

AN ACT

To amend sections 307.93, 341.14, 341.19, 341.21, 341.23, 341.26, 753.02, 753.04, 753.16, 2152.20, 2301.56, 2929.18, 2929.19, 2929.21, 2947.14, 2947.19, 2949.111, 3924.53, and 5120.56, and to enact sections 2929.35, 2929.36, 2929.37, 2929.38, 5120.57, and 5120.58, and to repeal sections 341.06 and 2929.223 of the Revised Code relative to health care services provided to offenders who are in the custody or under the supervision of the Department of Rehabilitation and Correction, to the revision of the procedures by which costs related to a prisoner's confinement in a local detention facility are collected and the consolidation of the provisions containing those procedures, and to the increase from \$30 to \$50 the daily fine credit given to an offender jailed for failure to pay a fine.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 307.93, 341.14, 341.19, 341.21, 341.23, 341.26, 753.02, 753.04, 753.16, 2152.20, 2301.56, 2929.18, 2929.19, 2929.21, 2947.14, 2947.19, 2949.111, 3924.53, and 5120.56 be amended and sections 2929.35, 2929.36, 2929.37, 2929.38, 5120.57, and 5120.58 of the Revised Code be enacted to read as follows:

Sec. 307.93. (A) The boards of county commissioners of two or more adjacent counties may contract for the joint establishment of a multicounty correctional center, and the board of county commissioners of a county or the boards of two or more counties may contract with any municipal corporation or municipal corporations located in that county or those counties for the joint establishment of a municipal-county or multicounty-municipal correctional center. The center shall augment county and, where applicable, municipal jail programs and facilities by providing

custody and rehabilitative programs for those persons under the charge of the sheriff of any of the contracting counties or of the officer or officers of the contracting municipal corporation or municipal corporations having charge of persons incarcerated in the municipal jail, workhouse, or other correctional facility who, in the opinion of the sentencing court, need programs of custody and rehabilitation not available at the county or municipal jail and by providing custody and rehabilitative programs in accordance with division (C) of this section, if applicable. The contract may include, but need not be limited to, provisions regarding the acquisition, construction, maintenance, repair, termination of operations, and administration of the center. The contract shall prescribe the manner of funding of, and debt assumption for, the center and the standards and procedures to be followed in the operation of the center. Except as provided in division (H) of this section, the contracting counties and municipal corporations shall form a corrections commission to oversee the administration of the center. Members of the commission shall consist of the sheriff of each participating county, the president of the board of county commissioners of each participating county, the presiding judge of the court of common pleas of each participating county, or, if the court of common pleas of a participating county has only one judge, then that judge, the chief of police of each participating municipal corporation, the mayor or city manager of each participating municipal corporation, and the presiding judge or the sole judge of the municipal court of each participating municipal corporation. Any of the foregoing officers may appoint a designee to serve in the officer's place on the corrections commission. The standards and procedures shall be formulated and agreed to by the commission and may be amended at any time during the life of the contract by agreement of the parties to the contract upon the advice of the commission. The standards and procedures formulated by the commission shall include, but need not be limited to, designation of the person in charge of the center, the categories of employees to be employed at the center, the appointing authority of the center, and the standards of treatment and security to be maintained at the center. The person in charge of, and all persons employed to work at, the center shall have all the powers of police officers that are necessary for the proper performance of the duties relating to their positions at the center.

(B) Each board of county commissioners that enters a contract under division (A) of this section may appoint a building commission pursuant to section 153.21 of the Revised Code. If any commissions are appointed, they shall function jointly in the construction of a multicounty or multicounty-municipal correctional center with all the powers and duties

authorized by law.

(C) Prior to the acceptance for custody and rehabilitation into a center established under this section of any persons who are designated by the department of rehabilitation and correction, who plead guilty to or are convicted of a felony of the fourth or fifth degree, and who satisfy the other requirements listed in section 5120.161 of the Revised Code, the corrections commission of a center established under this section shall enter into an agreement with the department of rehabilitation and correction under section 5120.161 of the Revised Code for the custody and rehabilitation in the center of persons who are designated by the department, who plead guilty to or are convicted of a felony of the fourth or fifth degree, and who satisfy the other requirements listed in that section, in exchange for a per diem fee per person. Persons incarcerated in the center pursuant to an agreement entered into under this division shall be subject to supervision and control in the manner described in section 5120.161 of the Revised Code. This division does not affect the authority of a court to directly sentence a person who is convicted of or pleads guilty to a felony to the center in accordance with section 2929.16 of the Revised Code.

~~(D)(1) Each Pursuant to section 2929.37 of the Revised Code, each board of county commissioners and the legislative authority of each municipal corporation that enters into a contract under division (A) of this section may require a person who was convicted of an offense, who is under the charge of the sheriff of their county or of the officer or officers of the contracting municipal corporation or municipal corporations having charge of persons incarcerated in the municipal jail, workhouse, or other correctional facility, and who is confined in the multicounty, municipal-county, or multicounty-municipal correctional center as provided in that division, to reimburse the applicable county or municipal corporation for its expenses incurred by reason of the person's confinement in the center. The expenses of confinement include, but are not limited to, the expenses relating to the provision of food, clothing, shelter, medical care, personal hygiene products, including, but not limited to, toothpaste, toothbrushes, and feminine hygiene items, and up to two hours of overtime costs the sheriff or municipal corporation incurred relating to the trial of the person. The amount of reimbursement may be the actual cost of the person's confinement plus the authorized trial overtime costs or a lesser amount determined by the board of county commissioners of the county or the legislative authority of the municipal corporation, provided that the lesser amount shall be determined by a formula that is uniformly applied to persons incarcerated in the center. The amount of reimbursement shall be~~

~~determined by a court at a hearing held pursuant to section 2929.18 of the Revised Code if the person is confined for a felony or section 2929.223 of the Revised Code if the person is confined for a misdemeanor. The amount or amounts paid in reimbursement by a person confined for a misdemeanor or the amount recovered from a person confined for a misdemeanor by executing upon the judgment obtained pursuant to section 2929.223 of the Revised Code shall be paid into the treasury of the county or municipal corporation that incurred the expenses. If a person is confined for a felony and the court imposes a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of confinement, the prosecuting attorney of the county or the director of law of the municipal corporation shall bring an action to recover the expenses of the confinement in accordance with section 2929.18 of the Revised Code.~~

~~(2) Each board of county commissioners and the legislative authority of each municipal corporation that enters into a contract under division (A) of this section may adopt a resolution or ordinance specifying that a person who was convicted of a felony, who is under the charge of the sheriff of their county or of an officer of one of the contracting municipal corporations having charge of persons incarcerated in the municipal jail, workhouse, or other facility, and who is confined in the multicounty, municipal county, or multicounty municipal correctional center as provided in that division is not required to reimburse the applicable county or municipal corporation for its expenses incurred by reason of the person's confinement in the center, including the expenses listed in division (D)(1) of this section. If the boards and legislative authorities adopt a resolution or ordinance of that nature, the boards and legislative authorities shall provide a copy to the courts of common pleas of their counties, and the court that sentences a person convicted of a felony shall not impose a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of the confinement.~~

~~(E) In lieu of requiring offenders to reimburse the county for expenses incurred by reason of the person's confinement under division (D) of this section, each board of county commissioners and the legislative authority of each municipal corporation that enters into a contract under division (A) of this section may jointly adopt a prisoner reimbursement policy for the center pursuant to this section to be administered by the person appointed under division (A) of this section to be in charge of the center. The person in charge may appoint a reimbursement coordinator to administer the center's prisoner reimbursement policy. A prisoner reimbursement policy adopted under this division is a policy that requires a person confined to the center to~~

~~reimburse the applicable political subdivisions for any expenses incurred by reason of the person's confinement in the center, which expenses may include, but are not limited to, the following:~~

~~(1) A per diem fee for room and board of not more than sixty dollars per day or the actual per diem cost, whichever is less, for the entire period of time the person is confined to the center;~~

~~(2) Actual charges for medical and dental treatment, and the fee for a random drug test assessed under division (E) of section 341.26 of the Revised Code;~~

~~(3) Reimbursement for government property damaged by the person while confined to the center.~~

~~Rates charged shall be on a sliding scale determined by the corrections commission based on the ability of the person confined to the center to pay and on consideration of any legal obligation of the person to support a spouse, minor children, or other dependents and any moral obligation to support dependents to whom the person is providing or has in fact provided support.~~

~~The reimbursement coordinator or another person designated by the person in charge may investigate the financial status of the confined person and obtain information necessary to investigate that status, by means that may include contacting employers and reviewing income tax records. The coordinator may work with the confined person to create a repayment plan to be implemented upon the person's release. At the end of that person's incarceration, the person shall be presented with a billing statement.~~

~~The reimbursement coordinator or another person designated by the person in charge of the center may collect, or the corrections commission may enter into a contract with one or more public agencies or private vendors to collect, any amounts remaining unpaid. Within twelve months after the date of the confined person's release, the prosecuting attorney, city director of law, or village solicitor of a participating political subdivision may file a civil action to seek reimbursement from that person for any billing amount that remains unpaid. The participating political subdivisions shall not enforce any judgment obtained under this section by means of execution against the person's homestead. For purposes of this section, "homestead" has the same meaning as in division (A) of section 323.151 of the Revised Code. Any reimbursement received under this section shall be credited to the general fund of the political subdivision that bore the expense, to be used for general fund purposes.~~

~~(F)(1)(E) Notwithstanding any contrary provision in this section or section 2929.18 or 2929.223, 2929.21, 2929.36, or 2929.37 of the Revised~~

Code, the corrections commission of a center may establish a policy that complies with section 2929.38 of the Revised Code and that requires any person who is not indigent and who is confined in the multicounty, municipal-county, or multicounty-municipal correctional center to pay a reasonable reception fee, a fee for any medical treatment or service requested by and provided to that person, ~~or to pay the fee for a random drug test assessed under division (E) of section 341.26 of the Revised Code. The fee for the medical treatment or service shall not exceed the actual cost of the treatment or service provided. No person confined to a multicounty, municipal-county, or multicounty-municipal correctional center who is indigent shall be required to pay those fees, and no person who is confined to a correctional center of that type shall be denied any necessary medical care because of inability to pay those fees.~~

~~Upon provision of the requested medical treatment or service or assessment of a fee for a random drug test, payment of the required fee may be automatically deducted from a person's account record in the center's business office. If the person has no funds in the person's account, a deduction may be made at a later date during the person's confinement in the center if funds later become available in the person's account. If the person is released from the center and has an unpaid balance of these fees, the corrections commission may bill the person for payment of the remaining unpaid fees. Fees received for medical treatment or services shall be paid into the commissary fund, if one has been created for the center, or if no such fund exists, into the treasuries of the political subdivisions that incurred the expenses of those treatments and services, in the same proportion as those expenses were borne by those political subdivisions.~~

~~(2) If a person confined to a multicounty, municipal county, or multicounty municipal correctional center is required under division (D) or (E) of this section or section 2929.18 or 2929.223 of the Revised Code to reimburse a county or municipal corporation for expenses incurred by reason of the person's confinement to the center, any fees paid by the person under division (F)(1) of this section shall be deducted from the expenses required to be reimbursed under division (D) or (E) of this section or section 2929.18 or 2929.223 of the Revised Code.~~

~~(G)(F)(1) The corrections commission of a center established under this section may establish a commissary for the center. The commissary may be established either in-house or by another arrangement. If a commissary is established, all persons incarcerated in the center shall receive commissary privileges. A person's purchases from the commissary shall be deducted from the person's account record in the center's business office. The~~

commissary shall provide for the distribution to indigent persons incarcerated in the center of necessary hygiene articles and writing materials.

(2) If a commissary is established, the corrections commission of a center established under this section shall establish a commissary fund for the center. The management of funds in the commissary fund shall be strictly controlled in accordance with procedures adopted by the auditor of state. Commissary fund revenue over and above operating costs and reserve shall be considered profits. All profits from the commissary fund shall be used to purchase supplies and equipment for the benefit of persons incarcerated in the center. The corrections commission shall adopt rules and regulations for the operation of any commissary fund it establishes.

~~(H)~~(G) In lieu of forming a corrections commission to administer a multicounty correctional center or a municipal-county or multicounty-municipal correctional center, the boards of county commissioners and the legislative authorities of the municipal corporations contracting to establish the center may also agree to contract for the private operation and management of the center as provided in section 9.06 of the Revised Code, but only if the center houses only misdemeanor inmates. In order to enter into a contract under section 9.06 of the Revised Code, all the boards and legislative authorities establishing the center shall approve and be parties to the contract.

~~(H)~~(H) If a person who is convicted of or pleads guilty to an offense is sentenced to a term in a multicounty correctional center or a municipal-county or multicounty-municipal correctional center or is incarcerated in the center in the manner described in division (C) of this section, or if a person who is arrested for an offense, and who has been denied bail or has had bail set and has not been released on bail is confined in a multicounty correctional center or a municipal-county or multicounty-municipal correctional center pending trial, at the time of reception and at other times the officer, officers, or other person in charge of the operation of the center determines to be appropriate, the officer, officers, or other person in charge of the operation of the center may cause the convicted or accused offender to be examined and tested for tuberculosis, HIV infection, hepatitis, including but not limited to hepatitis A, B, and C, and other contagious diseases. The officer, officers, or other person in charge of the operation of the center may cause a convicted or accused offender in the center who refuses to be tested or treated for tuberculosis, HIV infection, hepatitis, including but not limited to hepatitis A, B, and C, or another contagious disease to be tested and treated involuntarily.

~~(J)~~(I) As used in this section, "multicounty-municipal" means more than one county and a municipal corporation, or more than one municipal corporation and a county, or more than one municipal corporation and more than one county.

Sec. 341.14. (A) The sheriff of an adjoining county shall not receive prisoners as provided by section 341.12 of the Revised Code unless there is deposited weekly with the sheriff an amount equal to the actual cost of keeping and feeding each prisoner so committed for the use of the jail of that county, and the same amount for a period of time less than one week. If a prisoner is discharged before the expiration of the term for which the prisoner was committed, the excess of the amount advanced shall be refunded.

~~(B)(1) Pursuant to section 2929.37 of the Revised Code, the board of county commissioners of the county that receives pursuant to section 341.12 of the Revised Code for confinement in its jail, a prisoner who was convicted of an offense, may require the prisoner to reimburse the county for its expenses incurred by reason of the prisoner's confinement, including, but not limited to, the expenses relating to the provision of food, clothing, shelter, medical care, person hygiene products, including, but not limited to, toothpaste, toothbrushes, and feminine hygiene items, and up to two hours of overtime costs the sheriff or municipal corporation incurred relating to the trial of the person. The amount of reimbursement may be the actual cost of the prisoner's confinement plus the authorized trial overtime costs or a lesser amount determined by the board of county commissioners of the county, provided that the lesser amount shall be determined by a formula that is uniformly applied to persons incarcerated in the jail. The amount of reimbursement shall be determined by a court at a hearing held pursuant to section 2929.18 of the Revised Code if the prisoner is confined for a felony or section 2929.223 of the Revised Code if the prisoner is confined for a misdemeanor. The amount or amounts paid in reimbursement by a prisoner confined for a misdemeanor or the amount recovered from a prisoner confined for a misdemeanor by executing upon the judgment obtained pursuant to section 2929.223 of the Revised Code shall be paid into the county treasury. If a prisoner is confined for a felony and the court imposes a sanction under section 2929.18 of the Revised Code that requires the prisoner to reimburse the costs of confinement, the prosecuting attorney shall bring an action to recover the expenses of confinement in accordance with section 2929.18 of the Revised Code.~~

~~(2) The board of county commissioners of the county that receives, pursuant to section 341.12 of the Revised Code for confinement in its jail a~~

~~prisoner who was convicted of a felony may adopt a resolution specifying that prisoners convicted of felonies are not required to reimburse the county for its expenses incurred by reason of the prisoner's confinement, including the expenses listed in division (B)(1) of this section. If the board adopts a resolution of that nature, the board shall provide a copy to the court of common pleas of the county, and the court that sentences a person convicted of a felony shall not impose a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of the confinement.~~

~~(C) Divisions (A) and (B) of section 341.06 of the Revised Code apply regarding a prisoner confined in a jail as described in division (B) of this section. Notwithstanding any contrary provision in this section or section 2929.18, 2929.21, 2929.36, or 2929.37 of the Revised Code, the board of county commissioners may establish a policy that complies with section 2929.38 of the Revised Code and that requires any prisoner who is not indigent and who is confined in the county's jail under this section to pay a reception fee, a fee for medical treatment or service requested by and provided to that prisoner, or the fee for a random drug test assessed under division (E) of section 341.26 of the Revised Code.~~

(D) If a county receives pursuant to section 341.12 of the Revised Code for confinement in its jail a person who has been convicted of or pleaded guilty to an offense and has been sentenced to a term in a jail or a person who has been arrested for an offense, who has been denied bail or has had bail set and has not been released on bail, and who is confined in jail pending trial, at the time of reception and at other times the sheriff or other person in charge of the operation of the jail determines to be appropriate, the sheriff or other person in charge of the operation of the jail may cause the convicted or accused offender to be examined and tested for tuberculosis, HIV infection, hepatitis, including but not limited to hepatitis A, B, and C, and other contagious diseases. The sheriff or other person in charge of the operation of the jail may cause a convicted or accused offender in the jail who refuses to be tested or treated for tuberculosis, HIV infection, hepatitis, including but not limited to hepatitis A, B, and C, or another contagious disease to be tested and treated involuntarily.

