

As Reported by the Senate Judiciary--Criminal Justice Committee

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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**

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

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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

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(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

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~~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~~

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~~of an officer of one of the contracting municipal corporations~~ 146
~~having charge of persons incarcerated in the municipal jail,~~ 147
~~workhouse, or other facility, and who is confined in the~~ 148
~~multicounty, municipal county, or multicounty municipal~~ 149
~~correctional center as provided in that division is not required~~ 150
~~to reimburse the applicable county or municipal corporation for~~ 151
~~its expenses incurred by reason of the person's confinement in the~~ 152
~~center, including the expenses listed in division (D)(1) of this~~ 153
~~section. If the boards and legislative authorities adopt a~~ 154
~~resolution or ordinance of that nature, the boards and legislative~~ 155
~~authorities shall provide a copy to the courts of common pleas of~~ 156
~~their counties, and the court that sentences a person convicted of~~ 157
~~a felony shall not impose a sanction under section 2929.18 of the~~ 158
~~Revised Code that requires the person to reimburse the costs of~~ 159
~~the confinement.~~ 160

~~(E) In lieu of requiring offenders to reimburse the county~~ 161
~~for expenses incurred by reason of the person's confinement under~~ 162
~~division (D) of this section, each board of county commissioners~~ 163
~~and the legislative authority of each municipal corporation that~~ 164
~~enters into a contract under division (A) of this section may~~ 165
~~jointly adopt a prisoner reimbursement policy for the center~~ 166
~~pursuant to this section to be administered by the person~~ 167
~~appointed under division (A) of this section to be in charge of~~ 168
~~the center. The person in charge may appoint a reimbursement~~ 169
~~coordinator to administer the center's prisoner reimbursement~~ 170
~~policy. A prisoner reimbursement policy adopted under this~~ 171
~~division is a policy that requires a person confined to the center~~ 172
~~to reimburse the applicable political subdivisions for any~~ 173
~~expenses incurred by reason of the person's confinement in the~~ 174
~~center, which expenses may include, but are not limited to, the~~ 175
~~following:~~ 176

~~(1) A per diem fee for room and board of not more than sixty~~ 177

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,~~

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~~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

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shall be considered profits. All profits from the commissary fund 273
shall be used to purchase supplies and equipment for the benefit 274
of persons incarcerated in the center. The corrections commission 275
shall adopt rules and regulations for the operation of any 276
commissary fund it establishes. 277

~~(H)~~(G) In lieu of forming a corrections commission to 278
administer a multicounty correctional center or a municipal-county 279
or multicounty-municipal correctional center, the boards of county 280
commissioners and the legislative authorities of the municipal 281
corporations contracting to establish the center may also agree to 282
contract for the private operation and management of the center as 283
provided in section 9.06 of the Revised Code, but only if the 284
center houses only misdemeanor inmates. In order to enter into a 285
contract under section 9.06 of the Revised Code, all the boards 286
and legislative authorities establishing the center shall approve 287
and be parties to the contract. 288

~~(I)~~(H) If a person who is convicted of or pleads guilty to an 289
offense is sentenced to a term in a multicounty correctional 290
center or a municipal-county or multicounty-municipal correctional 291
center or is incarcerated in the center in the manner described in 292
division (C) of this section, or if a person who is arrested for 293
an offense, and who has been denied bail or has had bail set and 294
has not been released on bail is confined in a multicounty 295
correctional center or a municipal-county or multicounty-municipal 296
correctional center pending trial, at the time of reception and at 297
other times the officer, officers, or other person in charge of 298
the operation of the center determines to be appropriate, the 299
officer, officers, or other person in charge of the operation of 300
the center may cause the convicted or accused offender to be 301
examined and tested for tuberculosis, HIV infection, hepatitis, 302
including but not limited to hepatitis A, B, and C, and other 303
contagious diseases. The officer, officers, or other person in 304

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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

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

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

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

2929.37 of the Revised Code, the board of county commissioners may 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

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~~medical care, personal hygiene products, including, but not 401
limited to, toothpaste, toothbrushes, and feminine hygiene items, 402
and up to two hours of overtime costs the sheriff or municipal 403
corporation incurred relating to the trial of the person. The 404
amount of reimbursement may be the actual cost of the prisoner's 405
confinement plus the authorized trial overtime costs or a lesser 406
amount determined by the board of county commissioners of the 407
county, provided that the lesser amount shall be determined by a 408
formula that is uniformly applied to persons incarcerated in the 409
jail. The amount of reimbursement shall be determined by a court 410
at a hearing held pursuant to section 2929.18 of the Revised Code 411
if the person is confined for a felony or section 2929.223 of the 412
Revised Code if the person is confined for a misdemeanor. The 413
amount or amounts paid in reimbursement by a person confined for a 414
misdemeanor or the amount recovered from a person confined for a 415
misdemeanor by executing upon the judgment obtained pursuant to 416
section 2929.223 of the Revised Code shall be paid into the county 417
treasury. If a person is confined for a felony and the court 418
imposes a sanction under section 2929.18 of the Revised Code that 419
requires the person to reimburse the costs of confinement, the 420
prosecuting attorney shall bring an action to recover the expenses 421
of confinement in accordance with section 2929.18 of the Revised 422
Code. 423~~

~~(2) The board of county commissioners may adopt a resolution 424
specifying that a person who is convicted of a felony and who is 425
confined in the county jail is not required to reimburse the 426
county for its expenses incurred by reason of the person's 427
confinement, including the expenses listed in division (A)(1) of 428
this section. If the board adopts a resolution of that nature, the 429
board shall provide a copy to the court of common pleas of the 430
county, and the court that sentences a person convicted of a 431
felony shall not impose a sanction under section 2929.18 of the 432
Revised Code that requires the person to reimburse the costs of 433~~

the confinement. 434

(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. 435
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(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. 447
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Sec. 341.21. (A) The board of county commissioners may direct the sheriff to receive into custody prisoners charged with or 463
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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~~

