

AN ACT

To amend sections 5.23, 123.024, 4503.571, 5901.02, 5901.07, and 5902.02 and to enact sections 3301.25, 5901.99, and 5902.15 of the Revised Code to require members of county veterans service commissions and county veterans service officers to file a copy of their Form DD214 with the Governor's Office of Veterans Affairs; to designate November 10 of each year as "Veterans Educate Today's Students Day"; to authorize the Department of Education to distribute to school libraries a book and videotape relating to the Ohio Veterans Plaza or any other appropriate written or video material regarding veterans; to eliminate the payment of the existing additional \$10 fee in connection with a Purple Heart special license plate; to make it a misdemeanor of the first degree to misrepresent one's veteran or veteran-related status to obtain certain benefits or financial assistance; to require the Department of Administrative Services to provide office space for the Ohio Veterans' Home; and to create the Military Activation Task Force at specified times in the Governor's Office of Veterans Affairs.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 5.23, 123.024, 4503.571, 5901.02, 5901.07, and 5902.02 be amended and sections 3301.25, 5901.99, and 5902.15 of the Revised Code be enacted to read as follows:

Sec. 5.23. (A) The twelfth day of February, known as Lincoln's birthday, the twenty-second day of February, known as Washington's

ay, the thirtieth day of May, known as Memorial day, and the eleventh day of November, known as Veterans' day, shall be commemorated in the schools.

(B) The tenth day of November is designated as "veterans educate today's students day" or "V.E.T.S. day." Each elementary and secondary school in this state is encouraged to commemorate and observe this day by inviting veterans, on or about this day, to visit the school and discuss their military experiences with the students of the school.

Sec. 123.024. (A) The department of administrative services shall assign and make available, at state expense, suitable office space in state-owned facilities to accommodate the office operations of the state headquarters of ~~both~~ all of the following:

(1) All veterans organizations in this state that either are incorporated and issued a charter by the congress of the United States or are recognized by the United States department of veterans affairs;

(2) The auxiliary organizations of veterans organizations described in division (A)(1) of this section;

(3) The Ohio veterans' home.

(B) The department may situate office space for each auxiliary organization of a veterans organization with or near the office space of that veterans organization.

Sec. 3301.25. The department of education shall distribute to the library of each secondary school in this state a copy of a videotape of the Ohio veterans plaza dedication. And shall distribute the book Letters Home: The Letters of the Ohio Veterans Plaza or other appropriate written material regarding veterans.

Sec. 4503.571. Any person who has been awarded the purple heart may apply to the registrar of motor vehicles for the registration of one passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the registrar that the person owns or leases. The application shall be accompanied by such documentary evidence in support of the award as the registrar may require. The application may be combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code.

Upon receipt of an application for registration of a motor vehicle under this section and the required taxes and fees, and upon presentation of the required supporting evidence of the award of the purple heart, the registrar shall issue to the applicant the appropriate motor vehicle registration and a set of license plates and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

In addition to the letters and numbers ordinarily inscribed ~~thereon~~ on the license plates, the license plates shall be inscribed with the words "PURPLE HEART." The license plates shall bear county identification stickers that identify the county of registration by name or number.

The license plates and validation stickers shall be issued upon payment of the regular license fee required by section 4503.04 of the Revised Code, payment of any local motor vehicle license tax levied under Chapter 4504. of the Revised Code, ~~payment of an additional fee of ten dollars,~~ and compliance with all other applicable laws relating to the registration of motor vehicles. If the application is combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code, the license plates and validation sticker shall be issued upon payment of the fees and taxes referred to in this section and the additional fee prescribed under section 4503.40 or 4503.42 of the Revised Code. ~~The additional fee of ten dollars shall be for the purpose of compensating the bureau of motor vehicles for additional services required in the issuing of license plates under this section and shall be transmitted by the registrar to the treasurer of state for deposit into the state treasury to the credit of the state bureau of motor vehicles fund created by section 4501.25 of the Revised Code.~~

No person who is not a recipient of the purple heart shall willfully and falsely represent that the person is a recipient of a purple heart for the purpose of obtaining license plates under this section. No person shall own a motor vehicle bearing license plates under this section unless the person is eligible to be issued ~~such~~ those license plates.

