

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

**126th General Assembly  
Regular Session  
2005-2006**

**H. B. No. 163**

**Representatives Widener, McGregor, Wagner, C. Evans, Setzer, Kearns,  
Oelslager, Widowfield, Seaver, Schaffer, Latta, Wagoner, Reidelbach,  
Webster, Evans, D., Hughes, Willamowski**

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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