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~~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

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~~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~~

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~~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~~

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~~fee for a random drug test assessed under division (E) of section 341.26 of the Revised Code;~~ 657
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~~(3) Reimbursement for government property damaged by the person while confined to the workhouse.~~ 659
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~~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.~~ 661
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~~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.~~ 670
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~~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~~ 679
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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~~

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~~date during the person's confinement in the workhouse if funds~~ 721
~~later become available in the person's account. If the person is~~ 722
~~released from the workhouse and has an unpaid balance of these~~ 723
~~fees, the appropriate board of county commissioners and~~ 724
~~legislative authorities may bill the person for payment of the~~ 725
~~remaining unpaid fees in the same proportion as those expenses~~ 726
~~were borne by the political subdivision issuing the billing~~ 727
~~statement. Fees received for medical treatment or services shall~~ 728
~~be paid into the commissary fund, if one has been created for the~~ 729
~~workhouse, or if no such fund exists, into the treasuries of the~~ 730
~~political subdivisions that incurred the expenses of those~~ 731
~~treatments or services in the same proportion as those expenses~~ 732
~~were borne by these political subdivisions.~~ 733

~~(2) If a person confined to a county, city, district, or~~ 734
~~joint city and county workhouse is required under division (C) or~~ 735
~~(D) of this section or section 2929.18 or 2929.223 of the Revised~~ 736
~~Code to reimburse a county or municipal corporation for expenses~~ 737
~~incurred by reason of the person's confinement to the workhouse,~~ 738
~~any fees paid by the person under division (E)(1) of this section~~ 739
~~shall be deducted from the expenses required to be reimbursed~~ 740
~~under division (C) or (D) of this section or section 2929.18 or~~ 741
~~2929.223 of the Revised Code.~~ 742

~~(F)(E) If a person who has been convicted of or pleaded~~ 743
~~guilty to an offense is incarcerated in the workhouse as provided~~ 744
~~in division (A) of this section, at the time of reception and at~~ 745
~~other times the person in charge of the operation of the workhouse~~ 746
~~determines to be appropriate, the person in charge of the~~ 747
~~operation of the workhouse may cause the convicted offender to be~~ 748
~~examined and tested for tuberculosis, HIV infection, hepatitis,~~ 749
~~including but not limited to hepatitis A, B, and C, and other~~ 750
~~contagious diseases. The person in charge of the operation of the~~ 751
~~workhouse may cause a convicted offender in the workhouse who~~ 752

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 784
testing of prisoners. The rules shall include, but are not limited 785
to, provisions that do the following: 786

(1) Require the laboratory or entity to seek, obtain, and 787
maintain accreditation from the national institute on drug abuse; 788

(2) Establish standards for the performance of random drug 789
testing that include, but are not limited to, standards governing 790
the following: 791

(a) The collection by the laboratory or entity of blood or 792
urine specimens of individuals in a scientifically or medically 793
approved manner and under reasonable and sanitary conditions; 794

(b) The collection and testing by the laboratory or entity of 795
blood or urine specimens with due regard for the privacy of the 796
individual being tested and in a manner reasonably calculated to 797
prevent substitutions or interference with the collection and 798
testing of the specimens; 799

(c) The documentation of blood or urine specimens collected 800
by the laboratory or entity and documentation procedures that 801
reasonably preclude the possibility of erroneous identification of 802
test results and that provide the individual being tested an 803
opportunity to furnish information identifying any prescription or 804
nonprescription drugs used by the individual in connection with a 805
medical condition; 806

(d) The collection, maintenance, storage, and transportation 807
by the laboratory or entity of blood or urine specimens in a 808
manner that reasonably precludes the possibility of contamination 809
or adulteration of the specimens; 810

(e) The testing by the laboratory or entity of a blood or 811
urine specimen of an individual to determine whether the 812
individual ingested or was injected with a drug of abuse, in a 813
manner that conforms to scientifically accepted analytical methods 814

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

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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

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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

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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.~~

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~~(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:~~

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~~(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;~~

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~~(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;~~

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

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

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

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

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

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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~~

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~~confinement to the prison or station house, any fees paid by the~~ 1039
~~person under division (D)(1) of this section shall be deducted~~ 1040
~~from the expenses required to be reimbursed under division (B) or~~ 1041
~~(C) of this section or section 2929.18 or 2929.223 of the Revised~~ 1042
~~Code.~~ 1043

~~(E)~~(D) If a person who has been convicted of or pleaded 1044
guilty to an offense is sentenced to a term of imprisonment in a 1045
prison or station house as described in division (A) of this 1046
section, or if a person who has been arrested for an offense, and 1047
who has been denied bail or has had bail set and has not been 1048
released on bail is confined in a prison or station house as 1049
described in division (A) of this section pending trial, at the 1050
time of reception and at other times the person in charge of the 1051
operation of the prison or station house determines to be 1052
appropriate, the person in charge of the operation of the prison 1053
or station house may cause the convicted or accused offender to be 1054
examined and tested for tuberculosis, HIV infection, hepatitis, 1055
including, but not limited to, hepatitis A, B, and C, and other 1056
contagious diseases. The person in charge of the operation of the 1057
prison or station house may cause a convicted or accused offender 1058
in the prison or station house who refuses to be tested or treated 1059
for tuberculosis, HIV infection, hepatitis, including, but not 1060
limited to, hepatitis A, B, and C, or another contagious disease 1061
to be tested and treated involuntarily. 1062

