

**As Reported by the House Criminal Justice Committee**

**125th General Assembly**

**Regular Session**

**2003-2004**

**Sub. H. B. No. 49**

**Representatives Hughes, Seitz, McGregor, Husted, Seaver, J. Stewart,  
Brinkman, Latta, Willamowski, Oelslager, Grendell, D. Evans, Brown, Collier**

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**A B I L L**

To amend section 9.92 of the Revised Code to permit a Board of County Commissioners to enter into an agreement of affiliation with a citizens' reward program and to require the imposition of one dollar in additional court costs to assist in the funding of affiliated citizens' reward programs.

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

**Section 1.** That section 9.92 of the Revised Code be amended to read as follows:

**Sec. 9.92.** (A) As used in this section, ~~"citizens":~~

(1) "Citizens' reward program" means any organization that satisfies all of the following criteria:

~~(1)~~(a) It is a nonprofit organization;

~~(2)~~(b) It is organized and operated exclusively to offer and pay rewards to citizens for volunteering tips and information to law enforcement agencies concerning felonies, offenses of violence, or misdemeanors that have been committed;

~~(3)~~(c) It has established a reward fund to be used solely for the payment of rewards to citizens for volunteering tips and

information to law enforcement agencies concerning felonies, 19  
offenses of violence, or misdemeanors that have been committed. 20

(2) "Detention facility" has the same meaning as in section 21  
2921.01 of the Revised Code. 22

(B) A citizens' reward program may apply to the board of 23  
county commissioners of any county or counties in which it 24  
operates for recognition as the official reward program for that 25  
county or counties. Upon receipt of the application, the board of 26  
county commissioners shall determine if it is in proper order and 27  
the information it contains is correct. If the application meets 28  
these criteria, the board, by resolution, may officially recognize 29  
the program. Recognition of a program by a county under this 30  
division qualifies the program for funding of its reward fund 31  
under division (E)(2) of section 2933.41 of the Revised Code. No 32  
more than one such reward program shall be recognized in any 33  
county. 34

(C)(1) If a board of county commissioners enters into an 35  
agreement of affiliation with a citizens' reward program pursuant 36  
to division (D) of this section, any municipal court, county 37  
court, or court of common pleas within the county shall impose the 38  
sum of one dollar as costs in any case in which a person is 39  
convicted of or pleads guilty to any offense other than a traffic 40  
offense. This one dollar additional court costs is in addition to 41  
any other court costs that the court is required by law to impose 42  
upon the offender, and, the court shall impose the one dollar 43  
additional court costs as long as the agreement of affiliation 44  
remains in effect, but the court, in the court's discretion, may 45  
remit this one dollar additional court costs to the offender. The 46  
clerk of each court shall transmit all such moneys collected 47  
during a month on or before the twentieth day of the following 48  
month to the affiliated citizens' reward program. 49

(2) No person shall be placed or held in a detention facility 50

for failing to pay the additional one dollar court costs that are 51  
required to be paid by division (C)(1) of this section. 52

(3) A citizens' reward program receiving funds pursuant to 53  
division (C)(1) of this section may use the funds for any purpose 54  
described in division (A)(1)(b) or (c) of this section. 55

(D)(1) Any citizens' reward program that is recognized under 56  
division (B) of this section may enter into a written agreement of 57  
affiliation with a board of county commissioners in the county in 58  
which the program operates. Agreements of affiliation executed 59  
pursuant to this division shall be valid for two years and may be 60  
renewed. The agreements shall do all of the following: 61

(a) Specify the relationship between the citizens' reward 62  
program, the county, and law enforcement agencies in the county; 63

(b) Specify that the citizens' reward program shall account 64  
annually to the board of county commissioners for all funds raised 65  
by the organization from all sources and all funds expended by the 66  
organization for any purpose; 67

(c) Allow the citizens' reward program to itemize the sources 68  
of funds raised without referring to the name of the source; 69

(d) Prohibit the citizens' reward program from divulging the 70  
identity of any person to whom a reward was paid. 71

(2) In every county in which the board of county 72  
commissioners approves of an agreement of affiliation, the board 73  
shall notify the clerk of each municipal court, county court, and 74  
court of common pleas within the county of that agreement of 75  
affiliation and of the duty to collect the additional court costs 76  
imposed pursuant to division (C) of this section. 77

(E) The recognition of a citizens' reward program under this 78  
section does not make it a governmental unit for purposes of 79  
section 149.43 of the Revised Code and does not subject it to the 80

disclosure provisions of that section. A board of county 81  
commissioners that recognizes a citizens' reward program pursuant 82  
to this section shall require the program to provide the board 83  
with an accounting of all funds the program receives or disburses 84  
subsequent to its recognition in order to maintain recognition. 85

~~(D)~~(F) A board of county commissioners that recognizes a 86  
citizens' reward program under this section may by resolution 87  
revoke its recognition of the program. The board shall send a copy 88  
of the resolution, upon adoption, to the program and to each 89  
appropriate law enforcement agency that has jurisdiction over the 90  
territory served by the program. 91

~~(E)~~(G) An application for recognition of a citizens' reward 92  
program shall contain all of the following information: 93

(1) The name of the program and its mailing address; 94

(2) The name and address of each of its officers or 95  
officials; 96

(3) Information sufficient to establish the intention and 97  
ability of the program's officers to implement the program 98  
throughout the county; 99

(4) The purposes for which the program is organized and 100  
operated and the services it offers; 101

(5) A copy of the articles of incorporation and bylaws of the 102  
program, if applicable, or a copy of the rules and procedures 103  
under which the program is organized and operated; 104

(6) Any other relevant information that the board of county 105  
commissioners requires, by resolution. 106

**Section 2.** That existing section 9.92 of the Revised Code is 107  
hereby repealed. 108