

**As Passed by the Senate**

**124th General Assembly**

**Regular Session**

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**Sub. H. B. No. 170**

**REPRESENTATIVES Schuring, Flowers, Schaffer, Willamowski, Seitz,  
Husted, Ogg, Cirelli, Webster, Barrett, Roman, Reidelbach, Niehaus,  
Lendrum, Carmichael, Hollister, Schmidt, Otterman, Cates, Schneider,  
Manning, Hartnett, Latell, Britton, Rhine, Buehrer, Carey, Grendell, Perry,  
Salerno, Widowfield  
SENATOR Oelslager**

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**A B I L L**

|   |    |
|---|----|
| To amend sections 307.93, 341.14, 341.19, 341.21,   | 1  |
| 341.23, 341.26, 753.02, 753.04, 753.16, 2152.20,    | 2  |
| 2301.56, 2929.18, 2929.19, 2929.21, 2947.14,        | 3  |
| 2947.19, 2949.111, 3924.53, and 5120.56, and to     | 4  |
| enact sections 2929.35, 2929.36, 2929.37, 2929.38,  | 5  |
| 5120.57, and 5120.58, and to repeal sections 341.06 | 6  |
| and 2929.223 of the Revised Code relative to health | 7  |
| care services provided to offenders who are in the  | 8  |
| custody or under the supervision of the Department  | 9  |
| of Rehabilitation and Correction, to the revision   | 10 |
| of the procedures by which costs related to a       | 11 |
| prisoner's confinement in a local detention         | 12 |
| facility are collected and the consolidation of the | 13 |
| provisions containing those procedures, and to the  | 14 |
| increase from \$30 to \$50 the daily fine credit    | 15 |
| given to an offender jailed for failure to pay a    | 16 |
| fine.   | 17 |

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 307.93, 341.14, 341.19, 341.21, 18  
341.23, 341.26, 753.02, 753.04, 753.16, 2152.20, 2301.56, 2929.18, 19  
2929.19, 2929.21, 2947.14, 2947.19, 2949.111, 3924.53, and 5120.56 20  
be amended and sections 2929.35, 2929.36, 2929.37, 2929.38, 21  
5120.57, and 5120.58 of the Revised Code be enacted to read as 22  
follows: 23

**Sec. 307.93.** (A) The boards of county commissioners of two or 24  
more adjacent counties may contract for the joint establishment of 25  
a multicounty correctional center, and the board of county 26  
commissioners of a county or the boards of two or more counties 27  
may contract with any municipal corporation or municipal 28  
corporations located in that county or those counties for the 29  
joint establishment of a municipal-county or multicounty-municipal 30  
correctional center. The center shall augment county and, where 31  
applicable, municipal jail programs and facilities by providing 32  
custody and rehabilitative programs for those persons under the 33  
charge of the sheriff of any of the contracting counties or of the 34  
officer or officers of the contracting municipal corporation or 35  
municipal corporations having charge of persons incarcerated in 36  
the municipal jail, workhouse, or other correctional facility who, 37  
in the opinion of the sentencing court, need programs of custody 38  
and rehabilitation not available at the county or municipal jail 39  
and by providing custody and rehabilitative programs in accordance 40  
with division (C) of this section, if applicable. The contract may 41  
include, but need not be limited to, provisions regarding the 42  
acquisition, construction, maintenance, repair, termination of 43  
operations, and administration of the center. The contract shall 44  
prescribe the manner of funding of, and debt assumption for, the 45  
center and the standards and procedures to be followed in the 46  
operation of the center. Except as provided in division (H) of 47  
this section, the contracting counties and municipal corporations 48

shall form a corrections commission to oversee the administration 49  
of the center. Members of the commission shall consist of the 50  
sheriff of each participating county, the president of the board 51  
of county commissioners of each participating county, the 52  
presiding judge of the court of common pleas of each participating 53  
county, or, if the court of common pleas of a participating county 54  
has only one judge, then that judge, the chief of police of each 55  
participating municipal corporation, the mayor or city manager of 56  
each participating municipal corporation, and the presiding judge 57  
or the sole judge of the municipal court of each participating 58  
municipal corporation. Any of the foregoing officers may appoint a 59  
designee to serve in the officer's place on the corrections 60  
commission. The standards and procedures shall be formulated and 61  
agreed to by the commission and may be amended at any time during 62  
the life of the contract by agreement of the parties to the 63  
contract upon the advice of the commission. The standards and 64  
procedures formulated by the commission shall include, but need 65  
not be limited to, designation of the person in charge of the 66  
center, the categories of employees to be employed at the center, 67  
the appointing authority of the center, and the standards of 68  
treatment and security to be maintained at the center. The person 69  
in charge of, and all persons employed to work at, the center 70  
shall have all the powers of police officers that are necessary 71  
for the proper performance of the duties relating to their 72  
positions at the center. 73

(B) Each board of county commissioners that enters a contract 74  
under division (A) of this section may appoint a building 75  
commission pursuant to section 153.21 of the Revised Code. If any 76  
commissions are appointed, they shall function jointly in the 77  
construction of a multicounty or multicounty-municipal 78  
correctional center with all the powers and duties authorized by 79  
law. 80

(C) Prior to the acceptance for custody and rehabilitation 81  
into a center established under this section of any persons who 82  
are designated by the department of rehabilitation and correction, 83  
who plead guilty to or are convicted of a felony of the fourth or 84  
fifth degree, and who satisfy the other requirements listed in 85  
section 5120.161 of the Revised Code, the corrections commission 86  
of a center established under this section shall enter into an 87  
agreement with the department of rehabilitation and correction 88  
under section 5120.161 of the Revised Code for the custody and 89  
rehabilitation in the center of persons who are designated by the 90  
department, who plead guilty to or are convicted of a felony of 91  
the fourth or fifth degree, and who satisfy the other requirements 92  
listed in that section, in exchange for a per diem fee per person. 93  
Persons incarcerated in the center pursuant to an agreement 94  
entered into under this division shall be subject to supervision 95  
and control in the manner described in section 5120.161 of the 96  
Revised Code. This division does not affect the authority of a 97  
court to directly sentence a person who is convicted of or pleads 98  
guilty to a felony to the center in accordance with section 99  
2929.16 of the Revised Code. 100

(D)(1) ~~Each Pursuant to section 2929.37 of the Revised Code,~~ 101  
each board of county commissioners and the legislative authority 102  
of each municipal corporation that enters into a contract under 103  
division (A) of this section may require a person who was 104  
convicted of an offense, who is under the charge of the sheriff of 105  
their county or of the officer or officers of the contracting 106  
municipal corporation or municipal corporations having charge of 107  
persons incarcerated in the municipal jail, workhouse, or other 108  
correctional facility, and who is confined in the multicounty, 109  
municipal-county, or multicounty-municipal correctional center as 110  
provided in that division, to reimburse the applicable county or 111  
municipal corporation for its expenses incurred by reason of the 112

person's confinement in the center. The expenses of confinement 113  
include, but are not limited to, the expenses relating to the 114  
provision of food, clothing, shelter, medical care, personal 115  
hygiene products, including, but not limited to, toothpaste, 116  
toothbrushes, and feminine hygiene items, and up to two hours of 117  
overtime costs the sheriff or municipal corporation incurred 118  
relating to the trial of the person. The amount of reimbursement 119  
may be the actual cost of the person's confinement plus the 120  
authorized trial overtime costs or a lesser amount determined by 121  
the board of county commissioners of the county or the legislative 122  
authority of the municipal corporation, provided that the lesser 123  
amount shall be determined by a formula that is uniformly applied 124  
to persons incarcerated in the center. The amount of reimbursement 125  
shall be determined by a court at a hearing held pursuant to 126  
section 2929.18 of the Revised Code if the person is confined for 127  
a felony or section 2929.223 of the Revised Code if the person is 128  
confined for a misdemeanor. The amount or amounts paid in 129  
reimbursement by a person confined for a misdemeanor or the amount 130  
recovered from a person confined for a misdemeanor by executing 131  
upon the judgment obtained pursuant to section 2929.223 of the 132  
Revised Code shall be paid into the treasury of the county or 133  
municipal corporation that incurred the expenses. If a person is 134  
confined for a felony and the court imposes a sanction under 135  
section 2929.18 of the Revised Code that requires the person to 136  
reimburse the costs of confinement, the prosecuting attorney of 137  
the county or the director of law of the municipal corporation 138  
shall bring an action to recover the expenses of the confinement 139  
in accordance with section 2929.18 of the Revised Code. 140

(2) Each board of county commissioners and the legislative 141  
authority of each municipal corporation that enters into a 142  
contract under division (A) of this section may adopt a resolution 143  
or ordinance specifying that a person who was convicted of a 144  
felony, who is under the charge of the sheriff of their county or 145

~~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~~

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~~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.

~~(I)~~(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 305  
accused offender in the center who refuses to be tested or treated 306  
for tuberculosis, HIV infection, hepatitis, including but not 307  
limited to hepatitis A, B, and C, or another contagious disease to 308  
be tested and treated involuntarily. 309

~~(J)~~(I) As used in this section, "multicounty-municipal" means 310  
more than one county and a municipal corporation, or more than one 311  
municipal corporation and a county, or more than one municipal 312  
corporation and more than one county. 313

**Sec. 341.14.** (A) The sheriff of an adjoining county shall not 314  
receive prisoners as provided by section 341.12 of the Revised 315  
Code unless there is deposited weekly with the sheriff an amount 316  
equal to the actual cost of keeping and feeding each prisoner so 317  
committed for the use of the jail of that county, and the same 318  
amount for a period of time less than one week. If a prisoner is 319  
discharged before the expiration of the term for which the 320  
prisoner was committed, the excess of the amount advanced shall be 321  
refunded. 322

(B)~~(1)~~ The Pursuant to section 2929.37 of the Revised Code, 323  
the board of county commissioners of the county that receives 324  
pursuant to section 341.12 of the Revised Code for confinement in 325  
its jail, a prisoner who was convicted of an offense, may require 326  
the prisoner to reimburse the county for its expenses incurred by 327  
reason of the prisoner's confinement, ~~including, but not limited~~ 328  
~~to, the expenses relating to the provision of food, clothing,~~ 329  
~~shelter, medical care, person hygiene products, including, but not~~ 330  
~~limited to, toothpaste, toothbrushes, and feminine hygiene items,~~ 331  
~~and up to two hours of overtime costs the sheriff or municipal~~ 332  
~~corporation incurred relating to the trial of the person. The~~ 333  
~~amount of reimbursement may be the actual cost of the prisoner's~~ 334  
~~confinement plus the authorized trial overtime costs or a lesser~~ 335  
~~amount determined by the board of county commissioners of the~~ 336

county, provided that the lesser amount shall be determined by a 337  
formula that is uniformly applied to persons incarcerated in the 338  
jail. The amount of reimbursement shall be determined by a court 339  
at a hearing held pursuant to section 2929.18 of the Revised Code 340  
if the prisoner is confined for a felony or section 2929.223 of 341  
the Revised Code if the prisoner is confined for a misdemeanor. 342  
The amount or amounts paid in reimbursement by a prisoner confined 343  
for a misdemeanor or the amount recovered from a prisoner confined 344  
for a misdemeanor by executing upon the judgment obtained pursuant 345  
to section 2929.223 of the Revised Code shall be paid into the 346  
county treasury. If a prisoner is confined for a felony and the 347  
court imposes a sanction under section 2929.18 of the Revised Code 348  
that requires the prisoner to reimburse the costs of confinement, 349  
the prosecuting attorney shall bring an action to recover the 350  
expenses of confinement in accordance with section 2929.18 of the 351  
Revised Code. 352