Sec. 753.04. (A) When a person over sixteen years of age is 1063
convicted of an offense under the law of this state or an 1064
ordinance of a municipal corporation, and the tribunal before 1065
which the conviction is had is authorized by law to commit the 1066
offender to the county jail or municipal corporation prison, the 1067
court, mayor, or judge of the county court, as the case may be, 1068
may sentence the offender to a workhouse. 1069

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

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

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

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

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

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~~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~~

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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~~

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

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

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

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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

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the jail or workhouse pursuant to an agreement of that nature 1261
shall be subject to supervision and control in the manner 1262
described in section 5120.161 of the Revised Code. This division 1263
does not affect the authority of a court to directly sentence a 1264
person who is convicted of or pleads guilty to a felony to the 1265
jail or workhouse in accordance with section 2929.16 of the 1266
Revised Code. 1267

~~(C)(1) Pursuant to section 2929.37 of the Revised Code,~~ 1268
~~the board of county commissioners, the legislative authority of~~ 1269
~~the municipal corporation, or the board or other managing~~ 1270
~~authority of the district workhouse may require a person who was~~ 1271
~~convicted of an offense and who is confined in the workhouse as~~ 1272
~~provided in division (A) of this section, to reimburse the county,~~ 1273
~~municipal corporation, or district, as the case may be, for its~~ 1274
~~expenses incurred by reason of the person's confinement,~~ 1275
~~including, but not limited to, the expenses relating to the~~ 1276
~~provision of food, clothing, shelter, medical care, personal~~ 1277
~~hygiene products, including, but not limited to, toothpaste,~~ 1278
~~toothbrushes, and feminine hygiene items, and up to two hours of~~ 1279
~~overtime costs the sheriff or municipal corporation incurred~~ 1280
~~relating to the trial of the person. The amount of reimbursement~~ 1281
~~may be the actual cost of the person's confinement plus the~~ 1282
~~authorized trial overtime costs or a lesser amount determined by~~ 1283
~~the board of county commissioners for the county, the legislative~~ 1284
~~authority of the municipal corporation, or the board or other~~ 1285
~~managing authority of the district workhouse, provided that the~~ 1286
~~lesser amount shall be determined by a formula that is uniformly~~ 1287
~~applied to persons incarcerated in the workhouse. The amount of~~ 1288
~~reimbursement shall be determined by a court at a hearing held~~ 1289
~~pursuant to section 2929.18 of the Revised Code if the person is~~ 1290
~~confined for a felony or section 2929.223 of the Revised Code if~~ 1291
~~the person is confined for a misdemeanor. The amount or amounts~~ 1292

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~~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~~

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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 1357~~
~~under division (C) of this section or section 2929.18 or 2929.223 1358~~
~~of the Revised Code. 1359~~

(E) If a person who has been convicted of or pleaded guilty 1360
to an offense is confined in the workhouse as provided in division 1361
(A) of this section or is incarcerated in the workhouse in the 1362
manner described in division (B) of this section, or if a person 1363
who has been arrested for an offense, and who has been denied bail 1364
or has had bail set and has not been released on bail is confined 1365
in the workhouse pending trial, at the time of reception and at 1366
other times the person in charge of the operation of the workhouse 1367
determines to be appropriate, the person in charge of the 1368
operation of the workhouse may cause the convicted or accused 1369
offender to be examined and tested for tuberculosis, HIV 1370
infection, hepatitis, including but not limited to hepatitis A, B, 1371
and C, and other contagious diseases. The person in charge of the 1372
operation of the workhouse may cause a convicted or accused 1373
offender in the workhouse who refuses to be tested or treated for 1374
tuberculosis, HIV infection, hepatitis, including but not limited 1375
to hepatitis A, B, and C, or another contagious disease to be 1376
tested and treated involuntarily. 1377

Sec. 2152.20. (A) If a child is adjudicated a delinquent 1378
child or a juvenile traffic offender, the court may order any of 1379
the following dispositions, in addition to any other disposition 1380
authorized or required by this chapter: 1381

(1) Impose a fine in accordance with the following schedule: 1382

(a) For an act that would be a minor misdemeanor or an 1383
unclassified misdemeanor if committed by an adult, a fine not to 1384
exceed fifty dollars; 1385

(b) For an act that would be a misdemeanor of the fourth 1386
degree if committed by an adult, a fine not to exceed one hundred 1387

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

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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

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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

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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

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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

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appropriate, but are not required to appropriate, a sum of money 1575
for funding all aspects of each facility and program as outlined 1576
in sections 2301.51 to 2301.56 of the Revised Code. The judicial 1577
corrections board has no recourse against a board or boards of 1578
county commissioners, either under Chapter 2731. of the Revised 1579
Code, under its contempt power, or under any other authority, if 1580
the board or boards of county commissioners do not appropriate 1581
money for funding any facility or program or if they appropriate 1582
money for funding a facility and program in an amount less than 1583
the total amount of the submitted request for funding. 1584

~~(B)(1) A Pursuant to section 2929.37 of the Revised Code, a 1585
board of county commissioners may require a person who was 1586
convicted of an offense and who is confined in a community-based 1587
correctional facility or district community-based correctional 1588
facility as provided in sections 2301.51 to 2301.56 of the Revised 1589
Code, to reimburse the county for its expenses incurred by reason 1590
of the person's confinement, including, but not limited to, the 1591
expenses relating to the provision of food, clothing, shelter, 1592
medical care, personal hygiene products, including, but not 1593
limited to, toothpaste, toothbrushes, and feminine hygiene items, 1594
and up to two hours of overtime costs the sheriff or municipal 1595
corporation incurred relating to the trial of the person. The 1596
amount of reimbursement may be the actual cost of the person's 1597
confinement plus the authorized trial overtime costs or a lesser 1598
amount determined by the board of county commissioners for the 1599
county, provided that the lesser amount shall be determined by a 1600
formula that is uniformly applied to persons incarcerated in the 1601
facility. The amount of reimbursement shall be determined by a 1602
court at a hearing held pursuant to section 2929.18 of the Revised 1603
Code if the person is confined for a felony or section 2929.223 of 1604
the Revised Code if the person is confined for a misdemeanor. The 1605
amount or amounts paid in reimbursement by a person confined for a 1606~~