Sec. 341.19. ~~(A)(1) The~~ Pursuant to section 2929.37 of the Revised Code, the board of county commissioners may require a person who was convicted of an offense and who is confined in the county jail to reimburse the county for its expenses incurred by reason of the person's confinement; ~~including, but not limited to, the expenses relating to the provision of food, clothing, shelter, medical care, personal hygiene products, including, but not limited to, toothpaste, toothbrushes, and feminine hygiene items, and up to~~

~~two hours of overtime costs the sheriff or municipal corporation incurred relating to the trial of the person. The amount of reimbursement may be the actual cost of the prisoner's confinement plus the authorized trial overtime costs or a lesser amount determined by the board of county commissioners of the county, provided that the lesser amount shall be determined by a formula that is uniformly applied to persons incarcerated in the jail. The amount of reimbursement shall be determined by a court at a hearing held pursuant to section 2929.18 of the Revised Code if the person is confined for a felony or section 2929.223 of the Revised Code if the person is confined for a misdemeanor. The amount or amounts paid in reimbursement by a person confined for a misdemeanor or the amount recovered from a person confined for a misdemeanor by executing upon the judgment obtained pursuant to section 2929.223 of the Revised Code shall be paid into the county treasury. If a person is confined for a felony and the court imposes a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of confinement, the prosecuting attorney shall bring an action to recover the expenses of confinement in accordance with section 2929.18 of the Revised Code.~~

~~(2) The board of county commissioners may adopt a resolution specifying that a person who is convicted of a felony and who is confined in the county jail is not required to reimburse the county for its expenses incurred by reason of the person's confinement, including the expenses listed in division (A)(1) of this section. If the board adopts a resolution of that nature, the board shall provide a copy to the court of common pleas of the county, and the court that sentences a person convicted of a felony shall not impose a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of the confinement.~~

~~(B) Divisions (A) and (B) of section 341.06 of the Revised Code apply regarding a prisoner confined in a jail as described in division (A) of this section. Notwithstanding any contrary provision in this section or section 2929.18, 2929.21, 2929.36, or 2929.37 of the Revised Code, the board of county commissioners may establish a policy that complies with section 2929.38 of the Revised Code and that requires any prisoner who is not indigent and who is confined in the county's jail under this section to pay a reception fee, a fee for any medical treatment or service requested by and provided to that prisoner, or the fee for a random drug test assessed under division (E) of section 341.26 of the Revised Code.~~

~~(C) If a person who is convicted of or pleads guilty to an offense is sentenced to a term in a jail, or if a person who has been arrested for an offense, and who has been denied bail or has had bail set and has not been~~

released on bail is confined in jail pending trial, at the time of reception and at other times the sheriff or other person in charge of the operation of the jail determines to be appropriate, the sheriff or other person in charge of the operation of the jail may cause the convicted or accused offender to be examined and tested for tuberculosis, HIV infection, hepatitis, including but not limited to hepatitis A, B, and C, and other contagious diseases. The sheriff or other person in charge of the operation of the jail may cause a convicted or accused offender in the jail who refuses to be tested or treated for tuberculosis, HIV infection, hepatitis, including but not limited to hepatitis A, B, and C, or another contagious disease to be tested and treated involuntarily.

Sec. 341.21. (A) The board of county commissioners may direct the sheriff to receive into custody prisoners charged with or convicted of crime by the United States, and to keep those prisoners until discharged.

The board of the county in which prisoners charged with or convicted of crime by the United States may be so committed may negotiate and conclude any contracts with the United States for the use of the jail as provided by this section and as the board sees fit.

A prisoner so committed shall be supported at the expense of the United States during the prisoner's confinement in the county jail. No greater compensation shall be charged by a sheriff for the subsistence of that type of prisoner than is provided by section 311.20 of the Revised Code to be charged for the subsistence of state prisoners.

A sheriff or jailer who neglects or refuses to perform the services and duties directed by the board by reason of this division, shall be liable to the same penalties, forfeitures, and actions as if the prisoner had been committed under the authority of this state.

(B) Prior to the acceptance for housing into the county jail of persons who are designated by the department of rehabilitation and correction, who plead guilty to or are convicted of a felony of the fourth or fifth degree, and who satisfy the other requirements listed in section 5120.161 of the Revised Code, the board of county commissioners shall enter into an agreement with the department of rehabilitation and correction under section 5120.161 of the Revised Code for the housing in the county jail of persons designated by the department who plead guilty to or are convicted of a felony of the fourth or fifth degree and who satisfy the other requirements listed in that section in exchange for a per diem fee per person. Persons incarcerated in the county jail pursuant to an agreement entered into under this division shall be subject to supervision and control in the manner described in section 5120.161 of the Revised Code. This division does not affect the authority of

a court to directly sentence a person who is convicted of or pleads guilty to a felony to the county jail in accordance with section 2929.16 of the Revised Code.

~~(C)(4) Notwithstanding any contrary provision in section 2929.18, 2929.21, 2929.36, or 2929.37 or in any other section of the Revised Code, the board of county commissioners may establish a policy that complies with section 2929.38 of the Revised Code and that requires any person who is not indigent and who is confined in the jail under division (B) of this section to pay a reasonable reception fee, a fee for any medical treatment or service requested by and provided to that person, or to pay the fee for a random drug test assessed under division (E) of section 341.26 of the Revised Code. The fee for the medical treatment or service shall not exceed the actual cost of the treatment or service requested by and provided to that person. No person confined to the jail who is indigent shall be required to pay those fees, and no person confined to the jail shall be denied any necessary medical care because of inability to pay those fees.~~

~~Upon provision of the requested medical treatment or service or assessment of a fee for a random drug test, payment of the required fee may be automatically deducted from a person's account record in the jail's business office. If the person has no funds in the person's account, a deduction may be made at a later date during the person's confinement in the jail if funds later become available in the person's account. If the person is released from the jail and has an unpaid balance of these fees, the board of county commissioners may bill the person for payment of the remaining unpaid fees. Fees received for medical treatment or services shall be paid into the commissary fund, if one has been established for the jail or if no such fund exists, into the county treasury.~~

~~(2) If a person confined to the jail is required under section 341.06, 2929.18, or 2929.223 of the Revised Code to reimburse the county for expenses incurred by reason of the person's confinement to the jail, any fees paid by the person under division (C)(1) of this section shall be deducted from the expenses required to be reimbursed under section 341.06, 2929.18, or 2929.223 of the Revised Code.~~

(D) If a sheriff receives into custody a prisoner convicted of crime by the United States as described in division (A) of this section, if a person who has been convicted of or pleaded guilty to an offense is incarcerated in the jail in the manner described in division (B) of this section, if a sheriff receives into custody a prisoner charged with a crime by the United States and the prisoner has had bail denied or has had bail set, has not been released on bail, and is confined in jail pending trial, or if a person who has

been arrested for an offense, and who has been denied bail or has had bail set and has not been released on bail is confined in jail pending trial, at the time of reception and at other times the sheriff or other person in charge of the operation of the jail determines to be appropriate, the sheriff or other person in charge of the operation of the jail may cause the convicted or accused offender to be examined and tested for tuberculosis, HIV infection, hepatitis, including, but not limited to, hepatitis A, B, and C, and other contagious diseases. The sheriff or other person in charge of the operation of the jail may cause a convicted or accused offender in the jail who refuses to be tested or treated for tuberculosis, HIV infection, hepatitis, including, but not limited to, hepatitis A, B, and C, or another contagious disease to be tested and treated involuntarily.

Sec. 341.23. (A) The board of county commissioners of any county or the legislative authority of any municipal corporation in which there is no workhouse may agree with the legislative authority of any municipal corporation or other authority having control of the workhouse of any other city, or with the directors of any district of a joint city and county workhouse or county workhouse, upon terms on which persons convicted of a misdemeanor by any court or magistrate of a county or municipal corporation having no workhouse, may be received into that workhouse, under sentence of the court or magistrate. The board or legislative authority may pay the expenses incurred under the agreement out of the general fund of that county or municipal corporation, upon the certificate of the proper officer of the workhouse.

(B) The sheriff or other officer transporting any person to the workhouse described in division (A) of this section shall receive six cents per mile for the sheriff or officer, going and returning, five cents per mile for transporting the convict, and five cents per mile, going and coming, for the service of each deputy, to be allowed as in cases in which a person is transported to a state correctional institution. The number of miles shall be computed by the usual routes of travel and, in state cases, shall be paid out of the general fund of the county, on the allowance of the board, and for the violation of the ordinances of any municipal corporation, shall be paid by that municipal corporation on the order of its legislative authority.

(C)(4) ~~The Pursuant to section 2929.37 of the Revised Code, the~~ board of county commissioners, the directors of the district of a joint city and county workhouse or county workhouse, or the legislative authority of the municipal corporation may require a person who was convicted of an offense and who is confined in a workhouse as provided in division (A) of this section, to reimburse the county, district, or municipal corporation, as

~~the case may be, for its expenses incurred by reason of the person's confinement, including, but not limited to, the expenses relating to the provision of food, clothing, shelter, medical care, personal hygiene products, including, but not limited to, toothpaste, toothbrushes, and feminine hygiene items, and up to two hours of overtime costs the sheriff or municipal corporation incurred relating to the trial of the person. The amount of reimbursement may be the actual cost of the person's confinement plus the authorized trial overtime costs or a lesser amount determined by the board of county commissioners of the county, the directors of the district of the joint city or county workhouse, or the legislative authority of the municipal corporation, provided that the lesser amount shall be determined by a formula that is uniformly applied to persons incarcerated in the workhouse. The amount of reimbursement shall be determined by a court at a hearing held pursuant to section 2929.18 of the Revised Code if the person is confined for a felony or section 2929.223 of the Revised Code if the person is confined for a misdemeanor. The amount or amounts paid in reimbursement by a person confined for a misdemeanor or the amount recovered from a person confined for a misdemeanor by executing upon the judgment obtained pursuant to section 2929.223 of the Revised Code shall be paid into the treasury of the county, district, or municipal corporation that incurred the expenses. If a person is confined for a felony and the court imposes a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of confinement, the prosecuting attorney or the municipal chief legal officer shall bring an action to recover the expenses of confinement, in accordance with section 2929.18 of the Revised Code.~~

~~(2) The board of county commissioners, the directors of the district of a joint city and county workhouse or county workhouse, or the legislative authority of the municipal corporation may adopt a resolution or ordinance specifying that a person who is convicted of a felony and who is confined in a workhouse as provided in division (A) of this section is not required to reimburse the county, district, or municipal corporation, as the case may be, for its expenses incurred by reason of the person's confinement, including the expenses listed in division (C)(1) of this section. If the board, directors, or legislative authority adopts a resolution or ordinance of that nature, the board, directors, or legislative authority shall provide a copy to the court of common pleas of the county, and the court that sentences a person convicted of a felony shall not impose a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of the confinement.~~

~~(D) In lieu of requiring offenders to reimburse the political subdivision~~

~~for expenses incurred by reason of the person's confinement under division (C) of this section, the board of county commissioners, the directors of the district of joint city and county workhouse or county workhouse, or the legislative authority of the municipal corporation having control of the workhouse may adopt a prisoner reimbursement policy for the workhouse under this division. The board, directors, or authority may appoint a reimbursement coordinator to administer the prisoner reimbursement policy. A prisoner reimbursement policy adopted under this division is a policy that requires a person confined to the workhouse to reimburse the political subdivision responsible for paying prisoner expenses for any expenses it incurs by reason of the person's confinement in the workhouse, which expenses may include, but are not limited to, the following:~~

~~(1) A per diem fee for room and board of not more than sixty dollars per day or the actual per diem cost, whichever is less, for the entire period of time the person is confined to the workhouse;~~

~~(2) Actual charges for medical and dental treatment, and the fee for a random drug test assessed under division (E) of section 341.26 of the Revised Code;~~

~~(3) Reimbursement for government property damaged by the person while confined to the workhouse.~~

~~Rates charged shall be on a sliding scale determined by the board of county commissioners, the directors of the district of joint city and county workhouse or county workhouse, or the legislative authority of the municipal corporation having control of the workhouse, based on the ability of the person confined to the workhouse to pay and on consideration of any legal obligation of the person to support a spouse, minor children, or other dependents and any moral obligation to support dependents to whom the person is providing or has in fact provided support.~~

~~The reimbursement coordinator or another person designated by the administrator of the workhouse may investigate the financial status of the person and obtain information necessary to investigate that status, by means that may include contacting employers and reviewing income tax records. The coordinator may work with the confined person to create a repayment plan to be implemented upon the person's release. At the end of the person's incarceration, the person shall be presented with a billing statement.~~

~~The reimbursement coordinator or another appointed person may collect, or the board of county commissioners, the directors of the district of joint city and county workhouse or county workhouse, or the legislative authority of the municipal corporation having control of the workhouse may enter into a contract with one or more public agencies or private vendors to~~

~~collect, any amounts remaining unpaid. Within twelve months after the date of the confined person's release, the prosecuting attorney, city director of law, village solicitor, or attorney for the district may file a civil action to seek reimbursement from that person for any billing amount that remains unpaid. The political subdivision shall not enforce any judgment obtained under this section by means of execution against the person's homestead. For purposes of this section, "homestead" has the same meaning as in division (A) of section 323.151 of the Revised Code. Any reimbursement received under this section shall be credited to the general fund of the political subdivision that bore the expense, to be used for general fund purposes.~~

~~(E)(1)(D)~~ Notwithstanding any contrary provision in this section or section 2929.18 ~~or 2929.223, 2929.21, 2929.36, or 2929.37~~ of the Revised Code, the appropriate board of county commissioners and legislative authorities may include in their agreement entered into under division (A) of this section a policy that complies with section 2929.38 of the Revised Code and that requires any person who is not indigent and who is confined in the county, city, district, or joint city and county workhouse under this section to pay a reasonable reception fee, a fee for any medical treatment or service requested by and provided to that person, or ~~to pay the fee for a random drug test assessed under division (E) of section 341.26 of the Revised Code. The fee for the medical treatment or service shall not exceed the actual cost of the treatment or service provided. No person confined to a county, city, district, or joint city and county workhouse under this section who is indigent shall be required to pay those fees, and no person confined to any workhouse of that type shall be denied any necessary medical care because of inability to pay those fees.~~

~~Upon provision of the requested medical treatment or service or assessment of a fee for a random drug test, payment of the required fee may be automatically deducted from a person's account record in the workhouse's business office. If the person has no funds in the person's account, a deduction may be made at a later date during the person's confinement in the workhouse if funds later become available in the person's account. If the person is released from the workhouse and has an unpaid balance of these fees, the appropriate board of county commissioners and legislative authorities may bill the person for payment of the remaining unpaid fees in the same proportion as those expenses were borne by the political subdivision issuing the billing statement. Fees received for medical treatment or services shall be paid into the commissary fund, if one has been created for the workhouse, or if no such fund exists, into the treasuries of the~~

~~political subdivisions that incurred the expenses of those treatments or services in the same proportion as those expenses were borne by these political subdivisions.~~

~~(2) If a person confined to a county, city, district, or joint city and county workhouse is required under division (C) or (D) of this section or section 2929.18 or 2929.223 of the Revised Code to reimburse a county or municipal corporation for expenses incurred by reason of the person's confinement to the workhouse, any fees paid by the person under division (E)(1) of this section shall be deducted from the expenses required to be reimbursed under division (C) or (D) of this section or section 2929.18 or 2929.223 of the Revised Code.~~

~~(F)(E)~~ If a person who has been convicted of or pleaded guilty to an offense is incarcerated in the workhouse as provided in division (A) of this section, at the time of reception and at other times the person in charge of the operation of the workhouse determines to be appropriate, the person in charge of the operation of the workhouse may cause the convicted offender to be examined and tested for tuberculosis, HIV infection, hepatitis, including but not limited to hepatitis A, B, and C, and other contagious diseases. The person in charge of the operation of the workhouse may cause a convicted offender in the workhouse who refuses to be tested or treated for tuberculosis, HIV infection, hepatitis, including but not limited to hepatitis A, B, and C, or another contagious disease to be tested and treated involuntarily.

Sec. 341.26. (A) As used in this section:

(1) "Random drug testing" has the same meaning as in section 5120.63 of the Revised Code.

(2) "Prisoner" means a person confined in a jail or multicounty correctional center following a conviction of or plea of guilty to a criminal offense.

(B) The board of county commissioners of the county, with the consent of the sheriff of the county, or the boards of county commissioners of two or more adjacent counties that have jointly established a multicounty correctional center pursuant to section 307.93 of the Revised Code, with the consent of the sheriffs of those adjacent counties, may enter into a contract with a laboratory or entity to perform blood or urine specimen collection, documentation, maintenance, transportation, preservation, storage, and analyses and other duties required in the performance of random drug testing of prisoners. The terms of any contract entered into under this division shall include a requirement that the laboratory or entity and its employees, the sheriff, deputy sheriffs, the corrections commission or the

administrator of the multicounty correctional center specified in division (D) of this section, the employees of the jail and multicounty correctional center, and all other persons comply with the standards for the performance of random drug testing as specified in rules adopted under division (C) of this section.

(C) Prior to entering into a contract with a laboratory or entity under division (B) of this section, a board of county commissioners or, in the case of a multicounty correctional center, the boards of county commissioners of the counties that have established the center shall adopt rules for the random drug testing of prisoners. The rules shall include, but are not limited to, provisions that do the following:

(1) Require the laboratory or entity to seek, obtain, and maintain accreditation from the national institute on drug abuse;

(2) Establish standards for the performance of random drug testing that include, but are not limited to, standards governing the following:

(a) The collection by the laboratory or entity of blood or urine specimens of individuals in a scientifically or medically approved manner and under reasonable and sanitary conditions;

(b) The collection and testing by the laboratory or entity of blood or urine specimens with due regard for the privacy of the individual being tested and in a manner reasonably calculated to prevent substitutions or interference with the collection and testing of the specimens;

(c) The documentation of blood or urine specimens collected by the laboratory or entity and documentation procedures that reasonably preclude the possibility of erroneous identification of test results and that provide the individual being tested an opportunity to furnish information identifying any prescription or nonprescription drugs used by the individual in connection with a medical condition;

(d) The collection, maintenance, storage, and transportation by the laboratory or entity of blood or urine specimens in a manner that reasonably precludes the possibility of contamination or adulteration of the specimens;

(e) The testing by the laboratory or entity of a blood or urine specimen of an individual to determine whether the individual ingested or was injected with a drug of abuse, in a manner that conforms to scientifically accepted analytical methods and procedures and that may include verification or confirmation of any positive test result by a reliable analytical method;

(f) The analysis of an individual's blood or urine specimen by an employee of the laboratory or entity who is qualified by education, training, and experience to perform that analysis and whose regular duties include the analysis of blood or urine specimens to determine the presence of a drug of

abuse and whether the individual who is the subject of the test ingested or was injected with a drug of abuse.

