



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** [Sub. H.B. 405 of the 129th G.A.](#)

**Date:** May 7, 2012

**Status:** As Passed by the House

**Sponsor:** Rep. Rosenberger

**Local Impact Statement Procedure Required:** No

**Contents:** Changes law related to military personnel and provides additional rights and benefits for veterans

### State Fiscal Highlights

- The Adjutant General's Department may experience a minimal annual increase in expenditures for the Court of Military Appeals, created by the bill, to hear and determine appeals from courts-martial.
- The 40 state licensing entities, including independent occupational and professional boards and commissions, as well as those housed within state agencies, could incur small annual losses for waiving certain license and certification fees for qualifying veterans and their spouses. Likewise, these entities could incur some small annual administrative costs to process fee waivers and issue temporary licenses or certificates.

### Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

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## Detailed Fiscal Analysis

### Code of Military Justice

The bill updates Ohio's Uniform Code of Military Justice, which has remained largely unchanged since the 1960s, to conform to the federal Uniform Code of Military Justice. Although a number of the bill's provisions appear to modify or expand the existing duties of the Adjutant General's Department, these provisions are generally codifying current practice and are not likely to result in additional costs.

The bill also creates the Court of Military Appeals consisting of at least three judges to be appointed by the Adjutant General as necessary to hear and determine appeals from courts-martial. The Department will be required to pay each judge a per diem and if the judge resides more than 50 miles from the court to reimburse the judge for their actual and necessary travel expenses. It is likely that the Department will also have to find space for the court to hold such hearings. As the Department averages about one court-martial per year, it is unlikely that the court's associated costs will exceed minimal annually.

### Professional licensing and certification

The bill waives penalty fees and reexamination requirements, under certain conditions, for license or certificate holders whose service, or spouse's service, in the armed forces or a reserve component of the armed forces precluded a timely renewal. The bill also provides that a temporary license or certificate may be issued to an individual whose spouse is on active duty in Ohio, as long as certain conditions are met. As a result, the 40 state licensing entities, including independent occupational and professional boards and commissions, as well as those housed within state agencies, could incur small annual losses for waiving certain license and certification fees for qualifying veterans and their spouses. Since the number of licensees or certificate holders eligible to qualify for a waiver is expected to be small, any loss is likely to be negligible. There may also be a slight increase in administrative costs to process applications for temporary licenses and certifications however, these costs are likely to be absorbed within existing resources.