



COUNTY ADVISORY BULLETIN

CAB

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Bulletin 2016-08

October, 2016

OHIO VETERAN IDENTIFICATION CARDS

APPLICABLE LEGISLATION: Am. Sub. HB 173 (131st General Assembly)

REVISED CODE SECTIONS: Enacts ORC Sections 317.241 and 317.242

LEAD SPONSORS: Representatives Marlene Anielski and Louis Terhar

HOUSE COSPONSORS: Dever, Butler, Brenner, Hambley, Becker, Stinziano, Grossman, Blessing, Retherford, T. Johnson, Kraus, Perales, Arndt, Bishoff, Fedor, Landis, M. O'Brien, Young, Amstutz, Antonio, Ashford, Baker, Barnes, Boccieri, Boggs, Boose, Boyce, Boyd, Brown, Buchy, Burkley, Celebrezze, Cera, Conditt, Craig, Cupp, Derickson, DeVitis, Driehaus, Duffey, Ginter, Gonzales, Hagan, Hayes, Howse, G. Johnson, Koehler, Kuhns, Kunze, Leland, Lepore-Hagan, Manning, McColley, S. O'Brien, Pelanda, Phillips, Ramos, Reineke, Roegner, Rogers, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Schuring, Sheehy, Slaby, Slesnick, K. Smith, Strahorn, Sweeney, Sykes, Thompson, Vitale, Zeltwanger

SENATE COSPONSORS: Uecker, LaRose, Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Faber, Gardner, Gentile, Hackett, Hite, Hottinger, Hughes, Jones, Jordan, Manning, Obhof, Oelslager, Patton, Peterson, Schiavoni, Seitz, Skindell, Tavares, Thomas, Williams, Yuko

EFFECTIVE DATE: September 8, 2016

BULLETIN SUMMARY

On September 8, 2016, a new law that grants permissive authority to counties to issue Ohio veteran identification cards (veteran ID cards) to qualified veterans became effective. The cards may be issued by either a county recorder's office or county veterans service office. Boards of county commissioners will be able to designate which office will provide the new identification cards and set any fees, up to \$2.00 per card, for the new veteran ID card which shall be deposited into the county treasury to the credit of

the county general fund. Further, a county may contract with another political subdivision to produce veteran identification cards.

The new law also required the Ohio Recorders Association, the County Commissioners Association of Ohio and Ohio State Association of County Veteran Service Officers to establish statewide material and design standards for veteran ID cards to be used by each entity that issues a veteran ID card.

This County Advisory Bulletin (CAB) will summarize the changes to the Ohio Revised Code Chapter 317 which now allows counties to issue Ohio veteran ID cards to qualified veterans.

Exhibits at the end of this CAB include:

1. A list of the applicable Ohio Revised Code Sections enacted (See Exhibit A);
2. A map of existing counties that are issuing veteran ID cards (See Exhibit B); and
3. A sample resolution to authorize issuance of veteran ID cards (See Exhibit C).

BACKGROUND

CCAO has worked closely with the Ohio Recorders Association and the Ohio State Association of County Veteran Service Officers to develop a standard statewide Ohio veteran ID card that may be issued to qualified veterans.

For many years, county recorders have been recording veterans' military service discharge papers - Certificate of Release or Discharge from Active Duty Form DD-214, which generally is referred to as a DD-214. This document is issued upon a military service member's retirement, separation or discharge from active duty in the Armed Forces of the United States. The DD-214 is used by veterans to prove their past military service and to determine their eligibility for military benefits.

Early on, county recorders issued a certified copy of the DD-214 which was placed on an 8 ½ by 11" sheet of paper. Later, this practice evolved into issuing a miniaturized version of the DD-214 that was able to be carried in a wallet. The print on the miniaturized document was very small and sometimes difficult to read. This eventually led to some recorders offering a unique veteran ID card. This same practice of issuing miniature veteran ID cards was also being done by a few county veteran service offices. By 2016, there were 26 county recorders and 12 veteran service offices issuing various types of veteran ID cards, even though a county prosecutor and others raised questions about the statutory authority for such cards to be issued. A map of the offices issuing veteran ID cards prior to September 8, 2016 is included in this bulletin as Exhibit B.