(3) Specify the frequency of performing random drug testing on prisoners in the jail or multicounty correctional center;

(4) Prescribe procedures for the automatic, random selection of prisoners in the jail or multicounty correctional center to submit to random drug testing under this section;

(5) Provide for reasonable safeguards for transmitting the results of the random drug testing of prisoners in the jail or multicounty correctional center from the contracting laboratory or entity to the sheriff, the corrections commission, or the administrator of the multicounty correctional center pursuant to division (E) of this section;

(6) Establish a reasonable fee to cover the costs associated with random drug testing and analysis performed by a contracting laboratory or entity under this section and establish procedures pursuant to division (E) of this section for the collection of those fees from the prisoners subjected to the drug tests.

(D) If a board of county commissioners enters into a contract pursuant to division (B) of this section, the sheriff of that county, pursuant to the terms of the contract and the rules adopted under division (C) of this section, shall facilitate the collection, documentation, maintenance, and transportation by the contracting laboratory or entity of the blood or urine specimens of the prisoners who are confined in the jail and who are subject to random drug testing. If the boards of county commissioners that have jointly established a multicounty correctional center enter into a contract pursuant to division (B) of this section, the corrections commission or the administrator of the multicounty correctional center, pursuant to the terms of the contract and the rules adopted under division (C) of this section, shall facilitate the collection, documentation, maintenance, and transportation by the contracting laboratory or entity of the blood or urine specimens of the prisoners who are confined in the multicounty correctional center and who are subject to random drug testing.

(E) If a county or two or more adjacent counties enter into a contract pursuant to division (B) of this section and the contracting laboratory or entity performs the random drug testing as provided in the contract, the laboratory or entity shall transmit the results of the drug tests to the sheriff, corrections commission, or administrator who facilitated the collection, documentation, maintenance, and transportation of blood or urine specimens under division (D) of this section. The sheriff, corrections commission, or administrator shall file for record the results of the random drug tests that

indicate whether or not each prisoner who is confined in the jail or multicounty correctional center and who was subjected to the drug test ingested or was injected with a drug of abuse. The sheriff, corrections commission, or administrator shall give appropriate notice of the drug test results to each prisoner who was subjected to the drug test and whose drug test results indicate that the prisoner ingested or was injected with a drug of abuse. The sheriff, corrections commission, or administrator shall afford that prisoner an opportunity to be heard regarding the results of the drug test and to present contrary evidence at a hearing held before the sheriff, corrections commission, or administrator within thirty days after notification of the prisoner under this division. After the hearing, if a hearing is held, the sheriff, corrections commission, or administrator shall make a determination regarding any evidence presented by the prisoner. If the sheriff, corrections commission, or administrator rejects the evidence presented by the prisoner at the hearing or if no hearing is held under this division, the sheriff, corrections commission, or administrator may assess a reasonable fee, determined pursuant to division (C) of this section, for the costs associated with the random drug test to be paid by the prisoner whose drug test results indicate that the prisoner ingested or was injected with a drug of abuse. The sheriff, corrections commission, or administrator may collect the fee pursuant to section 307.93, ~~341.06~~ 341.14, 341.19, 341.21, or 341.23 of the Revised Code.

Sec. 753.02. (A) The legislative authority of a municipal corporation shall provide by ordinance for sustaining all persons sentenced to or confined in a prison or station house at the expense of the municipal corporation, and in counties where prisons or station houses are in quarters leased from the board of county commissioners, may contract with the board for the care and maintenance of those persons by the sheriff or other person charged with the care and maintenance of county prisoners. On the presentation of bills for food, sustenance, and necessary supplies, to the proper officer, certified by the person whom the legislative authority designates, the officer shall audit the bills under the rules prescribed by the legislative authority, and draw the officer's order on the treasurer of the municipal corporation in favor of the person presenting the bill.

~~(B)(4)–~~The Pursuant to section 2929.37 of the Revised Code, the legislative authority of the municipal corporation may require a person who was convicted of an offense and who is confined in a prison or station house as provided in division (A) of this section, or a person who was convicted of an offense and who is confined in the county jail as provided in section 1905.35 of the Revised Code, to reimburse the municipal corporation for its

~~expenses incurred by reason of the person's confinement, including, but not limited to, the expenses relating to the provision of food, clothing, shelter, medical care, personal hygiene products, including, but not limited to, toothpaste, toothbrushes, and feminine hygiene items, and up to two hours of overtime costs the sheriff or municipal corporation incurred relating to the trial of the person. The amount of reimbursement may be the actual cost of the prisoner's confinement plus the authorized trial overtime costs or a lesser amount determined by the legislative authority of the municipal corporation, provided that the lesser amount shall be determined by a formula that is uniformly applied to persons incarcerated in the prison, station house, or county jail. The amount of reimbursement shall be determined by a court at a hearing held pursuant to section 2929.18 of the Revised Code if the person is confined for a felony or section 2929.223 of the Revised Code if the person is confined for a misdemeanor. The amount or amounts paid in reimbursement by a person confined for a misdemeanor or the amount recovered from a person confined for a misdemeanor by executing upon the judgment obtained pursuant to section 2929.223 of the Revised Code shall be paid into the treasury of the municipal corporation. If a person is confined for a felony and the court imposes a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of confinement, the village solicitor, city director of law, or other chief legal officer shall bring an action to recover the expenses of confinement in accordance with section 2929.18 of the Revised Code.~~

~~(2) The legislative authority of the municipal corporation may adopt an ordinance specifying that a person who is convicted of a felony and who is confined in a prison or station house as provided in division (A) of this section is not required to reimburse the municipal corporation for its expenses incurred by reason of the person's confinement, including the expenses listed in division (B)(1) of this section. If the legislative authority adopts an ordinance of that nature, the legislative authority shall provide a copy to the court of common pleas of the county, and the court that sentences a person convicted of a felony shall not impose a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of the confinement.~~

~~(C) In lieu of requiring offenders to reimburse the municipal corporation for expenses incurred by reason of the person's confinement under division (B) of this section, the legislative authority of the municipal corporation may adopt a prisoner reimbursement policy for the prison or station house under this division. The prison or station house administrator may appoint a reimbursement coordinator to administer the prisoner reimbursement policy.~~

~~A prisoner reimbursement policy adopted under this division is a policy that requires a person confined to the prison or station house to reimburse the municipal corporation for any expenses it incurs by reason of the person's confinement in the prison or station house, which expenses may include, but are not limited to, the following:~~

~~(1) A per diem fee for room and board of not more than sixty dollars per day or the actual per diem cost, whichever is less, for the entire period of time the person is confined to the prison or station house;~~

~~(2) Actual charges for medical and dental treatment, and the fee for a random drug test assessed under division (E) of section 753.33 of the Revised Code;~~

~~(3) Reimbursement for municipal property damaged by the person while confined to the prison or station house.~~

~~Rates charged shall be on a sliding scale determined by the legislative authority of the municipal corporation, based on the ability of the person confined to the prison or station house to pay and on consideration of any legal obligation of the person to support a spouse, minor children, or other dependents and any moral obligation to support dependents to whom the person is providing or has in fact provided support.~~

~~The reimbursement coordinator or another appointed person may investigate the financial status of the confined person and obtain information necessary to investigate that status, by means that may include contacting employers and reviewing income tax records. The coordinator may work with the confined person to create a repayment plan to be implemented upon the person's release. At the end of the person's incarceration, the person shall be presented with a billing statement.~~

~~The reimbursement coordinator or another appointed person may collect, or the legislative authority of the municipal corporation may enter into a contract with one or more public agencies or private vendors to collect, any amounts remaining unpaid. Within twelve months after the date of the confined person's release, the city director of law, village solicitor, or other attorney for the municipal corporation may file a civil action to seek reimbursement from that person for any billing amount that remains unpaid. The municipal corporation shall not enforce any judgment obtained under this section by means of execution against the person's homestead. For purposes of this section, "homestead" has the same meaning as in division (A) of section 323.151 of the Revised Code. Any reimbursement received under this section shall be credited to the general fund of the municipal corporation that bore the expense, to be used for general fund purposes.~~

~~(D)(1) Notwithstanding any contrary provision in this section or section~~

~~2929.18 or 2929.223, 2929.21, 2929.36, or 2929.37~~ of the Revised Code, the legislative authority of the municipal corporation may establish a policy that complies with section 2929.38 of the Revised Code and that requires any person who is not indigent and who is confined in a prison or station house to pay a reasonable reception fee, a fee for any medical treatment or service requested by and provided to that person, or ~~to pay~~ the fee for a random drug test assessed under division (E) of section 753.33 of the Revised Code. ~~The fee for the medical treatment or service shall not exceed the actual cost of the treatment or service provided. No person confined to a prison or station house who is indigent shall be required to pay those fees, and no person confined to a prison or station house shall be denied any necessary medical care because of inability to pay those fees.~~

~~Upon provision of the requested medical treatment or service or assessment of a fee for a random drug test, payment of the required fee may be automatically deducted from a person's account record in the prison or station house's business office. If the person has no funds in the person's account, a deduction may be made at a later date during the person's confinement in the prison or station house if funds later become available in the person's account. If the person is released from the prison or station house and has an unpaid balance of these fees, the legislative authority may bill the person for payment of the remaining unpaid fees. Fees received for medical treatment or services shall be paid into the commissary fund, if one has been created for the prison or station house, or if no such fund exists, into the municipal treasury.~~

~~(2) If a person confined to a prison or station house is required under division (B) or (C) of this section or section 2929.18 or 2929.223 of the Revised Code to reimburse the municipal corporation for expenses incurred by reason of the person's confinement to the prison or station house, any fees paid by the person under division (D)(1) of this section shall be deducted from the expenses required to be reimbursed under division (B) or (C) of this section or section 2929.18 or 2929.223 of the Revised Code.~~

~~(E)(D)~~ If a person who has been convicted of or pleaded guilty to an offense is sentenced to a term of imprisonment in a prison or station house as described in division (A) of this section, or if a person who has been arrested for an offense, and who has been denied bail or has had bail set and has not been released on bail is confined in a prison or station house as described in division (A) of this section pending trial, at the time of reception and at other times the person in charge of the operation of the prison or station house determines to be appropriate, the person in charge of the operation of the prison or station house may cause the convicted or

accused offender to be examined and tested for tuberculosis, HIV infection, hepatitis, including, but not limited to, hepatitis A, B, and C, and other contagious diseases. The person in charge of the operation of the prison or station house may cause a convicted or accused offender in the prison or station house who refuses to be tested or treated for tuberculosis, HIV infection, hepatitis, including, but not limited to, hepatitis A, B, and C, or another contagious disease to be tested and treated involuntarily.

Sec. 753.04. (A) When a person over sixteen years of age is convicted of an offense under the law of this state or an ordinance of a municipal corporation, and the tribunal before which the conviction is had is authorized by law to commit the offender to the county jail or municipal corporation prison, the court, mayor, or judge of the county court, as the case may be, may sentence the offender to a workhouse.

When a commitment is made from a municipal corporation or township in the county, other than in a municipal corporation having a workhouse, the legislative authority of the municipal corporation or the board of township trustees shall transmit with the mittimus a sum of money equal to not less than seventy cents per day for the time of the commitment, to be placed in the hands of the superintendent of a workhouse for the care and maintenance of the prisoner.

~~(B)(1) The Pursuant to section 2929.37 of the Revised Code, the legislative authority of the municipal corporation or the board of township trustees may require a person who is convicted of an offense and who is confined in a workhouse as provided in division (A) of this section, to reimburse the municipal corporation or the township, as the case may be, for its expenses incurred by reason of the person's confinement, including, but not limited to, the expenses relating to the provision of food, clothing, shelter, medical care, personal hygiene products, including, but not limited to, toothpaste, toothbrushes, and feminine hygiene items, and up to two hours of overtime costs the sheriff or municipal corporation incurred relating to the trial of the person. The amount of reimbursement may be the actual cost of the prisoner's confinement plus the authorized trial overtime costs or a lesser amount determined by the legislative authority of the municipal corporation or board of township trustees, provided that the lesser amount shall be determined by a formula that is uniformly applied to persons incarcerated in the workhouse. The amount of reimbursement shall be determined by a court at a hearing held pursuant to section 2929.18 of the Revised Code if the person is confined for a felony or section 2929.223 of the Revised Code if the person is confined for a misdemeanor. The amount or amounts paid in reimbursement by a person confined for a misdemeanor~~

~~or the amount recovered from a person confined for a misdemeanor by executing upon the judgment obtained pursuant to section 2929.223 of the Revised Code shall be paid into the treasury of the municipal corporation or township that incurred the expenses. If a person is confined for a felony and the court imposes a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of confinement, the city director of law, village solicitor, or other chief legal officer shall bring an action to recover the expenses of confinement in accordance with section 2929.18 of the Revised Code.~~

~~(2) The legislative authority of a municipal corporation or the board of township trustees may adopt an ordinance or resolution specifying that a person who is convicted of a felony and who is confined in a workhouse as provided in division (A) of this section is not required to reimburse the municipal corporation or the township, as the case may be, for its expenses incurred by reason of the person's confinement, including the expenses listed in division (B)(1) of this section. If the legislative authority or board adopts a resolution of that nature, the legislative authority or board shall provide a copy to the court of common pleas of the county, and the court that sentences a person convicted of a felony shall not impose a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of the confinement.~~

~~(C) In lieu of requiring offenders to reimburse the political subdivision for expenses incurred by reason of the person's confinement in a municipal workhouse under division (B) of this section or under division (C) of section 753.16 of the Revised Code, the legislative authority of the municipal corporation may adopt a prisoner reimbursement policy for the workhouse under this division. The legislative authority of the municipal corporation may appoint a reimbursement coordinator to administer the prisoner reimbursement policy. A prisoner reimbursement policy adopted under this division is a policy that requires a person confined to the municipal workhouse to reimburse any expenses it incurs by reason of the person's confinement in the workhouse, which expenses may include, but are not limited to, the following:~~

~~(1) A per diem fee for room and board of not more than sixty dollars per day or the actual per diem cost, whichever is less, for the entire period of time the person is confined to the workhouse;~~

~~(2) Actual charges for medical and dental treatment, and the fee for a random drug test assessed under division (E) of section 753.33 of the Revised Code;~~

~~(3) Reimbursement for municipal property damaged by the person while~~

~~confined to the workhouse.~~

~~Rates charged shall be on a sliding scale determined by the legislative authority of the municipal corporation based on the ability of the person confined to the workhouse to pay and on consideration of any legal obligation of the person to support a spouse, minor children, or other dependents and any moral obligation to support dependents to whom the person is providing or has in fact provided support.~~

~~The reimbursement coordinator or another workhouse employee may investigate the financial status of the confined person and obtain information necessary to investigate that status, by means that may include contacting employers and reviewing income tax records. The coordinator may work with the confined person to create a repayment plan to be implemented upon the person's release. At the end of the person's incarceration, the person shall be presented with a billing statement.~~

~~The reimbursement coordinator or another workhouse employee may collect, or the legislative authority of the municipal corporation may enter into a contract with one or more public agencies or private vendors to collect, any amounts remaining unpaid. Within twelve months after the date of the confined person's release, the city director of law, village solicitor, or other attorney for the municipal corporation may file a civil action to seek reimbursement from that person for any billing amount that remains unpaid. The municipal corporation shall not enforce any judgment obtained under this section by means of execution against the person's homestead. For purposes of this section, "homestead" has the same meaning as in division (A) of section 323.151 of the Revised Code. Any reimbursement received under this section shall be credited to the general fund of the political subdivision that bore the expense, to be used for general fund purposes.~~

~~(D)(1) Notwithstanding any contrary provision in this section or section 2929.18 or 2929.223, 2929.21, 2929.36, or 2929.37 of the Revised Code, the legislative authority of the municipal corporation or board of township trustees may establish a policy that complies with section 2929.38 of the Revised Code and that requires any person who is not indigent and who is confined in the workhouse under division (A) of this section to pay a reasonable reception fee, a fee for any medical treatment or service requested by and provided to that person, or to pay the fee for a random drug test assessed under division (E) of section 753.33 of the Revised Code. ~~The fee for the medical treatment or service shall not exceed the actual cost of the treatment or service provided. No person confined to a workhouse who is indigent shall be required to pay those fees, and no person confined to a workhouse shall be denied any necessary medical care because of~~~~

ity to pay those fees.

~~Upon provision of the requested medical treatment or service or assessment of a fee for a random drug test, payment of the required fee may be automatically deducted from a person's account record in the workhouse's business office. If the person has no funds in the person's account, a deduction may be made at a later date during the person's confinement in the center if funds later become available in the person's account. If the person is released from the workhouse and has an unpaid balance of these fees, the legislative authority or board of township trustees may bill the person for payment of the remaining unpaid fees. Fees received for medical treatment or services shall be paid into the commissary fund, if one has been created for the workhouse, or if no such fund exists, into the treasury of the municipal corporation or township.~~

~~(2) If a person confined to a workhouse under division (A) of this section is required under division (B) of this section or section 2929.18 or 2929.223 of the Revised Code to reimburse medical expenses incurred by reason of the person's confinement to the workhouse, any fees paid by the person under division (D)(1) of this section shall be deducted from the expenses required to be reimbursed under division (B) of this section or section 2929.18 or 2929.223 of the Revised Code.~~

~~(E)(D)~~ If a person who has been convicted of or pleaded guilty to an offense is incarcerated in a workhouse or if a person who has been arrested for an offense, and who has not been denied bail or has had bail set and has not been released on bail is confined in a workhouse pending trial, at the time of reception and at other times the person in charge of the operation of the workhouse determines to be appropriate, the person in charge of the operation of the workhouse may cause the convicted or accused offender to be examined and tested for tuberculosis, HIV infection, hepatitis, including, but not limited to, hepatitis A, B, and C, and other contagious diseases. The person in charge of the operation of the workhouse may cause a convicted or accused offender in the workhouse who refuses to be tested or treated for tuberculosis, HIV infection, hepatitis, including, but not limited to, hepatitis A, B, and C, or another contagious disease to be tested and treated involuntarily.