(2) The board of county commissioners of the county that 353  
receives, pursuant to section 341.12 of the Revised Code for 354  
confinement in its jail a prisoner who was convicted of a felony 355  
may adopt a resolution specifying that prisoners convicted of 356  
felonies are not required to reimburse the county for its expenses 357  
incurred by reason of the prisoner's confinement, including the 358  
expenses listed in division (B)(1) of this section. If the board 359  
adopts a resolution of that nature, the board shall provide a copy 360  
to the court of common pleas of the county, and the court that 361  
sentences a person convicted of a felony shall not impose a 362  
sanction under section 2929.18 of the Revised Code that requires 363  
the person to reimburse the costs of the confinement. 364

(C) Divisions (A) and (B) of section 341.06 of the Revised 365  
Code apply regarding a prisoner confined in a jail as described in 366  
division (B) of this section. Notwithstanding any contrary 367  
provision in this section or section 2929.18, 2929.21, 2929.36, or 368

2929.37 of the Revised Code, the board of county commissioners may 369  
establish a policy that complies with section 2929.38 of the 370  
Revised Code and that requires any prisoner who is not indigent 371  
and who is confined in the county's jail under this section to pay 372  
a reception fee, a fee for medical treatment or service requested 373  
by and provided to that prisoner, or the fee for a random drug 374  
test assessed under division (E) of section 341.26 of the Revised 375  
Code. 376

(D) If a county receives pursuant to section 341.12 of the 377  
Revised Code for confinement in its jail a person who has been 378  
convicted of or pleaded guilty to an offense and has been 379  
sentenced to a term in a jail or a person who has been arrested 380  
for an offense, who has been denied bail or has had bail set and 381  
has not been released on bail, and who is confined in jail pending 382  
trial, at the time of reception and at other times the sheriff or 383  
other person in charge of the operation of the jail determines to 384  
be appropriate, the sheriff or other person in charge of the 385  
operation of the jail may cause the convicted or accused offender 386  
to be examined and tested for tuberculosis, HIV infection, 387  
hepatitis, including but not limited to hepatitis A, B, and C, and 388  
other contagious diseases. The sheriff or other person in charge 389  
of the operation of the jail may cause a convicted or accused 390  
offender in the jail who refuses to be tested or treated for 391  
tuberculosis, HIV infection, hepatitis, including but not limited 392  
to hepatitis A, B, and C, or another contagious disease to be 393  
tested and treated involuntarily. 394

**Sec. 341.19.** (A)~~(1)~~ The Pursuant to section 2929.37 of the 395  
Revised Code, the board of county commissioners may require a 396  
person who was convicted of an offense and who is confined in the 397  
county jail to reimburse the county for its expenses incurred by 398  
reason of the person's confinement, ~~including, but not limited to,~~ 399  
~~the expenses relating to the provision of food, clothing, shelter,~~ 400

~~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 465  
prisoners until discharged. 466

The board of the county in which prisoners charged with or 467  
convicted of crime by the United States may be so committed may 468  
negotiate and conclude any contracts with the United States for 469  
the use of the jail as provided by this section and as the board 470  
sees fit. 471

A prisoner so committed shall be supported at the expense of 472  
the United States during the prisoner's confinement in the county 473  
jail. No greater compensation shall be charged by a sheriff for 474  
the subsistence of that type of prisoner than is provided by 475  
section 311.20 of the Revised Code to be charged for the 476  
subsistence of state prisoners. 477

A sheriff or jailer who neglects or refuses to perform the 478  
services and duties directed by the board by reason of this 479  
division, shall be liable to the same penalties, forfeitures, and 480  
actions as if the prisoner had been committed under the authority 481  
of this state. 482

(B) Prior to the acceptance for housing into the county jail 483  
of persons who are designated by the department of rehabilitation 484  
and correction, who plead guilty to or are convicted of a felony 485  
of the fourth or fifth degree, and who satisfy the other 486  
requirements listed in section 5120.161 of the Revised Code, the 487  
board of county commissioners shall enter into an agreement with 488  
the department of rehabilitation and correction under section 489  
5120.161 of the Revised Code for the housing in the county jail of 490  
persons designated by the department who plead guilty to or are 491  
convicted of a felony of the fourth or fifth degree and who 492  
satisfy the other requirements listed in that section in exchange 493  
for a per diem fee per person. Persons incarcerated in the county 494  
jail pursuant to an agreement entered into under this division 495  
shall be subject to supervision and control in the manner 496



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)(1) 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.~~

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~~(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.~~

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(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.

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**Sec. 341.23.** (A) The board of county commissioners of any

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county or the legislative authority of any municipal corporation 560  
in which there is no workhouse may agree with the legislative 561  
authority of any municipal corporation or other authority having 562  
control of the workhouse of any other city, or with the directors 563  
of any district of a joint city and county workhouse or county 564  
workhouse, upon terms on which persons convicted of a misdemeanor 565  
by any court or magistrate of a county or municipal corporation 566  
having no workhouse, may be received into that workhouse, under 567  
sentence of the court or magistrate. The board or legislative 568  
authority may pay the expenses incurred under the agreement out of 569  
the general fund of that county or municipal corporation, upon the 570  
certificate of the proper officer of the workhouse. 571

(B) The sheriff or other officer transporting any person to 572  
the workhouse described in division (A) of this section shall 573  
receive six cents per mile for the sheriff or officer, going and 574  
returning, five cents per mile for transporting the convict, and 575  
five cents per mile, going and coming, for the service of each 576  
deputy, to be allowed as in cases in which a person is transported 577  
to a state correctional institution. The number of miles shall be 578  
computed by the usual routes of travel and, in state cases, shall 579  
be paid out of the general fund of the county, on the allowance of 580  
the board, and for the violation of the ordinances of any 581  
municipal corporation, shall be paid by that municipal corporation 582  
on the order of its legislative authority. 583

(C)(1) ~~The Pursuant to section 2929.37 of the Revised Code,~~ 584  
the board of county commissioners, the directors of the district 585  
of a joint city and county workhouse or county workhouse, or the 586  
legislative authority of the municipal corporation may require a 587  
person who was convicted of an offense and who is confined in a 588  
workhouse as provided in division (A) of this section, to 589  
reimburse the county, district, or municipal corporation, as the 590  
case may be, for its expenses incurred by reason of the person's 591

~~confinement, including, but not limited to, the expenses relating~~ 592  
~~to the provision of food, clothing, shelter, medical care,~~ 593  
~~personal hygiene products, including, but not limited to,~~ 594  
~~toothpaste, toothbrushes, and feminine hygiene items, and up to~~ 595  
~~two hours of overtime costs the sheriff or municipal corporation~~ 596  
~~incurred relating to the trial of the person. The amount of~~ 597  
~~reimbursement may be the actual cost of the person's confinement~~ 598  
~~plus the authorized trial overtime costs or a lesser amount~~ 599  
~~determined by the board of county commissioners of the county, the~~ 600  
~~directors of the district of the joint city or county workhouse,~~ 601  
~~or the legislative authority of the municipal corporation,~~ 602  
~~provided that the lesser amount shall be determined by a formula~~ 603  
~~that is uniformly applied to persons incarcerated in the~~ 604  
~~workhouse. The amount of reimbursement shall be determined by a~~ 605  
~~court at a hearing held pursuant to section 2929.18 of the Revised~~ 606  
~~Code if the person is confined for a felony or section 2929.223 of~~ 607  
~~the Revised Code if the person is confined for a misdemeanor. The~~ 608  
~~amount or amounts paid in reimbursement by a person confined for a~~ 609  
~~misdemeanor or the amount recovered from a person confined for a~~ 610  
~~misdemeanor by executing upon the judgment obtained pursuant to~~ 611  
~~section 2929.223 of the Revised Code shall be paid into the~~ 612  
~~treasury of the county, district, or municipal corporation that~~ 613  
~~incurred the expenses. If a person is confined for a felony and~~ 614  
~~the court imposes a sanction under section 2929.18 of the Revised~~ 615  
~~Code that requires the person to reimburse the costs of~~ 616  
~~confinement, the prosecuting attorney or the municipal chief legal~~ 617  
~~officer shall bring an action to recover the expenses of~~ 618  
~~confinement, in accordance with section 2929.18 of the Revised~~ 619  
~~Code.~~ 620

~~(2) The board of county commissioners, the directors of the~~ 621  
~~district of a joint city and county workhouse or county workhouse,~~ 622  
~~or the legislative authority of the municipal corporation may~~ 623  
~~adopt a resolution or ordinance specifying that a person who is~~ 624

~~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, 753  
hepatitis, including but not limited to hepatitis A, B, and C, or 754  
another contagious disease to be tested and treated involuntarily. 755

**Sec. 341.26.** (A) As used in this section: 756

(1) "Random drug testing" has the same meaning as in section 757  
5120.63 of the Revised Code. 758

(2) "Prisoner" means a person confined in a jail or 759  
multicounty correctional center following a conviction of or plea 760  
of guilty to a criminal offense. 761

(B) The board of county commissioners of the county, with the 762  
consent of the sheriff of the county, or the boards of county 763  
commissioners of two or more adjacent counties that have jointly 764  
established a multicounty correctional center pursuant to section 765  
307.93 of the Revised Code, with the consent of the sheriffs of 766  
those adjacent counties, may enter into a contract with a 767  
laboratory or entity to perform blood or urine specimen 768  
collection, documentation, maintenance, transportation, 769  
preservation, storage, and analyses and other duties required in 770  
the performance of random drug testing of prisoners. The terms of 771  
any contract entered into under this division shall include a 772  
requirement that the laboratory or entity and its employees, the 773  
sheriff, deputy sheriffs, the corrections commission or the 774  
administrator of the multicounty correctional center specified in 775  
division (D) of this section, the employees of the jail and 776  
multicounty correctional center, and all other persons comply with 777  
the standards for the performance of random drug testing as 778  
specified in rules adopted under division (C) of this section. 779

(C) Prior to entering into a contract with a laboratory or 780  
entity under division (B) of this section, a board of county 781  
commissioners or, in the case of a multicounty correctional 782  
center, the boards of county commissioners of the counties that 783

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 815  
of any positive test result by a reliable analytical method; 816

(f) The analysis of an individual's blood or urine specimen 817  
by an employee of the laboratory or entity who is qualified by 818  
education, training, and experience to perform that analysis and 819  
whose regular duties include the analysis of blood or urine 820  
specimens to determine the presence of a drug of abuse and whether 821  
the individual who is the subject of the test ingested or was 822  
injected with a drug of abuse. 823

(3) Specify the frequency of performing random drug testing 824  
on prisoners in the jail or multicounty correctional center; 825

(4) Prescribe procedures for the automatic, random selection 826  
of prisoners in the jail or multicounty correctional center to 827  
submit to random drug testing under this section; 828

(5) Provide for reasonable safeguards for transmitting the 829  
results of the random drug testing of prisoners in the jail or 830  
multicounty correctional center from the contracting laboratory or 831  
entity to the sheriff, the corrections commission, or the 832  
administrator of the multicounty correctional center pursuant to 833  
division (E) of this section; 834

(6) Establish a reasonable fee to cover the costs associated 835  
with random drug testing and analysis performed by a contracting 836  
laboratory or entity under this section and establish procedures 837  
pursuant to division (E) of this section for the collection of 838  
those fees from the prisoners subjected to the drug tests. 839

(D) If a board of county commissioners enters into a contract 840  
pursuant to division (B) of this section, the sheriff of that 841  
county, pursuant to the terms of the contract and the rules 842  
adopted under division (C) of this section, shall facilitate the 843  
collection, documentation, maintenance, and transportation by the 844  
contracting laboratory or entity of the blood or urine specimens 845