As a result, HB 173 was introduced to clarify that counties have the authority to issue veteran ID cards by either the county recorder or county veterans service office, to provide a defined process to issue ID cards and develop a standard statewide veteran ID card to be used by every county.

SYNOPSIS

Issuance of veteran identification cards

The law now allows a board of county commissioners to authorize, by resolution, the county recorder or county veterans service commission to issue new Ohio veteran ID cards. County recorders and veterans service offices that already issued veteran ID cards prior to September 8, 2016, may continue to issue veteran ID cards without a resolution by the board of county commissioners, but the office must conform its veteran ID card program to be in compliance of the new law.¹

In order to receive a veteran ID card, a veteran must satisfy the following requirements:

1. Provide the veteran's armed forces discharge record (DD-214) for recording in the county recorder's office;
2. Provide two forms of current and valid identification, one must have a photograph of the individual;
3. Pay a fee, if the board of county commissioners has established one by resolution;

The board of county commissioner is tasked with establishing a fee, if any, for the veteran ID card. The new law directs that the fee for a veteran ID card may not exceed \$2.00² and be credited to the county general fund;³

4. If a county veterans service commission maintains access to the state and federal military service verification system, before issuing a veteran ID card, the county veterans service office or the county recorder, by consulting the county veterans service office, must confirm that the individual's armed forces discharge record is in that system and does not indicate a dishonorable discharge.⁴

The office issuing the ID card shall not issue a card to a veteran that is dishonorably discharged. The veteran does not have to be honorably discharged to receive a veteran ID card. There are five types of military discharges: general, honorable, other than honorable, bad conduct and dishonorable.

Once the veteran has satisfied the four requirements, they are to be photographed in color by the office that is issuing the ID card. The photograph of the veteran is property of the office issuing the card. The law also specifies that all application materials, photographs and documents are not public records under Section 149.43 of the Revised Code.

The office that issues the ID card may only release application materials to a state, local or federal governmental agency for criminal justice purposes or to a court for any

¹ R.C. 317.241 (B)

² R.C. 317.241 (A)(3)

³ R.C. 317.241 (E)

⁴ R.C. 317.241 (A)(3)

purpose arising in the court. Should the veteran give prior written approval, the application material may be given to the Ohio Department of Veterans Services and/or to a county veterans service office. Whoever receives the application materials must maintain the confidentiality of any materials received.⁵

Statewide Veteran ID Material and Design Standards

The law requires the Ohio Recorders Association, in consultation with the County Commissioners Association of Ohio and Ohio State Association of County Veteran Service Officers, to establish material and design standards for veteran ID cards.⁶ In order to accomplish this task, the three organizations formed the Ohio Veteran ID Material and Design Standards Committee with each organization providing three members to participate on this committee. The three organizations were tasked to complete this process by not later than six months after the effective date of the legislation. The three organizations finished its process on September 12, 2016. A summary of the Ohio Veteran ID Material and Design Standards Committee can be accessed by click on the following link:

<http://www.ccao.org/userfiles/OH%20Veteran%20ID%20Material%20and%20Design%20Standards%20Committee%20Summary-09122016.pdf>

Front of the veteran ID card:



Back of the veteran ID card:



Veteran ID cards are to include the following information on the front:⁷

1. The name of our state – “Ohio.” The committee determined the card to be an “Ohio Identification Card”;
2. The veteran’s record of discharging index number;
3. A distinguishing number assigned to the cardholder;
4. A color photograph of the cardholder, with the cardholder's name, residential address, branch of service, dates of service, date of discharge and the cardholder’s date of birth; (Note: the committee added the cardholder’s birthday.)
5. The issuing county office’s name; and

⁵ R.C. 317.241 (G)

⁶ R.C. 317.241 (F)(1)

⁷ R.C. 317.242

6. The date the card was issued and when it expires.

The law specifically required that the ID card not display the cardholder's social security number unless federal law proscribes it.⁸ Since federal law currently does not require a social security number, one was not added to the front of the card.