Sec. 753.16. (A) Any city or district having a workhouse may receive as inmates of the workhouse persons sentenced or committed to it from counties other than the one in which the workhouse is situated, upon the terms and during the length of time agreed upon by the boards of county commissioners of those counties, or by the legislative authority of a municipal corporation in those counties and the legislative authority of the

city, or the board of the district workhouse, or other authority having the management and control of the workhouse. Prisoners so received shall in all respects be and remain under the control of that authority, and shall be subject to the rules and discipline of the workhouse to which the other prisoners detained in the workhouse are subject.

(B) Prior to the acceptance for housing into a jail or workhouse of persons who are designated by the department of rehabilitation and correction, who plead guilty to or are convicted of a felony of the fourth or fifth degree, and who satisfy the other requirements listed in section 5120.161 of the Revised Code, the legislative authority of a municipal corporation having a jail or workhouse, or the joint board managing and controlling a workhouse for the joint use of a municipal corporation and a county shall enter into an agreement with the department of rehabilitation and correction under section 5120.161 of the Revised Code for the housing in the jail or workhouse of persons who are designated by the department, who plead guilty to or are convicted of a felony of the fourth or fifth degree, and who satisfy the other requirements listed in that section, in exchange for a per diem fee per person. Persons incarcerated in the jail or workhouse pursuant to an agreement of that nature shall be subject to supervision and control in the manner described in section 5120.161 of the Revised Code. This division does not affect the authority of a court to directly sentence a person who is convicted of or pleads guilty to a felony to the jail or workhouse in accordance with section 2929.16 of the Revised Code.

~~(C)(4) Pursuant to section 2929.37 of the Revised Code, the board of county commissioners, the legislative authority of the municipal corporation, or the board or other managing authority of the district workhouse may require a person who was convicted of an offense and who is confined in the workhouse as provided in division (A) of this section, to reimburse the county, municipal corporation, or district, as the case may be, for its expenses incurred by reason of the person's confinement, including, but not limited to, the expenses relating to the provision of food, clothing, shelter, medical care, personal hygiene products, including, but not limited to, toothpaste, toothbrushes, and feminine hygiene items, and up to two hours of overtime costs the sheriff or municipal corporation incurred relating to the trial of the person. The amount of reimbursement may be the actual cost of the person's confinement plus the authorized trial overtime costs or a lesser amount determined by the board of county commissioners for the county, the legislative authority of the municipal corporation, or the board or other managing authority of the district workhouse, provided that the lesser amount shall be determined by a formula that is uniformly applied~~

~~to persons incarcerated in the workhouse. The amount of reimbursement shall be determined by a court at a hearing held pursuant to section 2929.18 of the Revised Code if the person is confined for a felony or section 2929.223 of the Revised Code if the person is confined for a misdemeanor. The amount or amounts paid in reimbursement by a person confined for a misdemeanor or the amount recovered from a person confined for a misdemeanor by executing upon the judgment obtained pursuant to section 2929.223 of the Revised Code shall be paid into the treasury of the county, municipal corporation, or district that incurred the expenses. If a person is confined for a felony and the court imposes a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of confinement, the prosecuting attorney or municipal chief legal officer shall bring an action to recover the expenses of confinement in accordance with section 2929.18 of the Revised Code.~~

~~(2) The board of county commissioners, the legislative authority of the municipal corporation, or the board or other managing authority of the district workhouse may adopt a resolution or ordinance specifying that a person who is convicted of a felony and who is confined in the workhouse as provided in division (A) of this section is not required to reimburse the county, municipal corporation, or district, as the case may be, for its expenses incurred by reason of the person's confinement, including the expenses listed in division (C)(1) of this section. If the board, legislative authority, or managing authority adopts a resolution of that nature, the board, legislative authority, or managing authority shall provide a copy to the court of common pleas of the county, and the court that sentences a person convicted of a felony shall not impose a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of the confinement.~~

~~(D)(4) Notwithstanding any contrary provision in this section or section 2929.223, 2929.21, 2929.36, or 2929.37 of the Revised Code, the board of county commissioners, the legislative authority of a municipal corporation, or the board or other managing authority of the district workhouse may establish a policy that complies with section 2929.38 of the Revised Code and that requires any person who is not indigent and who is confined in the jail or workhouse under division (A) or (B) of this section to pay a reasonable reception fee, a fee for any medical treatment or service requested by and provided to that person, or ~~to pay~~ the fee for a random drug test assessed under division (E) of section 753.33 of the Revised Code. ~~The fee for the medical treatment or service shall not exceed the actual cost of the treatment or service provided. No person who is indigent shall be~~~~

~~required to pay those fees, and no person shall be denied any necessary medical care because of inability to pay those fees.~~

~~Upon provision of the requested medical treatment or service or assessment of a fee for a random drug test, payment of the required fee may be automatically deducted from a person's account record in the jail or workhouse's business office. If the person has no funds in the person's account, a deduction may be made at a later date during the person's confinement in the jail or workhouse if funds later become available in that person's account. If the person is released from the jail or workhouse and has an unpaid balance of these fees, the board of county commissioners, the legislative authority of the municipal corporation, or the board or other managing authority of the district workhouse may bill the person for payment of the remaining unpaid fees. Fees received for medical treatment or services shall be paid into the commissary fund, if one has been created for the workhouse, or if no such fund exists, into the treasury of each applicable political subdivision.~~

~~(2) If a person confined to a jail or workhouse is required under division (C) of this section or section 2929.18 or 2929.223 of the Revised Code to reimburse medical expenses incurred by reason of the person's confinement to the jail or workhouse, any fees paid by the person under division (D)(1) of this section shall be deducted from the expenses required to be reimbursed under division (C) of this section or section 2929.18 or 2929.223 of the Revised Code.~~

(E) If a person who has been convicted of or pleaded guilty to an offense is confined in the workhouse as provided in division (A) of this section or is incarcerated in the workhouse in the manner described in division (B) of this section, or if a person who has been arrested for an offense, and who has been denied bail or has had bail set and has not been released on bail is confined in the workhouse pending trial, at the time of reception and at other times the person in charge of the operation of the workhouse determines to be appropriate, the person in charge of the operation of the workhouse may cause the convicted or accused offender to be examined and tested for tuberculosis, HIV infection, hepatitis, including but not limited to hepatitis A, B, and C, and other contagious diseases. The person in charge of the operation of the workhouse may cause a convicted or accused offender in the workhouse who refuses to be tested or treated for tuberculosis, HIV infection, hepatitis, including but not limited to hepatitis A, B, and C, or another contagious disease to be tested and treated involuntarily.

Sec. 2152.20. (A) If a child is adjudicated a delinquent child or a

juvenile traffic offender, the court may order any of the following dispositions, in addition to any other disposition authorized or required by this chapter:

(1) Impose a fine in accordance with the following schedule:

(a) For an act that would be a minor misdemeanor or an unclassified misdemeanor if committed by an adult, a fine not to exceed fifty dollars;

(b) For an act that would be a misdemeanor of the fourth degree if committed by an adult, a fine not to exceed one hundred dollars;

(c) For an act that would be a misdemeanor of the third degree if committed by an adult, a fine not to exceed one hundred fifty dollars;

(d) For an act that would be a misdemeanor of the second degree if committed by an adult, a fine not to exceed two hundred dollars;

(e) For an act that would be a misdemeanor of the first degree if committed by an adult, a fine not to exceed two hundred fifty dollars;

(f) For an act that would be a felony of the fifth degree or an unclassified felony if committed by an adult, a fine not to exceed three hundred dollars;

(g) For an act that would be a felony of the fourth degree if committed by an adult, a fine not to exceed four hundred dollars;

(h) For an act that would be a felony of the third degree if committed by an adult, a fine not to exceed seven hundred fifty dollars;

(i) For an act that would be a felony of the second degree if committed by an adult, a fine not to exceed one thousand dollars;

(j) For an act that would be a felony of the first degree if committed by an adult, a fine not to exceed one thousand five hundred dollars;

(k) For an act that would be aggravated murder or murder if committed by an adult, a fine not to exceed two thousand dollars.

(2) Require the child to pay costs;

(3) Require the child to make restitution to the victim of the child's delinquent act or, if the victim is deceased, to a survivor of the victim in an amount based upon the victim's economic loss caused by or related to the delinquent act. Restitution required under this division shall be made directly to the victim in open court or to the probation department that serves the jurisdiction or the clerk of courts on behalf of the victim. The restitution may include reimbursement to third parties, other than the delinquent child's insurer, for amounts paid to the victim or to any survivor of the victim for economic loss resulting from the delinquent act. If reimbursement to a third party is required, the reimbursement shall be made to any governmental agency to repay any amounts the agency paid to the victim or any survivor of the victim before any reimbursement is made to

any other person.

Restitution required under this division may be in the form of a cash reimbursement paid in a lump sum or in installments, the performance of repair work to restore any damaged property to its original condition, the performance of a reasonable amount of labor for the victim or survivor of the victim, the performance of community service work, any other form of restitution devised by the court, or any combination of the previously described forms of restitution.

The court may base the restitution order under this division on an amount recommended by the victim or survivor of the victim, the delinquent child, a presentence investigation report, estimates or receipts indicating the cost of repairing or replacing property, and any other information. If the amount of the restitution is disputed by the victim or survivor or by the delinquent child, the court shall hold a hearing on the restitution. The court shall determine, or order the determination of, the amount of restitution to be paid by the delinquent child. All restitution payments shall be credited against any recovery of economic loss in a civil action brought by or on behalf of the victim against the delinquent child or the delinquent child's parent, guardian, or other custodian.

The court may order that the delinquent child pay a surcharge, in an amount not exceeding five per cent of the amount of restitution otherwise ordered under this division, to the entity responsible for collecting and processing the restitution payments.

The victim or the survivor of the victim may request that the prosecuting authority file a motion, or the delinquent child may file a motion, for modification of the payment terms of any restitution ordered under this division, based on a substantial change in the delinquent child's ability to pay.

(4) Require the child to reimburse any or all of the costs incurred for services or sanctions provided or imposed, including, but not limited to, the following:

(a) All or part of the costs of implementing any community control imposed as a disposition under section 2152.19 of the Revised Code, including a supervision fee;

(b) All or part of the costs of confinement in a residential facility described in section 2152.19 of the Revised Code or in a department of youth services institution, including, but not limited to, a per diem fee for room and board, the costs of medical and dental treatment provided, and the costs of repairing property the delinquent child damaged while so confined. The amount of reimbursement ordered for a child under this division shall

not exceed the total amount of reimbursement the child is able to pay as determined at a hearing and shall not exceed the actual cost of the confinement. The court may collect any reimbursement ordered under this division. If the court does not order reimbursement under this division, confinement costs may be assessed pursuant to a repayment policy adopted under section 2929.37 of the Revised Code and division ~~(E)~~(D) of section 307.93, division (A) of section ~~341.06~~ 341.19, division ~~(D)~~(C) of section 341.23 or 753.16, or division ~~(C)~~(B) of section 341.14, 753.02, 753.04, 2301.56, or 2947.19 of the Revised Code.

(B)(1) If a child is adjudicated a delinquent child for violating section 2923.32 of the Revised Code, the court shall enter an order of criminal forfeiture against the child in accordance with divisions (B)(3), (4), (5), and (6) and (C) to (F) of section 2923.32 of the Revised Code.

(2) Sections 2925.41 to 2925.45 of the Revised Code apply to children who are adjudicated or could be adjudicated by a juvenile court to be delinquent children for an act that, if committed by an adult, would be a felony drug abuse offense. Subject to division (B) of section 2925.42 and division (E) of section 2925.43 of the Revised Code, a delinquent child of that nature loses any right to the possession of, and forfeits to the state any right, title, and interest that the delinquent child may have in, property as defined in section 2925.41 of the Revised Code and further described in section 2925.42 or 2925.43 of the Revised Code.

(3) Sections 2923.44 to 2923.47 of the Revised Code apply to children who are adjudicated or could be adjudicated by a juvenile court to be delinquent children for an act in violation of section 2923.42 of the Revised Code. Subject to division (B) of section 2923.44 and division (E) of section 2923.45 of the Revised Code, a delinquent child of that nature loses any right to the possession of, and forfeits to the state any right, title, and interest that the delinquent child may have in, property as defined in section 2923.41 of the Revised Code and further described in section 2923.44 or 2923.45 of the Revised Code.

(C) The court may hold a hearing if necessary to determine whether a child is able to pay a sanction under this section.

(D) If a child who is adjudicated a delinquent child is indigent, the court shall consider imposing a term of community service under division (A) of section 2152.19 of the Revised Code in lieu of imposing a financial sanction under this section. If a child who is adjudicated a delinquent child is not indigent, the court may impose a term of community service under that division in lieu of, or in addition to, imposing a financial sanction under this section. The court may order community service for an act that if committed

by an adult would be a minor misdemeanor.

If a child fails to pay a financial sanction imposed under this section, the court may impose a term of community service in lieu of the sanction.

(E) The clerk of the court, or another person authorized by law or by the court to collect a financial sanction imposed under this section, may do any of the following:

(1) Enter into contracts with one or more public agencies or private vendors for the collection of the amounts due under the financial sanction, which amounts may include interest from the date of imposition of the financial sanction;

(2) Permit payment of all, or any portion of, the financial sanction in installments, by credit or debit card, by another type of electronic transfer, or by any other reasonable method, within any period of time, and on any terms that the court considers just, except that the maximum time permitted for payment shall not exceed five years. The clerk may pay any fee associated with processing an electronic transfer out of public money and may charge the fee to the delinquent child.

(3) To defray administrative costs, charge a reasonable fee to a child who elects a payment plan rather than a lump sum payment of a financial sanction.

Sec. 2301.56. (A) A judicial corrections board that proposes or establishes one or more community-based correctional facilities and programs or district community-based correctional facilities and programs may apply to the division of parole and community services for state financial assistance for the cost of renovation, maintenance, and operation of any of the facilities and programs. If the judicial corrections board has proposed or established more than one facility and program and if it desires state financial assistance for more than one of the facilities and programs, the board shall submit a separate application for each facility and program for which it desires the financial assistance.

An application for state financial assistance under this section may be made when the judicial corrections board submits for the approval of the section its proposal for the establishment of the facility and program in question to the division of parole and community services under division (B) of section 2301.51 of the Revised Code, or at any time after the section has approved the proposal. All applications for state financial assistance for proposed or approved facilities and programs shall be made on forms that are prescribed and furnished by the department of rehabilitation and correction, and in accordance with section 5120.112 of the Revised Code.

The judicial corrections board may submit a request for funding of some

or all of its community-based correctional facilities and programs or district community-based correctional facilities and programs to the board of county commissioners of the county, if the judicial corrections board serves a community-based correctional facility and program, or to the boards of county commissioners of all of the member counties, if the judicial corrections board serves a district community-based correctional facility and program. The board or boards may appropriate, but are not required to appropriate, a sum of money for funding all aspects of each facility and program as outlined in sections 2301.51 to 2301.56 of the Revised Code. The judicial corrections board has no recourse against a board or boards of county commissioners, either under Chapter 2731. of the Revised Code, under its contempt power, or under any other authority, if the board or boards of county commissioners do not appropriate money for funding any facility or program or if they appropriate money for funding a facility and program in an amount less than the total amount of the submitted request for funding.