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) ~~(1) 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 910  
confined in the county jail as provided in section 1905.35 of the 911  
Revised Code, to reimburse the municipal corporation for its 912  
expenses incurred by reason of the person's confinement, 913  
~~including, but not limited to, the expenses relating to the~~ 914  
~~provision of food, clothing, shelter, medical care, personal~~ 915  
~~hygiene products, including, but not limited to, toothpaste,~~ 916  
~~toothbrushes, and feminine hygiene items, and up to two hours of~~ 917  
~~overtime costs the sheriff or municipal corporation incurred~~ 918  
~~relating to the trial of the person. The amount of reimbursement~~ 919  
~~may be the actual cost of the prisoner's confinement plus the~~ 920  
~~authorized trial overtime costs or a lesser amount determined by~~ 921  
~~the legislative authority of the municipal corporation, provided~~ 922  
~~that the lesser amount shall be determined by a formula that is~~ 923  
~~uniformly applied to persons incarcerated in the prison, station~~ 924  
~~house, or county jail. The amount of reimbursement shall be~~ 925  
~~determined by a court at a hearing held pursuant to section~~ 926  
~~2929.18 of the Revised Code if the person is confined for a felony~~ 927  
~~or section 2929.223 of the Revised Code if the person is confined~~ 928  
~~for a misdemeanor. The amount or amounts paid in reimbursement by~~ 929  
~~a person confined for a misdemeanor or the amount recovered from a~~ 930  
~~person confined for a misdemeanor by executing upon the judgment~~ 931  
~~obtained pursuant to section 2929.223 of the Revised Code shall be~~ 932  
~~paid into the treasury of the municipal corporation. If a person~~ 933  
~~is confined for a felony and the court imposes a sanction under~~ 934  
~~section 2929.18 of the Revised Code that requires the person to~~ 935  
~~reimburse the costs of confinement, the village solicitor, city~~ 936  
~~director of law, or other chief legal officer shall bring an~~ 937  
~~action to recover the expenses of confinement in accordance with~~ 938  
~~section 2929.18 of the Revised Code.~~ 939

(2) ~~The legislative authority of the municipal corporation~~ 940  
~~may adopt an ordinance specifying that a person who is convicted~~ 941  
~~of a felony and who is confined in a prison or station house as~~ 942

~~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~~ 975  
~~legislative authority of the municipal corporation, based on the~~ 976  
~~ability of the person confined to the prison or station house to~~ 977  
~~pay and on consideration of any legal obligation of the person to~~ 978  
~~support a spouse, minor children, or other dependents and any~~ 979  
~~moral obligation to support dependents to whom the person is~~ 980  
~~providing or has in fact provided support.~~ 981

~~The reimbursement coordinator or another appointed person may~~ 982  
~~investigate the financial status of the confined person and obtain~~ 983  
~~information necessary to investigate that status, by means that~~ 984  
~~may include contacting employers and reviewing income tax records.~~ 985  
~~The coordinator may work with the confined person to create a~~ 986  
~~repayment plan to be implemented upon the person's release. At the~~ 987  
~~end of the person's incarceration, the person shall be presented~~ 988  
~~with a billing statement.~~ 989

~~The reimbursement coordinator or another appointed person may~~ 990  
~~collect, or the legislative authority of the municipal corporation~~ 991  
~~may enter into a contract with one or more public agencies or~~ 992  
~~private vendors to collect, any amounts remaining unpaid. Within~~ 993  
~~twelve months after the date of the confined person's release, the~~ 994  
~~city director of law, village solicitor, or other attorney for the~~ 995  
~~municipal corporation may file a civil action to seek~~ 996  
~~reimbursement from that person for any billing amount that remains~~ 997  
~~unpaid. The municipal corporation shall not enforce any judgment~~ 998  
~~obtained under this section by means of execution against the~~ 999  
~~person's homestead. For purposes of this section, "homestead" has~~ 1000  
~~the same meaning as in division (A) of section 323.151 of the~~ 1001  
~~Revised Code. Any reimbursement received under this section shall~~ 1002  
~~be credited to the general fund of the municipal corporation that~~ 1003  
~~bore the expense, to be used for general fund purposes.~~ 1004

~~(D)(1) Notwithstanding any contrary provision in this section~~ 1005  
~~or section 2929.18 or 2929.223, 2929.21, 2929.36, or 2929.37 of~~ 1006



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 1070  
township in the county, other than in a municipal corporation 1071  
having a workhouse, the legislative authority of the municipal 1072  
corporation or the board of township trustees shall transmit with 1073  
the mittimus a sum of money equal to not less than seventy cents 1074  
per day for the time of the commitment, to be placed in the hands 1075  
of the superintendent of a workhouse for the care and maintenance 1076  
of the prisoner. 1077

(B)(1) ~~The Pursuant to section 2929.37 of the Revised Code,~~ 1078  
~~the~~ legislative authority of the municipal corporation or the 1079  
board of township trustees may require a person who is convicted 1080  
of an offense and who is confined in a workhouse as provided in 1081  
division (A) of this section, to reimburse the municipal 1082  
corporation or the township, as the case may be, for its expenses 1083  
incurred by reason of the person's confinement, ~~including, but not~~ 1084  
~~limited to, the expenses relating to the provision of food,~~ 1085  
~~clothing, shelter, medical care, personal hygiene products,~~ 1086  
~~including, but not limited to, toothpaste, toothbrushes, and~~ 1087  
~~feminine hygiene items, and up to two hours of overtime costs the~~ 1088  
~~sheriff or municipal corporation incurred relating to the trial of~~ 1089  
~~the person. The amount of reimbursement may be the actual cost of~~ 1090  
~~the prisoner's confinement plus the authorized trial overtime~~ 1091  
~~costs or a lesser amount determined by the legislative authority~~ 1092  
~~of the municipal corporation or board of township trustees,~~ 1093  
~~provided that the lesser amount shall be determined by a formula~~ 1094  
~~that is uniformly applied to persons incarcerated in the~~ 1095  
~~workhouse. The amount of reimbursement shall be determined by a~~ 1096  
~~court at a hearing held pursuant to section 2929.18 of the Revised~~ 1097  
~~Code if the person is confined for a felony or section 2929.223 of~~ 1098  
~~the Revised Code if the person is confined for a misdemeanor. The~~ 1099  
~~amount or amounts paid in reimbursement by a person confined for a~~ 1100  
~~misdemeanor or the amount recovered from a person confined for a~~ 1101

~~misdemeanor by executing upon the judgment obtained pursuant to~~ 1102  
~~section 2929.223 of the Revised Code shall be paid into the~~ 1103  
~~treasury of the municipal corporation or township that incurred~~ 1104  
~~the expenses. If a person is confined for a felony and the court~~ 1105  
~~imposes a sanction under section 2929.18 of the Revised Code that~~ 1106  
~~requires the person to reimburse the costs of confinement, the~~ 1107  
~~city director of law, village solicitor, or other chief legal~~ 1108  
~~officer shall bring an action to recover the expenses of~~ 1109  
~~confinement in accordance with section 2929.18 of the Revised~~ 1110  
~~Code.~~ 1111

~~(2) The legislative authority of a municipal corporation or~~ 1112  
~~the board of township trustees may adopt an ordinance or~~ 1113  
~~resolution specifying that a person who is convicted of a felony~~ 1114  
~~and who is confined in a workhouse as provided in division (A) of~~ 1115  
~~this section is not required to reimburse the municipal~~ 1116  
~~corporation or the township, as the case may be, for its expenses~~ 1117  
~~incurred by reason of the person's confinement, including the~~ 1118  
~~expenses listed in division (B)(1) of this section. If the~~ 1119  
~~legislative authority or board adopts a resolution of that nature,~~ 1120  
~~the legislative authority or board shall provide a copy to the~~ 1121  
~~court of common pleas of the county, and the court that sentences~~ 1122  
~~a person convicted of a felony shall not impose a sanction under~~ 1123  
~~section 2929.18 of the Revised Code that requires the person to~~ 1124  
~~reimburse the costs of the confinement.~~ 1125

~~(C) In lieu of requiring offenders to reimburse the political~~ 1126  
~~subdivision for expenses incurred by reason of the person's~~ 1127  
~~confinement in a municipal workhouse under division (B) of this~~ 1128  
~~section or under division (C) of section 753.16 of the Revised~~ 1129  
~~Code, the legislative authority of the municipal corporation may~~ 1130  
~~adopt a prisoner reimbursement policy for the workhouse under this~~ 1131  
~~division. The legislative authority of the municipal corporation~~ 1132  
~~may appoint a reimbursement coordinator to administer the prisoner~~ 1133

~~reimbursement policy. A prisoner reimbursement policy adopted~~ 1134  
~~under this division is a policy that requires a person confined to~~ 1135  
~~the municipal workhouse to reimburse any expenses it incurs by~~ 1136  
~~reason of the person's confinement in the workhouse, which~~ 1137  
~~expenses may include, but are not limited to, the following:~~ 1138

~~(1) A per diem fee for room and board of not more than sixty~~ 1139  
~~dollars per day or the actual per diem cost, whichever is less,~~ 1140  
~~for the entire period of time the person is confined to the~~ 1141  
~~workhouse;~~ 1142

~~(2) Actual charges for medical and dental treatment, and the~~ 1143  
~~fee for a random drug test assessed under division (E) of section~~ 1144  
~~753.33 of the Revised Code;~~ 1145

~~(3) Reimbursement for municipal property damaged by the~~ 1146  
~~person while confined to the workhouse.~~ 1147

~~Rates charged shall be on a sliding scale determined by the~~ 1148  
~~legislative authority of the municipal corporation based on the~~ 1149  
~~ability of the person confined to the workhouse to pay and on~~ 1150  
~~consideration of any legal obligation of the person to support a~~ 1151  
~~spouse, minor children, or other dependents and any moral~~ 1152  
~~obligation to support dependents to whom the person is providing~~ 1153  
~~or has in fact provided support.~~ 1154

~~The reimbursement coordinator or another workhouse employee~~ 1155  
~~may investigate the financial status of the confined person and~~ 1156  
~~obtain information necessary to investigate that status, by means~~ 1157  
~~that may include contacting employers and reviewing income tax~~ 1158  
~~records. The coordinator may work with the confined person to~~ 1159  
~~create a repayment plan to be implemented upon the person's~~ 1160  
~~release. At the end of the person's incarceration, the person~~ 1161  
~~shall be presented with a billing statement.~~ 1162

~~The reimbursement coordinator or another workhouse employee~~ 1163  
~~may collect, or the legislative authority of the municipal~~ 1164

~~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  
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~~ 1197  
~~record in the workhouse's business office. If the person has no~~ 1198  
~~funds in the person's account, a deduction may be made at a later~~ 1199  
~~date during the person's confinement in the center if funds later~~ 1200  
~~become available in the person's account. If the person is~~ 1201  
~~released from the workhouse and has an unpaid balance of these~~ 1202  
~~fees, the legislative authority or board of township trustees may~~ 1203  
~~bill the person for payment of the remaining unpaid fees. Fees~~ 1204  
~~received for medical treatment or services shall be paid into the~~ 1205  
~~commissary fund, if one has been created for the workhouse, or if~~ 1206  
~~no such fund exists, into the treasury of the municipal~~ 1207  
~~corporation or township.~~ 1208

~~(2) If a person confined to a workhouse under division (A) of~~ 1209  
~~this section is required under division (B) of this section or~~ 1210  
~~section 2929.18 or 2929.223 of the Revised Code to reimburse~~ 1211  
~~medical expenses incurred by reason of the person's confinement to~~ 1212  
~~the workhouse, any fees paid by the person under division (D)(1)~~ 1213  
~~of this section shall be deducted from the expenses required to be~~ 1214  
~~reimbursed under division (B) of this section or section 2929.18~~ 1215  
~~or 2929.223 of the Revised Code.~~ 1216

