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S.B. 372
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Rulli

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SUMMARY

- Creates the Holocaust and Genocide Memorial and Education Commission (Commission).
- Establishes Commission duties, such as, for example, gathering and disseminating Holocaust and genocide information throughout Ohio, advising and educating the Governor, General Assembly, and Ohio departments and agencies on Holocaust and genocide memorial and education, and reviewing and approving grants.
- Establishes requirements for Commission members and member appointments, filling vacancies, and member reimbursement for expenses.
- Establishes requirements for Commission meetings, voting, election of Commission officers, and rule adoption.
- Creates the Holocaust and Genocide Memorial and Education Office (Office) to serve the Commission.
- Establishes the Office's duties, such as, for example, advising and providing information to the Commission on statewide programs and new opportunities to further Holocaust and genocide memorial and education, applying for and accepting grants and gifts to administer, and monitoring the use of grants or gifts.
- Establishes requirements for the appointment of the Office Director and its employees.
- Makes an appropriation.

DETAILED ANALYSIS

Overview

The bill creates the Holocaust and Genocide Memorial and Education Commission (Commission) and establishes requirements for Commission members, meetings, voting, and

duties. The bill also creates the Holocaust and Genocide Memorial and Education Office (Office) to serve the Commission and establishes Office Director requirements and employee appointments and duties.

The bill defines the following terms:¹

- “Genocide” is an internationally recognized crime where the following acts are committed against a national, ethnic, racial, or religious group’s members with the intent to destroy, in whole or in part, the group:
 - Killing;
 - Causing serious bodily or mental harm;
 - Deliberately inflicting life conditions calculated to bring about physical destruction, in whole or in part;
 - Imposing measures intended to prevent birth;
 - Forcibly transferring a group’s children to another group.

“Genocide” includes related crimes, including crimes against humanity, war crimes, ethnic cleansing, and mass killing.

- “Holocaust” means the systematic, state-sponsored persecution and murder of approximately six million Jews by the Nazi regime and its allies and collaborators. Other victims, including the Roma and Sinti, also known as Gypsies, homosexuals, Poles, people with disabilities, and Jehovah’s Witnesses, were also persecuted and murdered by the Nazi regime.

Holocaust and Genocide Memorial and Education Commission

Commission duties

The bill creates the Commission.² Under the bill, the Commission must do the following:³

- Gather and disseminate Holocaust and genocide information throughout Ohio;
- Take inventory of current statewide Holocaust and genocide memorial and education programs and initiatives, and propose programming to fill program and initiative gaps;
- Secure appropriate recognition of the accomplishments and contributions of Holocaust and genocide survivors, liberators, and Ohioans active in rescue and resettlement efforts, and make their stories accessible for educational purposes;

¹ R.C. 197.01.

² R.C. 197.03.

³ R.C. 197.08.

- Promote public awareness of issues relating to Holocaust and genocide memorial and education through public education programs;
- Partner with public and private organizations that serve Holocaust and genocide survivors, veterans, and liberators, including the Nancy and David Wolf Holocaust and Humanity Center, the National Veterans Memorial and Museum, the Maltz Museum of Jewish Heritage, the National Museum of the United States Air Force, and local, state, national, or international historical societies, museums, and memorials for educational purposes;
- Advise and educate the Governor, General Assembly, and Ohio departments and agencies regarding the nature, magnitude, and priorities of Holocaust and genocide memorial and education, and develop policies and programs to address those needs;
- Seek opportunities to provide resources for schools to teach effectively about the Holocaust and genocide;
- Review and approve grants that are administered or subcontracted by the Commission or the Office;
- Coordinate with and provide information regarding available state services to meet the needs of Holocaust and genocide survivors, liberators, educators, students, and public safety and law enforcement;
- Review and approve the annual report prepared by the Office (discussed below under **“Office duties”**).