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

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

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

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~~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

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~~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.~~

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~~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

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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

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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;

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(d) For a felony of the fourth degree, not more than five thousand dollars;	1797 1798
(e) For a felony of the fifth degree, not more than two thousand five hundred dollars.	1799 1800
(4)(a) Subject to division (A)(4)(b) of this section, reimbursement <u>Reimbursement</u> by the offender of any or all of the costs of sanctions incurred by the government, including the following:	1801 1802 1803 1804
(i) All or part of the costs of implementing any community control sanction;	1805 1806
(ii) All or part of the costs of confinement under a sanction imposed pursuant to section 2929.14 or 2929.16 of the Revised Code, provided that the amount of reimbursement ordered under this division shall not exceed the total amount of reimbursement the offender is able to pay as determined at a hearing and shall not exceed the actual cost of the confinement+.	1807 1808 1809 1810 1811 1812
(b) If the offender is sentenced to a sanction of confinement pursuant to section 2929.14 or 2929.16 of the Revised Code that is to be served in a facility operated by a board of county commissioners, a legislative authority of a municipal corporation, or another local governmental entity, one of the following applies+:	1813 1814 1815 1816 1817 1818
(i) If <u>if</u> , pursuant to section 307.93, 341.14, 341.19, 341.23, 753.02, 753.04, 753.16, 2301.56, or 2947.19 of the Revised Code <u>and section 2929.37 of the Revised Code</u> , the board, legislative authority, or other local governmental entity requires prisoners convicted of an offense other than a minor misdemeanor to reimburse the county, municipal corporation, or other entity for its expenses incurred by reason of the prisoner's confinement, <u>and if</u> the court shall <u>does not</u> impose a financial sanction under division (A)(4)(a)(ii) of this section that requires the offender	1819 1820 1821 1822 1823 1824 1825 1826 1827

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

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

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

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

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

mandatory fine and if the court determines the offender is an 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

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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

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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

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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:

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(a) An execution against the property of the judgment debtor under Chapter 2329. of the Revised Code;	2020 2021
(b) An execution against the person of the judgment debtor under Chapter 2331. of the Revised Code;	2022 2023
(c) A proceeding in aid of execution under Chapter 2333. of the Revised Code, including:	2024 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 2027 2028
(ii) A proceeding for attachment of the person of the judgment debtor under section 2333.28 of the Revised Code;	2029 2030
(iii) A creditor's suit under section 2333.01 of the Revised Code.	2031 2032
(d) The attachment of the property of the judgment debtor under Chapter 2715. of the Revised Code;	2033 2034
(e) The garnishment of the property of the judgment debtor under Chapter 2716. of the Revised Code.	2035 2036
(2) Obtain an order for the assignment of wages of the judgment debtor under section 1321.33 of the Revised Code.	2037 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 2040 2041 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 2044 2045 2046 2047 2048 2049

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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

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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

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to division (B) of section 2929.13 of the Revised Code for 2113
purposes of sentencing, its reasons for imposing the prison term, 2114
based upon the overriding purposes and principles of felony 2115
sentencing set forth in section 2929.11 of the Revised Code, and 2116
any factors listed in divisions (B)(1)(a) to (i) of section 2117
2929.13 of the Revised Code that it found to apply relative to the 2118
offender. 2119

(b) If it does not impose a prison term for a felony of the 2120
first or second degree or for a felony drug offense that is a 2121
violation of a provision of Chapter 2925. of the Revised Code and 2122
for which a presumption in favor of a prison term is specified as 2123
being applicable, its reasons for not imposing the prison term and 2124
for overriding the presumption, based upon the overriding purposes 2125
and principles of felony sentencing set forth in section 2929.11 2126
of the Revised Code, and the basis of the findings it made under 2127
divisions (D)(1) and (2) of section 2929.13 of the Revised Code. 2128

(c) If it imposes consecutive sentences under section 2929.14 2129
of the Revised Code, its reasons for imposing the consecutive 2130
sentences; 2131

(d) If the sentence is for one offense and it imposes a 2132
prison term for the offense that is the maximum prison term 2133
allowed for that offense by division (A) of section 2929.14 of the 2134
Revised Code, its reasons for imposing the maximum prison term; 2135

(e) If the sentence is for two or more offenses arising out 2136
of a single incident and it imposes a prison term for those 2137
offenses that is the maximum prison term allowed for the offense 2138
of the highest degree by division (A) of section 2929.14 of the 2139
Revised Code, its reasons for imposing the maximum prison term. 2140

(3) Subject to division (B)(4) of this section, if the 2141
sentencing court determines at the sentencing hearing that a 2142
prison term is necessary or required, the court shall do all of 2143

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.