~~(E)(D)~~ If a person who has been convicted of or pleaded 1217  
guilty to an offense is incarcerated in a workhouse or if a person 1218  
who has been arrested for an offense, and who has not been denied 1219  
bail or has had bail set and has not been released on bail is 1220  
confined in a workhouse pending trial, at the time of reception 1221  
and at other times the person in charge of the operation of the 1222  
workhouse determines to be appropriate, the person in charge of 1223  
the operation of the workhouse may cause the convicted or accused 1224  
offender to be examined and tested for tuberculosis, HIV 1225  
infection, hepatitis, including, but not limited to, hepatitis A, 1226  
B, and C, and other contagious diseases. The person in charge of 1227  
the operation of the workhouse may cause a convicted or accused 1228

offender in the workhouse who refuses to be tested or treated for 1229  
tuberculosis, HIV infection, hepatitis, including, but not limited 1230  
to, hepatitis A, B, and C, or another contagious disease to be 1231  
tested and treated involuntarily. 1232

**Sec. 753.16.** (A) Any city or district having a workhouse may 1233  
receive as inmates of the workhouse persons sentenced or committed 1234  
to it from counties other than the one in which the workhouse is 1235  
situated, upon the terms and during the length of time agreed upon 1236  
by the boards of county commissioners of those counties, or by the 1237  
legislative authority of a municipal corporation in those counties 1238  
and the legislative authority of the city, or the board of the 1239  
district workhouse, or other authority having the management and 1240  
control of the workhouse. Prisoners so received shall in all 1241  
respects be and remain under the control of that authority, and 1242  
shall be subject to the rules and discipline of the workhouse to 1243  
which the other prisoners detained in the workhouse are subject. 1244

(B) Prior to the acceptance for housing into a jail or 1246  
workhouse of persons who are designated by the department of 1247  
rehabilitation and correction, who plead guilty to or are 1248  
convicted of a felony of the fourth or fifth degree, and who 1249  
satisfy the other requirements listed in section 5120.161 of the 1250  
Revised Code, the legislative authority of a municipal corporation 1251  
having a jail or workhouse, or the joint board managing and 1252  
controlling a workhouse for the joint use of a municipal 1253  
corporation and a county shall enter into an agreement with the 1254  
department of rehabilitation and correction under section 5120.161 1255  
of the Revised Code for the housing in the jail or workhouse of 1256  
persons who are designated by the department, who plead guilty to 1257  
or are convicted of a felony of the fourth or fifth degree, and 1258  
who satisfy the other requirements listed in that section, in 1259  
exchange for a per diem fee per person. Persons incarcerated in 1260



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)(1) The 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 1293~~  
~~the amount recovered from a person confined for a misdemeanor by 1294~~  
~~executing upon the judgment obtained pursuant to section 2929.223 1295~~  
~~of the Revised Code shall be paid into the treasury of the county, 1296~~  
~~municipal corporation, or district that incurred the expenses. If 1297~~  
~~a person is confined for a felony and the court imposes a sanction 1298~~  
~~under section 2929.18 of the Revised Code that requires the person 1299~~  
~~to reimburse the costs of confinement, the prosecuting attorney or 1300~~  
~~municipal chief legal officer shall bring an action to recover the 1301~~  
~~expenses of confinement in accordance with section 2929.18 of the 1302~~  
~~Revised Code. 1303~~

~~(2) The board of county commissioners, the legislative 1304~~  
~~authority of the municipal corporation, or the board or other 1305~~  
~~managing authority of the district workhouse may adopt a 1306~~  
~~resolution or ordinance specifying that a person who is convicted 1307~~  
~~of a felony and who is confined in the workhouse as provided in 1308~~  
~~division (A) of this section is not required to reimburse the 1309~~  
~~county, municipal corporation, or district, as the case may be, 1310~~  
~~for its expenses incurred by reason of the person's confinement, 1311~~  
~~including the expenses listed in division (C)(1) of this section. 1312~~  
~~If the board, legislative authority, or managing authority adopts 1313~~  
~~a resolution of that nature, the board, legislative authority, or 1314~~  
~~managing authority shall provide a copy to the court of common 1315~~  
~~pleas of the county, and the court that sentences a person 1316~~  
~~convicted of a felony shall not impose a sanction under section 1317~~  
~~2929.18 of the Revised Code that requires the person to reimburse 1318~~  
~~the costs of the confinement. 1319~~

~~(D)(1) Notwithstanding any contrary provision in this section 1320~~  
~~or section 2929.223, 2929.21, 2929.36, or 2929.37 of the Revised 1321~~  
~~Code, the board of county commissioners, the legislative authority 1322~~  
~~of a municipal corporation, or the board or other managing 1323~~  
~~authority of the district workhouse may establish a policy that 1324~~

complies with section 2929.38 of the Revised Code and that 1325  
requires any person who is not indigent and who is confined in the 1326  
jail or workhouse under division (A) or (B) of this section to pay 1327  
a reasonable reception fee, a fee for any medical treatment or 1328  
service requested by and provided to that person, or to pay the 1329  
fee for a random drug test assessed under division (E) of section 1330  
753.33 of the Revised Code. The fee for the medical treatment or 1331  
service shall not exceed the actual cost of the treatment or 1332  
service provided. No person who is indigent shall be required to 1333  
pay those fees, and no person shall be denied any necessary 1334  
medical care because of inability to pay those fees. 1335

Upon provision of the requested medical treatment or service 1336  
or assessment of a fee for a random drug test, payment of the 1337  
required fee may be automatically deducted from a person's account 1338  
record in the jail or workhouse's business office. If the person 1339  
has no funds in the person's account, a deduction may be made at a 1340  
later date during the person's confinement in the jail or 1341  
workhouse if funds later become available in that person's 1342  
account. If the person is released from the jail or workhouse and 1343  
has an unpaid balance of these fees, the board of county 1344  
commissioners, the legislative authority of the municipal 1345  
corporation, or the board or other managing authority of the 1346  
district workhouse may bill the person for payment of the 1347  
remaining unpaid fees. Fees received for medical treatment or 1348  
services shall be paid into the commissary fund, if one has been 1349  
created for the workhouse, or if no such fund exists, into the 1350  
treasury of each applicable political subdivision. 1351

(2) If a person confined to a jail or workhouse is required 1352  
under division (C) of this section or section 2929.18 or 2929.223 1353  
of the Revised Code to reimburse medical expenses incurred by 1354  
reason of the person's confinement to the jail or workhouse, any 1355  
fees paid by the person under division (D)(1) of this section 1356

~~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;  | 1388 |
| (c) For an act that would be a misdemeanor of the third           | 1389 |
| degree if committed by an adult, a fine not to exceed one hundred | 1390 |
| fifty dollars;  | 1391 |
| (d) For an act that would be a misdemeanor of the second          | 1392 |
| degree if committed by an adult, a fine not to exceed two hundred | 1393 |
| dollars;  | 1394 |
| (e) For an act that would be a misdemeanor of the first           | 1395 |
| degree if committed by an adult, a fine not to exceed two hundred | 1396 |
| fifty dollars;  | 1397 |
| (f) For an act that would be a felony of the fifth degree or      | 1398 |
| an unclassified felony if committed by an adult, a fine not to    | 1399 |
| exceed three hundred dollars;                                     | 1400 |
| (g) For an act that would be a felony of the fourth degree if     | 1401 |
| committed by an adult, a fine not to exceed four hundred dollars; | 1402 |
|   | 1403 |
| (h) For an act that would be a felony of the third degree if      | 1404 |
| committed by an adult, a fine not to exceed seven hundred fifty   | 1405 |
| dollars;  | 1406 |
| (i) For an act that would be a felony of the second degree if     | 1407 |
| committed by an adult, a fine not to exceed one thousand dollars; | 1408 |
|   | 1409 |
| (j) For an act that would be a felony of the first degree if      | 1410 |
| committed by an adult, a fine not to exceed one thousand five     | 1411 |
| hundred dollars;  | 1412 |
| (k) For an act that would be aggravated murder or murder if       | 1413 |
| committed by an adult, a fine not to exceed two thousand dollars. | 1414 |
| (2) Require the child to pay costs;                               | 1415 |
| (3) Require the child to make restitution to the victim of        | 1416 |

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 1449  
victim against the delinquent child or the delinquent child's 1450  
parent, guardian, or other custodian. 1451

The court may order that the delinquent child pay a 1452  
surcharge, in an amount not exceeding five per cent of the amount 1453  
of restitution otherwise ordered under this division, to the 1454  
entity responsible for collecting and processing the restitution 1455  
payments. 1456

The victim or the survivor of the victim may request that the 1457  
prosecuting authority file a motion, or the delinquent child may 1458  
file a motion, for modification of the payment terms of any 1459  
restitution ordered under this division, based on a substantial 1460  
change in the delinquent child's ability to pay. 1461

(4) Require the child to reimburse any or all of the costs 1462  
incurred for services or sanctions provided or imposed, including, 1463  
but not limited to, the following: 1464

(a) All or part of the costs of implementing any community 1465  
control imposed as a disposition under section 2152.19 of the 1466  
Revised Code, including a supervision fee; 1467

(b) All or part of the costs of confinement in a residential 1468  
facility described in section 2152.19 of the Revised Code or in a 1469  
department of youth services institution, including, but not 1470  
limited to, a per diem fee for room and board, the costs of 1471  
medical and dental treatment provided, and the costs of repairing 1472  
property the delinquent child damaged while so confined. The 1473  
amount of reimbursement ordered for a child under this division 1474  
shall not exceed the total amount of reimbursement the child is 1475  
able to pay as determined at a hearing and shall not exceed the 1476  
actual cost of the confinement. The court may collect any 1477  
reimbursement ordered under this division. If the court does not 1478  
order reimbursement under this division, confinement costs may be 1479

assessed pursuant to a repayment policy adopted under section 1480  
2929.37 of the Revised Code and division (E)(D) of section 307.93, 1481  
division (A) of section ~~341.06~~ 341.19, division ~~(D)~~(C) of section 1482  
341.23 or 753.16, or division ~~(C)~~(B) of section 341.14, 753.02, 1483  
753.04, 2301.56, or 2947.19 of the Revised Code. 1484

(B)(1) If a child is adjudicated a delinquent child for 1485  
violating section 2923.32 of the Revised Code, the court shall 1486  
enter an order of criminal forfeiture against the child in 1487  
accordance with divisions (B)(3), (4), (5), and (6) and (C) to (F) 1488  
of section 2923.32 of the Revised Code. 1489

(2) Sections 2925.41 to 2925.45 of the Revised Code apply to 1490  
children who are adjudicated or could be adjudicated by a juvenile 1491  
court to be delinquent children for an act that, if committed by 1492  
an adult, would be a felony drug abuse offense. Subject to 1493  
division (B) of section 2925.42 and division (E) of section 1494  
2925.43 of the Revised Code, a delinquent child of that nature 1495  
loses any right to the possession of, and forfeits to the state 1496  
any right, title, and interest that the delinquent child may have 1497  
in, property as defined in section 2925.41 of the Revised Code and 1498  
further described in section 2925.42 or 2925.43 of the Revised 1499  
Code. 1500

(3) Sections 2923.44 to 2923.47 of the Revised Code apply to 1501  
children who are adjudicated or could be adjudicated by a juvenile 1502  
court to be delinquent children for an act in violation of section 1503  
2923.42 of the Revised Code. Subject to division (B) of section 1504  
2923.44 and division (E) of section 2923.45 of the Revised Code, a 1505  
delinquent child of that nature loses any right to the possession 1506  
of, and forfeits to the state any right, title, and interest that 1507  
the delinquent child may have in, property as defined in section 1508  
2923.41 of the Revised Code and further described in section 1509  
2923.44 or 2923.45 of the Revised Code. 1510

(C) The court may hold a hearing if necessary to determine 1511



whether a child is able to pay a sanction under this section. 1512

(D) If a child who is adjudicated a delinquent child is 1513  
indigent, the court shall consider imposing a term of community 1514  
service under division (A) of section 2152.19 of the Revised Code 1515  
in lieu of imposing a financial sanction under this section. If a 1516  
child who is adjudicated a delinquent child is not indigent, the 1517  
court may impose a term of community service under that division 1518  
in lieu of, or in addition to, imposing a financial sanction under 1519  
this section. The court may order community service for an act 1520  
that if committed by an adult would be a minor misdemeanor. 1521