Sec. 5901.02. In each county there shall be a commission known as "the veterans service commission" composed of five persons. ~~Such~~ Those persons shall be residents of the county and shall be appointed to five-year terms by a judge of the court of common pleas. At the time of ~~his~~ appointment or reappointment to the commission, no commission member shall be an employee of the commission or hold an elective or other appointive office of the county served by the commission.

Each ~~person or~~ member of the commission shall be an honorably discharged or honorably separated veteran. Within sixty days after the date of appointment, each member of the commission shall file the member's form DD214 with the governor's office of veterans affairs in accordance with guidelines established by the director of that office. Appointments to the commission shall be made from lists of recommended persons, in the manner specified in the following paragraph. One person shall be a representative recommended by the American Legion; one person shall be a

representative recommended by the Veterans of Foreign Wars; one person shall be a representative recommended by the Disabled American Veterans; one person shall be a representative recommended by the AMVETS; and one person shall be a representative recommended by the Military Order of the Purple Heart of the U.S.A. or the Vietnam Veterans of America. If any such organization has no post or chapter located in the county, the appointment shall be made from lists of recommended persons submitted by posts or chapters of any other congressionally chartered veterans organizations located in the county. If no such other organizations have posts or chapters located in the county, the judge described in the following paragraph may appoint any qualified veteran to represent the veteran community.

On or before the fifteenth day of October of each year, the judge of the court of common pleas who is responsible for making appointments to the commission shall notify each post or chapter, of each organization within the county from which the member may or must be appointed that it may submit a list containing three recommendations of persons who are eligible for appointment. If the judge does not receive any recommendations within sixty days after providing the required notification, ~~he~~ the judge may appoint any qualified veteran to represent the veteran community. The judge shall make the appointment on or before the fifteenth day of January of each year. Vacancies occurring on the commission shall be filled in the same manner as the original appointments.

Beginning in the year 2000, appointments to the commission shall be made as follows:

(A) Appointments for members to represent the American Legion shall be made for terms to commence in years ending in zero and five.

(B) Appointments for members to represent the ~~veterans~~ Veterans of Foreign Wars shall be made for terms to commence in years ending in one and six.

(C) Appointments for members to represent the Disabled American Veterans shall be made for terms to commence in years ending in two and seven.

(D) Appointments for members to represent the AMVETS shall be made for terms to commence in years ending in three and eight.

(E) Appointments for members to represent the Military Order of the Purple Heart of the U.S.A. or the Vietnam Veterans of America shall be made for terms to commence in years ending in four and nine.

The terms immediately preceding the initial appointments made under divisions (A) to (E) of this section may be for periods of less than five years.

Sec. 5901.07. The veterans service commission shall employ one or more county veterans service officers, one of whom may act as executive director. Each service officer shall be a veteran. Within sixty days after the date of initial employment, each service officer shall file a copy of the officer's form DD214 with the governor's office of veterans affairs in accordance with guidelines established by the director of that office. Each service officer shall be employed in the classified service and is exempt from civil service examination. ~~The duties of these service officers are to~~ shall 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.

The commission shall employ each service officer on a part- or full-time basis and fix ~~his~~ the officer's compensation. No county commissioner or member of the veterans service commission shall be employed as a service officer. ~~The~~

The commission shall employ the necessary clerks, stenographers, and other personnel to assist the service ~~officer~~ officers in the performance of duties and shall fix their compensation. Each of these employees shall be a veteran or, if a qualified veteran is not available, the spouse, surviving spouse, child, or parent of a veteran. Each of these employees shall be employed in the classified service and is exempt from civil service examination. ~~The~~

The board of county commissioners, upon the recommendation or approval of the veterans service commission, may provide suitable office space, supplies, and office and incidental expenses for each service officer. The compensation of ~~the each~~ service officer and of any employee and any expenses incurred under this section shall be paid out of funds appropriated to the commission, as provided in section 5901.11 of the Revised Code.

