

As Reported by the Senate Education Committee

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Sub. H. B. No. 75

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S. Smith, D. Stewart, Sykes, Trakas, Walcher, White, Widener, Widowfield,
Willamowski, Wolpert, Yates
Senators Amstutz, Prentiss, Brady

A B I L L

To amend sections 311.01 and 3313.616 of the Revised	1
Code to grant high school diplomas to veterans of	2
the Korean Conflict, to expand eligibility for	3
diplomas to certain veterans, to clarify the	4
educational qualifications for county sheriffs,	5
and to declare and emergency.	6

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

Section 1. That sections 311.01 and 3313.616 of the Revised	7
Code be amended to read as follows:	8

Sec. 311.01. (A) A sheriff shall be elected quadrennially in	9
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each county. A sheriff shall hold office for a term of four years, 10
beginning on the first Monday of January next after the sheriff's 11
election. 12

(B) Except as otherwise provided in this section, no person 13
is eligible to be a candidate for sheriff, and no person shall be 14
elected or appointed to the office of sheriff, unless that person 15
meets all of the following requirements: 16

(1) The person is a citizen of the United States. 17

(2) The person has been a resident of the county in which the 18
person is a candidate for or is appointed to the office of sheriff 19
for at least one year immediately prior to the qualification date. 20

(3) The person has the qualifications of an elector as 21
specified in section 3503.01 of the Revised Code and has complied 22
with all applicable election laws. 23

(4) The person has been awarded a high school diploma or a 24
certificate of high school equivalence issued for achievement of 25
specified minimum scores on the general educational development 26
test of the American council on education. 27

(5) The person has not been convicted of or pleaded guilty to 28
a felony or any offense involving moral turpitude under the laws 29
of this or any other state or the United States, and has not been 30
convicted of or pleaded guilty to an offense that is a misdemeanor 31
of the first degree under the laws of this state or an offense 32
under the laws of any other state or the United States that 33
carries a penalty that is substantially equivalent to the penalty 34
for a misdemeanor of the first degree under the laws of this 35
state. 36

(6) The person has been fingerprinted and has been the 37
subject of a search of local, state, and national fingerprint 38
files to disclose any criminal record. Such fingerprints shall be 39

taken under the direction of the administrative judge of the court
of common pleas who, prior to the applicable qualification date,
shall notify the board of elections, board of county
commissioners, or county central committee of the proper political
party, as applicable, of the judge's findings.

(7) The person has prepared a complete history of the
person's places of residence for a period of six years immediately
preceding the qualification date and a complete history of the
person's places of employment for a period of six years
immediately preceding the qualification date, indicating the name
and address of each employer and the period of time employed by
that employer. The residence and employment histories shall be
filed with the administrative judge of the court of common pleas
of the county, who shall forward them with the findings under
division (B)(6) of this section to the appropriate board of
elections, board of county commissioners, or county central
committee of the proper political party prior to the applicable
qualification date.

(8) The person meets at least one of the following
conditions:

(a) Has obtained or held, within the four-year period ending
immediately prior to the qualification date, a valid basic peace
officer certificate of training issued by the Ohio peace officer
training commission or has been issued a certificate of training
pursuant to section 5503.05 of the Revised Code, and, within the
four-year period ending immediately prior to the qualification
date, has been employed as an appointee pursuant to section
5503.01 of the Revised Code or as a full-time peace officer as
defined in section 109.71 of the Revised Code performing duties
related to the enforcement of statutes, ordinances, or codes;

(b) Has obtained or held, within the three-year period ending
immediately prior to the qualification date, a valid basic peace

officer certificate of training issued by the Ohio peace officer 72
training commission and has been employed for at least the last 73
three years prior to the qualification date as a full-time law 74
enforcement officer, as defined in division (A)(11) of section 75
2901.01 of the Revised Code, performing duties related to the 76
enforcement of statutes, ordinances, or codes. 77

(9) The person meets at least one of the following 78
conditions: 79

(a) Has at least two years of supervisory experience as a 80
peace officer at the rank of corporal or above, or has been 81
appointed pursuant to section 5503.01 of the Revised Code and 82
served at the rank of sergeant or above, in the five-year period 83
ending immediately prior to the qualification date; 84

(b) Has completed satisfactorily at least two years of 85
post-secondary education or the equivalent in semester or quarter 86
hours in a college or university authorized to confer degrees by 87
the Ohio board of regents or the comparable agency of another 88
state in which the college or university is located or in a school 89
that holds a certificate of registration issued by the state board 90
of career colleges and schools under Chapter 3332. of the Revised 91
Code. 92

(C) Persons who meet the requirements of division (B) of this 93
section, except the requirement of division (B)(2) of this 94
section, may take all actions otherwise necessary to comply with 95
division (B) of this section. If, on the applicable qualification 96
date, no person has met all the requirements of division (B) of 97
this section, then persons who have complied with and meet the 98
requirements of division (B) of this section, except the 99
requirement of division (B)(2) of this section, shall be 100
considered qualified candidates under division (B) of this 101
section. 102