~~(B)(4) A Pursuant to section 2929.37 of the Revised Code, a board of county commissioners may require a person who was convicted of an offense and who is confined in a community-based correctional facility or district community-based correctional facility as provided in sections 2301.51 to 2301.56 of the Revised Code, to reimburse the county for its expenses incurred by reason of the person's confinement, including, but not limited to, the expenses relating to the provision of food, clothing, shelter, medical care, personal hygiene products, including, but not limited to, toothpaste, toothbrushes, and feminine hygiene items, and up to two hours of overtime costs the sheriff or municipal corporation incurred relating to the trial of the person. The amount of reimbursement may be the actual cost of the person's confinement plus the authorized trial overtime costs or a lesser amount determined by the board of county commissioners for the county, provided that the lesser amount shall be determined by a formula that is uniformly applied to persons incarcerated in the facility. The amount of reimbursement shall be determined by a court at a hearing held pursuant to section 2929.18 of the Revised Code if the person is confined for a felony or section 2929.223 of the Revised Code if the person is confined for a misdemeanor. The amount or amounts paid in reimbursement by a person confined for a misdemeanor or the amount recovered from a person confined for a misdemeanor by executing upon the judgment obtained pursuant to section 2929.223 of the Revised Code shall be paid into the treasury of the county that incurred the expenses. If a person is confined for a felony and the court imposes a sanction under section 2929.18 of the~~

~~Revised Code that requires the person to reimburse the costs of confinement, the prosecuting attorney shall bring an action to recover the expenses of confinement in accordance with section 2929.18 of the Revised Code.~~

~~(2) A board of county commissioners may adopt a resolution specifying that a person who is convicted of a felony and who is confined in a community based correctional facility or district community based correctional facility as provided in sections 2301.51 to 2301.56 of the Revised Code is not required to reimburse the county for its expenses incurred by reason of the person's confinement, including the expenses listed in division (B)(1) of this section. If the board adopts a resolution of that nature, the board shall provide a copy to the court of common pleas of the county, and the court that sentences a person convicted of a felony shall not impose a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of the confinement.~~

~~(C) In lieu of requiring offenders to reimburse the political subdivision for expenses incurred by reason of the person's confinement pursuant to division (B) of this section, the board or boards of county commissioners, acting jointly with the judicial corrections board, may adopt a prisoner reimbursement policy for the community based correctional facility under this division to be administered under the direction of the director of the facility. The director may appoint a reimbursement coordinator to administer the facility's prisoner reimbursement policy. A prisoner reimbursement policy adopted under this division is a policy that requires a person confined to the facility to reimburse the county or counties for any expenses it incurs by reason of the person's confinement in the facility, which expenses may include, but are not limited to, the following:~~

~~(1) A per diem fee for room and board of not more than sixty dollars per day or the actual per diem cost, whichever is less, for the entire period of time the person is confined to the facility;~~

~~(2) Actual charges for medical and dental treatment;~~

~~(3) Reimbursement for government property damaged by the person while confined to the facility.~~

~~Rates charged shall be on a sliding scale determined by the director with the approval of the judicial corrections board based on the ability of the person confined to the facility to pay and on consideration of any legal obligation of the person to support a spouse, minor children, or other dependents and any moral obligation to support dependents to whom the person is providing or has in fact provided support.~~

~~The reimbursement coordinator or another person designated by the~~

~~director may investigate the financial status of the confined person and obtain information necessary to investigate that status, by means that may include contacting employers and reviewing income tax records. The coordinator may work with the confined person to create a repayment plan to be implemented upon the person's release. At the end of the person's incarceration, the person shall be presented with a billing statement signed by the director.~~

~~The reimbursement coordinator or another person designated by the director may collect, or the judicial corrections board may enter into a contract with one or more public agencies or private vendors to collect, any amounts remaining unpaid. Within twelve months after the date of the confined person's release, the prosecuting attorney may file a civil action in the name of the state in the court of common pleas of the county in which the facility is located to seek reimbursement from that person for any billing amount that remains unpaid. No judgment obtained under this section shall be enforced by means of execution against the person's homestead. For purposes of this section, "homestead" has the same meaning as in division (A) of section 323.151 of the Revised Code. Any reimbursement received under this section shall be credited to the general fund of the county that bore the expense, to be used for general fund purposes.~~

~~(D)(1) Notwithstanding any contrary provision in this section or section 2929.18 or 2929.223, 2929.21, 2929.36, or 2929.37 of the Revised Code, the judicial corrections board may establish a policy that complies with section 2929.38 of the Revised Code and that requires any person who is not indigent and who is confined in the community-based correctional facility or district community-based correctional facility to pay a reasonable reception fee or a fee for any medical treatment or service requested by and provided to that person. This fee shall not exceed the actual cost of the treatment or service provided. No person confined to a community-based correctional facility or district community-based correctional facility who is indigent shall be required to pay those fees, and no person confined to any facility of that type shall be denied any necessary medical care because of inability to pay those fees.~~

~~Upon provision of the requested medical treatment or service, payment of the required fee may be automatically deducted from a person's account record in the facility's business office. If the person has no funds in the person's account, a deduction may be made at a later date during the person's confinement in the facility if funds later become available in that person's account. If the person is released from the facility and has an unpaid balance of these fees, the judicial corrections board may bill the person for payment~~

~~of the remaining unpaid fees. Fees received for medical treatment or services shall be paid into the commissary fund, if one has been created for the facility, or if no such fund exists, into the county treasury of the county that actually paid for the treatment or service.~~

~~(2) If a person confined to a community-based correctional facility or district community-based correctional facility is required under division (B) or (C) of this section or section 2929.18 or 2929.223 of the Revised Code to reimburse the county for expenses incurred by reason of the person's confinement to the facility, any fees paid by the person under division (D)(1) of this section shall be deducted from the expenses required to be reimbursed under division (B) or (C) of this section or section 2929.18 or 2929.223 of the Revised Code.~~

~~(E)(D)~~ If a person who has been convicted of or pleaded guilty to an offense is confined in a community-based correctional facility or district community-based correctional facility, at the time of reception and at other times the person in charge of the operation of the facility determines to be appropriate, the person in charge of the operation of the facility may cause the convicted offender to be examined and tested for tuberculosis, HIV infection, hepatitis, including but not limited to hepatitis A, B, and C, and other contagious diseases. The person in charge of the operation of the facility may cause a convicted offender in the facility who refuses to be tested or treated for tuberculosis, HIV infection, hepatitis, including but not limited to hepatitis A, B, and C, or another contagious disease to be tested and treated involuntarily.

Sec. 2929.18. (A) Except as otherwise provided in this division and in addition to imposing court costs pursuant to section 2947.23 of the Revised Code, the court imposing a sentence upon an offender for a felony may sentence the offender to any financial sanction or combination of financial sanctions authorized under this section or, in the circumstances specified in section 2929.25 of the Revised Code, may impose upon the offender a fine in accordance with that section. ~~If the offender is sentenced to a sanction of confinement pursuant to section 2929.14 or 2929.16 of the Revised Code that is to be served in a facility operated by a board of county commissioners, a legislative authority of a municipal corporation, or another governmental entity, the court imposing sentence upon an offender for a felony shall comply with division (A)(4)(b) of this section in determining whether to sentence the offender to a financial sanction described in division (A)(4)(a) of this section.~~ Financial sanctions that may be imposed pursuant to this section include, but are not limited to, the following:

(1) Restitution by the offender to the victim of the offender's crime or

any survivor of the victim, in an amount based on the victim's economic loss. The court shall order that the restitution be made to the adult probation department that serves the county on behalf of the victim, to the clerk of courts, or to another agency designated by the court, except that it may include a requirement that reimbursement be made to third parties for amounts paid to or on behalf of the victim or any survivor of the victim for economic loss resulting from the offense. If reimbursement to third parties is required, the reimbursement shall be made to any governmental agency to repay any amounts paid by the agency to or on behalf of the victim or any survivor of the victim for economic loss resulting from the offense before any reimbursement is made to any person other than a governmental agency. If no governmental agency incurred expenses for economic loss of the victim or any survivor of the victim resulting from the offense, the reimbursement shall be made to any person other than a governmental agency to repay amounts paid by that person to or on behalf of the victim or any survivor of the victim for economic loss of the victim resulting from the offense. The court shall not require an offender to repay an insurance company for any amounts the company paid on behalf of the offender pursuant to a policy of insurance. At sentencing, the court shall determine the amount of restitution to be made by the offender. All restitution payments shall be credited against any recovery of economic loss in a civil action brought by the victim or any survivor of the victim against the offender.

(2) Except as provided in division (B)(1), (3), or (4) of this section, a fine payable by the offender to the state, to a political subdivision, or as described in division (B)(2) of this section to one or more law enforcement agencies, with the amount of the fine based on a standard percentage of the offender's daily income over a period of time determined by the court and based upon the seriousness of the offense. A fine ordered under this division shall not exceed the statutory fine amount authorized for the level of the offense under division (A)(3) of this section.

(3) Except as provided in division (B)(1), (3), or (4) of this section, a fine payable by the offender to the state, to a political subdivision when appropriate for a felony, or as described in division (B)(2) of this section to one or more law enforcement agencies, in the following amount:

(a) For a felony of the first degree, not more than twenty thousand dollars;

(b) For a felony of the second degree, not more than fifteen thousand dollars;

(c) For a felony of the third degree, not more than ten thousand dollars;

(d) For a felony of the fourth degree, not more than five thousand dollars;

(e) For a felony of the fifth degree, not more than two thousand five hundred dollars.

(4)(a) ~~Subject to division (A)(4)(b) of this section, reimbursement~~ Reimbursement by the offender of any or all of the costs of sanctions incurred by the government, including the following:

(i) All or part of the costs of implementing any community control sanction;

(ii) All or part of the costs of confinement under a sanction imposed pursuant to section 2929.14 or 2929.16 of the Revised Code, provided that the amount of reimbursement ordered under this division shall not exceed the total amount of reimbursement the offender is able to pay as determined at a hearing and shall not exceed the actual cost of the confinement;

(b) If the offender is sentenced to a sanction of confinement pursuant to section 2929.14 or 2929.16 of the Revised Code that is to be served in a facility operated by a board of county commissioners, a legislative authority of a municipal corporation, or another local governmental entity, ~~one of the following applies:~~

~~(i) If if, pursuant to section 307.93, 341.14, 341.19, 341.23, 753.02, 753.04, 753.16, 2301.56, or 2947.19 of the Revised Code and section 2929.37 of the Revised Code, the board, legislative authority, or other local governmental entity requires prisoners convicted of an offense other than a minor misdemeanor to reimburse the county, municipal corporation, or other entity for its expenses incurred by reason of the prisoner's confinement, and if the court ~~shall~~ does not impose a financial sanction under division (A)(4)(a)(ii) of this section ~~that requires the offender to reimburse the county, municipal corporation, or other local governmental entity for the cost of the~~ confinement costs may be assessed pursuant to section 2929.37 of the Revised Code. In addition, the offender may be required to pay the fees specified in section 2929.38 of the Revised Code in accordance with that section. In addition, the court may impose any other financial sanction under this section.~~

~~(ii) If, pursuant to any section identified in division (A)(4)(b)(i) of this section, the board, legislative authority, or other local governmental entity has adopted a resolution or ordinance specifying that prisoners convicted of felonies are not required to reimburse the county, municipal corporation, or other local governmental entity for its expenses incurred by reason of the prisoner's confinement, the court shall not impose a financial sanction under division (A)(4)(a) of this section that requires the offender to reimburse the~~

~~county, municipal corporation, or other local governmental entity for the cost of the confinement, but the court may impose any other financial sanction under this section.~~

~~(iii) If neither division (A)(4)(b)(i) nor (A)(4)(b)(ii) of this section applies, the court may impose, but is not required to impose, any financial sanction under this section.~~

(c) Reimbursement by the offender for costs pursuant to section 2929.28 of the Revised Code.

(B)(1) For a first, second, or third degree felony violation of any provision of Chapter 2925., 3719., or 4729. of the Revised Code, the sentencing court shall impose upon the offender a mandatory fine of at least one-half of, but not more than, the maximum statutory fine amount authorized for the level of the offense pursuant to division (A)(3) of this section. If an offender alleges in an affidavit filed with the court prior to sentencing that the offender is indigent and unable to pay the mandatory fine and if the court determines the offender is an indigent person and is unable to pay the mandatory fine described in this division, the court shall not impose the mandatory fine upon the offender.

(2) Any mandatory fine imposed upon an offender under division (B)(1) of this section and any fine imposed upon an offender under division (A)(2) or (3) of this section for any fourth or fifth degree felony violation of any provision of Chapter 2925., 3719., or 4729. of the Revised Code shall be paid to law enforcement agencies pursuant to division (F) of section 2925.03 of the Revised Code.

(3) For a fourth degree felony OMVI offense and for a third degree felony OMVI offense, the sentencing court shall impose upon the offender a mandatory fine in the amount specified in division (A)(4) or (8) of section 4511.99 of the Revised Code. The mandatory fine so imposed shall be disbursed as provided in division (A)(4) or (8) of section 4511.99 of the Revised Code.

(4) Notwithstanding any fine otherwise authorized or required to be imposed under division (A)(2) or (3) or (B)(1) of this section or section 2929.31 of the Revised Code for a violation of section 2925.03 of the Revised Code, in addition to any penalty or sanction imposed for that offense under section 2925.03 or sections 2929.11 to 2929.18 of the Revised Code and in addition to the forfeiture of property in connection with the offense as prescribed in sections 2925.42 to 2925.45 of the Revised Code, the court that sentences an offender for a violation of section 2925.03 of the Revised Code may impose upon the offender a fine in addition to any fine imposed under division (A)(2) or (3) of this section and in addition to any

mandatory fine imposed under division (B)(1) of this section. The fine imposed under division (B)(4) of this section shall be used as provided in division (H) of section 2925.03 of the Revised Code. A fine imposed under division (B)(4) of this section shall not exceed whichever of the following is applicable:

(a) The total value of any personal or real property in which the offender has an interest and that was used in the course of, intended for use in the course of, derived from, or realized through conduct in violation of section 2925.03 of the Revised Code, including any property that constitutes proceeds derived from that offense;

(b) If the offender has no interest in any property of the type described in division (B)(4)(a) of this section or if it is not possible to ascertain whether the offender has an interest in any property of that type in which the offender may have an interest, the amount of the mandatory fine for the offense imposed under division (B)(1) of this section or, if no mandatory fine is imposed under division (B)(1) of this section, the amount of the fine authorized for the level of the offense imposed under division (A)(3) of this section.

(5) Prior to imposing a fine under division (B)(4) of this section, the court shall determine whether the offender has an interest in any property of the type described in division (B)(4)(a) of this section. Except as provided in division (B)(6) or (7) of this section, a fine that is authorized and imposed under division (B)(4) of this section does not limit or affect the imposition of the penalties and sanctions for a violation of section 2925.03 of the Revised Code prescribed under those sections or sections 2929.11 to 2929.18 of the Revised Code and does not limit or affect a forfeiture of property in connection with the offense as prescribed in sections 2925.42 to 2925.45 of the Revised Code.

(6) If the sum total of a mandatory fine amount imposed for a first, second, or third degree felony violation of section 2925.03 of the Revised Code under division (B)(1) of this section plus the amount of any fine imposed under division (B)(4) of this section does not exceed the maximum statutory fine amount authorized for the level of the offense under division (A)(3) of this section or section 2929.31 of the Revised Code, the court may impose a fine for the offense in addition to the mandatory fine and the fine imposed under division (B)(4) of this section. The sum total of the amounts of the mandatory fine, the fine imposed under division (B)(4) of this section, and the additional fine imposed under division (B)(6) of this section shall not exceed the maximum statutory fine amount authorized for the level of the offense under division (A)(3) of this section or section 2929.31 of the

Revised Code. The clerk of the court shall pay any fine that is imposed under division (B)(6) of this section to the county, township, municipal corporation, park district as created pursuant to section 511.18 or 1545.04 of the Revised Code, or state law enforcement agencies in this state that primarily were responsible for or involved in making the arrest of, and in prosecuting, the offender pursuant to division (F) of section 2925.03 of the Revised Code.

(7) If the sum total of the amount of a mandatory fine imposed for a first, second, or third degree felony violation of section 2925.03 of the Revised Code plus the amount of any fine imposed under division (B)(4) of this section exceeds the maximum statutory fine amount authorized for the level of the offense under division (A)(3) of this section or section 2929.31 of the Revised Code, the court shall not impose a fine under division (B)(6) of this section.

(C)(1) The offender shall pay reimbursements imposed upon the offender pursuant to division (A)(4)(a) of this section to pay the costs incurred by the department of rehabilitation and correction in operating a prison or other facility used to confine offenders pursuant to sanctions imposed under section 2929.14 or 2929.16 of the Revised Code to the treasurer of state. The treasurer of state shall deposit the reimbursements in the confinement cost reimbursement fund that is hereby created in the state treasury. The department of rehabilitation and correction shall use the amounts deposited in the fund to fund the operation of facilities used to confine offenders pursuant to sections 2929.14 and 2929.16 of the Revised Code.

(2) Except as provided in section 2951.021 of the Revised Code, the offender shall pay reimbursements imposed upon the offender pursuant to division (A)(4)(a) of this section to pay the costs incurred by a county pursuant to any sanction imposed under this section or section 2929.16 or 2929.17 of the Revised Code or in operating a facility used to confine offenders pursuant to a sanction imposed under section 2929.16 of the Revised Code to the county treasurer. The county treasurer shall deposit the reimbursements in the sanction cost reimbursement fund that each board of county commissioners shall create in its county treasury. The county shall use the amounts deposited in the fund to pay the costs incurred by the county pursuant to any sanction imposed under this section or section 2929.16 or 2929.17 of the Revised Code or in operating a facility used to confine offenders pursuant to a sanction imposed under section 2929.16 of the Revised Code.

(3) Except as provided in section 2951.021 of the Revised Code, the

offender shall pay reimbursements imposed upon the offender pursuant to division (A)(4)(a) of this section to pay the costs incurred by a municipal corporation pursuant to any sanction imposed under this section or section 2929.16 or 2929.17 of the Revised Code or in operating a facility used to confine offenders pursuant to a sanction imposed under section 2929.16 of the Revised Code to the treasurer of the municipal corporation. The treasurer shall deposit the reimbursements in a special fund that shall be established in the treasury of each municipal corporation. The municipal corporation shall use the amounts deposited in the fund to pay the costs incurred by the municipal corporation pursuant to any sanction imposed under this section or section 2929.16 or 2929.17 of the Revised Code or in operating a facility used to confine offenders pursuant to a sanction imposed under section 2929.16 of the Revised Code.

(4) Except as provided in section 2951.021 of the Revised Code, the offender shall pay reimbursements imposed pursuant to division (A)(4)(a) of this section for the costs incurred by a private provider pursuant to a sanction imposed under this section or section 2929.16 or 2929.17 of the Revised Code to the provider.

