Required: No

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Highlights

- The bill eliminates any potential revenue the state or political subdivisions would receive if they would choose, under current law, to sell a war relic on their property to which they do not have proof of ownership.
- County veterans services commissions could experience an increase in revenue due to the fines imposed by the bill, although the number of violations of the bill will likely be small.

Detailed Analysis

Restrictions related to war relics

The bill, which is designated the Ohio Veterans' Heritage Protection Act, generally prohibits a war relic that is located on public property or on the property of a cemetery association from being disposed of or disturbed except in certain instances. The bill permits a war relic to be disturbed for the purpose of maintaining it, to place it in a temporary public display, or to use it in war reenactments. The bill permits the disposal of a war relic first by offering it to the federal government. If the federal government does not accept it, then it may be offered to the Ohio History Connection (OHC). If OHC does not accept it, then it must be given to the Sons of Union Veterans of the Civil War, Department of Ohio. The bill exempts the state and political subdivisions from these restrictions if they can clearly prove ownership of the relic by written documentation.

Penalties

The bill imposes a fine of not more than \$10,000 on the purchaser of a war relic that is sold contrary to the restrictions in the bill. The fine is to be paid to the veterans service commission of the county in which the relic is located. The purchaser must also return the relic

to the seller. Furthermore, the bill requires the seller to pay any money received for the relic to the veterans service commission of the county in which the relic is located. The bill also imposes a fine of not more than \$10,000 on a person who disturbs a war relic contrary to the restrictions in the bill unless the relic is returned to its original condition not later than 90 days after the person is notified in writing of the person's violation of the bill's restrictions. This fine is also to be paid to the veterans service commission of the county in which the relic is located. However, the bill exempts the state or a political subdivision from paying this fine.

Finally, the bill requires a veterans service commission to use 50% of all fines and moneys paid to it as a result of the bill for the maintenance, repair, installation, or restoration of veterans' memorials and to distribute the remaining 50% evenly to the congressionally chartered veterans' services organizations in the county.

Fiscal effect

The bill eliminates any potential revenue the state or political subdivisions would receive if they would choose, under current law, to sell a war relic on their property to which they do not have proof of ownership. The extent of this forgone revenue would depend on the relic's value and the volume of these sales in the state.

There is potential for an increase in revenue to county veterans service commissions due to the fines imposed by the bill. Presumably, the number of violations of the bill's provisions will be small and revenue will be minimal. In addition, administrative costs for an agency that enforces the bill's provisions will increase minimally.

Ohio History Connection

The bill authorizes OHC, with the help of local historical societies, to compile and maintain a registry of war relics. This would increase OHC's administrative costs, if they take advantage of this authorization. The organization has already begun work to compile a registry of war relics through their State Preservation Office.