



# Ohio Legislative Service Commission

## Bill Analysis

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### H.B. 610

130th General Assembly  
(As Introduced)

**Reps.** Barborak and Rogers, Ramos, Lundy, Antonio, Letson, Phillips, Cera, Driehaus, Fedor, Slesnick, Reece, Curtin, R. Hagan, Strahorn, Gerberry

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## BILL SUMMARY

- Requires the Director of Veterans Services to issue a disabled veteran's certificate to a qualifying applicant.
- Requires a state agency or political subdivision that provides a benefit to disabled veterans to accept a disabled veteran's certificate as proof of the facts it states.
- Specifies that an applicant must provide certain information when applying for a disabled veteran's certificate.
- Requires the Director to verify the information provided on an application before preparing and issuing a disabled veteran's certificate to the applicant.
- Specifies the information that a disabled veteran's certificate must contain.
- Provides that a disabled veteran's certificate expires five years after the date it was issued.
- Allows a veteran whose disabled veteran's certificate has expired to apply for a new certificate, and allows the Director to authorize applications in anticipation of a current certificate expiring.
- Requires the Director to adopt, under the Administrative Procedure Act, rules that are necessary for the successful and efficient issuance of disabled veteran's certificates.
- Requires the Director to adopt rules so as to deter fraud in the issuance of disabled veteran's certificates.

- Requires the Director to adopt the initial rules to implement the issuance of disabled veteran's certificates not later than six months after the effective date of the bill.

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## **CONTENT AND OPERATION**

### **Disabled veteran's certificates**

Under the bill, a "disabled veteran's certificate" is sufficient to prove the service-related disability and level of service-related disability of the disabled veteran named in the certificate. A state agency or political subdivision of the state that provides a benefit to disabled veterans is required to accept the certificate as proof of the facts the certificate states.

A certificate states the following: the date of its issuance, the disabled veteran's name, that the disabled veteran has a service-related disability, the level of the disabled veteran's service-related disability, and any other information to be necessary determined by the Director of Veterans Services to achieve the certificate's purposes. The Director must provide a place on the certificate for the signature of the disabled veteran. The certificate is not valid unless it has been signed by the disabled veteran.

### **Director of Veterans Services duties regarding certificates**

Generally, the bill makes the Director of Veterans Services responsible for the issuance of disabled veteran's certificates. The Director must issue a certificate to an individual who is a resident of Ohio and a veteran of the armed services, who has a service-related disability, and who applies to the Director under the process described below.

#### **Application; issuance; expiration**

The bill requires the Director to prescribe an application form to be used by veterans to apply for disabled veteran's certificates. The application must require an applying disabled veteran to enter the disabled veteran's name, address, telephone number or electronic mail address, branch of the armed services, service-related disability and level of service-related disability, and any other information the Director needs to prepare a certificate for the disabled veteran. The application must require the disabled veteran to attach to the application any supporting documentation needed by the Director to verify the facts asserted on the application.

If the Director verifies the information a veteran provides in the application, the Director must prepare and issue a disabled veteran's certificate to the veteran. If the Director is unable to verify the information in the application, the Director must notify



the disabled veteran of the deficiency. The disabled veteran then may reapply for a disabled veteran's certificate.

A disabled veteran who loses, misplaces, or damages the disabled veteran's disabled veteran's certificate may provide to the Director the disabled veteran's name, address, together with an explanation of the loss, misplacing, or damage. If the Director verifies the facts asserted with regard to the lost, misplaced, or damaged disabled veteran's certificate, the Director must issue a replacement disabled veteran's certificate.

A veteran who is unable, because of the veteran's service-related disability, to personally perform a required act to obtain a disabled veteran's certificate may cause the act to be performed. The bill specifies that such substituted performance has the same validity as if the disabled veteran personally had performed the act.

### **Expiration**

The bill specifies that a disabled veteran's certificate expires on the date that is five years after the date on which it was issued. A disabled veteran whose disabled veteran's certificate has expired may apply to the Director for a new certificate. The Director may authorize disabled veterans to apply for new disabled veteran's certificates in anticipation of the expiration of their current certificates.

### **Director of Veterans Services must adopt rules**

The Director is required to adopt rules under the Administrative Procedure Act (R.C. Chapter 119.) that are necessary for the successful and efficient issuance of disabled veteran's certificates. The Director must adopt the rules so as to deter fraud in the issuance of certificates. Initial rules must be adopted not later than six months after the effective date of the bill.<sup>1</sup>

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	08-13-14

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<sup>1</sup> R.C. 5902.021; Section 2.