(D) A financial sanction imposed pursuant to division (A) or (B) of this section is a judgment in favor of the state or a political subdivision in which the court that imposed the financial sanction is located, except that a financial sanction of reimbursement imposed pursuant to division (A)(4)(a)(ii) of this section upon an offender who is incarcerated in a state facility or a municipal jail is a judgment in favor of the state or the municipal corporation, a financial sanction of reimbursement imposed upon an offender pursuant to this section for costs incurred by a private provider of sanctions is a judgment in favor of the private provider, and a financial sanction of restitution imposed pursuant to this section is a judgment in favor of the victim of the offender's criminal act. The offender subject to the sanction is the judgment debtor. Imposition of a financial sanction and execution on the judgment does not preclude any other power of the court to impose or enforce sanctions on the offender. Once the financial sanction is imposed as a judgment, the victim, private provider, state, or political subdivision may bring an action to do any of the following:

(1) Obtain execution of the judgment through any available procedure, including:

(a) An execution against the property of the judgment debtor under Chapter 2329. of the Revised Code;

(b) An execution against the person of the judgment debtor under Chapter 2331. of the Revised Code;

(c) A proceeding in aid of execution under Chapter 2333. of the Revised Code, including:

(i) A proceeding for the examination of the judgment debtor under sections 2333.09 to 2333.12 and sections 2333.15 to 2333.27 of the Revised Code;

(ii) A proceeding for attachment of the person of the judgment debtor under section 2333.28 of the Revised Code;

(iii) A creditor's suit under section 2333.01 of the Revised Code.

(d) The attachment of the property of the judgment debtor under Chapter 2715. of the Revised Code;

(e) The garnishment of the property of the judgment debtor under Chapter 2716. of the Revised Code.

(2) Obtain an order for the assignment of wages of the judgment debtor under section 1321.33 of the Revised Code.

(E) A court that imposes a financial sanction upon an offender may hold a hearing if necessary to determine whether the offender is able to pay the sanction or is likely in the future to be able to pay it.

(F) Each court imposing a financial sanction upon an offender under this section or under section 2929.25 of the Revised Code may designate a court employee to collect, or may enter into contracts with one or more public agencies or private vendors for the collection of, amounts due under the financial sanction imposed pursuant to this section or section 2929.25 of the Revised Code. Before entering into a contract for the collection of amounts due from an offender pursuant to any financial sanction imposed pursuant to this section or section 2929.25 of the Revised Code, a court shall comply with sections 307.86 to 307.92 of the Revised Code.

(G) If a court that imposes a financial sanction under division (A) or (B) of this section finds that an offender satisfactorily has completed all other sanctions imposed upon the offender and that all restitution that has been ordered has been paid as ordered, the court may suspend any financial sanctions imposed pursuant to this section or section 2929.25 of the Revised Code that have not been paid.

(H) No financial sanction imposed under this section or section 2929.25 of the Revised Code shall preclude a victim from bringing a civil action against the offender.

Sec. 2929.19. (A)(1) The court shall hold a sentencing hearing before imposing a sentence under this chapter upon an offender who was convicted of or pleaded guilty to a felony and before resentencing an offender who was convicted of or pleaded guilty to a felony and whose case was remanded pursuant to section 2953.07 or 2953.08 of the Revised Code. At

the hearing, the offender, the prosecuting attorney, the victim or the victim's representative in accordance with section 2930.14 of the Revised Code, and, with the approval of the court, any other person may present information relevant to the imposition of sentence in the case. The court shall inform the offender of the verdict of the jury or finding of the court and ask the offender whether the offender has anything to say as to why sentence should not be imposed upon the offender.

(2) Except as otherwise provided in this division, before imposing sentence on an offender who is being sentenced for a sexually oriented offense that was committed on or after January 1, 1997, and that is not a sexually violent offense, and before imposing sentence on an offender who is being sentenced for a sexually violent offense committed on or after January 1, 1997, and who was not charged with a sexually violent predator specification in the indictment, count in the indictment, or information charging the sexually violent offense, the court shall conduct a hearing in accordance with division (B) of section 2950.09 of the Revised Code to determine whether the offender is a sexual predator. The court shall not conduct a hearing under that division if the offender is being sentenced for a sexually violent offense and a sexually violent predator specification was included in the indictment, count in the indictment, or information charging the sexually violent offense. Before imposing sentence on an offender who is being sentenced for a sexually oriented offense, the court also shall comply with division (E) of section 2950.09 of the Revised Code.

(B)(1) At the sentencing hearing, the court, before imposing sentence, shall consider the record, any information presented at the hearing by any person pursuant to division (A) of this section, and, if one was prepared, the presentence investigation report made pursuant to section 2951.03 of the Revised Code or Criminal Rule 32.2, and any victim impact statement made pursuant to section 2947.051 of the Revised Code.

(2) The court shall impose a sentence and shall make a finding that gives its reasons for selecting the sentence imposed in any of the following circumstances:

(a) Unless the offense is a sexually violent offense for which the court is required to impose sentence pursuant to division (G) of section 2929.14 of the Revised Code, if it imposes a prison term for a felony of the fourth or fifth degree or for a felony drug offense that is a violation of a provision of Chapter 2925. of the Revised Code and that is specified as being subject to division (B) of section 2929.13 of the Revised Code for purposes of sentencing, its reasons for imposing the prison term, based upon the overriding purposes and principles of felony sentencing set forth in section

2929.11 of the Revised Code, and any factors listed in divisions (B)(1)(a) to (i) of section 2929.13 of the Revised Code that it found to apply relative to the offender.

(b) If it does not impose a prison term for a felony of the first or second degree or for a felony drug offense that is a violation of a provision of Chapter 2925. of the Revised Code and for which a presumption in favor of a prison term is specified as being applicable, its reasons for not imposing the prison term and for overriding the presumption, based upon the overriding purposes and principles of felony sentencing set forth in section 2929.11 of the Revised Code, and the basis of the findings it made under divisions (D)(1) and (2) of section 2929.13 of the Revised Code.

(c) If it imposes consecutive sentences under section 2929.14 of the Revised Code, its reasons for imposing the consecutive sentences;

(d) If the sentence is for one offense and it imposes a prison term for the offense that is the maximum prison term allowed for that offense by division (A) of section 2929.14 of the Revised Code, its reasons for imposing the maximum prison term;

(e) If the sentence is for two or more offenses arising out of a single incident and it imposes a prison term for those offenses that is the maximum prison term allowed for the offense of the highest degree by division (A) of section 2929.14 of the Revised Code, its reasons for imposing the maximum prison term.

(3) Subject to division (B)(4) of this section, if the sentencing court determines at the sentencing hearing that a prison term is necessary or required, the court shall do all of the following:

(a) Impose a stated prison term;

(b) Notify the offender that, as part of the sentence, the parole board may extend the stated prison term for certain violations of prison rules for up to one-half of the stated prison term;

(c) Notify the offender that the offender will be supervised under section 2967.28 of the Revised Code after the offender leaves prison if the offender is being sentenced for a felony of the first degree or second degree, for a felony sex offense, or for a felony of the third degree in the commission of which the offender caused or threatened to cause physical harm to a person;

(d) Notify the offender that the offender may be supervised under section 2967.28 of the Revised Code after the offender leaves prison if the offender is being sentenced for a felony of the third, fourth, or fifth degree that is not subject to division (B)(3)(c) of this section;

(e) Notify the offender that, if a period of supervision is imposed following the offender's release from prison, as described in division

(B)(3)(c) or (d) of this section, and if the offender violates that supervision or a condition of post-release control imposed under division (B) of section 2967.131 of the Revised Code, the parole board may impose a prison term, as part of the sentence, of up to one-half of the stated prison term originally imposed upon the offender;

(f) Require that the offender not ingest or be injected with a drug of abuse and submit to random drug testing as provided in section 341.26, 753.33, or 5120.63 of the Revised Code, whichever is applicable to the offender who is serving a prison term, and require that the results of the drug test administered under any of those sections indicate that the offender did not ingest or was not injected with a drug of abuse.

(4) If the offender is being sentenced for a sexually violent offense that the offender committed on or after January 1, 1997, and the offender also is convicted of or pleads guilty to a sexually violent predator specification that was included in the indictment, count in the indictment, or information charging the sexually violent offense or if the offender is being sentenced for a sexually oriented offense that the offender committed on or after January 1, 1997, and the court imposing the sentence has determined pursuant to division (B) of section 2950.09 of the Revised Code that the offender is a sexual predator, the court shall include in the offender's sentence a statement that the offender has been adjudicated as being a sexual predator and shall comply with the requirements of section 2950.03 of the Revised Code. Additionally, in the circumstances described in division (G) of section 2929.14 of the Revised Code, the court shall impose sentence on the offender as described in that division.

(5) If the sentencing court determines at the sentencing hearing that a community control sanction should be imposed and the court is not prohibited from imposing a community control sanction, the court shall impose a community control sanction. The court shall notify the offender that, if the conditions of the sanction are violated, if the offender commits a violation of any law, or if the offender leaves this state without the permission of the court or the offender's probation officer, the court may impose a longer time under the same sanction, may impose a more restrictive sanction, or may impose a prison term on the offender and shall indicate the specific prison term that may be imposed as a sanction for the violation, as selected by the court from the range of prison terms for the offense pursuant to section 2929.14 of the Revised Code.

(6) Before imposing a financial sanction under section 2929.18 of the Revised Code or a fine under section 2929.25 of the Revised Code, the court shall consider the offender's present and future ability to pay the amount of

the sanction or fine.

(7) If the sentencing court sentences the offender to a sanction of confinement pursuant to section 2929.14 or 2929.16 of the Revised Code that is to be served in a local detention facility, as defined in section 2929.35 of the Revised Code, and if the local detention facility is covered by a policy adopted pursuant to section 307.93, 341.14, 341.19, 341.21, 341.23, 753.02, 753.04, 753.16, 2301.56, or 2947.19 of the Revised Code and section 2929.37 of the Revised Code, both of the following apply:

(a) The court shall specify both of the following as part of the sentence:

(i) If the offender is presented with an itemized bill pursuant to section 2929.37 of the Revised Code for payment of the costs of confinement, the offender is required to pay the bill in accordance with that section.

(ii) If the offender does not dispute the bill described in division (B)(7)(a)(i) of this section and does not pay the bill by the times specified in section 2929.37 of the Revised Code, the clerk of the court may issue a certificate of judgment against the offender as described in that section.

(b) The sentence automatically includes any certificate of judgment issued as described in division (B)(7)(a)(ii) of this section.

(C)(1) If the offender is being sentenced for a fourth degree felony OMVI offense under division (G)(1) of section 2929.13 of the Revised Code, the court shall impose the mandatory term of local incarceration in accordance with that division, shall impose a mandatory fine in accordance with division (B)(3) of section 2929.18 of the Revised Code, and, in addition, may impose additional sanctions as specified in sections 2929.15, 2929.16, 2929.17, and 2929.18 of the Revised Code. The court shall not impose a prison term on the offender.

(2) If the offender is being sentenced for a third or fourth degree felony OMVI offense under division (G)(2) of section 2929.13 of the Revised Code, the court shall impose the mandatory prison term in accordance with that division, shall impose a mandatory fine in accordance with division (B)(3) of section 2929.18 of the Revised Code, and, in addition, may impose an additional prison term as specified in section 2929.14 of the Revised Code. The court shall not impose any community control sanction on the offender.

(D) The sentencing court, pursuant to division (K) of section 2929.14 of the Revised Code, may recommend placement of the offender in a program of shock incarceration under section 5120.031 of the Revised Code or an intensive program prison under section 5120.032 of the Revised Code, disapprove placement of the offender in a program or prison of that nature, or make no recommendation. If the court recommends or disapproves

placement, it shall make a finding that gives its reasons for its recommendation or disapproval.

Sec. 2929.21. (A) Except as provided in division (G) of this section or in section 2929.23 of the Revised Code, whoever is convicted of or pleads guilty to a misdemeanor other than a minor misdemeanor shall be imprisoned for a definite term or fined, or both, which term of imprisonment and fine shall be fixed by the court as provided in this section.

Whoever is convicted of or pleads guilty to committing, attempting to commit, or complicity in committing a violation of section 2909.03 of the Revised Code that is a misdemeanor, or a violation of division (A)(2) of section 2909.06 of the Revised Code when the means used are fire or explosion, shall be required to reimburse agencies for their investigation or prosecution costs in accordance with section 2929.28 of the Revised Code.

(B) Except as provided in division (G) of this section, terms of imprisonment for misdemeanor shall be imposed as follows:

- (1) For a misdemeanor of the first degree, not more than six months;
- (2) For a misdemeanor of the second degree, not more than ninety days;
- (3) For a misdemeanor of the third degree, not more than sixty days;
- (4) For a misdemeanor of the fourth degree, not more than thirty days.

(C) Fines for misdemeanor shall be imposed as follows:

- (1) For a misdemeanor of the first degree, not more than one thousand dollars;
- (2) For a misdemeanor of the second degree, not more than seven hundred fifty dollars;
- (3) For a misdemeanor of the third degree, not more than five hundred dollars;
- (4) For a misdemeanor of the fourth degree, not more than two hundred fifty dollars.

(D) Whoever is convicted of or pleads guilty to a minor misdemeanor shall be fined not more than one hundred dollars.

(E) The court may require a person who is convicted of or pleads guilty to a misdemeanor to make restitution for all or part of the property damage that is caused by the offense and for all or part of the value of the property that is the subject of any theft offense, as defined in division (K) of section 2913.01 of the Revised Code, that the person committed. If the court determines that the victim of the offense was sixty-five years of age or older or permanently or totally disabled at the time of the commission of the offense, the court, regardless of whether the offender knew the age of victim, shall consider this fact in favor of imposing restitution, but this fact shall not control the decision of the court.

(F)(1) If a person is sentenced to a term of imprisonment pursuant to this section and the term of imprisonment is to be served in a county jail in a county that has established a county jail industry program pursuant to section 5147.30 of the Revised Code, the court shall specify, as part of the sentence, whether the person may be considered by the county sheriff of that county for participation in the county jail industry program. The court shall retain jurisdiction to modify its specification made pursuant to this division during the person's term of imprisonment upon a reassessment of the person's qualifications for participation in the program.

(2) If a person is sentenced to a term of imprisonment pursuant to this section that is to be served in a local detention facility, as defined in section 2929.35 of the Revised Code, the court may impose as part of the sentence pursuant to section 2929.36 of the Revised Code a reimbursement sanction, and, if the local detention facility is covered by a policy adopted pursuant to section 307.93, 341.14, 341.19, 341.21, 341.23, 753.02, 753.04, 753.16, 2301.56, or 2947.19 of the Revised Code and section 2929.37 of the Revised Code, both of the following apply:

(a) The court shall specify both of the following as part of the sentence:

(i) If the person is presented with an itemized bill pursuant to section 2929.37 of the Revised Code for payment of the costs of confinement, the person is required to pay the bill in accordance with that section.

(ii) If the person does not dispute the bill described in division (F)(2)(a)(i) of this section and does not pay the bill by the times specified in section 2929.37 of the Revised Code, the clerk of the court may issue a certificate of judgment against the person as described in that section.

(b) The sentence automatically includes any certificate of judgment issued as described in division (F)(2)(a)(ii) of this section.

(G) If an offender is being sentenced for a sexually oriented offense that is a misdemeanor committed on or after ~~the effective date of this amendment~~ January 1, 1997, and if the judge imposing sentence for the sexually oriented offense determines pursuant to division (B) of section 2950.09 of the Revised Code that the offender is a sexual predator, the judge shall include in the offender's sentence a statement that the offender has been adjudicated as being a sexual predator, shall comply with the requirements of section 2950.03 of the Revised Code, and shall require the offender to submit to a DNA specimen collection procedure pursuant to section 2901.07 of the Revised Code.

(H) Before imposing sentence on an offender who is being sentenced for a sexually oriented offense that is a misdemeanor committed on or after ~~the effective date of this amendment~~ January 1, 1997, the judge shall conduct a

hearing in accordance with division (B) of section 2950.09 of the Revised Code to determine whether the offender is a sexual predator. Before imposing sentence on an offender who is being sentenced for a sexually oriented offense, the court also shall comply with division (E) of section 2950.09 of the Revised Code.

(I) If an offender is being sentenced for a sexually oriented offense that is a misdemeanor committed on or after ~~the effective date of this amendment~~ January 1, 1997, the judge shall include in the sentence a summary of the offender's duty to register pursuant to section 2950.04 of the Revised Code, the offender's duty to provide notice of a change in residence address and register the new residence address pursuant to section 2950.05 of the Revised Code, the offender's duty to periodically verify the offender's current residence address pursuant to section 2950.06 of the Revised Code, and the duration of the duties. The judge shall inform the offender, at the time of sentencing, of those duties and of their duration and, if required under division (A)(2) of section 2950.03 of the Revised Code, shall perform the duties specified in that section.

Sec. 2929.35. As used in sections 2929.35 to 2929.38 of the Revised Code:

(A) "Chief legal officer" includes a prosecuting attorney, village solicitor, city director of law, and attorney for a district of a joint city and county workhouse or county workhouse.

(B) "Clerk of the appropriate court" or "appropriate court clerk" means whichever of the following applies:

(1) If the local detention facility in question is a multicounty correctional center, multicounty-municipal correctional center, district community-based correctional facility, or district workhouse, the clerk of the court of common pleas of the most populous county served by the local detention facility;

(2) If the local detention facility in question is a city workhouse, the clerk of the municipal court for that city;

(3) If neither (B)(1) nor (B)(2) of this section applies, the clerk of the court of common pleas of the county in which the local detention facility in question is located.

(C) "Homestead" has the same meaning as in division (A) of section 323.151 of the Revised Code.

(D) "Inmate account" has the same meaning as in section 2969.21 of the Revised Code.

center, community-based correctional facility, district community-based correctional facility, jail, county jail, municipal or county prison, station house, workhouse, city workhouse, county workhouse, joint city and county workhouse, and district workhouse.

Sec. 2929.36. (A) In addition to or in lieu of any fine or other sanction imposed pursuant to section 2929.21 of the Revised Code, the court imposing a sentence upon an offender for a misdemeanor may sentence the offender to a sanction that requires the offender to reimburse the government for all or part of the costs of confinement in a local detention facility under a term of imprisonment imposed under that section, including, but not limited to, a per diem fee for room and board, the costs of medical and dental treatment, and the costs of repairing property damaged by the offender while confined. The court shall include the reimbursement sanction in the offender's sentence.