The Ohio Veteran ID Material and Design Standards Committee also are requiring the following standards to be on each veteran ID card:

1. The front of the card's mast head be titled "United States Veteran" with "Ohio Identification Card" underneath. The mast head shall be blue with white print utilizing Times New Roman font;
2. The background of the front of the card shall be an American flag, and the Ohio state flag is to be in the lower left-hand corner under the cardholder's photo;
3. The color photo shall be left of the title fields, which will use gray scale for the print and utilize Arial font;
4. The back of the card shall have a magnetic strip which may be encoded should the issuing office decide to encode it;
5. "Veterans Crisis Line:1-800-273-8255" shall be placed above the magnetic strip;
6. Both the county recorder and veteran services director names, office addresses, office phone numbers and websites are to be placed below the magnetic strip;
7. "Ohio Dept. of Veteran Services: 1-877-644-6838" shall be added below the recorder and veterans service office contact information;
8. "I.D. issued in compliance with O.R.C., Chapter 317" shall be added below the Ohio Dept. Veteran Services contact number; and
9. The county seal of the issuing county will be printed on the back of the ID card in dynamically shifting ink as a security measure.

A veteran whose current veteran ID card is lost, becomes damaged or expires may apply for a replacement card. The veteran ID card expires ten years after it is issued, and this date is included on the front of the ID card.⁹

Contract for production services

An issuing office may contract with any other political subdivision for veteran ID card production services.¹⁰ Counties should work with their county prosecutor to facilitate shared services contracts.

⁸ R.C. 317.242

⁹ R.C. 317.241(C)

¹⁰ R.C. 317.241(H)

Donations for equipment

A county recorder or county veterans service office may accept supply and equipment donations for use in producing veteran ID cards.¹¹

ACKNOWLEDGEMENTS

This County Advisory Bulletin (CAB) was prepared by CCAO. We would like to thank Tony Brigano from the Ohio Recorder's Association and their members that provided constructive comments which improved this bulletin. We also want to thank Caroline Bier, Executive Director of the Butler County Veteran Service Commission and members of the Ohio State Association of County Veteran Service Officers for their valuable insight into the veteran community.

In addition, CCAO wants to recognize and thank Jackson County Commissioner Paul Haller and Pickaway County Commissioner Brian Stewart for their dedication and hard work on HB 173 and being CCAO's representatives on the Ohio Veteran ID Materials and Design Standards Committee. A special thanks goes to Stark County Recorder Rick Campbell and his fine staff for all their hard work and contributions to develop a standard veteran identification card to be used throughout Ohio.

Questions or comments should be directed to Brian Mead, Policy Analyst, at bmead@ccao.org who was primarily responsible for the preparation of this CAB. A special thanks and appreciation go to Suzanne Dulaney, Executive Director, Cheryl Subler, Managing Director of Policy and Brad Cole, Managing Director of Research for their support, comments and supervision on this CAB.

¹¹ R.C. 317.241(I)

EXHIBIT A

HB 173 TO AUTHORIZE OHIO VETERAN IDENTIFICATION CARDS

OHIO REVISED CODE SECTIONS 317.241 and 317.242

AS ENACTED BY AMENDED. SUB. HB 173 OF THE 131ST GENERAL ASSEMBLY

EFFECTIVE SEPTEMBER 8, 2016

Sec. 317.241. (A) The board of county commissioners may by resolution allow the county recorder or county veterans service office to issue Ohio veterans identification cards to individuals who have met the following requirements:

(1) Presented the individual's armed forces discharge record for recording in the record of discharges in the office of the county recorder;

(2) Provided, while appearing in person at a county recorder's office or county veterans service office, two forms of current and valid identification, at least one of which bears a photograph of the individual;

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

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

If a county veterans service office maintains access to the state and federal military service verification system, the county veterans service office or county recorder, by consulting the county veterans service office, shall confirm before issuing a veterans identification card that the individual's armed forces discharge record exists in the system's database and does not indicate the individual was dishonorably discharged.

(B) A county recorder or county veterans service office who has in operation, before the effective date of this section, a program to issue veterans identification cards may continue to issue veterans identification cards without a resolution of the board of county commissioners, if the county recorder or county veterans service office conforms the program, as necessary, so that it otherwise is in compliance with this section.

(C) An Ohio veterans identification card expires ten years after the date of issuance. A veteran whose identification card has expired may apply to a county recorder or county veterans service office for the issuance of a new identification card, and a veteran whose current card has been lost or damaged may apply to a county recorder or county veterans service office for a replacement identification card, by meeting the requirements described in this section.

