

As Introduced

132nd General Assembly

Regular Session

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H. B. No. 192

Representatives Miller, Anielski

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

A BILL

To 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 49

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. 79

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
judge, as follows: 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

or after September 11, 2001, may be appointed to serve on an 137
interim basis until a qualified military spouse becomes 138
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