(B) The amount of reimbursement ordered under division (A) of this section shall not exceed the total amount of reimbursement the offender is able to pay and shall not exceed the actual cost of the confinement. The court may collect any amount of reimbursement the offender is required to pay under that division. If the court does not order reimbursement under that division, confinement costs may be assessed pursuant to a repayment policy adopted under section 2929.37 of the Revised Code. In addition, the offender may be required to pay in accordance with section 2929.38 of the Revised Code the fees specified in that section.

(C) If the court determines a hearing is necessary, the court may hold a hearing to determine whether the offender is able to pay a reimbursement sanction imposed pursuant to division (A) of this section or is likely in the future to be able to pay it.

If the court determines that the offender is indigent and unable to pay the reimbursement sanction imposed under division (A) of this section, the court shall consider imposing and may impose a period of community service under section 2951.02 of the Revised Code in lieu of imposing a reimbursement sanction. If the court does not determine that the offender is indigent, the court may impose a period of community service under section 2951.02 of the Revised Code in lieu of or in addition to imposing a reimbursement sanction under division (A) of this section. If a person fails to pay a reimbursement sanction, the court may order community service in lieu of the reimbursement sanction.

(D)(1) The offender shall pay reimbursements imposed upon the offender pursuant to division (A) of this section to pay the costs incurred by a county in operating a facility used to confine offenders pursuant to a term

of imprisonment imposed under section 2929.21 of the Revised Code to the county treasurer. The county treasurer shall deposit the reimbursements in the county's general fund in accordance with division (I) of this section. The county shall use the amounts deposited in the fund to pay the costs incurred by the county in operating a facility used to confine offenders pursuant to a term of imprisonment imposed under section 2929.21 of the Revised Code.

(2) The offender shall pay reimbursements imposed upon the offender pursuant to division (A) of this section to pay the costs incurred by a municipal corporation in operating a facility used to confine offenders pursuant to a term of imprisonment imposed under section 2929.21 of the Revised Code to the treasurer of the municipal corporation. The treasurer shall deposit the reimbursements in the municipal corporation's general fund in accordance with division (I) of this section. The municipal corporation shall use the amounts deposited in the fund to pay the costs incurred by the municipal corporation in operating a facility used to confine offenders pursuant to a term of imprisonment imposed under section 2929.21 of the Revised Code.

(E) A reimbursement sanction imposed pursuant to division (A) of this section upon an offender confined in a local detention facility is a judgment in favor of the entity operating the local detention facility. The offender subject to the reimbursement sanction is the judgment debtor.

Once the reimbursement sanction is imposed as a judgment, the subdivision may bring an action to do any of the following:

(1) Obtain execution of the judgment through any available procedure, including any of the procedures identified in divisions (D)(1)(a) to (e) of section 2929.18 of the Revised Code.

(2) Obtain an order for the assignment of wages of the judgment debtor under section 1321.33 of the Revised Code.

(F) The civil remedies authorized under division (E) of this section for the collection of the reimbursement sanction supplement, but do not preclude, enforcement of the criminal sentence.

(G) Each court imposing a reimbursement sanction upon an offender under division (A) of this section may designate the clerk of the court or another person to collect the reimbursement sanction. The clerk, or another person authorized by law or the court to collect the reimbursement sanction, may do the following:

(1) Enter into contracts with one or more public agencies or private vendors for the collection of amounts due under the sanction. Before entering into a contract for the collection of amounts due from an offender pursuant to any reimbursement sanction imposed pursuant to division (A) of

this section, a court shall comply with sections 307.86 to 307.92 of the Revised Code.

(2) Permit payment of all or any portion of the sanction in installments, by financial transaction device if the court is a county court or a municipal court operated by a county, by credit or debit card or by another electronic transfer if the court is a municipal court not operated by a county, or by any other reasonable method, in any time, and on any terms that court considers just, except that the maximum time permitted for payment shall not exceed five years. If the court is a county court or a municipal court operated by a county, the acceptance of payments by any financial transaction device shall be governed by the policy adopted by the board of county commissioners of the county pursuant to section 301.28 of the Revised Code. If the court is a municipal court not operated by a county, the clerk may pay any fee associated with processing an electronic transfer out of public money or may charge the fee to the offender.

(3) To defray administrative costs, charge a reasonable fee to an offender who elects a payment plan rather than a lump sum payment of any reimbursement sanction.

(H) No reimbursement sanction imposed under division (A) of this section shall preclude a victim from bringing a civil action against the offender.

(I) Reimbursement imposed under division (A) of this section shall be paid to the general fund of the political subdivision that incurred the expenses of the offender's confinement.

Sec. 2929.37. (A) A board of county commissioners, in an agreement with the sheriff, a legislative authority of a municipal corporation, a corrections commission, a judicial corrections board, or any other public or private entity that operates a local detention facility at which a prisoner who is convicted of an offense and who is confined in the facility under a sanction or term of imprisonment imposed under section 2929.16 or 2929.21 of the Revised Code may adopt, pursuant to section 307.93, 341.14, 341.19, 341.21, 341.23, 753.02, 753.04, 753.16, 2301.56, or 2947.19 of the Revised Code, a policy that requires the prisoner to pay all or part of the costs of confinement in that facility. If a board of county commissioners, legislative authority, corrections commission, judicial corrections board, or other entity adopts a policy for a facility pursuant to one of those sections, the person in charge of that facility shall appoint a reimbursement coordinator to administer the facility's policy.

The costs of confinement may include, but are not limited to, the costs of repairing property damaged by the prisoner while confined, a per diem

fee for room and board, medical and dental treatment costs, the fee for a random drug test assessed under division (E) of section 341.26 and division (E) of section 753.33 of the Revised Code, and a one-time reception fee for the costs of processing the prisoner into the facility at the time of the prisoner's initial entry into the facility under the confinement in question, minus any fees deducted under section 2929.38 of the Revised Code. Any policy adopted under this section shall be used when a court does not order reimbursement of confinement costs under section 2929.18 or 2929.36 of the Revised Code. The amount assessed under this section shall not exceed the total amount that the prisoner is able to pay.

(B)(1) Each prisoner covered by a repayment policy adopted as described in division (A) of this section shall receive at the end of the prisoner's confinement an itemized bill of the expenses to be reimbursed. The policy shall allow periodic payments on a schedule to be implemented upon a prisoner's release. The bill also shall state that payment shall be made to the person identified in the bill as the reimbursement coordinator and include a notice that specifies that the prisoner has thirty days in which to dispute the bill by filing a written objection with the reimbursement coordinator and that if the prisoner does not dispute the bill in that manner within that period, the prisoner is required to pay the bill and a certificate of judgment may be obtained against the prisoner for the amount of the unpaid expenses. The prisoner shall sign a copy of the bill, and the reimbursement coordinator shall retain that copy. If the prisoner disputes an item on the bill within thirty days after receiving the bill, the reimbursement coordinator may either concede the disputed item or proceed to a hearing under division (B)(2) of this section.

(2) If the prisoner disputes an item on an itemized bill presented to the prisoner under division (B)(1) of this section and the reimbursement coordinator does not concede the item, the reimbursement coordinator shall submit the bill to the court, and the court shall hold a hearing on the disputed items in the bill. At the end of the hearing, the court shall determine how much of the disputed expenses the prisoner shall reimburse the legislative authority or managing authority and shall issue a judgment in favor of the legislative authority or managing authority for any undisputed expenses and the amount of the disputed expenses for which the prisoner must reimburse the legislative authority or managing authority. The reimbursement coordinator shall not seek to enforce the judgment until at least ninety days after the court issues the judgment.

(C) If a prisoner does not dispute the itemized bill presented to the prisoner under division (B) of this section and does not pay the bill within

ninety days, the reimbursement coordinator shall send by mail a notice to the prisoner requesting payment of the expenses as stated in the bill. If the prisoner does not respond to the notice by paying the expenses in full within thirty days of the date the notice was mailed, the reimbursement coordinator shall send by mail a second notice to the prisoner requesting payment of the expenses. If one hundred eighty days elapse from the date that the reimbursement coordinator provides the bill and if the prisoner has not paid the full amount of the expenses pursuant to the bill and the notices, the reimbursement coordinator may notify the clerk of the appropriate court of those facts, and the clerk may issue a certificate of judgment against the prisoner for the balance of the expenses remaining unpaid.

(D) The reimbursement coordinator may collect any amounts remaining unpaid on an itemized bill and any costs associated with the enforcement of the judgment and may enter into a contract with one or more public agencies or private vendors to collect any amounts remaining unpaid. For enforcing a judgment issued under this section, the reimbursement coordinator may assess an additional poundage fee of two per cent of the amount remaining unpaid and may collect costs associated with the enforcement of the judgment.

(E) Neither the reimbursement coordinator nor the legislative authority or the managing authority shall enforce any judgment obtained under this section by means of execution against the prisoner's homestead. Any reimbursement received under this section shall be credited to the general fund of the treasury of the political subdivision that incurred the expense, to be used for general fund purposes.

Sec. 2929.38. (A) A board of commissioners of a county, in an agreement with the sheriff, a legislative authority of a municipal corporation, a corrections commission, a judicial corrections board, or any other public or private entity that operates a local detention facility described in division (A) of section 2929.37 of the Revised Code, may establish a policy that requires any prisoner who is confined in the facility as a result of pleading guilty to or having been convicted of an offense to pay a one-time reception fee for the costs of processing the prisoner into the facility at the time of the prisoner's initial entry into the facility under the confinement in question, to pay a reasonable fee for any medical or dental treatment or service requested by and provided to that prisoner, and to pay the fee for a random drug test assessed under division (E) of section 341.26, and division (E) of section 753.33 of the Revised Code. The fee for the medical treatment or service shall not exceed the actual cost of the treatment or service provided. No prisoner confined in the local detention facility shall

be denied any necessary medical care because of inability to pay the fees.

(B) Upon assessment of a one-time reception fee as described in division (A) of this section, the provision of the requested medical treatment or service, or the assessment of a fee for a random drug test, payment of the required fee may be automatically deducted from the prisoner's inmate account in the business office of the local detention facility in which the prisoner is confined. If there is no money in the account, a deduction may be made at a later date during the prisoner's confinement if the money becomes available in the account. If, after release, the prisoner has an unpaid balance of those fees, the sheriff, legislative authority of the municipal corporation, corrections commission, judicial corrections board, or other entity that operates the local detention facility described in division (A) of section 2929.37 of the Revised Code may bill the prisoner for the payment of the unpaid fees. Fees received for medical or dental treatment or services shall be paid to the commissary fund, if one exists for the facility, or if no commissary fund exists, to the general fund of the treasury of the political subdivision that incurred the expenses, in the same proportion as those expenses were borne by the political subdivision.

(C) Any fee paid by a person under this section shall be deducted from any medical or dental costs that the person is ordered to reimburse under section 2929.36 of the Revised Code or to repay under a policy adopted under section 2929.37 of the Revised Code.

(D) As used in this section, "inmate account" has the same meaning as in section 2969.21 of the Revised Code.

Sec. 2947.14. (A) If a fine is imposed as a sentence or a part of a sentence, the court or magistrate that imposed the fine may order that the offender be committed to the jail or workhouse until the fine is paid or secured to be paid, or ~~he~~ the offender is otherwise legally discharged, if the court or magistrate determines at a hearing that the offender is able, at that time, to pay the fine but refuses to do so. The hearing required by this section shall be conducted at the time of sentencing.

(B) At the hearing, the offender has the right to be represented by counsel and to testify and present evidence as to ~~his~~ the offender's ability to pay the fine. If a court or magistrate determines after considering the evidence presented by an offender, that the offender is able to pay a fine, the determination shall be supported by findings of fact set forth in a judgment entry that indicate the offender's income, assets, and debts, as presented by the offender, and ~~his~~ the offender's ability to pay.

(C) If the court or magistrate has found the offender able to pay a fine at a hearing conducted in compliance with divisions (A) and (B) of this

section, and the offender fails to pay the fine, a warrant may be issued for the arrest of the offender. Any offender held in custody pursuant to such an arrest shall be entitled to a hearing on the first regularly scheduled court day following the date of arrest in order to inform the court or magistrate of any change of circumstances that has occurred since the time of sentencing and that affects ~~his~~ the offender's ability to pay the fine. The right to the hearing on any change of circumstances may be waived by the offender.

At the hearing to determine any change of circumstances, the offender has the right to testify and present evidence as to any portion of ~~his~~ the offender's income, assets, or debts that has changed in such a manner as to affect ~~his~~ the offender's ability to pay the fine. If a court or magistrate determines, after considering any evidence presented by the offender, that the offender remains able to pay the fine, that determination shall be supported by a judgment entry that includes findings of fact upon which such a determination is based.

(D) No person shall be ordered to be committed to a jail or workhouse or otherwise be held in custody in satisfaction of a fine imposed as the whole or a part of a sentence except as provided in this section. Any person imprisoned pursuant to this section shall receive credit upon the fine at the rate of ~~thirty~~ fifty dollars per day or fraction of a day. If the unpaid fine is less than ~~thirty~~ fifty dollars, the person shall be imprisoned one day.

(E) No commitment pursuant to this section shall exceed six months.

Sec. 2947.19. (A) In a county that has no workhouse but in which is located a city that has a workhouse maintained by the city, the board of county commissioners may agree with the proper authorities of that city upon terms under which persons convicted of misdemeanors shall be maintained in the city workhouse at the expense of the county. In the case of persons committed to the city workhouse for the violation of a law of this state, whether the commitment is from the court of common pleas, magistrate's court, or other court, the cost of maintaining those persons committed shall be paid out of the general fund of the county, on the allowance of the board of county commissioners, provided that all persons committed to the city workhouse for the violation of ordinances of the city shall be maintained in that workhouse at the sole cost of the city.

~~(B)(4) The Pursuant to section 2929.37 of the Revised Code, the~~ board of county commissioners or the legislative authority of the city may require a person who was convicted of an offense and who is confined in the city workhouse as provided in division (A) of this section to reimburse the county or the city, as the case may be, for its expenses incurred by reason of the person's confinement, ~~including, but not limited to, the expenses relating~~

~~to the provision of food, clothing, shelter, medical care, personal hygiene products, including, but not limited to, toothpaste, toothbrushes, and feminine hygiene items, and up to two hours of overtime costs the sheriff or municipal corporation incurred relating to the trial of the person. The amount of reimbursement may be the actual cost of the prisoner's confinement plus the authorized trial overtime costs or a lesser amount determined by the board of county commissioners for the county or the legislative authority of the city, provided that the lesser amount shall be determined by a formula that is uniformly applied to persons incarcerated in the workhouse. The court shall determine the amount of reimbursement at a hearing held pursuant to section 2929.18 of the Revised Code if the person is confined for a felony or section 2929.223 of the Revised Code if the person is confined for a misdemeanor. The amount or amounts paid in reimbursement by a prisoner confined for a misdemeanor or the amount recovered from a prisoner confined for a misdemeanor by executing upon the judgment obtained pursuant to section 2929.223 of the Revised Code shall be paid into the treasury of the county or city that incurred the expenses. If a person is convicted of or pleads guilty to a felony and the court imposes a sanction that requires the offender to serve a term in a city workhouse, sections 341.23, 753.02, 753.04, and 753.16 of the Revised Code govern the determination of whether the court may impose a sanction under section 2929.18 of the Revised Code that requires the offender to reimburse the expenses of confinement. If a person is confined for a felony and the court imposes a sanction under section 2929.18 of the Revised Code that requires the offender to reimburse the costs of confinement, the prosecuting attorney of the county or city director of law shall bring an action to recover the expenses of confinement in accordance with section 2929.18 of the Revised Code.~~

~~(2) The board of county commissioners or the legislative authority of the city may adopt a resolution or ordinance specifying that a person who is convicted of a felony and who is confined in the city workhouse as provided in division (A) of this section is not required to reimburse the county or city, as the case may be, for its expenses incurred by reason of the person's confinement, including the expenses listed in division (B)(1) of this section. If the board or legislative authority adopts a resolution or ordinance of that nature, the court that sentences a person convicted of a felony shall not impose a sanction under section 2929.18 of the Revised Code that requires the person to reimburse the costs of the confinement.~~

~~(C) In lieu of requiring offenders to reimburse the county or the city for expenses incurred by reason of the person's confinement under division (A)~~

~~of this section, the board of county commissioners or the legislative authority of the city may adopt a prisoner reimbursement policy for the city workhouse under this division. The workhouse administrator may appoint a reimbursement coordinator to administer the prisoner reimbursement policy. A prisoner reimbursement policy adopted under this division is a policy that requires a person confined to the workhouse to reimburse the county or city for any expenses it incurs by reason of the person's confinement in the workhouse, which expenses may include, but are not limited to, the following:~~

- ~~(1) A per diem fee for room and board of not more than sixty dollars per day or the actual per diem cost, whichever is less for the entire period of time the person is confined to the workhouse;~~
- ~~(2) Actual charges for medical and dental treatment;~~
- ~~(3) Reimbursement for government property damaged by the person while confined to the workhouse.~~

~~Rates charged shall be on a sliding scale determined by the board of county commissioners or the legislative authority of the city, based on the ability of the person confined in the workhouse to pay and on consideration of any legal obligation of the person to support a spouse, minor children, or other dependents and any moral obligation to support dependents to whom the person is providing or has in fact provided support.~~

~~The reimbursement coordinator or another person designated by the workhouse administrator may investigate the financial status of the confined person and obtain information necessary to investigate that status, by means that may include contacting employers and reviewing income tax records. The coordinator may work with the confined person to create a repayment plan to be implemented upon the person's release. At the end of the person's incarceration, the person shall be presented with a billing statement.~~

~~The reimbursement coordinator or another person designated by the workhouse administrator may collect, or the board of county commissioners or the legislative authority of the city may enter into a contract with one or more public agencies or private vendors to collect, any amounts remaining unpaid. Within twelve months after the date of the confined person's release, the prosecuting attorney or city director of law may file a civil action to seek reimbursement from that person for any billing amount that remains unpaid. The county or city shall not enforce any judgment obtained under this section by means of execution against the person's homestead. For purposes of this section, "homestead" has the same meaning as in division (A) of section 323.151 of the Revised Code. Any reimbursement received under this section shall be credited to the general fund of the county or city that~~

~~bore the expense, to be used for general fund purposes.~~

~~(D)(1)~~ Notwithstanding any contrary provision in this section or section 2929.18 ~~or 2929.223, 2929.21, 2929.36, or 2929.37~~ of the Revised Code, the board of county commissioners or the legislative authority of the city may establish a policy that complies with section 2929.38 of the Revised Code and that requires any person who is not indigent and who is confined in the city workhouse to pay a reasonable reception fee or a fee for any medical treatment or service requested by and provided to that person. ~~This fee shall not exceed the actual cost of the treatment or service provided. No person confined to a city workhouse who is indigent shall be required to pay those fees, and no person confined to a city workhouse shall be denied any necessary medical care because of inability to pay those fees.~~

~~Upon provision of the requested medical treatment or service, payment of the required fee may be automatically deducted from a person's account record in the workhouse's business office. If the person has no funds in the person's account, a deduction may be made at a later date during the person's confinement in the workhouse if funds later become available in the person's account. If the person is released from the workhouse and has an unpaid balance of these fees, the board of county commissioners or the legislative authority may bill the person for payment of the remaining unpaid fees. Fees received for medical treatment or services shall be paid into the commissary fund, if one has been created for the workhouse, or if no commissary fund exists, into the county or city treasury.~~

~~(2) If a person confined to a city workhouse is required under division (B) of this section or section 2929.18 or 2929.223 of the Revised Code to reimburse the county or city for expenses incurred by reason of the person's confinement to the workhouse, any fees paid by the person under division (D)(1) of this section shall be deducted from the expenses required to be reimbursed under division (b) of this section or section 2929.18 or 2929.223 of the Revised Code.~~

~~(E)(D)~~ If a person who has been convicted of or pleaded guilty to an offense is confined in the workhouse as provided in division (A) of this section, at the time of reception and at other times the person in charge of the operation of the workhouse determines to be appropriate, the person in charge of the operation of the workhouse may cause the convicted offender to be examined and tested for tuberculosis, HIV infection, hepatitis, including but not limited to hepatitis A, B, and C, and other contagious diseases. The person in charge of the operation of the workhouse may cause a convicted offender in the workhouse who refuses to be tested or treated for tuberculosis, HIV infection, hepatitis, including but not limited to hepatitis

A, B, and C, or another contagious disease to be tested and treated involuntarily.