Members

Under the bill, the Commission must consist of the following 15 members:

- Two members must be members of the House of Representatives, who are appointed by the Governor after consultation with the House Speaker. One member must be from the majority party and one member must be from the minority party. The members must serve a term of the remainder of the General Assembly during which they are appointed.
- Two members must be members of the Senate, who are appointed by the Governor after consultation with the Senate President. One member must be from the majority party and one member must be from the minority party. The members must serve a term of the remainder of the General Assembly during which they are appointed.
- Three nonvoting ex officio members, to serve until the ex officio member ceases to hold the applicable office:
 - The Superintendent of Public Instruction;
 - The Chancellor of Higher Education;
 - The Director of Veterans Services.

- Eight members must be appointed by the Governor with the advice and consent of the Senate, to serve a term of three years, as follows:
 - At least three members must be involved in Holocaust and genocide memorial and education or have a personal connection or experience with the Holocaust or genocide;
 - At least three members must have expertise regarding the Holocaust and investigation, analysis, or research regarding genocide.

The bill requires vacancies to be filled in the same manner as appointment. Any member appointed to fill a vacancy that occurs prior to the term's expiration for which the member's predecessor was appointed will hold office for that term's remainder. Any appointed member must continue in office subsequent to the expiration of that member's term until the member's successor takes office or until a period of 60 days has elapsed, whichever occurs first.⁴

Under the bill, Commission members serve without compensation, but must be reimbursed for expenses actually and necessarily incurred in the performance of their duties.⁵

Meetings

The bill requires the Commission to meet no less than six times during a calendar year. At the first meeting, the Commission must elect a chairperson, vice-chairperson, and other officers from the voting members. The Commission must adopt rules governing the Commission.⁶

Voting

Under the bill, eight voting members of the Commission constitute a quorum. No action of the Commission can be taken without the affirmative vote of eight voting members.⁷

Holocaust and Genocide Memorial and Education Office

The bill creates the Office to serve the Commission.⁸ The bill requires the Office Director to be appointed by, and serve at the pleasure of, the Commission. The Director, with the Commission's approval, must appoint employees to carry out the Office's duties. The employees serve at the Director's pleasure.⁹

⁴ R.C. 197.04.

⁵ R.C. 197.07.

⁶ R.C. 197.05.

⁷ R.C. 197.06.

⁸ R.C. 197.11.

⁹ R.C. 197.12.

Office duties

Under the bill, the Office must do the following:¹⁰

- Advise and provide information to the Commission on statewide programs and new opportunities to further Holocaust and genocide memorial and education;
- Serve as a clearinghouse to review, comment on, and propose initiatives submitted to the Office that meet Holocaust and genocide memorial and education needs;
- Apply for and accept grants and gifts from public and private sources to be administered by the Office or subcontracted to local public or nonprofit agencies that shall use the grants and gifts for the purpose intended;
- Monitor and evaluate all programs subcontracted to local public or nonprofit agencies and ensure that any grants or gifts are being used for the purpose intended;
- Endeavor to ensure that Holocaust and genocide survivors, liberators, educators, and others involved in Holocaust and genocide education and memorial have access to decision-making bodies in local, state, national, and international departments, agencies, and genocide education and memorial organizations;
- Establish advisory committees for special subjects (comprised of members representing community organizations, charitable institutions, elementary and secondary schools, higher education institutions, faith-based organizations, public officials, and other persons as determined by the Office), as needed, to facilitate and maximize community participation and subject matter expertise in the operation of the Commission;
- Establish relationships with local and state governments, federal officials, nonprofit organizations, and the private sector to promote and ensure the highest standards of Holocaust and genocide memorial and education;
- Submit a written annual report of the Office's activities, accomplishments, and recommendations to the Commission.

Appropriation

The bill appropriates \$275,000 in each fiscal year 2022 and 2023 from the General Revenue Fund to support the Commission's operations, including employment of the Office Director and other employees approved by the Commission.¹¹

¹⁰ R.C. 197.13.

¹¹ Sections 2 and 3.

HISTORY

Action	Date
Introduced	09-28-20