(D) The following documents are valid forms of identification for the purposes of this section:

(1) An original or a certified birth certificate;

(2) An identification card issued by the United States department of veterans affairs;

(3) A United States military identification card;

(4) A social security card;

(5) A license or permit to carry a concealed weapon issued by this state or any other state;

(6) A motor vehicle operator's license issued by this state or any other state that bears a photograph of the licensee;

(7) An identification card issued by this state or any other state that bears a photograph of the individual identified;

(8) A valid passport that bears a photograph of the individual to whom the passport was issued;

(9) A United States armed forces discharge record.

(E) Fees collected under this section shall be deposited into the county treasury to the credit of the county general fund.

(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 commissioners' association of Ohio and Ohio state association of county veterans service officers. All issuing entities shall follow the design standards established pursuant to Sec. 317.242.

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

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

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

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

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

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

(H) A county recorder or county veterans service office may contract with any other political subdivision of the state for Ohio veterans identification card production services.

(I) A county recorder or county veterans service office may accept donations, in the form of supplies and equipment, to be used in the production of Ohio veterans identification cards.

Sec. 317.242. The Ohio recorders association, in consultation with the county commissioners' association of Ohio and Ohio state association of county veteran service

officers, shall establish material and design standards for Ohio veterans identification cards that may be issued by county recorders or county veterans service offices.

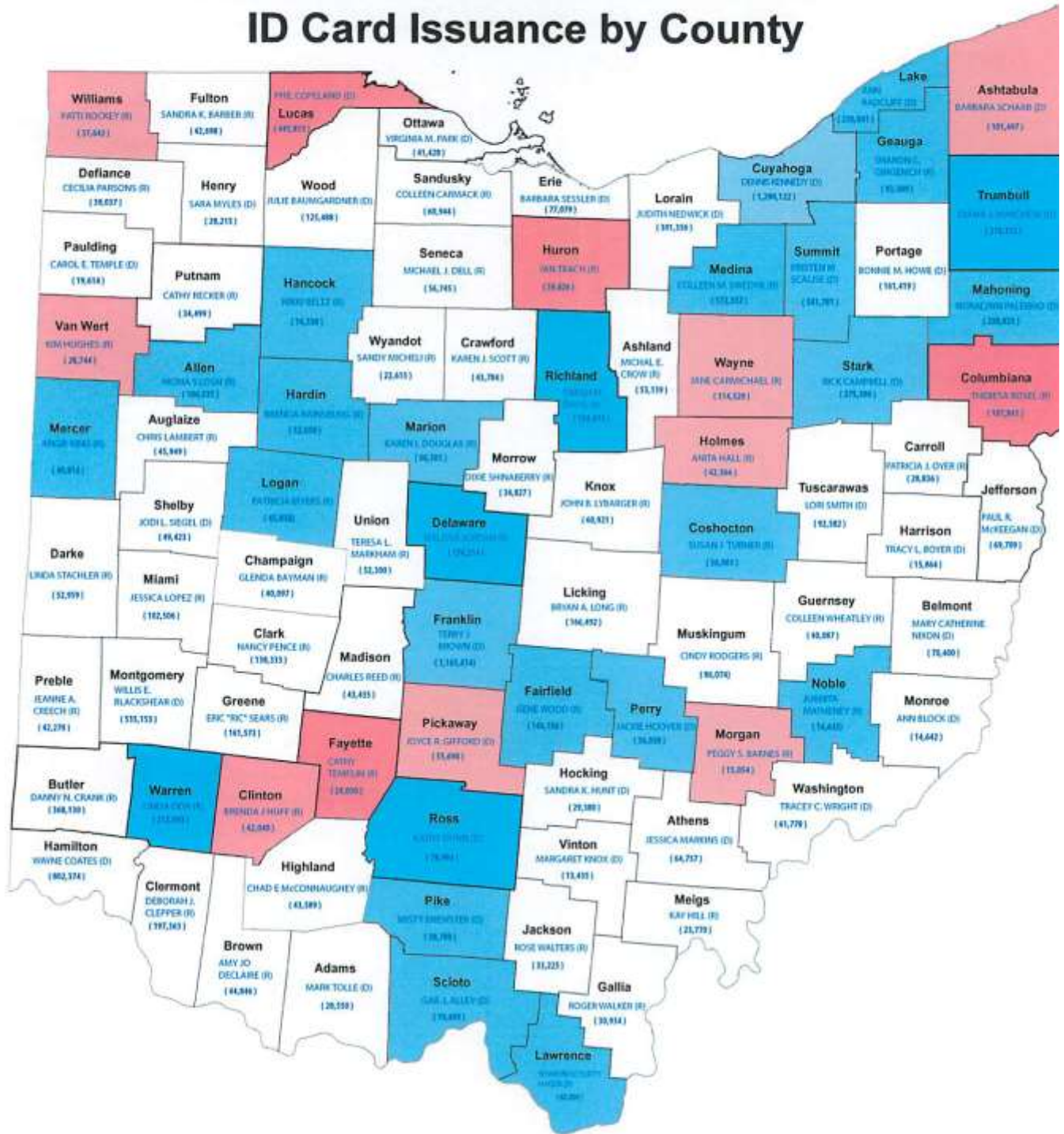
The material and design standards shall require that an Ohio identification card include the name of this state, a distinguishing number assigned to the cardholder, a color photograph of the cardholder, the cardholder's name and residence address, the cardholder's branch of service, dates of service, and date of discharge, the name of the issuing county, the indexing number that has been assigned to the veteran's record of discharge, and the date of the card's issuance and expiration.