If a child fails to pay a financial sanction imposed under 1522  
this section, the court may impose a term of community service in 1523  
lieu of the sanction. 1524

(E) The clerk of the court, or another person authorized by 1525  
law or by the court to collect a financial sanction imposed under 1526  
this section, may do any of the following: 1527

(1) Enter into contracts with one or more public agencies or 1528  
private vendors for the collection of the amounts due under the 1529  
financial sanction, which amounts may include interest from the 1530  
date of imposition of the financial sanction; 1531

(2) Permit payment of all, or any portion of, the financial 1532  
sanction in installments, by credit or debit card, by another type 1533  
of electronic transfer, or by any other reasonable method, within 1534  
any period of time, and on any terms that the court considers 1535  
just, except that the maximum time permitted for payment shall not 1536  
exceed five years. The clerk may pay any fee associated with 1537  
processing an electronic transfer out of public money and may 1538  
charge the fee to the delinquent child. 1539

(3) To defray administrative costs, charge a reasonable fee 1540  
to a child who elects a payment plan rather than a lump sum 1541  
payment of a financial sanction. 1542

**Sec. 2301.56.** (A) A judicial corrections board that proposes 1543  
or establishes one or more community-based correctional facilities 1544  
and programs or district community-based correctional facilities 1545  
and programs may apply to the division of parole and community 1546  
services for state financial assistance for the cost of 1547  
renovation, maintenance, and operation of any of the facilities 1548  
and programs. If the judicial corrections board has proposed or 1549  
established more than one facility and program and if it desires 1550  
state financial assistance for more than one of the facilities and 1551  
programs, the board shall submit a separate application for each 1552  
facility and program for which it desires the financial 1553  
assistance. 1554

An application for state financial assistance under this 1555  
section may be made when the judicial corrections board submits 1556  
for the approval of the section its proposal for the establishment 1557  
of the facility and program in question to the division of parole 1558  
and community services under division (B) of section 2301.51 of 1559  
the Revised Code, or at any time after the section has approved 1560  
the proposal. All applications for state financial assistance for 1561  
proposed or approved facilities and programs shall be made on 1562  
forms that are prescribed and furnished by the department of 1563  
rehabilitation and correction, and in accordance with section 1564  
5120.112 of the Revised Code. 1565

The judicial corrections board may submit a request for 1566  
funding of some or all of its community-based correctional 1567  
facilities and programs or district community-based correctional 1568  
facilities and programs to the board of county commissioners of 1569  
the county, if the judicial corrections board serves a 1570  
community-based correctional facility and program, or to the 1571  
boards of county commissioners of all of the member counties, if 1572  
the judicial corrections board serves a district community-based 1573  
correctional facility and program. The board or boards may 1574

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)(1) 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~~ 1607  
~~misdemeanor by executing upon the judgment obtained pursuant to~~ 1608  
~~section 2929.223 of the Revised Code shall be paid into the~~ 1609  
~~treasury of the county that incurred the expenses. If a person is~~ 1610  
~~confined for a felony and the court imposes a sanction under~~ 1611  
~~section 2929.18 of the Revised Code that requires the person to~~ 1612  
~~reimburse the costs of confinement, the prosecuting attorney shall~~ 1613  
~~bring an action to recover the expenses of confinement in~~ 1614  
~~accordance with section 2929.18 of the Revised Code.~~ 1615

~~(2) A board of county commissioners may adopt a resolution~~ 1616  
~~specifying that a person who is convicted of a felony and who is~~ 1617  
~~confined in a community-based correctional facility or district~~ 1618  
~~community-based correctional facility as provided in sections~~ 1619  
~~2301.51 to 2301.56 of the Revised Code is not required to~~ 1620  
~~reimburse the county for its expenses incurred by reason of the~~ 1621  
~~person's confinement, including the expenses listed in division~~ 1622  
~~(B)(1) of this section. If the board adopts a resolution of that~~ 1623  
~~nature, the board shall provide a copy to the court of common~~ 1624  
~~pleas of the county, and the court that sentences a person~~ 1625  
~~convicted of a felony shall not impose a sanction under section~~ 1626  
~~2929.18 of the Revised Code that requires the person to reimburse~~ 1627  
~~the costs of the confinement.~~ 1628

~~(C) In lieu of requiring offenders to reimburse the political~~ 1629  
~~subdivision for expenses incurred by reason of the person's~~ 1630  
~~confinement pursuant to division (B) of this section, the board or~~ 1631  
~~boards of county commissioners, acting jointly with the judicial~~ 1632  
~~corrections board, may adopt a prisoner reimbursement policy for~~ 1633  
~~the community-based correctional facility under this division to~~ 1634  
~~be administered under the direction of the director of the~~ 1635  
~~facility. The director may appoint a reimbursement coordinator to~~ 1636  
~~administer the facility's prisoner reimbursement policy. A~~ 1637  
~~prisoner reimbursement policy adopted under this division is a~~ 1638

~~policy that requires a person confined to the facility to~~ 1639  
~~reimburse the county or counties for any expenses it incurs by~~ 1640  
~~reason of the person's confinement in the facility, which expenses~~ 1641  
~~may include, but are not limited to, the following:~~ 1642

~~(1) A per diem fee for room and board of not more than sixty~~ 1643  
~~dollars per day or the actual per diem cost, whichever is less,~~ 1644  
~~for the entire period of time the person is confined to the~~ 1645  
~~facility;~~ 1646

~~(2) Actual charges for medical and dental treatment;~~ 1647

~~(3) Reimbursement for government property damaged by the~~ 1648  
~~person while confined to the facility.~~ 1649

~~Rates charged shall be on a sliding scale determined by the~~ 1650  
~~director with the approval of the judicial corrections board based~~ 1651  
~~on the ability of the person confined to the facility to pay and~~ 1652  
~~on consideration of any legal obligation of the person to support~~ 1653  
~~a spouse, minor children, or other dependents and any moral~~ 1654  
~~obligation to support dependents to whom the person is providing~~ 1655  
~~or has in fact provided support.~~ 1656

~~The reimbursement coordinator or another person designated by~~ 1657  
~~the director may investigate the financial status of the confined~~ 1658  
~~person and obtain information necessary to investigate that~~ 1659  
~~status, by means that may include contacting employers and~~ 1660  
~~reviewing income tax records. The coordinator may work with the~~ 1661  
~~confined person to create a repayment plan to be implemented upon~~ 1662  
~~the person's release. At the end of the person's incarceration,~~ 1663  
~~the person shall be presented with a billing statement signed by~~ 1664  
~~the director.~~ 1665

~~The reimbursement coordinator or another person designated by~~ 1666  
~~the director may collect, or the judicial corrections board may~~ 1667  
~~enter into a contract with one or more public agencies or private~~ 1668  
~~vendors to collect, any amounts remaining unpaid. Within twelve~~ 1669

~~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 1733  
section 2947.23 of the Revised Code, the court imposing a sentence 1734  
upon an offender for a felony may sentence the offender to any 1735  
financial sanction or combination of financial sanctions 1736  
authorized under this section or, in the circumstances specified 1737  
in section 2929.25 of the Revised Code, may impose upon the 1738  
offender a fine in accordance with that section. ~~If the offender~~ 1739  
~~is sentenced to a sanction of confinement pursuant to section~~ 1740  
~~2929.14 or 2929.16 of the Revised Code that is to be served in a~~ 1741  
~~facility operated by a board of county commissioners, a~~ 1742  
~~legislative authority of a municipal corporation, or another~~ 1743  
~~governmental entity, the court imposing sentence upon an offender~~ 1744  
~~for a felony shall comply with division (A)(4)(b) of this section~~ 1745  
~~in determining whether to sentence the offender to a financial~~ 1746  
~~sanction described in division (A)(4)(a) of this section.~~ 1747  
Financial sanctions that may be imposed pursuant to this section 1748  
include, but are not limited to, the following: 1749

(1) Restitution by the offender to the victim of the 1750  
offender's crime or any survivor of the victim, in an amount based 1751  
on the victim's economic loss. The court shall order that the 1752  
restitution be made to the adult probation department that serves 1753  
the county on behalf of the victim, to the clerk of courts, or to 1754  
another agency designated by the court, except that it may include 1755  
a requirement that reimbursement be made to third parties for 1756  
amounts paid to or on behalf of the victim or any survivor of the 1757  
victim for economic loss resulting from the offense. If 1758  
reimbursement to third parties is required, the reimbursement 1759  
shall be made to any governmental agency to repay any amounts paid 1760  
by the agency to or on behalf of the victim or any survivor of the 1761  
victim for economic loss resulting from the offense before any 1762  
reimbursement is made to any person other than a governmental 1763  
agency. If no governmental agency incurred expenses for economic 1764  
loss of the victim or any survivor of the victim resulting from 1765



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 1797  
thousand dollars; 1798

(e) For a felony of the fifth degree, not more than two 1799  
thousand five hundred dollars. 1800

(4)(a) ~~Subject to division (A)(4)(b) of this section,~~ 1801  
~~reimbursement~~ Reimbursement by the offender of any or all of the 1802  
costs of sanctions incurred by the government, including the 1803  
following: 1804

(i) All or part of the costs of implementing any community 1805  
control sanction; 1806

(ii) All or part of the costs of confinement under a sanction 1807  
imposed pursuant to section 2929.14 or 2929.16 of the Revised 1808  
Code, provided that the amount of reimbursement ordered under this 1809  
division shall not exceed the total amount of reimbursement the 1810  
offender is able to pay as determined at a hearing and shall not 1811  
exceed the actual cost of the confinement~~+~~. 1812

(b) If the offender is sentenced to a sanction of confinement 1813  
pursuant to section 2929.14 or 2929.16 of the Revised Code that is 1814  
to be served in a facility operated by a board of county 1815  
commissioners, a legislative authority of a municipal corporation, 1816  
or another local governmental entity, ~~one of the following~~ 1817  
~~applies:~~ 1818

~~(i) If~~ if, pursuant to section 307.93, 341.14, 341.19, 1819  
341.23, 753.02, 753.04, 753.16, 2301.56, or 2947.19 of the Revised 1820  
Code and section 2929.37 of the Revised Code, the board, 1821  
legislative authority, or other local governmental entity requires 1822  
prisoners convicted of an offense other than a minor misdemeanor 1823  
to reimburse the county, municipal corporation, or other entity 1824  
for its expenses incurred by reason of the prisoner's confinement, 1825  
and if the court ~~shall~~ does not impose a financial sanction under 1826  
division (A)(4)(a)(~~ii~~) of this section ~~that requires the offender~~ 1827

~~to reimburse the county, municipal corporation, or other local~~ 1828  
~~governmental entity for the cost of the, confinement costs may be~~ 1829  
~~assessed pursuant to section 2929.37 of the Revised Code. In~~ 1830  
~~addition, the offender may be required to pay the fees specified~~ 1831  
~~in section 2929.38 of the Revised Code in accordance with that~~ 1832  
~~section. In addition, the court may impose any other financial~~ 1833  
~~sanction under this section.~~ 1834

~~(ii) If, pursuant to any section identified in division~~ 1835  
~~(A)(4)(b)(i) of this section, the board, legislative authority, or~~ 1836  
~~other local governmental entity has adopted a resolution or~~ 1837  
~~ordinance specifying that prisoners convicted of felonies are not~~ 1838  
~~required to reimburse the county, municipal corporation, or other~~ 1839  
~~local governmental entity for its expenses incurred by reason of~~ 1840  
~~the prisoner's confinement, the court shall not impose a financial~~ 1841  
~~sanction under division (A)(4)(a) of this section that requires~~ 1842  
~~the offender to reimburse the county, municipal corporation, or~~ 1843  
~~other local governmental entity for the cost of the confinement,~~ 1844  
~~but the court may impose any other financial sanction under this~~ 1845  
~~section.~~ 1846