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

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

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

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

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

(C)(1) If the offender is being sentenced for a fourth degree felony OMVI offense under division (G)(1) of section 2929.13 of the Revised Code, the court shall impose the mandatory term of local incarceration in accordance with that division, shall impose a mandatory fine in accordance with division (B)(3) of section

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

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

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

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

Whoever is convicted of or pleads guilty to committing, 2266
attempting to commit, or complicity in committing a violation of 2267
section 2909.03 of the Revised Code that is a misdemeanor, or a 2268

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violation of division (A)(2) of section 2909.06 of the Revised	2269
Code when the means used are fire or explosion, shall be required	2270
to reimburse agencies for their investigation or prosecution costs	2271
in accordance with section 2929.28 of the Revised Code.	2272
(B) Except as provided in division (G) of this section, terms	2273
of imprisonment for misdemeanor shall be imposed as follows:	2274
(1) For a misdemeanor of the first degree, not more than six	2275
months;	2276
(2) For a misdemeanor of the second degree, not more than	2277
ninety days;	2278
(3) For a misdemeanor of the third degree, not more than	2279
sixty days;	2280
(4) For a misdemeanor of the fourth degree, not more than	2281
thirty days.	2282
(C) Fines for misdemeanor shall be imposed as follows:	2283
(1) For a misdemeanor of the first degree, not more than one	2284
thousand dollars;	2285
(2) For a misdemeanor of the second degree, not more than	2286
seven hundred fifty dollars;	2287
(3) For a misdemeanor of the third degree, not more than five	2288
hundred dollars;	2289
(4) For a misdemeanor of the fourth degree, not more than two	2290
hundred fifty dollars.	2291
(D) Whoever is convicted of or pleads guilty to a minor	2292
misdemeanor shall be fined not more than one hundred dollars.	2293
(E) The court may require a person who is convicted of or	2294
pleads guilty to a misdemeanor to make restitution for all or part	2295
of the property damage that is caused by the offense and for all	2296
or part of the value of the property that is the subject of any	2297

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.

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(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.

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(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:

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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 person is presented with an itemized bill pursuant
to section 2929.37 of the Revised Code for payment of the costs of

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- confinement, the person is required to pay the bill in accordance with that section. 2330
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- (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. 2332
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- (b) The sentence automatically includes any certificate of judgment issued as described in division (F)(2)(a)(ii) of this section. 2337
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- (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. 2340
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- (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. 2351
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- (I) If an offender is being sentenced for a sexually oriented 2360

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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

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the offender may be required to pay in accordance with section 2422
2929.38 of the Revised Code the fees specified in that section. 2423

(C) If the court determines a hearing is necessary, the court 2424
may hold a hearing to determine whether the offender is able to 2425
pay a reimbursement sanction imposed pursuant to division (A) of 2426
this section or is likely in the future to be able to pay it. 2427

If the court determines that the offender is indigent and 2428
unable to pay the reimbursement sanction imposed under division 2429
(A) of this section, the court shall consider imposing and may 2430
impose a period of community service under section 2951.02 of the 2431
Revised Code in lieu of imposing a reimbursement sanction. If the 2432
court does not determine that the offender is indigent, the court 2433
may impose a period of community service under section 2951.02 of 2434
the Revised Code in lieu of or in addition to imposing a 2435
reimbursement sanction under division (A) of this section. If a 2436
person fails to pay a reimbursement sanction, the court may order 2437
community service in lieu of the reimbursement sanction. 2438

(D)(1) The offender shall pay reimbursements imposed upon the 2439
offender pursuant to division (A) of this section to pay the costs 2440
incurred by a county in operating a facility used to confine 2441
offenders pursuant to a term of imprisonment imposed under section 2442
2929.21 of the Revised Code to the county treasurer. The county 2443
treasurer shall deposit the reimbursements in the county's general 2444
fund in accordance with division (I) of this section. The county 2445
shall use the amounts deposited in the fund to pay the costs 2446
incurred by the county in operating a facility used to confine 2447
offenders pursuant to a term of imprisonment imposed under section 2448
2929.21 of the Revised Code. 2449

(2) The offender shall pay reimbursements imposed upon the 2450
offender pursuant to division (A) of this section to pay the costs 2451
incurred by a municipal corporation in operating a facility used 2452
to confine offenders pursuant to a term of imprisonment imposed 2453

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under section 2929.21 of the Revised Code to the treasurer of the 2454
municipal corporation. The treasurer shall deposit the 2455
reimbursements in the municipal corporation's general fund in 2456
accordance with division (I) of this section. The municipal 2457
corporation shall use the amounts deposited in the fund to pay the 2458
costs incurred by the municipal corporation in operating a 2459
facility used to confine offenders pursuant to a term of 2460
imprisonment imposed under section 2929.21 of the Revised Code. 2461

(E) A reimbursement sanction imposed pursuant to division (A) 2462
of this section upon an offender confined in a local detention 2463
facility is a judgment in favor of the entity operating the local 2464
detention facility. The offender subject to the reimbursement 2465
sanction is the judgment debtor. 2466

Once the reimbursement sanction is imposed as a judgment, the 2467
subdivision may bring an action to do any of the following: 2468

(1) Obtain execution of the judgment through any available 2469
procedure, including any of the procedures identified in divisions 2470
(D)(1)(a) to (e) of section 2929.18 of the Revised Code. 2471

(2) Obtain an order for the assignment of wages of the 2472
judgment debtor under section 1321.33 of the Revised Code. 2473

(F) The civil remedies authorized under division (E) of this 2474
section for the collection of the reimbursement sanction 2475
supplement, but do not preclude, enforcement of the criminal 2476
sentence. 2477

(G) Each court imposing a reimbursement sanction upon an 2478
offender under division (A) of this section may designate the 2479
clerk of the court or another person to collect the reimbursement 2480
sanction. The clerk, or another person authorized by law or the 2481
court to collect the reimbursement sanction, may do the following: 2482