An Ohio veterans identification card shall not display the cardholder's social security number unless federal law requires the cardholder's social security number to be displayed on a veterans identification card.


SECTION 2. Not later than six months after the effective date of this act, the Ohio Recorders Association, in consultation with the County Commissioners' Association of Ohio and the Ohio State Association of County Veteran Service Officers, shall establish initial material and design standards for Ohio veterans identification cards, as required by section 317.242 of the Revised Code.

EXHIBIT B

Ohio County Recorders and Veteran Service Commission ID Card Issuance by County



38 Fully Active Counties

 Veteran ID's issued by
Veteran's Service Commission


 Veteran ID's issued by County Recorder

EXHIBIT C

DRAFT VETERAN IDENTIFICATION CARD RESOLUTION

**IN THE MATTER OF AUTHORIZING THE _____ COUNTY _____ TO ISSUE
VETERAN IDENTIFICATION CARDS, AND ESTABLISH CARD FEES FOR _____
COUNTY –**

Whereas: the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if an, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

Whereas: Ohio Amended Substitute House Bill 173 of the 131st General Assembly, enacted Sections 317.241, and 317.242 of the Revised Code regarding establishment of authority of boards of county commissioners to authorize county recorders or county veterans service offices to issue veteran identification cards effective September 8, 2016; and,

Whereas: Section 317.241 (A) of the Revised Code gives the authority for the Board of County Commissioners to authorize the _____ County (Recorder or VSC) to issue veteran identification cards to veterans who satisfy specified requirements established pursuant Sec. 317.241; and,

Whereas: Section 317.241 (A)(3) of the Revised Code authorizes a fee from individuals requesting a veteran identification card may be collected by the _____ County (Recorder or VSC) in the amount of _____ dollars, not to exceed two dollars; and,

Whereas: Section 317.241 (E) of the Revised Code requires fees collected under this section shall be deposited into the county treasury to the credit of the county general fund; and,

Whereas: Section 317.241 (F)(1) of the Revised Code authorizes the issuance of veteran identification shall conform to the material and design standards established by the Ohio Recorders Association in consultation with the County Commissioners' Association of Ohio and Ohio State Association of County Veterans Service Officers established pursuant to Sec. 317.242;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of _____, State of Ohio:

That we do hereby authorize the _____ County (Recorder or VSC) to the issue veteran identification cards in accordance with Ohio Amended Substitute House Bill 173 and subsequent fee payment of _____ per card to be deposited into the county treasury to the credit of the county general fund.

Motion by _____ seconded by _____

that the resolution be adopted was carried by the following vote:

YEAS: _____ * _____ *

NAYS: _____ * _____ *

CC: _____, Recorder
_____, Asst. Prosecutor
_____, Veteran Service Officer
_____, Auditor

FILE

Adopted: _____, 201_

Commissioner _____
Commissioner _____
Commissioner _____
Clerk/Administrator _____,