~~(iii) If neither division (A)(4)(b)(i) nor (A)(4)(b)(ii) of~~ 1847  
~~this section applies, the court may impose, but is not required to~~ 1848  
~~impose, any financial sanction under this section.~~ 1849

(c) Reimbursement by the offender for costs pursuant to 1850  
section 2929.28 of the Revised Code. 1851

(B)(1) For a first, second, or third degree felony violation 1852  
of any provision of Chapter 2925., 3719., or 4729. of the Revised 1853  
Code, the sentencing court shall impose upon the offender a 1854  
mandatory fine of at least one-half of, but not more than, the 1855  
maximum statutory fine amount authorized for the level of the 1856  
offense pursuant to division (A)(3) of this section. If an 1857  
offender alleges in an affidavit filed with the court prior to 1858  
sentencing that the offender is indigent and unable to pay the 1859

mandatory fine and if the court determines the offender is an 1860  
indigent person and is unable to pay the mandatory fine described 1861  
in this division, the court shall not impose the mandatory fine 1862  
upon the offender. 1863

(2) Any mandatory fine imposed upon an offender under 1864  
division (B)(1) of this section and any fine imposed upon an 1865  
offender under division (A)(2) or (3) of this section for any 1866  
fourth or fifth degree felony violation of any provision of 1867  
Chapter 2925., 3719., or 4729. of the Revised Code shall be paid 1868  
to law enforcement agencies pursuant to division (F) of section 1869  
2925.03 of the Revised Code. 1870

(3) For a fourth degree felony OMVI offense and for a third 1871  
degree felony OMVI offense, the sentencing court shall impose upon 1872  
the offender a mandatory fine in the amount specified in division 1873  
(A)(4) or (8) of section 4511.99 of the Revised Code. The 1874  
mandatory fine so imposed shall be disbursed as provided in 1875  
division (A)(4) or (8) of section 4511.99 of the Revised Code. 1876

(4) Notwithstanding any fine otherwise authorized or required 1877  
to be imposed under division (A)(2) or (3) or (B)(1) of this 1878  
section or section 2929.31 of the Revised Code for a violation of 1879  
section 2925.03 of the Revised Code, in addition to any penalty or 1880  
sanction imposed for that offense under section 2925.03 or 1881  
sections 2929.11 to 2929.18 of the Revised Code and in addition to 1882  
the forfeiture of property in connection with the offense as 1883  
prescribed in sections 2925.42 to 2925.45 of the Revised Code, the 1884  
court that sentences an offender for a violation of section 1885  
2925.03 of the Revised Code may impose upon the offender a fine in 1886  
addition to any fine imposed under division (A)(2) or (3) of this 1887  
section and in addition to any mandatory fine imposed under 1888  
division (B)(1) of this section. The fine imposed under division 1889  
(B)(4) of this section shall be used as provided in division (H) 1890  
of section 2925.03 of the Revised Code. A fine imposed under 1891

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 1924  
does not exceed the maximum statutory fine amount authorized for 1925  
the level of the offense under division (A)(3) of this section or 1926  
section 2929.31 of the Revised Code, the court may impose a fine 1927  
for the offense in addition to the mandatory fine and the fine 1928  
imposed under division (B)(4) of this section. The sum total of 1929  
the amounts of the mandatory fine, the fine imposed under division 1930  
(B)(4) of this section, and the additional fine imposed under 1931  
division (B)(6) of this section shall not exceed the maximum 1932  
statutory fine amount authorized for the level of the offense 1933  
under division (A)(3) of this section or section 2929.31 of the 1934  
Revised Code. The clerk of the court shall pay any fine that is 1935  
imposed under division (B)(6) of this section to the county, 1936  
township, municipal corporation, park district as created pursuant 1937  
to section 511.18 or 1545.04 of the Revised Code, or state law 1938  
enforcement agencies in this state that primarily were responsible 1939  
for or involved in making the arrest of, and in prosecuting, the 1940  
offender pursuant to division (F) of section 2925.03 of the 1941  
Revised Code. 1942

(7) If the sum total of the amount of a mandatory fine 1943  
imposed for a first, second, or third degree felony violation of 1944  
section 2925.03 of the Revised Code plus the amount of any fine 1945  
imposed under division (B)(4) of this section exceeds the maximum 1946  
statutory fine amount authorized for the level of the offense 1947  
under division (A)(3) of this section or section 2929.31 of the 1948  
Revised Code, the court shall not impose a fine under division 1949  
(B)(6) of this section. 1950

(C)(1) The offender shall pay reimbursements imposed upon the 1951  
offender pursuant to division (A)(4)(a) of this section to pay the 1952  
costs incurred by the department of rehabilitation and correction 1953  
in operating a prison or other facility used to confine offenders 1954  
pursuant to sanctions imposed under section 2929.14 or 2929.16 of 1955

the Revised Code to the treasurer of state. The treasurer of state 1956  
shall deposit the reimbursements in the confinement cost 1957  
reimbursement fund that is hereby created in the state treasury. 1958  
The department of rehabilitation and correction shall use the 1959  
amounts deposited in the fund to fund the operation of facilities 1960  
used to confine offenders pursuant to sections 2929.14 and 2929.16 1961  
of the Revised Code. 1962

(2) Except as provided in section 2951.021 of the Revised 1963  
Code, the offender shall pay reimbursements imposed upon the 1964  
offender pursuant to division (A)(4)(a) of this section to pay the 1965  
costs incurred by a county pursuant to any sanction imposed under 1966  
this section or section 2929.16 or 2929.17 of the Revised Code or 1967  
in operating a facility used to confine offenders pursuant to a 1968  
sanction imposed under section 2929.16 of the Revised Code to the 1969  
county treasurer. The county treasurer shall deposit the 1970  
reimbursements in the sanction cost reimbursement fund that each 1971  
board of county commissioners shall create in its county treasury. 1972  
The county shall use the amounts deposited in the fund to pay the 1973  
costs incurred by the county pursuant to any sanction imposed 1974  
under this section or section 2929.16 or 2929.17 of the Revised 1975  
Code or in operating a facility used to confine offenders pursuant 1976  
to a sanction imposed under section 2929.16 of the Revised Code. 1977

(3) Except as provided in section 2951.021 of the Revised 1978  
Code, the offender shall pay reimbursements imposed upon the 1979  
offender pursuant to division (A)(4)(a) of this section to pay the 1980  
costs incurred by a municipal corporation pursuant to any sanction 1981  
imposed under this section or section 2929.16 or 2929.17 of the 1982  
Revised Code or in operating a facility used to confine offenders 1983  
pursuant to a sanction imposed under section 2929.16 of the 1984  
Revised Code to the treasurer of the municipal corporation. The 1985  
treasurer shall deposit the reimbursements in a special fund that 1986  
shall be established in the treasury of each municipal 1987

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;   | 2020<br>2021   |
| (b) An execution against the person of the judgment debtor under Chapter 2331. of the Revised Code;   | 2022<br>2023   |
| (c) A proceeding in aid of execution under Chapter 2333. of the Revised Code, including:  | 2024<br>2025   |
| (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;  | 2026<br>2027<br>2028                                 |
| (ii) A proceeding for attachment of the person of the judgment debtor under section 2333.28 of the Revised Code;  | 2029<br>2030   |
| (iii) A creditor's suit under section 2333.01 of the Revised Code.  | 2031<br>2032   |
| (d) The attachment of the property of the judgment debtor under Chapter 2715. of the Revised Code;  | 2033<br>2034   |
| (e) The garnishment of the property of the judgment debtor under Chapter 2716. of the Revised Code.   | 2035<br>2036   |
| (2) Obtain an order for the assignment of wages of the judgment debtor under section 1321.33 of the Revised Code.   | 2037<br>2038   |
| (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.   | 2039<br>2040<br>2041<br>2042                         |
| (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 | 2043<br>2044<br>2045<br>2046<br>2047<br>2048<br>2049 |

amounts due from an offender pursuant to any financial sanction 2050  
imposed pursuant to this section or section 2929.25 of the Revised 2051  
Code, a court shall comply with sections 307.86 to 307.92 of the 2052  
Revised Code. 2053

(G) If a court that imposes a financial sanction under 2054  
division (A) or (B) of this section finds that an offender 2055  
satisfactorily has completed all other sanctions imposed upon the 2056  
offender and that all restitution that has been ordered has been 2057  
paid as ordered, the court may suspend any financial sanctions 2058  
imposed pursuant to this section or section 2929.25 of the Revised 2059  
Code that have not been paid. 2060

(H) No financial sanction imposed under this section or 2061  
section 2929.25 of the Revised Code shall preclude a victim from 2062  
bringing a civil action against the offender. 2063

**Sec. 2929.19.** (A)(1) The court shall hold a sentencing 2064  
hearing before imposing a sentence under this chapter upon an 2065  
offender who was convicted of or pleaded guilty to a felony and 2066  
before resentencing an offender who was convicted of or pleaded 2067  
guilty to a felony and whose case was remanded pursuant to section 2068  
2953.07 or 2953.08 of the Revised Code. At the hearing, the 2069  
offender, the prosecuting attorney, the victim or the victim's 2070  
representative in accordance with section 2930.14 of the Revised 2071  
Code, and, with the approval of the court, any other person may 2072  
present information relevant to the imposition of sentence in the 2073  
case. The court shall inform the offender of the verdict of the 2074  
jury or finding of the court and ask the offender whether the 2075  
offender has anything to say as to why sentence should not be 2076  
imposed upon the offender. 2077

(2) Except as otherwise provided in this division, before 2078  
imposing sentence on an offender who is being sentenced for a 2079  
sexually oriented offense that was committed on or after January 2080

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: 2144

(a) Impose a stated prison term; 2145

(b) Notify the offender that, as part of the sentence, the 2146  
parole board may extend the stated prison term for certain 2147  
violations of prison rules for up to one-half of the stated prison 2148  
term; 2149

(c) Notify the offender that the offender will be supervised 2150  
under section 2967.28 of the Revised Code after the offender 2151  
leaves prison if the offender is being sentenced for a felony of 2152  
the first degree or second degree, for a felony sex offense, or 2153  
for a felony of the third degree in the commission of which the 2154  
offender caused or threatened to cause physical harm to a person; 2155

(d) Notify the offender that the offender may be supervised 2156  
under section 2967.28 of the Revised Code after the offender 2157  
leaves prison if the offender is being sentenced for a felony of 2158  
the third, fourth, or fifth degree that is not subject to division 2159  
(B)(3)(c) of this section; 2160

(e) Notify the offender that, if a period of supervision is 2161  
imposed following the offender's release from prison, as described 2162  
in division (B)(3)(c) or (d) of this section, and if the offender 2163  
violates that supervision or a condition of post-release control 2164  
imposed under division (B) of section 2967.131 of the Revised 2165  
Code, the parole board may impose a prison term, as part of the 2166  
sentence, of up to one-half of the stated prison term originally 2167  
imposed upon the offender; 2168

(f) Require that the offender not ingest or be injected with 2169  
a drug of abuse and submit to random drug testing as provided in 2170  
section 341.26, 753.33, or 5120.63 of the Revised Code, whichever 2171  
is applicable to the offender who is serving a prison term, and 2172  
require that the results of the drug test administered under any 2173  
of those sections indicate that the offender did not ingest or was 2174

not injected with a drug of abuse. 2175

(4) If the offender is being sentenced for a sexually violent 2176  
offense that the offender committed on or after January 1, 1997, 2177  
and the offender also is convicted of or pleads guilty to a 2178  
sexually violent predator specification that was included in the 2179  
indictment, count in the indictment, or information charging the 2180  
sexually violent offense or if the offender is being sentenced for 2181  
a sexually oriented offense that the offender committed on or 2182  
after January 1, 1997, and the court imposing the sentence has 2183  
determined pursuant to division (B) of section 2950.09 of the 2184  
Revised Code that the offender is a sexual predator, the court 2185  
shall include in the offender's sentence a statement that the 2186  
offender has been adjudicated as being a sexual predator and shall 2187  
comply with the requirements of section 2950.03 of the Revised 2188  
Code. Additionally, in the circumstances described in division (G) 2189  
of section 2929.14 of the Revised Code, the court shall impose 2190  
sentence on the offender as described in that division. 2191

(5) If the sentencing court determines at the sentencing 2192  
hearing that a community control sanction should be imposed and 2193  
the court is not prohibited from imposing a community control 2194  
sanction, the court shall impose a community control sanction. The 2195  
court shall notify the offender that, if the conditions of the 2196  
sanction are violated, if the offender commits a violation of any 2197  
law, or if the offender leaves this state without the permission 2198  
of the court or the offender's probation officer, the court may 2199  
impose a longer time under the same sanction, may impose a more 2200  
restrictive sanction, or may impose a prison term on the offender 2201  
and shall indicate the specific prison term that may be imposed as 2202  
a sanction for the violation, as selected by the court from the 2203  
range of prison terms for the offense pursuant to section 2929.14 2204  
of the Revised Code. 2205

(6) Before imposing a financial sanction under section 2206

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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.

