

**As Reported by the House Armed Services and Veterans Affairs
Committee**

133rd General Assembly

**Regular Session
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Sub. H. B. No. 428

Representatives Wiggam, Miller, A.

Cosponsors: Representatives Weinstein, Keller, Miller, J., Russo, Sheehy

A BILL

To amend sections 317.24 and 317.241 of the Revised 1
Code to authorize county recorders to record the 2
discharge records of individuals who served with 3
the United States Public Health Service or the 4
National Oceanic and Atmospheric Administration 5
and to make these individuals eligible to obtain 6
an Ohio veterans identification card. 7

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

Section 1. That sections 317.24 and 317.241 of the Revised 8
Code be amended to read as follows: 9

Sec. 317.24. (A) As used in this section: 10

(1) "Authorized party" means any of the following: 11

(a) The person who is the subject of the record of 12
discharge; 13

(b) A county veterans service officer who is certified by 14
the department of veterans services; 15

(c) An attorney-in-fact, agent, or other representative of 16

the person who is the subject of the record of discharge, if 17
authorized to inspect or copy the record of discharge by that 18
person in a power of attorney or other document; 19

(d) A person authorized, for good cause shown, by a court 20
of record to inspect or copy the record of discharge; 21

(e) If the person who is the subject of the record of 22
discharge is deceased, the executor or administrator, or an 23
heir, legatee, or devisee, of the person's estate or a funeral 24
director who is to perform the funeral for the deceased person. 25

(2) "Separation code" or "separation program number" means 26
the coded number or numbers used to specify the reasons for a 27
person's separation from active duty, as contained in one of the 28
following: 29

(a) Regarding a separation code, as contained in line 23 30
or 26 of a veteran's discharge paper, United States department 31
of defense form DD-214; 32

(b) Regarding a separation program number, as contained in 33
line 9(c) or line 11(c) of a veteran's discharge paper, under 34
prior versions of United States department of defense form DD- 35
214. 36

(3) "Service-related document" means any United States 37
department of defense form DD-215 or DD-220, or any National 38
Guard Bureau form NGB-22 or NGB-22A. 39

(4) "Armed forces of the United States" means the army, 40
navy, air force, marine corps, space force, coast guard, the 41
national guard of any state, or any other reserve components of 42
those forces. 43

(5) "Uniformed services" means the armed forces of the 44

United States; the commissioned corps of the national oceanic 45
and atmospheric administration; the commissioned corps of the 46
public health service; or any reserve components of those 47
forces; and such other service as may be designated by congress. 48

(B) (1) Upon request of any discharged member of the ~~armed-~~ 49
~~forces of the United States~~ uniformed services and presentation 50
of the member's discharge, the county recorder shall record the 51
discharge in a book to be furnished by the board of county 52
commissioners for that purpose. There shall be no fee for the 53
recording. The record of discharge, or a certified copy of the 54
record, shall be received in evidence in all cases where the 55
original discharge would be received. 56

(2) (a) A discharge recorded under division (B) (1) or (D) 57
of this section is not a public record under section 149.43 of 58
the Revised Code for a period of seventy-five years after the 59
date of the recording. During that period, the county recorder's 60
office shall make the record of discharge available only to an 61
authorized party or to a person other than an authorized party 62
as provided by division (B) (2) (b) of this section. Except as 63
provided in section 317.27 of the Revised Code, the authorized 64
party shall pay the reasonable costs of copying the record of 65
discharge. 66

(b) A person other than an authorized party may request to 67
view or receive a copy of a discharge record recorded under 68
division (B) (1) or (D) of this section. Upon such a person's 69
request, the county recorder's office shall provide a copy of 70
the discharged record to the person that shall be redacted to 71
contain only the name, rank, date of birth, date of discharge, 72
and type of discharge of the person who is the subject of the 73
discharge record. Except as provided in section 317.27 of the 74

Revised Code, a person other than an authorized party shall pay 75
the reasonable costs of copying the record of discharge. 76

(3) A county veterans service officer, who is an 77
authorized party, may request to receive, from a county 78
recorder's office, a record of discharge if the veterans service 79
officer has a need for access to the record of discharge for the 80
purpose of supporting a veteran's claim for benefits, and the 81
county recorder's office shall make the record available to the 82
county veterans service officer. 83

(C) Upon application by a person whose discharge has been 84
recorded pursuant to this section, the county recorder shall, 85
without fee, expunge the person's record of discharge, expunge 86
the person's separation program number or separation code from 87
the person's record of discharge and from any of the person's 88
other service-related documents that have been recorded, or 89
expunge the person's social security number from the person's 90
record of discharge and from any of the person's other service- 91
related documents that have been recorded. The application shall 92
be in the following form: 93

"APPLICATION FOR EXPUNGEMENT 94

OF DISCHARGE RECORD OR OTHER INFORMATION 95

I, _____ (Name of Applicant), the undersigned, 96
hereby request the County Recorder of the County of _____ 97
(Name of County), state of Ohio, to expunge my _____ 98
(Insert Record of Discharge, Separation Program Number or 99
Separation Code from my Record of Discharge and other service- 100
related documents, or Social Security Number from my Record of 101
Discharge and other service-related documents). 102

