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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 398
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Brown and Sweeney

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SUMMARY

- Provides a one-time bonus award of \$1,000 to service members who, between March 9, 2020, and the bill's effective date, served in a full-time role on active duty for any length of time, were Ohio residents, and were not subject to disciplinary action.
- Requires the Adjutant General to certify to the Office of Budget and Management (OBM) which service members are eligible to receive the award.
- Requires OBM to issue the award to service members.
- Allows the Adjutant General to establish guidelines for OBM's distribution of the award.
- Clarifies that the Auditor of State may audit the award program.
- Names the bill the Democracy Bonus Act.
- Appropriates \$17 million to OBM to provide awards to service members.

DETAILED ANALYSIS

Democracy Bonus Act

The bill establishes a one-time bonus award of \$1,000 for eligible service members, regardless of whether a service member is serving in a full-time position at the time the award is issued.¹

The bill specifies that the purpose of the award program is to recognize eligible service members for their conspicuous service and expanded missions "in the wake of the society-wide irregularities facing our state and nation during 2020 and through early 2021 as a result of the

¹ Section 1(C) of the bill.

COVID-19 pandemic.” Among the expanded missions of service members was Operation Steady Resolve, which included distributing food and other supplies at food banks, assisting with vaccination efforts, providing medical and other staffing assistance in long-term care and correctional facilities, and assisting the Ohio Department of Job and Family Services to process unemployment claims and identify fraud.

The bill is named the Democracy Bonus Act.²

Eligibility

The bill defines a service member as a member of the Ohio National Guard or the Ohio State Defense Force.³ The Ohio State Defense Force consists of the Ohio Military Reserve, Ohio Naval Militia, and Ohio Cyber Reserve.

Under the bill, a service member is eligible for an award if, between March 9, 2020, and the bill’s effective date, the member meets all of the following criteria:

1. Served in a full-time role on active duty for any length of time;
2. Was an Ohio resident on or after March 9, 2020;
3. Was not subject to any form of disciplinary action, including a written reprimand, suspension, dismissal, voluntary or involuntary demotion associated with a disciplinary action, or discharged under other than honorable conditions.⁴

Distribution

The bill requires the Adjutant General to certify to the Office of Budget and Management (OBM) which service members are eligible for the award no later than 30 days after the bill’s effective date. OBM then must distribute the award to each eligible service member no later than 90 days after the bill’s effective date. The Adjutant General may establish guidelines regarding OBM’s distribution of the awards.⁵

Audit

The bill clarifies that the Auditor of State may audit the award program established by the bill. To that end, the Auditor of State may audit any spending by OBM under the program against the Adjutant General’s records or the records of OBM.⁶

² Sections 1(B) and 5 of the bill.

³ “Ohio National Guard” is the U.S. army or air national guard located and organized within Ohio (R.C. 5919.01, not in the bill).

⁴ Section 1(A) and (B) of the bill.

⁵ Section 1(D), (E), and (F) of the bill.

⁶ Section 1(G) of the bill.

Appropriation

The bill appropriates \$17 million to OBM to fund the awards that are to be distributed directly to eligible service members.⁷

HISTORY

Action	Date
Introduced	08-24-21

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⁷ Sections 2, 3, and 4 of the bill.