(D) Newly elected sheriffs shall attend a basic training 103
course conducted by the Ohio peace officer training commission 104
pursuant to division (A) of section 109.80 of the Revised Code. A 105
newly elected sheriff shall complete not less than two weeks of 106
this course before the first Monday in January next after the 107
sheriff's election. While attending the basic training course, a 108
newly elected sheriff may, with the approval of the board of 109
county commissioners, receive compensation, paid for from funds 110
established by the sheriff's county for this purpose, in the same 111
manner and amounts as if carrying out the powers and duties of the 112
office of sheriff. 113

Appointed sheriffs shall attend the first basic training 114
course conducted by the Ohio peace officer training commission 115
pursuant to division (A) of section 109.80 of the Revised Code 116
within six months following the date of appointment or election to 117
the office of sheriff. While attending the basic training course, 118
appointed sheriffs shall receive regular compensation in the same 119
manner and amounts as if carrying out their regular powers and 120
duties. 121

Five days of instruction at the basic training course shall 122
be considered equal to one week of work. The costs of conducting 123
the basic training course and the costs of meals, lodging, and 124
travel of appointed and newly elected sheriffs attending the 125
course shall be paid from state funds appropriated to the 126
commission for this purpose. 127

(E) In each calendar year, each sheriff shall attend and 128
successfully complete at least sixteen hours of continuing 129
education approved under division (B) of section 109.80 of the 130
Revised Code. A sheriff who receives a waiver of the continuing 131
education requirement from the commission under division (C) of 132
section 109.80 of the Revised Code because of medical disability 133
or for other good cause shall complete the requirement at the 134

earliest time after the disability or cause terminates. 135

(F)(1) Each person who is a candidate for election to or who 136
is under consideration for appointment to the office of sheriff 137
shall swear before the administrative judge of the court of common 138
pleas as to the truth of any information the person provides to 139
verify the person's qualifications for the office. A person who 140
violates this requirement is guilty of falsification under section 141
2921.13 of the Revised Code. 142

(2) Each board of elections shall certify whether or not a 143
candidate for the office of sheriff who has filed a declaration of 144
candidacy, a statement of candidacy, or a declaration of intent to 145
be a write-in candidate meets the qualifications specified in 146
divisions (B) and (C) of this section. 147

(G) The office of a sheriff who is required to comply with 148
division (D) or (E) of this section and who fails to successfully 149
complete the courses pursuant to those divisions is hereby deemed 150
to be vacant. 151

(H) As used in this section: 152

(1) "Qualification date" means the last day on which a 153
candidate for the office of sheriff can file a declaration of 154
candidacy, a statement of candidacy, or a declaration of intent to 155
be a write-in candidate, as applicable, in the case of a primary 156
election for the office of sheriff; the last day on which a person 157
may be appointed to fill a vacancy in a party nomination for the 158
office of sheriff under Chapter 3513. of the Revised Code, in the 159
case of a vacancy in the office of sheriff; or a date thirty days 160
after the day on which a vacancy in the office of sheriff occurs, 161
in the case of an appointment to such a vacancy under section 162
305.02 of the Revised Code. 163

(2) "Newly elected sheriff" means a person who did not hold 164
the office of sheriff of a county on the date the person was 165

elected sheriff of that county.

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Sec. 3313.616. (A)(1) Notwithstanding the requirements of
sections 3313.61, 3313.611, and 3313.612 of the Revised Code, the
board of education of any city, exempted village, or local school
district or the governing authority of any chartered nonpublic
school may grant a high school diploma to any ~~World War II~~ veteran
of World War II or the Korean conflict who is a resident of this
state or who was previously enrolled in any high school in this
state if all of the following apply:

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(a) The veteran ~~left~~ either:

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(i) Left a public or nonpublic school located in any state
prior to graduation in order to serve in the armed forces of the
United States;

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(ii) Left a public or nonpublic school located in any state
prior to graduation due to family circumstances and subsequently
entered the armed forces of the United States.

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(b) The veteran received an honorable discharge from the
armed forces of the United States.

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(c) The veteran has not been granted a diploma as provided in
section 3313.61 or 3313.612 of the Revised Code, a diploma of
adult education as provided in section 3313.611 of the Revised
Code, or a diploma under this section.

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(2) If a veteran who would otherwise qualify for a diploma
under this section is deceased, the board of education of any
school district or the governing authority of any chartered
nonpublic school may award such diploma to the veteran
posthumously and may present that diploma to a living relative of
the veteran.

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(B) The governor's office of veterans' affairs, in accordance
with section 111.15 of the Revised Code, and with the advice and

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consent of the veterans advisory committee established under 196
division (K) of section 5902.02 of the Revised Code, shall develop 197
and adopt rules to implement this section. Such rules shall 198
include, but not be limited to, rules establishing procedures for 199
application and verification of eligible veterans for a diploma 200
under this section. 201

Section 2. That existing sections 311.01 and 3313.616 of the 202
Revised Code are hereby repealed. 203

Section 3. This act is hereby declared to be an emergency 204
measure necessary for the immediate preservation of the public 205
peace, health, and safety. The reason for such necessity is that 206
the number of living veterans of World War II and the Korean 207
Conflict is decreasing each day and the sacrifices they made by 208
foregoing the completion of their own educations should be 209
acknowledged and honored without delay. Therefore, this act shall 210
go into immediate effect. 211