(1) Enter into contracts with one or more public agencies or 2483
private vendors for the collection of amounts due under the 2484

sanction. Before entering into a contract for the collection of 2485
amounts due from an offender pursuant to any reimbursement 2486
sanction imposed pursuant to division (A) of this section, a court 2487
shall comply with sections 307.86 to 307.92 of the Revised Code. 2488

(2) Permit payment of all or any portion of the sanction in 2489
installments, by financial transaction device if the court is a 2490
county court or a municipal court operated by a county, by credit 2491
or debit card or by another electronic transfer if the court is a 2492
municipal court not operated by a county, or by any other 2493
reasonable method, in any time, and on any terms that court 2494
considers just, except that the maximum time permitted for payment 2495
shall not exceed five years. If the court is a county court or a 2496
municipal court operated by a county, the acceptance of payments 2497
by any financial transaction device shall be governed by the 2498
policy adopted by the board of county commissioners of the county 2499
pursuant to section 301.28 of the Revised Code. If the court is a 2500
municipal court not operated by a county, the clerk may pay any 2501
fee associated with processing an electronic transfer out of 2502
public money or may charge the fee to the offender. 2503

(3) To defray administrative costs, charge a reasonable fee 2504
to an offender who elects a payment plan rather than a lump sum 2505
payment of any reimbursement sanction. 2506

(H) No reimbursement sanction imposed under division (A) of 2507
this section shall preclude a victim from bringing a civil action 2508
against the offender. 2509

(I) Reimbursement imposed under division (A) of this section 2510
shall be paid to the general fund of the political subdivision 2511
that incurred the expenses of the offender's confinement. 2512

Sec. 2929.37. (A) A board of county commissioners, in an 2513
agreement with the sheriff, a legislative authority of a municipal 2514
corporation, a corrections commission, a judicial corrections 2515

board, or any other public or private entity that operates a local 2516
detention facility at which a prisoner who is convicted of an 2517
offense and who is confined in the facility under a sanction or 2518
term of imprisonment imposed under section 2929.16 or 2929.21 of 2519
the Revised Code may adopt, pursuant to section 307.93, 341.14, 2520
341.19, 341.21, 341.23, 753.02, 753.04, 753.16, 2301.56, or 2521
2947.19 of the Revised Code, a policy that requires the prisoner 2522
to pay all or part of the costs of confinement in that facility. 2523
If a board of county commissioners, legislative authority, 2524
corrections commission, judicial corrections board, or other 2525
entity adopts a policy for a facility pursuant to one of those 2526
sections, the person in charge of that facility shall appoint a 2527
reimbursement coordinator to administer the facility's policy. 2528

The costs of confinement may include, but are not limited to, 2529
the costs of repairing property damaged by the prisoner while 2530
confined, a per diem fee for room and board, medical and dental 2531
treatment costs, the fee for a random drug test assessed under 2532
division (E) of section 341.26 and division (E) of section 753.33 2533
of the Revised Code, and a one-time reception fee for the costs of 2534
processing the prisoner into the facility at the time of the 2535
prisoner's initial entry into the facility under the confinement 2536
in question, minus any fees deducted under section 2929.38 of the 2537
Revised Code. Any policy adopted under this section shall be used 2538
when a court does not order reimbursement of confinement costs 2539
under section 2929.18 or 2929.36 of the Revised Code. The amount 2540
assessed under this section shall not exceed the total amount that 2541
the prisoner is able to pay. 2542

(B)(1) Each prisoner covered by a repayment policy adopted as 2543
described in division (A) of this section shall receive at the end 2544
of the prisoner's confinement an itemized bill of the expenses to 2545
be reimbursed. The policy shall allow periodic payments on a 2546
schedule to be implemented upon a prisoner's release. The bill 2547

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also shall state that payment shall be made to the person 2548
identified in the bill as the reimbursement coordinator and 2549
include a notice that specifies that the prisoner has thirty days 2550
in which to dispute the bill by filing a written objection with 2551
the reimbursement coordinator and that if the prisoner does not 2552
dispute the bill in that manner within that period, the prisoner 2553
is required to pay the bill and a certificate of judgment may be 2554
obtained against the prisoner for the amount of the unpaid 2555
expenses. The prisoner shall sign a copy of the bill, and the 2556
reimbursement coordinator shall retain that copy. If the prisoner 2557
disputes an item on the bill within thirty days after receiving 2558
the bill, the reimbursement coordinator may either concede the 2559
disputed item or proceed to a hearing under division (B)(2) of 2560
this section. 2561

(2) If the prisoner disputes an item on an itemized bill 2562
presented to the prisoner under division (B)(1) of this section 2563
and the reimbursement coordinator does not concede the item, the 2564
reimbursement coordinator shall submit the bill to the court, and 2565
the court shall hold a hearing on the disputed items in the bill. 2566
At the end of the hearing, the court shall determine how much of 2567
the disputed expenses the prisoner shall reimburse the legislative 2568
authority or managing authority and shall issue a judgment in 2569
favor of the legislative authority or managing authority for any 2570
undisputed expenses and the amount of the disputed expenses for 2571
which the prisoner must reimburse the legislative authority or 2572
managing authority. The reimbursement coordinator shall not seek 2573
to enforce the judgment until at least ninety days after the court 2574
issues the judgment. 2575

(C) If a prisoner does not dispute the itemized bill 2576
presented to the prisoner under division (B) of this section and 2577
does not pay the bill within ninety days, the reimbursement 2578
coordinator shall send by mail a notice to the prisoner requesting 2579

