

AN ACT

To amend sections 341.02 and 5901.03 and to enact section 341.43 of the Revised Code to require incarcerating institutions to verify the veteran status of incarcerated individuals.

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

SECTION 1. That sections 341.02 and 5901.03 be amended and section 341.43 of the Revised Code be enacted to read as follows:

Sec. 341.02. The sheriff shall make the following entries in a suitable book, which shall be known as the "jail register," kept in the office of the jailer, and delivered to the successor in office of such jailer:

(A) The name of each prisoner, and the date and cause of ~~his~~the prisoner's commitment;

(B) The date and manner of ~~his~~the prisoner's discharge;

(C) The prisoner's veteran status, if the prisoner is verified as a veteran as a result of an investigation conducted by a sheriff under section 341.43 of the Revised Code.

The sheriff or jail administrator shall prepare written operational policies and procedures and prisoner rules of conduct, and maintain the records prescribed by these policies and procedures in accordance with the minimum standards for jails in Ohio promulgated by the department of rehabilitation and correction.

The court of common pleas shall review the jail's operational policies and procedures and prisoner rules of conduct. If the court approves the policies, procedures, and rules of conduct, they shall be adopted.

Sec. 341.43. (A) As used in this section:

(1) "VRSS" means the veterans reentry search service that is operated by the United States department of veterans affairs.

(2) "Incarcerating institution" means all of the following:

(a) Each institution that is under the control of the department of rehabilitation and correction;

(b) Each county, municipal, municipal-county, and multicounty correctional institution that has on its premises a jail, workhouse, minimum security jail, community-based correctional facility, or facility in which an individual shall serve a term of incarceration or a prison or jail term pursuant to section 2929.34 of the Revised Code for the type of criminal offense and under the circumstances specified or referred to in that section;

(c) An institution described in division (A)(2)(a) or (b) of this section that confines an

individual awaiting disposition, in cases where an individual is charged with a felony that is punishable by a term of incarceration, a misdemeanor that is punishable by a term of incarceration, or a traffic offense that is punishable by a term of incarceration.

(B) Each incarcerating institution shall do all of the following:

(1) Register with VRSS;

(2) During the confinement booking process, obtain personal information from each individual, including name, social security number, and any other required information necessary to determine whether the individual is a veteran;

(3) Not later than three days after each booking, access VRSS to which the incarcerating institution is registered under division (B)(1) of this section to verify or confirm if an individual who is incarcerated or charged with a criminal offense has served in the United States military;

(4) For each individual verified as a veteran as a result of an investigation conducted pursuant to division (B)(3) of this section, note the individual's status as a veteran on all appropriate records pursuant to rules adopted under division (E) of this section.

(C) An incarcerating institution is not required to access VRSS if another incarcerating institution has complied with the requirements of this section with respect to the individual and charge that led to the specific incarceration.

(D) Each incarcerating institution shall train staff to use VRSS to which the institution is registered. The institution shall seek cost-free training assistance and computer software installation from a representative of the veterans justice outreach program operated by the department of veterans affairs or other appropriate representative of the department. If an institution is unable to acquire cost-free assistance from that department, the institution may, at the institution's own expense, retain individuals who are knowledgeable about VRSS, by training or experience, to assist in training designated qualified individuals to use VRSS, and may request financial assistance under division (E)(3) of section 5901.03 of the Revised Code.

(E) The director of rehabilitation and correction shall adopt rules to implement the requirements of this section for each of the incarcerating institutions under its control, including rules establishing the types of records upon which an individual's veteran status must be indicated. Incarcerating institutions referred to in division (A) of this section that are not under the control of the department of rehabilitation and corrections shall adopt rules to implement the requirements of this section, including rules establishing the types of records upon which an individual's veteran status must be indicated.

Sec. 5901.03. The veterans service commission shall select one of its members as president, one as vice-president, and one as secretary. The commission shall meet at least once each month. A judge of the court of common pleas may remove, for cause, any member of the commission appointed under section 5901.02 of the Revised Code, and shall fill vacancies occurring among memberships appointed under that section for the unexpired terms in the manner provided for the original appointments.

The commission's duties shall include but are not limited to the following:

(A) Employing such staff as are necessary to carry out the commission's duties, and fixing their compensation;

(B) Establishing policies and procedures for the administration of the commission and the veterans service office;

(C) Establishing policies and procedures for the administration of assistance as provided under this chapter;

(D) Causing the budgets of the veterans service commission and veterans service office to be presented to the board of county commissioners for approval;

(E) Establishing programs of outreach and coordination with other agencies to enhance available services to veterans within the county, which may include any of the following:

(1) Providing financial assistance to a veterans treatment court to establish and fulfill an outreach program under this section;

(2) Hiring and compensating a person who will work at a veterans treatment court and provide assistance to the court as specified by the terms of an outreach program established under this section;

(3) Providing financial assistance to incarcerating institutions, under section 341.43 of the Revised Code, to purchase the necessary computer hardware and software, and to compensate for the cost of training and use of VRSS, if such purchase or compensation is not provided by the United States department of veteran affairs. This assistance is to aid in identifying veterans who are incarcerated or charged with criminal conduct, so that these veterans can be assessed and, if they qualify, placed in outreach programs, such as veterans treatment courts, or other outreach programs provided by other agencies. As used in this division, "VRSS" has the same meaning as in section 341.43 of the Revised Code.

(F) Promoting, monitoring, and providing funding for ongoing education and training for veterans service commissioners and staff;

(G) Making reports to the organizations represented on the commission, as provided in section 5901.02 of the Revised Code, and to others, upon request;

(H) Establishing regularly scheduled transportation for veterans to and from veterans administration medical centers whose districts the county is within, through contractual agreements or through other arrangements determined by the commission to be most cost-effective;

(I) Participating in appropriate memorial and commemorative activities to help promote patriotism and veterans services;

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

SECTION 2. That existing sections 341.02 and 5901.03 of the Revised Code are hereby repealed.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20__

Approved _____, 20__

Governor.

Sub. S. B. No. 179

136th G.A.

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 _____