Sec. 5901.99. (A) NO PERSON who is not a veteran, an active-duty member of the armed forces of the United States, or the spouse, surviving spouse, dependent parent, minor child, or ward of a veteran or an active-duty member of the armed forces of the United States SHALL KNOWINGLY REPRESENT THAT THE PERSON is a veteran, an active-duty member of the armed forces of the United States, or the spouse, surviving spouse, dependent parent, minor child, or ward of a veteran or an active-duty member of the armed forces of the United States and IS ELIGIBLE FOR any BENEFITS OR FINANCIAL ASSISTANCE related to veteran status FOR THE PURPOSE OF RECEIVING such BENEFITS OR FINANCIAL ASSISTANCE.

(B) WHOEVER VIOLATES THIS SECTION IS GUILTY OF MISREPRESENTATION OF VETERAN STATUS, A MISDEMEANOR OF THE FIRST DEGREE.

Sec. 5902.02. The duties of the director of the governor's office of veterans affairs shall include the following:

(A) Furnishing the veterans service commissions of all counties of the state copies of the state laws, rules, and legislation relating to the operation of the commissions and their offices;

(B) Upon application, assisting the general public in obtaining records of vital statistics pertaining to veterans or their dependents;

(C) ~~Promulgating~~ Adopting rules pursuant to Chapter 119. of the Revised Code pertaining to minimum qualifications for hiring, certifying, and accrediting county veterans service officers and pertaining to their required duties;

(D) ~~Promulgating~~ Adopting rules pursuant to Chapter 119. of the Revised Code for the education, training, certification, and duties of veterans service commissioners;

(E) Developing and monitoring programs and agreements enhancing employment and training for veterans in single or multiple county areas;

(F) Developing and monitoring programs and agreements to enable county veterans service commissions to address homelessness, indigency, and other veteran-related issues individually or jointly;

(G) Developing and monitoring programs and agreements to enable state agencies, individually or jointly, that provide services to veterans, including the Ohio veterans' home and the Ohio bureau of employment services, to address homelessness, indigency, employment, and other veteran-related issues;

(H) Establishing and providing statistical reporting formats and procedures for county veterans service commissions;

(I) Publishing annually, promulgating change notices for, and distributing a listing of county veterans service officers, county veterans service commissioners, state directors of veterans affairs, and national and state service officers of accredited veterans organizations and their state headquarters. The listing shall include the expiration dates of commission members' terms of office and the organizations they represent; the names, addresses, and telephone numbers of county veterans service officers and state directors of veterans affairs; and the addresses and telephone numbers of the Ohio offices and headquarters of state and national veterans service organizations.

(J) Publishing, by the first day of April of each odd-numbered year, a

directory of ~~Ohio~~ the laws of this state dealing with veterans, as enacted through the conclusion of the previous session of the general assembly, and distributing the publication to each county veterans service office and the state headquarters of each congressionally chartered veterans organization in the state;

(K) Establishing a veterans advisory committee to advise and assist the governor's office of veterans affairs in its duties. Members shall include a state representative of congressionally chartered veterans organizations referred to in section 5901.02 of the Revised Code, a representative of any other congressionally chartered state veterans organization that has at least one veterans service commissioner in the state, three representatives of the Ohio state association of county veterans service commissioners, who shall have a combined vote of one, three representatives of the state association of county veterans service officers, who shall have a combined vote of one, one representative of the county commissioners association of Ohio, who shall be a county commissioner not from the same county as any of the other county representatives, and a representative of the office of the attorney general. The governor's office of veterans affairs shall submit to the advisory committee proposed rules for the committee's operation. The committee may review and revise these proposed rules prior to submitting them to the joint committee on agency rule review.