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payment of the expenses as stated in the bill. If the prisoner 2580
does not respond to the notice by paying the expenses in full 2581
within thirty days of the date the notice was mailed, the 2582
reimbursement coordinator shall send by mail a second notice to 2583
the prisoner requesting payment of the expenses. If one hundred 2584
eighty days elapse from the date that the reimbursement 2585
coordinator provides the bill and if the prisoner has not paid the 2586
full amount of the expenses pursuant to the bill and the notices, 2587
the reimbursement coordinator may notify the clerk of the 2588
appropriate court of those facts, and the clerk may issue a 2589
certificate of judgment against the prisoner for the balance of 2590
the expenses remaining unpaid. 2591

(D) The reimbursement coordinator may collect any amounts 2592
remaining unpaid on an itemized bill and any costs associated with 2593
the enforcement of the judgment and may enter into a contract with 2594
one or more public agencies or private vendors to collect any 2595
amounts remaining unpaid. For enforcing a judgment issued under 2596
this section, the reimbursement coordinator may assess an 2597
additional poundage fee of two per cent of the amount remaining 2598
unpaid and may collect costs associated with the enforcement of 2599
the judgment. 2600

(E) Neither the reimbursement coordinator nor the legislative 2601
authority or the managing authority shall enforce any judgment 2602
obtained under this section by means of execution against the 2603
prisoner's homestead. Any reimbursement received under this 2604
section shall be credited to the general fund of the treasury of 2605
the political subdivision that incurred the expense, to be used 2606
for general fund purposes. 2607

Sec. 2929.38. (A) A board of commissioners of a county, in an 2608
agreement with the sheriff, a legislative authority of a municipal 2609
corporation, a corrections commission, a judicial corrections 2610

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board, or any other public or private entity that operates a local 2611
detention facility described in division (A) of section 2929.37 of 2612
the Revised Code, may establish a policy that requires any 2613
prisoner who is confined in the facility as a result of pleading 2614
guilty to or having been convicted of an offense to pay a one-time 2615
reception fee for the costs of processing the prisoner into the 2616
facility at the time of the prisoner's initial entry into the 2617
facility under the confinement in question, to pay a reasonable 2618
fee for any medical or dental treatment or service requested by 2619
and provided to that prisoner, and to pay the fee for a random 2620
drug test assessed under division (E) of section 341.26, and 2621
division (E) of section 753.33 of the Revised Code. The fee for 2622
the medical treatment or service shall not exceed the actual cost 2623
of the treatment or service provided. No prisoner confined in the 2624
local detention facility shall be denied any necessary medical 2625
care because of inability to pay the fees. 2626

(B) Upon assessment of a one-time reception fee as described 2627
in division (A) of this section, the provision of the requested 2628
medical treatment or service, or the assessment of a fee for a 2629
random drug test, payment of the required fee may be automatically 2630
deducted from the prisoner's inmate account in the business office 2631
of the local detention facility in which the prisoner is confined. 2632
If there is no money in the account, a deduction may be made at a 2633
later date during the prisoner's confinement if the money becomes 2634
available in the account. If, after release, the prisoner has an 2635
unpaid balance of those fees, the sheriff, legislative authority 2636
of the municipal corporation, corrections commission, judicial 2637
corrections board, or other entity that operates the local 2638
detention facility described in division (A) of section 2929.37 of 2639
the Revised Code may bill the prisoner for the payment of the 2640
unpaid fees. Fees received for medical or dental treatment or 2641
services shall be paid to the commissary fund, if one exists for 2642

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the facility, or if no commissary fund exists, to the general fund 2643
of the treasury of the political subdivision that incurred the 2644
expenses, in the same proportion as those expenses were borne by 2645
the political subdivision. 2646

(C) Any fee paid by a person under this section shall be 2647
deducted from any medical or dental costs that the person is 2648
ordered to reimburse under section 2929.36 of the Revised Code or 2649
to repay under a policy adopted under section 2929.37 of the 2650
Revised Code. 2651

(D) As used in this section, "inmate account" has the same 2652
meaning as in section 2969.21 of the Revised Code. 2653

Sec. 2947.14. (A) If a fine is imposed as a sentence or a 2654
part of a sentence, the court or magistrate that imposed the fine 2655
may order that the offender be committed to the jail or workhouse 2656
until the fine is paid or secured to be paid, or ~~he~~ the offender 2657
is otherwise legally discharged, if the court or magistrate 2658
determines at a hearing that the offender is able, at that time, 2659
to pay the fine but refuses to do so. The hearing required by this 2660
section shall be conducted at the time of sentencing. 2661

(B) At the hearing, the offender has the right to be 2662
represented by counsel and to testify and present evidence as to 2663
~~his~~ the offender's ability to pay the fine. If a court or 2664
magistrate determines after considering the evidence presented by 2665
an offender, that the offender is able to pay a fine, the 2666
determination shall be supported by findings of fact set forth in 2667
a judgment entry that indicate the offender's income, assets, and 2668
debts, as presented by the offender, and ~~his~~ the offender's 2669
ability to pay. 2670

(C) If the court or magistrate has found the offender able to 2671
pay a fine at a hearing conducted in compliance with divisions (A) 2672
and (B) of this section, and the offender fails to pay the fine, a 2673

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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

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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

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~~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~~

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~~adopt a prisoner reimbursement policy for the city workhouse under 2770
this division. The workhouse administrator may appoint a 2771
reimbursement coordinator to administer the prisoner reimbursement 2772
policy. A prisoner reimbursement policy adopted under this 2773
division is a policy that requires a person confined to the 2774
workhouse to reimburse the county or city for any expenses it 2775
incurs by reason of the person's confinement in the workhouse, 2776
which expenses may include, but are not limited to, the following: 2777~~

~~(1) A per diem fee for room and board of not more than sixty 2778
dollars per day or the actual per diem cost, whichever is less for 2779
the entire period of time the person is confined to the workhouse; 2780~~

~~(2) Actual charges for medical and dental treatment; 2781~~

~~(3) Reimbursement for government property damaged by the 2782
person while confined to the workhouse. 2783~~