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(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:

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

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(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.

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(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.

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

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(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

2238 2929.18 of the Revised Code, and, in addition, may impose  
2239 additional sanctions as specified in sections 2929.15, 2929.16,  
2240 2929.17, and 2929.18 of the Revised Code. The court shall not  
2241 impose a prison term on the offender.

2242 (2) If the offender is being sentenced for a third or fourth  
2243 degree felony OMVI offense under division (G)(2) of section  
2244 2929.13 of the Revised Code, the court shall impose the mandatory  
2245 prison term in accordance with that division, shall impose a  
2246 mandatory fine in accordance with division (B)(3) of section  
2247 2929.18 of the Revised Code, and, in addition, may impose an  
2248 additional prison term as specified in section 2929.14 of the  
2249 Revised Code. The court shall not impose any community control  
2250 sanction on the offender.

2251 (D) The sentencing court, pursuant to division (K) of section  
2252 2929.14 of the Revised Code, may recommend placement of the  
2253 offender in a program of shock incarceration under section  
2254 5120.031 of the Revised Code or an intensive program prison under  
2255 section 5120.032 of the Revised Code, disapprove placement of the  
2256 offender in a program or prison of that nature, or make no  
2257 recommendation. If the court recommends or disapproves placement,  
2258 it shall make a finding that gives its reasons for its  
2259 recommendation or disapproval.

2260 **Sec. 2929.21.** (A) Except as provided in division (G) of this  
2261 section or in section 2929.23 of the Revised Code, whoever is  
2262 convicted of or pleads guilty to a misdemeanor other than a minor  
2263 misdemeanor shall be imprisoned for a definite term or fined, or  
2264 both, which term of imprisonment and fine shall be fixed by the  
2265 court as provided in this section.

2266 Whoever is convicted of or pleads guilty to committing,  
2267 attempting to commit, or complicity in committing a violation of  
2268 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~~ 2361  
~~date of this amendment~~ January 1, 1997, the judge shall include in 2362  
the sentence a summary of the offender's duty to register pursuant 2363  
to section 2950.04 of the Revised Code, the offender's duty to 2364  
provide notice of a change in residence address and register the 2365  
new residence address pursuant to section 2950.05 of the Revised 2366  
Code, the offender's duty to periodically verify the offender's 2367  
current residence address pursuant to section 2950.06 of the 2368  
Revised Code, and the duration of the duties. The judge shall 2369  
inform the offender, at the time of sentencing, of those duties 2370  
and of their duration and, if required under division (A)(2) of 2371  
section 2950.03 of the Revised Code, shall perform the duties 2372  
specified in that section. 2373

Sec. 2929.35. As used in sections 2929.35 to 2929.38 of the 2374  
Revised Code: 2375

(A) "Chief legal officer" includes a prosecuting attorney, 2376  
village solicitor, city director of law, and attorney for a 2377  
district of a joint city and county workhouse or county workhouse. 2378

(B) "Clerk of the appropriate court" or "appropriate court 2379  
clerk" means whichever of the following applies: 2380

(1) If the local detention facility in question is a 2381  
multicounty correctional center, multicounty-municipal 2382  
correctional center, district community-based correctional 2383  
facility, or district workhouse, the clerk of the court of common 2384  
pleas of the most populous county served by the local detention 2385  
facility; 2386

(2) If the local detention facility in question is a city 2387  
workhouse, the clerk of the municipal court for that city; 2388

(3) If neither (B)(1) nor (B)(2) of this section applies, the 2389  
clerk of the court of common pleas of the county in which the 2390

local detention facility in question is located.

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

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

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(E) "Local detention facility" means a multicounty  
correctional center, municipal-county correctional center,  
multicounty-municipal correctional 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.

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**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.

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(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,

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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.

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(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.

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

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(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.

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

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(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.

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(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:

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(1) Enter into contracts with one or more public agencies or  
private vendors for the collection of amounts due under the

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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 2705  
expense of the county. In the case of persons committed to the 2706  
city workhouse for the violation of a law of this state, whether 2707  
the commitment is from the court of common pleas, magistrate's 2708  
court, or other court, the cost of maintaining those persons 2709  
committed shall be paid out of the general fund of the county, on 2710  
the allowance of the board of county commissioners, provided that 2711  
all persons committed to the city workhouse for the violation of 2712  
ordinances of the city shall be maintained in that workhouse at 2713  
the sole cost of the city. 2714

(B)(1) ~~The Pursuant to section 2929.37 of the Revised Code,~~ 2715  
~~the~~ board of county commissioners or the legislative authority of 2716  
the city may require a person who was convicted of an offense and 2717  
who is confined in the city workhouse as provided in division (A) 2718  
of this section to reimburse the county or the city, as the case 2719  
may be, for its expenses incurred by reason of the person's 2720  
confinement, including, but not limited to, the expenses relating 2721  
to the provision of food, clothing, shelter, medical care, 2722  
personal hygiene products, including, but not limited to, 2723  
toothpaste, toothbrushes, and feminine hygiene items, and up to 2724  
two hours of overtime costs the sheriff or municipal corporation 2725  
incurred relating to the trial of the person. The amount of 2726  
reimbursement may be the actual cost of the prisoner's confinement 2727  
plus the authorized trial overtime costs or a lesser amount 2728  
determined by the board of county commissioners for the county or 2729  
the legislative authority of the city, provided that the lesser 2730  
amount shall be determined by a formula that is uniformly applied 2731  
to persons incarcerated in the workhouse. The court shall 2732  
determine the amount of reimbursement at a hearing held pursuant 2733  
to section 2929.18 of the Revised Code if the person is confined 2734  
for a felony or section 2929.223 of the Revised Code if the person 2735  
is confined for a misdemeanor. The amount or amounts paid in 2736  
reimbursement by a prisoner confined for a misdemeanor or the 2737

~~amount recovered from a prisoner confined for a misdemeanor by~~ 2738  
~~executing upon the judgment obtained pursuant to section 2929.223~~ 2739  
~~of the Revised Code shall be paid into the treasury of the county~~ 2740  
~~or city that incurred the expenses. If a person is convicted of or~~ 2741  
~~pleads guilty to a felony and the court imposes a sanction that~~ 2742  
~~requires the offender to serve a term in a city workhouse,~~ 2743  
~~sections 341.23, 753.02, 753.04, and 753.16 of the Revised Code~~ 2744  
~~govern the determination of whether the court may impose a~~ 2745  
~~sanction under section 2929.18 of the Revised Code that requires~~ 2746  
~~the offender to reimburse the expenses of confinement. If a person~~ 2747  
~~is confined for a felony and the court imposes a sanction under~~ 2748  
~~section 2929.18 of the Revised Code that requires the offender to~~ 2749  
~~reimburse the costs of confinement, the prosecuting attorney of~~ 2750  
~~the county or city director of law shall bring an action to~~ 2751  
~~recover the expenses of confinement in accordance with section~~ 2752  
~~2929.18 of the Revised Code.~~ 2753

~~(2) The board of county commissioners or the legislative~~ 2754  
~~authority of the city may adopt a resolution or ordinance~~ 2755  
~~specifying that a person who is convicted of a felony and who is~~ 2756  
~~confined in the city workhouse as provided in division (A) of this~~ 2757  
~~section is not required to reimburse the county or city, as the~~ 2758  
~~case may be, for its expenses incurred by reason of the person's~~ 2759  
~~confinement, including the expenses listed in division (B)(1) of~~ 2760  
~~this section. If the board or legislative authority adopts a~~ 2761  
~~resolution or ordinance of that nature, the court that sentences a~~ 2762  
~~person convicted of a felony shall not impose a sanction under~~ 2763  
~~section 2929.18 of the Revised Code that requires the person to~~ 2764  
~~reimburse the costs of the confinement.~~ 2765

~~(C) In lieu of requiring offenders to reimburse the county or~~ 2766  
~~the city for expenses incurred by reason of the person's~~ 2767  
~~confinement under division (A) of this section, the board of~~ 2768  
~~county commissioners or the legislative authority of the city may~~ 2769



~~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. 2896

(2) If the court ordered the offender to pay any restitution 2897  
and if all of the costs that the court ordered the offender to 2898  
pay, if any, have been paid, the remainder of the offender's 2899  
payment after any assignment required under division (B)(1) of 2900  
this section shall be assigned toward the satisfaction of the 2901  
restitution until the restitution has been entirely paid. 2902

(3) If the court ordered the offender to pay any fine and if 2903  
all of the costs and restitution that the court ordered the 2904  
offender to pay, if any, have been paid, the remainder of the 2905  
offender's payment after any assignments required under divisions 2906  
(B)(1) and (2) of this section shall be assigned toward the 2907  
satisfaction of the fine until the fine has been entirely paid. 2908

(4) If the court ordered the offender to pay any supervision 2909  
fees and if all of the costs, restitution, and fine that the court 2910  
ordered the offender to pay, if any, have been paid, the remainder 2911  
of the offender's payment after any assignments required under 2912  
divisions (B)(1), (2), and (3) of this section shall be assigned 2913  
toward the satisfaction of the supervision fees until the 2914  
supervision fees have been entirely paid. 2915

(C) If a person who is charged with a misdemeanor is 2916  
convicted of or pleads guilty to the offense and if the court 2917  
orders the offender to pay any combination of costs, restitution, 2918  
a fine, or supervision fees, the court, at the time it orders the 2919  
offender to pay the combination of costs, restitution, a fine, or 2920  
supervision fees, may prescribe a method of assigning payments 2921  
that the person makes toward the satisfaction of the costs, 2922  
restitution, fine, or supervision fees that differs from the 2923  
method set forth in division (B) of this section. If the court 2924  
prescribes a method of assigning payments under this division, the 2925  
court shall enter in the record of the case the method so 2926  
prescribed. Upon the entry in the record of the case of the method 2927

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 services 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 2958  
law enforcement officer is affiliated, is liable. 2959

**Sec. 5120.56.** (A) As used in ~~this section~~ sections 5120.56 to 2960  
5120.58 of the Revised Code: 2961

(1) "Ancillary services" means services provided to an 2962  
offender as necessary for the particular circumstances of the 2963  
offender's personal supervision, including, but not limited to, 2964  
specialized counseling, testing, or other services not included in 2965  
the calculation of residential or supervision costs. 2966

(2) "Cost debt" means a cost of incarceration or supervision 2967  
that may be assessed against and collected from an offender as a 2968  
debt to the state as described in division (D) of this section. 2969

