As Introduced

132nd General Assembly Regular Session 2017-2018

H. B. No. 192

Representatives Miller, Anielski

Cosponsors: Representatives Kent, Fedor, Seitz, Lepore-Hagan, Stein, Ashford, West, Craig, Lipps, Antonio, Thompson, Perales

A BILL

То	amend section 5901.02 and to enact section	1
	5901.022 of the Revised Code to permit county	2
	veterans service commissions to elect to add two	3
	members to the commission, one who is a veteran	4
	who served in Operation Enduring Freedom or	5
	Operation Iraqi Freedom, or subsequently in	6
	those theaters of operation, and one who is a	7
	military spouse.	8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 5901.02 be amended and section	9
5901.022 of the Revised Code be enacted to read as follows:	10
Sec. 5901.02. In each county there shall be a commission	11
known as "the veterans service commission." Except as provided	12
in section sections 5901.021 and 5901.022 of the Revised Code,	13
the commission shall be composed of five residents of the county	14
appointed to five-year terms by a judge of the court of common	15
pleas. At the time of appointment or reappointment to the	16
commission, no commission member appointed under this section	17
shall be an employee of the commission or hold an elective or	18

other appointive office of the county served by the commission.	19
Each member of the commission appointed under this section	20
shall be an honorably discharged or honorably separated veteran.	21
Within sixty days after the date of appointment, each such	22
member shall file the member's form DD214 with the department of	23
veterans services in accordance with guidelines established by	24
the director of that department. Such appointments shall be made	25
from lists of recommended persons, in the manner specified in	26
the following paragraph. One person shall be a representative	27
recommended by the American Legion; one person shall be a	28
representative recommended by the Veterans of Foreign Wars; one	29
person shall be a representative recommended by the Disabled	30
American Veterans; one person shall be a representative	31
recommended by the AMVETS; and one person shall be a	32
representative recommended by the Military Order of the Purple	33
Heart of the U.S.A., the Vietnam Veterans of America, or the	34
Korean War Veterans Association. If any such organization has no	35
post or chapter located in the county, the appointment shall be	36
made from lists of recommended persons submitted by posts or	37
chapters of any other congressionally chartered veterans	38
organizations located in the county. If no such other	39
organizations have posts or chapters located in the county, the	40
judge responsible for making appointments under this section may	41
appoint any qualified veteran to represent the veteran	42
community.	43
On or before the fifteenth day of October of each year,	44
the appointing judge shall notify each post or chapter of each	45
organization within the county from which the member may or must	46
be appointed that it may submit a list containing three	47
recommendations of persons who are eligible for appointment. If	48

the judge does not receive any recommendations within sixty days

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after providing the required notification, the judge may appoint	50
any qualified veteran to represent the veteran community. The	51
judge shall make the appointment on or before the fifteenth day	52
of January of each year. Any vacancy in a membership appointed	53
under this section shall be filled in the same manner as the	54
original appointments.	55
Beginning in the year 2000, appointment of members to the	56
commission under this section shall be made as follows:	57
(A) Appointments for members to represent the American	58
Legion shall be made for terms to commence in years ending in	59
zero and five.	60
(B) Appointments for members to represent the Veterans of	61
Foreign Wars shall be made for terms to commence in years ending	62
in one and six.	63
(C) Appointments for members to represent the Disabled	64
American Veterans shall be made for terms to commence in years	65
ending in two and seven.	66
(D) Appointments for members to represent the AMVETS shall	67
be made for terms to commence in years ending in three and	68
eight.	69
(E) Appointments for members to represent the Military	70
Order of the Purple Heart of the U.S.A., the Vietnam Veterans of	71
America, or the Korean War Veterans Association shall be made	72
for terms to commence in years ending in four and nine.	73
The terms immediately preceding the initial appointments	74
made under divisions (A) to (E) of this section may be for	75
periods of less than five years.	76
The appointing authority shall remove a member who fails	77

to maintain certification or whose certification is revoked by	78
the director of veterans services.	
Sec. 5901.022. (A) The veterans service commission of a	80
county, by a majority vote of its members, may create two	81
additional memberships on the commission. Except as described in	82
this section, these members shall meet the qualifications under	83
section 5901.02 of the Revised Code, and shall be appointed to	84
five-year terms by a judge of the court of common pleas.	85
One of the two additional members appointed under this	86
section shall be a veteran who served in operation enduring	87
freedom or operation Iraqi freedom, or who served subsequently	88
in those theaters of operation, who may be a current member of	89
the reserve or national guard. One of the two additional members	90
shall be the military spouse of an active service member or of a	91
veteran, whose service began on or after September 11, 2001.	92
(B) A veterans service commission shall inform the judge	93
responsible for making appointments to the commission within	94
thirty days after an affirmative decision to create two	95
additional memberships. The notification provided under section	96
5901.02 of the Revised Code by the appointing judge shall then	97
also inform each organization that, if the organization has	98
sufficient contact and knowledge of such persons, the	99
organization may submit a list containing one additional	100
recommendation of a person who is eligible for appointment as a	101
veteran who served in operation enduring freedom or operation	102
Iraqi freedom, or who served subsequently in those theaters of	103
operation, and one person who is eligible for appointment as the	104
military spouse of an active service member or of a veteran.	105
The notifications sent by the appointing judges shall	106
include a public notice in a newspaper of general circulation	107

within the county, a posting in public libraries of the county,	108
and other such means as may be used to reach individuals	109
eligible for the appointments under division (A) of this	110
section. The public notices published in newspapers and posted	111
in libraries shall include instructions for individuals who meet	112
the qualifications for appointment to submit a request to the	113
the appointing judge.	114
(C) Appointments shall be made from the lists of	115
recommended persons, or from requests received by the appointing	116
<pre>judge, as follows:</pre>	117
(1) Appointments for members who are veterans who served	118
in operation enduring freedom or operation Iraqi freedom, or who	119
served subsequently in those theaters of operation, shall be	120
made for terms to commence in years ending in zero and five.	121
If the appointing judge does not receive any	122
recommendations within sixty days after providing the required	123
notifications, or the judge does not wish to appoint a person	124
who has submitted a request, the judge may appoint any otherwise	125
qualified veteran to serve on an interim basis until a veteran	126
who meets the requirements of this section becomes available and	127
is appointed to serve the remainder of the term.	128
(2) Appointments for members who are military spouses of	129
active service members or of veterans, whose service began on or	130
after September 11, 2001, shall be made for terms to commence in	131
years ending in one and six.	132
In any county with a population of less than one hundred	133
thousand, if a qualified military spouse is unavailable for	134
appointment, a military dependent, who is the son or daughter of	135
an active service member or of a veteran, whose service began on	136

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or after September 11, 2001, may be appointed to serve on an	
interim basis until a qualified military spouse becomes	
available and is appointed to serve the remainder of the term.	139
Any vacancy in a membership appointed under this section	140
shall be filled in the same manner as the original appointment.	141
Section 2. That existing section 5901.02 of the Revised	142
Code is hereby repealed.	143
Section 3. On or before January 15, 2018, appointing	144
judges, for commissions that have elected to add two additional	145
members, shall make initial appointments for the veterans	146
service commission member described in division (C)(1) of	147
section 5901.022 of the Revised Code for a term that expires	148
before the term that will commence in 2020, and shall make an	149
initial appointment for the veterans service commission member	150
described in division (C)(2) of section 5901.022 of the Revised	151
Code for a term that shall expire before the term that will	152
commence in 2021	153