Dated this _____ day of _____, _____ 103

_____	104
(Signature of Applicant)	105
Sworn to and subscribed before me by _____ (Name of	106
Applicant) on _____, _____	107
_____	108
Notary Public	109
My commission expires _____, _____"	110
(D) Upon the request of any person who served during World	111
War I or World War II as a member of any armed force of the	112
government of Poland or Czechoslovakia and participated while so	113
servicing in armed conflict with an enemy of the United States and	114
who has been a citizen of the United States for at least ten	115
years, and the presentation of the person's discharge, the	116
county recorder shall record the person's discharge in a book to	117
be furnished by the board of county commissioners for that	118
purpose. No fee shall be charged for the recording. The record,	119
or a certified copy of it, shall be received in evidence in all	120
cases where the original would be received.	121
Sec. 317.241. (A) The board of county commissioners may by	122
resolution allow the county recorder or county veterans service	123
office to issue Ohio veterans identification cards to	124
individuals who have met the following requirements:	125
(1) Presented the individual's armed forces <u>uniformed</u>	126
<u>services</u> discharge record for recording in the record of	127
discharges in the office of the county recorder;	128
(2) Provided, while appearing in person at a county	129
recorder's office or county veterans service office, two forms	130
of current and valid identification, at least one of which bears	131

a photograph of the individual; 132

(3) Paid a fee, if a fee has been established by the 133
county. 134

A board of county commissioners may, by resolution, 135
authorize a county recorder or county veterans service office to 136
collect a fee from individuals requesting a veterans 137
identification card. The fee may not exceed two dollars. 138

If a county veterans service office maintains access to 139
the state and federal military service verification system, the 140
county veterans service office or county recorder, by consulting 141
the county veterans service office, shall confirm before issuing 142
a veterans identification card that the individual's ~~armed-~~ 143
~~forces~~ uniformed services discharge record exists in the 144
system's database and does not indicate the individual was 145
dishonorably discharged. 146

(B) A county recorder or county veterans service office 147
who has in operation, ~~before the effective date of this section-~~ 148
September 8, 2016, a program to issue veterans identification 149
cards may continue to issue veterans identification cards 150
without a resolution of the board of county commissioners, if 151
the county recorder or county veterans service office conforms 152
the program, as necessary, so that it otherwise is in compliance 153
with this section. 154

(C) An Ohio veterans identification card expires ten years 155
after the date of issuance. A veteran whose identification card 156
has expired may apply to a county recorder or county veterans 157
service office for the issuance of a new identification card, 158
and a veteran whose current card has been lost or damaged may 159
apply to a county recorder or county veterans service office for 160

a replacement identification card, by meeting the requirements described in this section.	161 162
(D) The following documents are valid forms of identification for the purposes of this section:	163 164
(1) An original or a certified birth certificate;	165
(2) An identification card issued by the United States department of veterans affairs;	166 167
(3) A United States military identification card;	168
(4) A social security card;	169
(5) A license or permit to carry a concealed weapon issued by this state or any other state;	170 171
(6) A motor vehicle operator's license issued by this state or any other state that bears a photograph of the licensee;	172 173 174
(7) An identification card issued by this state or any other state that bears a photograph of the individual identified;	175 176 177
(8) A valid passport that bears a photograph of the individual to whom the passport was issued;	178 179
(9) A United States armed forces <u>uniformed services</u> discharge record.	180 181
(E) Fees collected under this section shall be deposited into the county treasury to the credit of the county general fund.	182 183 184
(F) (1) An Ohio veterans identification card shall conform to the material and design standards established by the Ohio recorders association in consultation with the county	185 186 187

commissioners' association of Ohio and Ohio state association of 188
county veterans service officers. All issuing entities shall 189
follow the design standards established pursuant to ~~See.~~ section 190
317.242 of the Revised Code. 191

(2) An applicant for an Ohio veterans identification card 192
shall be photographed in color at the time the application for 193
the card is made. A county recorder or county veterans service 194
office that issues identification cards shall provide the 195
necessary equipment to take a color photograph of an applicant 196
for an Ohio veterans identification card. Photographic records 197
of a county recorder's office or county veterans service office 198
that are obtained under this section are the property of the 199
county recorder's office or county veterans service office. 200

(G) All application materials, including applications, 201
photographs, documents, or other information submitted with an 202
application or obtained by a county recorder or county veterans 203
service office are not public records under section 149.43 of 204
the Revised Code. The county recorder or county veterans service 205
office may only release application materials as follows: 206

(1) To a state, local, or federal governmental agency for 207
criminal justice purposes or to a court for any purpose arising 208
in the court; 209

(2) To the department of veterans services, but only if 210
the veteran gives prior signed written approval; 211

(3) To a county veterans service commission, but only if 212
the veteran gives prior signed written approval. 213

A governmental agency, a court, the department of veterans 214
services, or a county veterans service commission to which 215
application materials have been released shall maintain the 216

confidentiality of those materials.	217
(H) A county recorder or county veterans service office	218
may contract with any other political subdivision of the state	219
for Ohio veterans identification card production services.	220
(I) A county recorder or county veterans service office	221
may accept donations, in the form of supplies and equipment, to	222
be used in the production of Ohio veterans identification cards.	223
<u>(J) For purposes of this section, "uniformed services" has</u>	224
<u>the meaning defined in section 317.24 of the Revised Code.</u>	225
Section 2. That existing sections 317.24 and 317.241 of	226
the Revised Code are hereby repealed.	227