(3) "Detention facility" means any place used for the 2970  
confinement of a person charged with or convicted of any crime. 2971

(4) "Offender" means any inmate, parolee, probationer, 2972  
releasee, or other person who has been convicted of or pleaded 2973  
guilty to any felony or misdemeanor and is sentenced to any of the 2974  
following: 2975

(a) A term of imprisonment, a prison term, or another type of 2976  
confinement in a detention facility; 2977

(b) Participation in another correctional program in lieu of 2978  
incarceration. 2979

(B) The department of rehabilitation and correction may 2980  
recover from an offender who is in its custody or under its 2981  
supervision any cost debt described in division (D) of this 2982  
section. To satisfy a cost debt described in that division that 2983  
relates to an offender, the department may apply directly assets 2984  
that are in the department's possession and that are being held 2985  
for that offender without further proceedings in aid of execution, 2986  
and, if assets belonging to or subject to the direction of that 2987

offender are in the possession of a third party, the department 2988  
may request the attorney general to initiate proceedings to 2989  
collect the assets from the third party to satisfy the cost debt. 2990

(C) Except as otherwise provided in division (E) or (G) of 2991  
this section, all of the following assets of an offender shall be 2992  
subject to attachment, collection, or application toward the cost 2993  
debts described in division (D) of this section that are to be 2994  
recovered under division (B) of this section: 2995

(1) Subject to division (E) of this section, any pay the 2996  
offender receives from the state; 2997

(2) Subject to division (E) of this section, any funds the 2998  
offender receives from persons on an approved visitor list; 2999

(3) Any liquid assets belonging to the offender and in the 3000  
custody of the department ~~of rehabilitation and correction~~; 3001

(4) Any assets the offender acquires or any other income the 3002  
offender earns subsequent to the offender's commitment. 3003

(D) Costs of incarceration or supervision that may be 3004  
assessed against and collected from an offender under division (B) 3005  
of this section as a debt to the state shall include, but are not 3006  
limited to, all of the following costs that accrue while the 3007  
offender is in the custody or under the supervision of the 3008  
department ~~of rehabilitation and correction~~: 3009

(1) Any user fee or copayment for services at a detention 3010  
facility or housing facility, including, but not limited to, a fee 3011  
or copayment for sick call visits; 3012

(2) Assessment for damage to or destruction of property in a 3013  
detention facility subsequent to commitment; 3014

(3) Restitution to an offender or to a staff member of a 3015  
state correctional institution for theft, loss, or damage to the 3016  
personal property of the offender or staff member; 3017



(4) The cost of housing and feeding the offender in a 3018  
detention facility; 3019

(5) The cost of supervision of the offender; 3020

(6) The cost of any ancillary services provided to the 3021  
offender; 3022

(7) The cost of any medical care provided to the offender. 3023

(E) The cost of housing and feeding an offender in a state 3024  
correctional institution shall not be collected from a payment 3025  
made to the offender for performing an activity at a state job or 3026  
assignment that pays less than the minimum wage or from money the 3027  
offender receives from visitors, unless the combined assets in the 3028  
offender's institution personal account exceed, at any time, one 3029  
hundred dollars. If the combined assets in that account exceed one 3030  
hundred dollars, the cost of housing and feeding the offender may 3031  
be collected from the amount in excess of one hundred dollars. 3032

(F)(1) ~~The department of rehabilitation and correction~~ shall 3033  
adopt rules pursuant to section 111.15 of the Revised Code to 3034  
implement the requirements of this section. 3035

(2) The rules adopted under division (F)(1) of this section 3036  
shall include, but are not limited to, rules that establish or 3037  
contain all of the following: 3038

(a) A process for ascertaining the items of cost to be 3039  
assessed against an offender; 3040

(b) Subject to division (F)(3) of this section, a process by 3041  
which the offender shall have the opportunity to respond to the 3042  
assessment of costs under division (B) of this section and to 3043  
contest any item of cost in the department's calculation or as it 3044  
applies to the offender; 3045

(c) A requirement that the offender be notified, in writing, 3046  
of a final decision to collect or apply the offender's assets 3047

under division (B) of this section and that the notification be 3048  
provided after the offender has had an opportunity to contest the 3049  
application or collection; 3050

(d) Criteria for evaluating an offender's ongoing, permanent 3051  
injury and evaluating the ability of that type of offender to 3052  
provide for the offender after incarceration. 3053

(3) The rules adopted under division (F)(1) of this section 3054  
may allow the collection of a cost debt as a flat fee or over time 3055  
in installments. If the cost debt is to be collected over time in 3056  
installments, the rules are not required to permit the offender an 3057  
opportunity to contest the assessment of each installment. The 3058  
rules may establish a standard fee to apply to all offenders who 3059  
receive a particular service. 3060

(G) The department ~~of rehabilitation and correction~~ shall not 3061  
collect cost debts or apply offender assets toward a cost debt 3062  
under division (B) of this section if, due to an ongoing, 3063  
permanent injury, the collection or application would unjustly 3064  
limit the offender's ability to provide for the offender after 3065  
incarceration. 3066

(H) If an offender acquires assets after the offender is 3067  
convicted of or pleads guilty to an offense and if the transferor 3068  
knows of the offender's status as an offender, the transferor 3069  
shall notify the department ~~of rehabilitation and correction~~ in 3070  
advance of the transfer. 3071

(I) There is hereby created in the state treasury the 3072  
offender financial responsibility fund. All moneys collected by or 3073  
on behalf of the department under this section, and all moneys 3074  
currently in the department's custody that are applied to satisfy 3075  
an allowable cost debt under this section, shall be deposited into 3076  
the fund. The department ~~of rehabilitation and correction~~ may 3077  
expend moneys in the fund for goods and services of the same type 3078

as those for which offenders are assessed pursuant to this 3079  
section. 3080

Sec. 5120.57. (A) For each offender who is in the custody or 3081  
under the supervision of the department of rehabilitation and 3082  
correction, the department may make a determination as to whether 3083  
the offender is covered under an individual or group sickness and 3084  
accident insurance policy or an individual or group health 3085  
insuring corporation policy, contract, or agreement. If the 3086  
offender has coverage of that type, the department shall 3087  
familiarize itself with the terms and conditions to receive 3088  
benefits under the policy, contract, or agreement. 3089

(B) If, pursuant to division (A) of this section, it is 3090  
determined that the offender is covered under an individual or 3091  
group sickness and accident insurance policy or an individual or 3092  
group health insuring corporation policy, contract, or agreement 3093  
and if, while that coverage is in force, the department renders or 3094  
arranges for the rendering of health care services to the person 3095  
in accordance with the terms and conditions of the policy, 3096  
contract, or agreement, the department or provider of the health 3097  
care services, as appropriate under the terms and conditions of 3098  
the policy, contract, or agreement, may submit a claim for payment 3099  
for the health care services to the appropriate third-party payer. 3100  
If the policy holder is the offender, the offender shall be 3101  
required to assign payment of benefits directly to the provider or 3102  
department, as appropriate. If the policy holder is not the 3103  
offender, the policy holder shall be asked to voluntarily provide 3104  
policy information and assign payments directly to the provider or 3105  
department, as appropriate. The department shall provide the 3106  
third-party payer with a copy of the assignment of benefits by the 3107  
policy holder. The policy holder and the third-party payer shall 3108  
make all arrangements necessary to ensure that payment of any 3109  
amount due on the claim is made to the provider or department as 3110

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 3143  
described in this division within the time frames applicable to 3144  
claims submitted by a policy holder in accordance with the terms 3145  
and conditions of the policy, contract, or agreement. 3146

(E) Any payment made to the department pursuant to division 3147  
(B) of this section shall be deposited into the offender financial 3148  
responsibility fund created in section 5120.56 of the Revised 3149  
Code. 3150

(F) If, at the time the department arranges for health care 3151  
services for an offender and a provider renders those services, 3152  
the department determines pursuant to division (A) of this section 3153  
that the offender is covered, or potentially is covered, under an 3154  
individual or group sickness and accident insurance policy or an 3155  
individual or group health insuring corporation policy, contract, 3156  
or agreement, then all of the following apply: 3157

(1) The department is responsible for any cost-sharing, 3158  
co-payments, or deductibles required under the policy, contract, 3159  
or agreement. 3160

(2) If the insurer or potential insurer denies the claim for 3161  
payment, the department remains liable for payment to the provider 3162  
of services. 3163

(3) If an insurer covers a service, but the amount the 3164  
insurer pays to the provider is less than the amount negotiated 3165  
and established by contract then in effect between the department 3166  
and the provider, the department is liable for reimbursing the 3167  
difference to the provider. 3168

(G) Nothing in this section requires a third-party payer to 3169  
reimburse any provider or the department for health care services 3170  
not covered under the terms or conditions of an individual or 3171  
group sickness and accident insurance policy, an individual or 3172  
group health insuring corporation policy, contract, or agreement, 3173

or any other policy, contract, or agreement. 3174

Sec. 5120.58. The department of rehabilitation and correction 3175  
shall adopt rules under section 111.15 of the Revised Code to do 3176  
both of the following: 3177

(A) Establish a schedule of health care benefits that are 3178  
available to offenders who are in the custody or under the 3179  
supervision of the department; 3180

(B) Establish a program to encourage the utilization of 3181  
preventive health care services by offenders. 3182

**Section 2.** That existing sections 307.93, 341.14, 341.19, 3183  
341.21, 341.23, 341.26, 753.02, 753.04, 753.16, 2152.20, 2301.56, 3184  
2929.18, 2929.19, 2929.21, 2947.14, 2947.19, 2949.111, 3924.53, 3185  
and 5120.56 and sections 341.06 and 2929.223 of the Revised Code 3186  
are hereby repealed. 3187

**Section 3.** (A) The Department of Rehabilitation and 3188  
Correction shall examine the feasibility and desirability of 3189  
purchasing insurance coverage to protect against unpredictable or 3190  
catastrophic losses that may be incurred by the state in the 3191  
provision of health care services to offenders who are in the 3192  
custody or under the supervision of the Department. Not later than 3193  
six months after the effective date of this act, the Department 3194  
shall report its findings and any recommendations to the Speaker 3195  
of the House of Representatives, the President of the Senate, and 3196  
the chairs of the standing committees of the House of 3197  
Representatives and the Senate that have primary jurisdiction over 3198  
issues related to the Department. 3199

(B) The Department of Rehabilitation and Correction shall 3200  
develop specifications for a utilization review program under 3201  
which the clinical necessity, appropriateness, efficacy, or 3202

efficiency of any outside health care service recommended for an 3203  
offender may be evaluated by an external utilization review 3204  
organization. The Department shall request proposals for the 3205  
provision of services of that nature. The request for proposals 3206  
shall adequately describe the specifications developed by the 3207  
Department. Within six months after the effective date of this 3208  
section, the Department shall report the responses to the request 3209  
for proposals to the Speaker of the House of Representatives, the 3210  
President of the Senate, and the chairs of the standing committees 3211  
of the House of Representatives and the Senate that have primary 3212  
jurisdiction over issues related to the Department. The Department 3213  
is not required to enter into a contract for the provision of that 3214  
nature unless money has been appropriated to the Department 3215  
adequate to fund the provision of services of that nature. 3216  
3217

**Section 4.** Section 2929.18 of the Revised Code is presented 3218  
in this act as a composite of the section as amended by Am. H.B. 3219  
528, Am. Sub. S.B. 22, and Am. Sub. S.B. 107 of the 123rd General 3220  
Assembly. The General Assembly, applying the principle stated in 3221  
division (B) of section 1.52 of the Revised Code that amendments 3222  
are to be harmonized if reasonably capable of simultaneous 3223  
operation, finds that the composite is the resulting version of 3224  
the section in effect prior to the effective date of the section 3225  
as presented in this act. 3226