~~Rates charged shall be on a sliding scale determined by the 2784
board of county commissioners or the legislative authority of the 2785
city, based on the ability of the person confined in the workhouse 2786
to pay and on consideration of any legal obligation of the person 2787
to support a spouse, minor children, or other dependents and any 2788
moral obligation to support dependents to whom the person is 2789
providing or has in fact provided support. 2790~~

~~The reimbursement coordinator or another person designated by 2791
the workhouse administrator may investigate the financial status 2792
of the confined person and obtain information necessary to 2793
investigate that status, by means that may include contacting 2794
employers and reviewing income tax records. The coordinator may 2795
work with the confined person to create a repayment plan to be 2796
implemented upon the person's release. At the end of the person's 2797
incarceration, the person shall be presented with a billing 2798
statement. 2799~~

~~The reimbursement coordinator or another person designated by 2800~~

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~~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~~

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~~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: 2863

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(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

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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

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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 detention facility;	3018 3019
(5) The cost of supervision of the offender;	3020
(6) The cost of any ancillary services provided to the offender;	3021 3022
<u>(7) The cost of any medical care provided to the offender.</u>	3023
(E) The cost of housing and feeding an offender in a state correctional institution shall not be collected from a payment made to the offender for performing an activity at a state job or assignment that pays less than the minimum wage or from money the offender receives from visitors, unless the combined assets in the offender's institution personal account exceed, at any time, one hundred dollars. If the combined assets in that account exceed one hundred dollars, the cost of housing and feeding the offender may be collected from the amount in excess of one hundred dollars.	3024 3025 3026 3027 3028 3029 3030 3031 3032
(F)(1) The department of rehabilitation and correction shall adopt rules pursuant to section 111.15 of the Revised Code to implement the requirements of this section.	3033 3034 3035
(2) The rules adopted under division (F)(1) of this section shall include, but are not limited to, rules that establish or contain all of the following:	3036 3037 3038
(a) A process for ascertaining the items of cost to be assessed against an offender;	3039 3040
(b) Subject to division (F)(3) of this section, a process by which the offender shall have the opportunity to respond to the assessment of costs under division (B) of this section and to contest any item of cost in the department's calculation or as it applies to the offender;	3041 3042 3043 3044 3045
(c) A requirement that the offender be notified, in writing, of a final decision to collect or apply the offender's assets	3046 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

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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

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specified in the assignment. The department shall remain 3111
ultimately responsible for payment of all health care services 3112
provided to an offender in the custody or under the supervision of 3113
the department but shall be the payer of last resort. If the 3114
department pays a provider for health care services rendered to an 3115
offender and payment subsequently is made for the same services by 3116
a third-party payer, the provider shall refund the duplicate 3117
payment to the department and, the department shall deposit the 3118
refunded payment into the offender financial responsibility fund 3119
as described in division (E) of this section. 3120

(C) If, pursuant to division (A) of this section, it is 3121
determined that the offender is covered under an individual or 3122
group sickness and accident insurance policy or an individual or 3123
group health insuring corporation policy, contract, or agreement, 3124
the department shall make a determination, after considering 3125
security, public safety, and transportation issues, whether or not 3126
to render or arrange for the rendering of health care services in 3127
accordance with the terms and conditions of the policy, contract, 3128
or agreement. The department, based on security, public safety, or 3129
transportation concerns or any combination of those concerns, may 3130
arrange for the rendering of health care services for the offender 3131
at a health care facility, by a provider, or at a health care 3132
facility and by a provider not covered by the policy, contract, or 3133
agreement and pay the costs of the health care services for the 3134
offender. 3135

(D) If the department renders or arranges for the rendering 3136
of health care services to an offender and pays for the services, 3137
the department reserves the right to seek reimbursement from a 3138
third-party payer for the services if it subsequently is 3139
determined that the offender was covered under an individual or 3140
group sickness and accident insurance policy or an individual or 3141
group health insuring corporation policy, contract, or agreement. 3142

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The department shall submit a claim for reimbursement of the type described in this division within the time frames applicable to claims submitted by a policy holder in accordance with the terms and conditions of the policy, contract, or agreement. 3143
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(E) Any payment made to the department pursuant to division (B) of this section shall be deposited into the offender financial responsibility fund created in section 5120.56 of the Revised Code. 3147
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(F) If, at the time the department arranges for health care services for an offender and a provider renders those services, the department determines pursuant to division (A) of this section that the offender is covered, or potentially is covered, under an individual or group sickness and accident insurance policy or an individual or group health insuring corporation policy, contract, or agreement, then all of the following apply: 3151
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(1) The department is responsible for any cost-sharing, co-payments, or deductibles required under the policy, contract, or agreement. 3158
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(2) If the insurer or potential insurer denies the claim for payment, the department remains liable for payment to the provider of services. 3161
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(3) If an insurer covers a service, but the amount the insurer pays to the provider is less than the amount negotiated and established by contract then in effect between the department and the provider, the department is liable for reimbursing the difference to the provider. 3164
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(G) Nothing in this section requires a third-party payer to reimburse any provider or the department for health care services not covered under the terms or conditions of an individual or group sickness and accident insurance policy, an individual or group health insuring corporation policy, contract, or agreement, 3169
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or any other policy, contract, or agreement. 3174

Sec. 5120.58. The department of rehabilitation and correction shall adopt rules under section 111.15 of the Revised Code to do both of the following: 3175
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(A) Establish a schedule of health care benefits that are available to offenders who are in the custody or under the supervision of the department; 3178
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(B) Establish a program to encourage the utilization of preventive health care services by offenders. 3181
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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

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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
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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