(L) ~~Promulgating~~ Adopting, with the advice and assistance of the veterans advisory committee, policy and procedural guidelines, ~~which that~~ the veterans service commissions shall adhere to in the development and implementation of rules, policies, procedures, and guidelines for the administration of Chapter 5901. of the Revised Code. The governor's office of veterans affairs shall ~~promulgate~~ adopt no guidelines or rules regulating the purposes, scope, duration, or amounts of financial assistance provided to applicants pursuant to sections 5901.01 to 5901.15 of the Revised Code. The director of the governor's office of veterans affairs may obtain opinions from the office of the attorney general regarding rules, policies, procedures, and guidelines of the veterans service commissions and may enforce compliance with Chapter 5901. of the Revised Code.

(M) Receiving copies of form DD214 filed in accordance with the director's guidelines adopted under division (L) of this section from members of veterans service commissions appointed under section 5901.02 and from county veterans service officers employed under section 5901.07 of the Revised Code;

(N) Taking any other actions required by this chapter.

Sec. 5902.15. (A) If the president of the United States indicates that

national guard or reserve forces with headquarters in this state may be called to active military duty, the governor or the director of the governor's office of veterans affairs shall convene, not later than ten days after all its members are appointed, a military activation task force to determine whether federal, state, and county agencies have prepared proper support mechanisms for that military activation. The task force shall prepare and publish a report stating whether these mechanisms have been prepared and what further actions need to be taken to support that military activation.

(B) The members of the task force are the chairpersons and ranking minority members of the committees of the house of representatives and senate that customarily consider bills dealing with the military and veterans affairs, and a representative of each of the following agencies and organizations whom that agency or organization shall appoint:

- (1) The Ohio army national guard;
- (2) The Ohio air national guard;
- (3) The United States army reserve;
- (4) The United States marine corps reserve;
- (5) The United States naval reserve;
- (6) The United States air force reserve;
- (7) The United States coast guard reserve;
- (8) The United States department of veterans affairs;
- (9) The American Legion, department of Ohio;
- (10) The Veterans of Foreign Wars, department of Ohio;
- (11) The AMVETS, department of Ohio;
- (12) The Disabled American Veterans, department of Ohio;
- (13) The American Ex-Prisoners of War, department of Ohio;
- (14) The Vietnam Veterans of America, department of Ohio;
- (15) The office of the Ohio attorney general;
- (16) The Ohio association of county veterans service officers;
- (17) The Ohio association of county veterans service commissioners;
- (18) The bureau of employment services;
- (19) The department of administrative services;
- (20) The state department of human services;
- (21) The Ohio office of the United States department of labor;
- (22) The employer support of the national guard and reserve;
- (23) The Ohio military family support group;
- (24) The national league of families of prisoners and missing in action;
- (25) The governor's office of veterans affairs.

(C) At its first meeting, the task force shall elect a chairperson and other officers it considers necessary.

(D) Members of the task force shall receive no compensation but shall be reimbursed for expenses they incur in the performance of their duties.

(E) Members of the task force shall serve until the task force publishes its report. any vacancy on the task force shall be filled in the same manner as the original appointment.

(F) The governor's office of veterans affairs shall provide the task force with necessary personnel, supplies, and services.

SECTION 2. That existing sections 5.23, 123.024, 4503.571, 5901.02, 5901.07, and 5902.02 of the Revised Code are hereby repealed.

SECTION 3. Each member of a county veterans service commission appointed under section 5901.02 of the Revised Code, as amended by this act, and each county veterans service officer appointed under section 5901.07 of the Revised Code, as amended by this act, who is serving on the effective date of this act shall file, within 60 days after that date, with the Governor's Office of Veterans Affairs, the member's or officer's Form DD214.

Speaker _____ of the House of Representatives.

President _____ of the Senate.

Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the
____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____