

As Passed by the House

**126th General Assembly
Regular Session
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H. B. No. 163

**Representatives Widener, McGregor, Wagner, C. Evans, Setzer, Kearns,
Oelslager, Widowfield, Seaver, Schaffer, Latta, Wagoner, Reidelbach,
Webster, Evans, D., Hughes, Willamowski, Calvert, Cassell, Domenick,
Flowers, McGregor, R., Patton, T., Perry, Smith, G.**

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A B I L L

To enact sections 2152.202 and 2925.511 of the 1
Revised Code to authorize a court sentencing a 2
drug abuse offender or imposing disposition on a 3
delinquent child for such an offense to require 4
the offender or child to reimburse involved law 5
enforcement agencies for the costs of tests that 6
determined that a substance involved in the 7
offense contained a controlled substance. 8

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

Section 1. That sections 2152.202 and 2925.511 of the Revised 9
Code be enacted to read as follows: 10

Sec. 2152.202. (A) In addition to the dispositions authorized 11
or required under section 2152.20 of the Revised Code and to any 12
costs otherwise authorized or required under any provision of law, 13
the juvenile court making disposition of a child adjudicated a 14
delinquent child for committing an act that would be a drug abuse 15
offense if committed by an adult may order the child to pay to the 16
state, municipal, or county law enforcement agencies that handled 17
the investigation and prosecution all of the costs that the state, 18

municipal corporation, or county reasonably incurred in having 19
tests performed under section 2925.51 of the Revised Code or in 20
any other manner on any substance that was the basis of, or 21
involved in, the delinquent act to determine whether the substance 22
contained any amount of a controlled substance if the results of 23
the tests indicate that the substance tested contained any 24
controlled substance. No court shall order a delinquent child 25
under this section to pay the costs of tests performed on a 26
substance if the results of the tests do not indicate that the 27
substance tested contained any controlled substance. 28

The court shall hold a hearing to determine the amount of 29
costs to be imposed under this section. The court may hold the 30
hearing as part of the dispositional hearing for the child. 31

(B) As used in this section, "controlled substance" has the 32
same meaning as in section 3719.01 of the Revised Code. 33

Sec. 2925.511. In addition to the financial sanctions 34
authorized or required under sections 2929.18 and 2929.28 of the 35
Revised Code and to any costs otherwise authorized or required 36
under any provision of law, the court imposing sentence upon an 37
offender who is convicted of or pleads guilty to a drug abuse 38
offense may order the offender to pay to the state, municipal, or 39
county law enforcement agencies that handled the investigation and 40
prosecution all of the costs that the state, municipal 41
corporation, or county reasonably incurred in having tests 42
performed under section 2925.51 of the Revised Code or in any 43
other manner on any substance that was the basis of, or involved 44
in, the offense to determine whether the substance contained any 45
amount of a controlled substance if the results of the tests 46
indicate that the substance tested contained any controlled 47
substance. No court shall order an offender under this section to 48

pay the costs of tests performed on a substance if the results of 49
the tests do not indicate that the substance tested contained any 50
controlled substance. 51

The court shall hold a hearing to determine the amount of 52
costs to be imposed under this section. The court may hold the 53
hearing as part of the sentencing hearing for the offender. 54