Sec. 2949.111. (A) As used in this section:

(1) "Costs" means any court costs that the court requires an offender to pay, any reimbursement for the costs of confinement that the court orders an offender to pay pursuant to section ~~2929.223~~ 2929.28 of the Revised Code, any fee for the costs of electronically monitored house arrest that an offender agrees to pay pursuant to section 2929.23 of the Revised Code, any reimbursement for the costs of an investigation or prosecution that the court orders an offender to pay pursuant to section 2929.28 of the Revised Code, or any other costs that the court orders an offender to pay.

(2) "Supervision fees" means any fees that a court, pursuant to section 2951.021 of the Revised Code and as a condition of probation, requires an offender who is placed on probation to pay for probation services or that a court, pursuant to section 2929.18 of the Revised Code, requires an offender who is under a community control sanction to pay for supervision services.

(3) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

(B) Unless the court, in accordance with division (C) of this section, enters in the record of the case a different method of assigning a payment toward the satisfaction of costs, restitution, a fine, or supervision fees, if a person who is charged with a misdemeanor is convicted of or pleads guilty to the offense, if the court orders the offender to pay any combination of costs, restitution, a fine, or supervision fees, and if the offender makes any payment to a clerk of court toward the satisfaction of the costs, restitution, fine, or supervision fees, the clerk of the court shall assign the offender's payment so made toward the satisfaction of the costs, restitution, fine, or supervision fees in the following manner:

(1) If the court ordered the offender to pay any costs, the offender's payment shall be assigned toward the satisfaction of the costs until the court costs have been entirely paid.

(2) If the court ordered the offender to pay any restitution and if all of the costs that the court ordered the offender to pay, if any, have been paid, the remainder of the offender's payment after any assignment required under division (B)(1) of this section shall be assigned toward the satisfaction of the restitution until the restitution has been entirely paid.

(3) If the court ordered the offender to pay any fine and if all of the costs and restitution that the court ordered the offender to pay, if any, have been paid, the remainder of the offender's payment after any assignments required under divisions (B)(1) and (2) of this section shall be assigned

toward the satisfaction of the fine until the fine has been entirely paid.

(4) If the court ordered the offender to pay any supervision fees and if all of the costs, restitution, and fine that the court ordered the offender to pay, if any, have been paid, the remainder of the offender's payment after any assignments required under divisions (B)(1), (2), and (3) of this section shall be assigned toward the satisfaction of the supervision fees until the supervision fees have been entirely paid.

(C) If a person who is charged with a misdemeanor is convicted of or pleads guilty to the offense and if the court orders the offender to pay any combination of costs, restitution, a fine, or supervision fees, the court, at the time it orders the offender to pay the combination of costs, restitution, a fine, or supervision fees, may prescribe a method of assigning payments that the person makes toward the satisfaction of the costs, restitution, fine, or supervision fees that differs from the method set forth in division (B) of this section. If the court prescribes a method of assigning payments under this division, the court shall enter in the record of the case the method so prescribed. Upon the entry in the record of the case of the method of assigning payments prescribed pursuant to this division, if the offender makes any payment to a clerk of court for the costs, restitution, fine, or supervision fees, the clerk of the court shall assign the payment so made toward the satisfaction of the costs, restitution, fine, or supervision fees in the manner prescribed by the court and entered in the record of the case instead of in the manner set forth in division (B) of this section.

Sec. 3924.53. (A) As used in this section:

(1) "Beneficiary" and "benefits contract" have the same meanings as in section 3901.38 of the Revised Code.

(2) "Confinement" means any period of time during which a person is in the custody or under the supervision of the department of rehabilitation and correction or is confined in a local jail, workhouse, or other correctional facility of the type described in section 307.93, 341.14, 341.19, 341.23, 753.02, 753.04, 753.16, 2301.56, or 2947.19 of the Revised Code.

(3) "Law enforcement officer" has the same meaning as in section 2901.01 of the Revised Code.

(B) Except as provided in division (C) of this section, no benefits contract shall limit or exclude coverage for the reason that the beneficiary is under confinement or is otherwise under the custody of a law enforcement officer, and a governmental entity is wholly or primarily responsible for rendering or arranging for the rendering of health care services for the beneficiary.

(C) A benefits contract may limit or exclude coverage for health care

vices rendered to such a beneficiary if the injury or sickness for which the services were rendered resulted from an action or omission for which the governmental entity operating the correctional facility, or the governmental entity with which the law enforcement officer is affiliated, is liable.

Sec. 5120.56. (A) As used in ~~this section~~ sections 5120.56 to 5120.58 of the Revised Code:

(1) "Ancillary services" means services provided to an offender as necessary for the particular circumstances of the offender's personal supervision, including, but not limited to, specialized counseling, testing, or other services not included in the calculation of residential or supervision costs.

(2) "Cost debt" means a cost of incarceration or supervision that may be assessed against and collected from an offender as a debt to the state as described in division (D) of this section.

(3) "Detention facility" means any place used for the confinement of a person charged with or convicted of any crime.

(4) "Offender" means any inmate, parolee, probationer, releasee, or other person who has been convicted of or pleaded guilty to any felony or misdemeanor and is sentenced to any of the following:

(a) A term of imprisonment, a prison term, or another type of confinement in a detention facility;

(b) Participation in another correctional program in lieu of incarceration.

(B) The department of rehabilitation and correction may recover from an offender who is in its custody or under its supervision any cost debt described in division (D) of this section. To satisfy a cost debt described in that division that relates to an offender, the department may apply directly assets that are in the department's possession and that are being held for that offender without further proceedings in aid of execution, and, if assets belonging to or subject to the direction of that offender are in the possession of a third party, the department may request the attorney general to initiate proceedings to collect the assets from the third party to satisfy the cost debt.

(C) Except as otherwise provided in division (E) or (G) of this section, all of the following assets of an offender shall be subject to attachment, collection, or application toward the cost debts described in division (D) of this section that are to be recovered under division (B) of this section:

(1) Subject to division (E) of this section, any pay the offender receives from the state;

(2) Subject to division (E) of this section, any funds the offender receives from persons on an approved visitor list;

(3) Any liquid assets belonging to the offender and in the custody of the

department of ~~rehabilitation and correction~~;

(4) Any assets the offender acquires or any other income the offender earns subsequent to the offender's commitment.

(D) Costs of incarceration or supervision that may be assessed against and collected from an offender under division (B) of this section as a debt to the state shall include, but are not limited to, all of the following costs that accrue while the offender is in the custody or under the supervision of the department of ~~rehabilitation and correction~~:

(1) Any user fee or copayment for services at a detention facility or housing facility, including, but not limited to, a fee or copayment for sick call visits;

(2) Assessment for damage to or destruction of property in a detention facility subsequent to commitment;

(3) Restitution to an offender or to a staff member of a state correctional institution for theft, loss, or damage to the personal property of the offender or staff member;

(4) The cost of housing and feeding the offender in a detention facility;

(5) The cost of supervision of the offender;

(6) The cost of any ancillary services provided to the offender;

(7) The cost of any medical care provided to the offender.

(E) The cost of housing and feeding an offender in a state correctional institution shall not be collected from a payment made to the offender for performing an activity at a state job or assignment that pays less than the minimum wage or from money the offender receives from visitors, unless the combined assets in the offender's institution personal account exceed, at any time, one hundred dollars. If the combined assets in that account exceed one hundred dollars, the cost of housing and feeding the offender may be collected from the amount in excess of one hundred dollars.

(F)(1) The department of ~~rehabilitation and correction~~ shall adopt rules pursuant to section 111.15 of the Revised Code to implement the requirements of this section.

(2) The rules adopted under division (F)(1) of this section shall include, but are not limited to, rules that establish or contain all of the following:

(a) A process for ascertaining the items of cost to be assessed against an offender;

(b) Subject to division (F)(3) of this section, a process by which the offender shall have the opportunity to respond to the assessment of costs under division (B) of this section and to contest any item of cost in the department's calculation or as it applies to the offender;

(c) A requirement that the offender be notified, in writing, of a final

decision to collect or apply the offender's assets under division (B) of this section and that the notification be provided after the offender has had an opportunity to contest the application or collection;

(d) Criteria for evaluating an offender's ongoing, permanent injury and evaluating the ability of that type of offender to provide for the offender after incarceration.

(3) The rules adopted under division (F)(1) of this section may allow the collection of a cost debt as a flat fee or over time in installments. If the cost debt is to be collected over time in installments, the rules are not required to permit the offender an opportunity to contest the assessment of each installment. The rules may establish a standard fee to apply to all offenders who receive a particular service.

(G) The department of ~~rehabilitation and correction~~ shall not collect cost debts or apply offender assets toward a cost debt under division (B) of this section if, due to an ongoing, permanent injury, the collection or application would unjustly limit the offender's ability to provide for the offender after incarceration.

(H) If an offender acquires assets after the offender is convicted of or pleads guilty to an offense and if the transferor knows of the offender's status as an offender, the transferor shall notify the department of ~~rehabilitation and correction~~ in advance of the transfer.

(I) There is hereby created in the state treasury the offender financial responsibility fund. All moneys collected by or on behalf of the department under this section, and all moneys currently in the department's custody that are applied to satisfy an allowable cost debt under this section, shall be deposited into the fund. The department of ~~rehabilitation and correction~~ may expend moneys in the fund for goods and services of the same type as those for which offenders are assessed pursuant to this section.

Sec. 5120.57. (A) For each offender who is in the custody or under the supervision of the department of rehabilitation and correction, the department may make a determination as to whether the offender is covered under an individual or group sickness and accident insurance policy or an individual or group health insuring corporation policy, contract, or agreement. If the offender has coverage of that type, the department shall familiarize itself with the terms and conditions to receive benefits under the policy, contract, or agreement.

(B) If, pursuant to division (A) of this section, it is determined that the offender is covered under an individual or group sickness and accident insurance policy or an individual or group health insuring corporation policy, contract, or agreement and if, while that coverage is in force, the

department renders or arranges for the rendering of health care services to the person in accordance with the terms and conditions of the policy, contract, or agreement, the department or provider of the health care services, as appropriate under the terms and conditions of the policy, contract, or agreement, may submit a claim for payment for the health care services to the appropriate third-party payer. If the policy holder is the offender, the offender shall be required to assign payment of benefits directly to the provider or department, as appropriate. If the policy holder is not the offender, the policy holder shall be asked to voluntarily provide policy information and assign payments directly to the provider or department, as appropriate. The department shall provide the third-party payer with a copy of the assignment of benefits by the policy holder. The policy holder and the third-party payer shall make all arrangements necessary to ensure that payment of any amount due on the claim is made to the provider or department as specified in the assignment. The department shall remain ultimately responsible for payment of all health care services provided to an offender in the custody or under the supervision of the department but shall be the payer of last resort. If the department pays a provider for health care services rendered to an offender and payment subsequently is made for the same services by a third-party payer, the provider shall refund the duplicate payment to the department and, the department shall deposit the refunded payment into the offender financial responsibility fund as described in division (E) of this section.

(C) If, pursuant to division (A) of this section, it is determined that the offender is covered under an individual or group sickness and accident insurance policy or an individual or group health insuring corporation policy, contract, or agreement, the department shall make a determination, after considering security, public safety, and transportation issues, whether or not to render or arrange for the rendering of health care services in accordance with the terms and conditions of the policy, contract, or agreement. The department, based on security, public safety, or transportation concerns or any combination of those concerns, may arrange for the rendering of health care services for the offender at a health care facility, by a provider, or at a health care facility and by a provider not covered by the policy, contract, or agreement and pay the costs of the health care services for the offender.

(D) If the department renders or arranges for the rendering of health care services to an offender and pays for the services, the department reserves the right to seek reimbursement from a third-party payer for the services if it subsequently is determined that the offender was covered under

an individual or group sickness and accident insurance policy or an individual or group health insuring corporation policy, contract, or agreement. The department shall submit a claim for reimbursement of the type described in this division within the time frames applicable to claims submitted by a policy holder in accordance with the terms and conditions of the policy, contract, or agreement.

(E) Any payment made to the department pursuant to division (B) of this section shall be deposited into the offender financial responsibility fund created in section 5120.56 of the Revised Code.

(F) If, at the time the department arranges for health care services for an offender and a provider renders those services, the department determines pursuant to division (A) of this section that the offender is covered, or potentially is covered, under an individual or group sickness and accident insurance policy or an individual or group health insuring corporation policy, contract, or agreement, then all of the following apply:

(1) The department is responsible for any cost-sharing, co-payments, or deductibles required under the policy, contract, or agreement.

(2) If the insurer or potential insurer denies the claim for payment, the department remains liable for payment to the provider of services.

(3) If an insurer covers a service, but the amount the insurer pays to the provider is less than the amount negotiated and established by contract then in effect between the department and the provider, the department is liable for reimbursing the difference to the provider.

(G) Nothing in this section requires a third-party payer to reimburse any provider or the department for health care services not covered under the terms or conditions of an individual or group sickness and accident insurance policy, an individual or group health insuring corporation policy, contract, or agreement, or any other policy, contract, or agreement.

Sec. 5120.58. The department of rehabilitation and correction shall adopt rules under section 111.15 of the Revised Code to do both of the following:

(A) Establish a schedule of health care benefits that are available to offenders who are in the custody or under the supervision of the department;

(B) Establish a program to encourage the utilization of preventive health care services by offenders.

SECTION 2. That existing sections 307.93, 341.14, 341.19, 341.21, 341.23, 341.26, 753.02, 753.04, 753.16, 2152.20, 2301.56, 2929.18, 2929.19, 2929.21, 2947.14, 2947.19, 2949.111, 3924.53, and 5120.56 and sections 341.06 and 2929.223 of the Revised Code are hereby repealed.

SECTION 3. (A) The Department of Rehabilitation and Correction shall examine the feasibility and desirability of purchasing insurance coverage to protect against unpredictable or catastrophic losses that may be incurred by the state in the provision of health care services to offenders who are in the custody or under the supervision of the Department. Not later than six months after the effective date of this act, the Department shall report its findings and any recommendations to the Speaker of the House of Representatives, the President of the Senate, and the chairs of the standing committees of the House of Representatives and the Senate that have primary jurisdiction over issues related to the Department.

(B) The Department of Rehabilitation and Correction shall develop specifications for a utilization review program under which the clinical necessity, appropriateness, efficacy, or efficiency of any outside health care service recommended for an offender may be evaluated by an external utilization review organization. The Department shall request proposals for the provision of services of that nature. The request for proposals shall adequately describe the specifications developed by the Department. Within six months after the effective date of this section, the Department shall report the responses to the request for proposals to the Speaker of the House of Representatives, the President of the Senate, and the chairs of the standing committees of the House of Representatives and the Senate that have primary jurisdiction over issues related to the Department. The Department is not required to enter into a contract for the provision of that nature unless money has been appropriated to the Department adequate to fund the provision of services of that nature.

SECTION 4. Section 2929.18 of the Revised Code is presented in this act as a composite of the section as amended by Am. H.B. 528, Am. Sub. S.B. 22, and Am. Sub. S.B. 107 of the 123rd General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.

Speaker _____ of the House of Representatives.

President _____ of the Senate.

Passed _____, 20____

Approved _____, 20____

Governor.

Sub. H. B. No. 170

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The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the
____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____