

**As Passed by the House**

**130th General Assembly  
Regular Session  
2013-2014**

**Sub. H. B. No. 108**

**Representatives Baker, Schuring**

**Cosponsors: Representatives Antonio, Beck, Cera, Derickson, Duffey,  
Gonzales, Hagan, C., Lundy, Milkovich, Rogers, Sprague, Stebelton,  
Strahorn, Szollosi, Butler, Celebrezze, Pillich, Winburn, Adams, R., Amstutz,  
Anielski, Ashford, Barborak, Barnes, Bishoff, Blair, Blessing, Boose, Boyce,  
Brenner, Brown, Buchy, Budish, Burkley, Carney, Conditt, Curtin,  
Damschroder, DeVitis, Dovilla, Driehaus, Fedor, Foley, Gerberry, Green,  
Grossman, Hackett, Hagan, R., Hall, Hayes, Heard, Henne, Hill, Hottinger,  
Huffman, Johnson, Kunze, Landis, Lynch, Maag, McClain, McGregor,  
O'Brien, Patmon, Patterson, Pelanda, Perales, Phillips, Ramos, Romanchuk,  
Ruhl, Sears, Slaby, Slesnick, Smith, Stautberg, Stinziano, Sykes, Terhar,  
Williams, Young Speaker Batchelder**

—

**A B I L L**

To amend sections 109.91, 307.515, and 2929.18 and to 1  
enact sections 109.921, 311.172, and 2950.012 of 2  
the Revised Code to add two members to the State 3  
Victims Assistance Advisory Council, to require 4  
each person who registers as a sex offender or 5  
child-victim offender to pay a one-hundred-dollar 6  
fee, to authorize an additional fine for the 7  
commission of a sexually oriented or child-victim 8  
oriented offense, to require the deposit of the 9  
fee and additional fine into the Rape Crisis 10  
Program Trust Fund administered by the Attorney 11  
General, to fund rape crisis centers out of the 12

Fund, and to make an appropriation. 13

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

**Section 1.** That sections 109.91, 307.515, and 2929.18 be 14  
amended and sections 109.921, 311.172, and 2950.012 of the Revised 15  
Code be enacted to read as follows: 16

**Sec. 109.91.** (A) There is hereby established within the 17  
office of the attorney general the crime victims assistance 18  
office. 19

(B) There is hereby established the state victims assistance 20  
advisory council. The council shall consist of a chairperson, to 21  
be appointed by the attorney general, three ex officio members, 22  
and ~~fifteen~~ seventeen members to be appointed by the attorney 23  
general as follows: one member who represents the Ohio 24  
victim-witness association; three members who represent local 25  
victim assistance programs, including one from a municipally 26  
operated program and one from a county-operated program; one 27  
member who represents the interests of elderly victims; one member 28  
who represents the interests of individuals with mental illness; 29  
one member who is a board member of any statewide or local 30  
organization that exists primarily to aid victims of domestic 31  
violence, or who is an employee of, or counselor for, such an 32  
organization; one member who is a board member of any statewide or 33  
local organization that exists primarily to aid victims of sexual 34  
violence or who is an employee of or a counselor for an 35  
organization that exists primarily to aid victims of sexual 36  
violence; one member who is an employee or officer of a county 37  
probation department or a probation department operated by the 38  
department of rehabilitation and correction; one member who is a 39  
county prosecuting attorney; one member who is a city law 40  
director; one member who is a county sheriff; one member who is a 41

member or officer of a township or municipal police department; 42  
one member who is a court of common pleas judge; one member who is 43  
a municipal court judge or county court judge; and two members who 44  
are private citizens and are not government employees. 45

The council shall include the following ex officio, nonvoting 46  
members: the attorney general, one member of the senate to be 47  
designated by the president of the senate, and one member of the 48  
house of representatives to be designated by the speaker of the 49  
house. 50

Members of the council shall serve without compensation, but 51  
shall be reimbursed for travel and other necessary expenses that 52  
are incurred in the conduct of their official duties as members of 53  
the council. The chairperson and members of the council appointed 54  
by the attorney general shall serve at the pleasure of the 55  
attorney general. The attorney general shall serve on the council 56  
until the end of the term of office that qualified the attorney 57  
general for membership on the council. The member of the senate 58  
and the member of the house of representatives shall serve at the 59  
pleasure of the president of the senate and the speaker of the 60  
house of representatives, respectively. 61

(C) The victims assistance advisory council shall perform 62  
both of the following duties: 63

(1) Advise the crime victims assistance office in determining 64  
crime and delinquency victim service needs, determining crime and 65  
delinquency victim policies for the state, and improving and 66  
exercising leadership in the quality of crime and delinquency 67  
victim programs in the state; 68

(2) Review and recommend to the crime victims assistance 69  
office the victim assistance programs that should be considered 70  
for the receipt of state financial assistance pursuant to section 71  
109.92 of the Revised Code. The financial assistance allocation 72

recommendations of the council shall be based on the following 73  
priorities: 74

(a) Programs in existence on July 1, 1985, shall be given 75  
first priority; 76

(b) Programs offering or proposing to offer the broadest 77  
range of services and referrals to the community served, including 78  
medical, psychological, financial, educational, vocational, and 79  
legal services that were not in existence on July 1, 1985, shall 80  
be given second priority; 81

(c) Other qualified programs shall be given last priority. 82

(D) As used in this section and section 109.92 of the Revised 83  
Code, "victim assistance program" includes, but is not limited to 84  
a program that provides at least one of the following: 85

(1) Services to victims of any offense of violence or 86  
delinquent act that would be an offense of violence if committed 87  
by an adult; 88

(2) Financial assistance or property repair services to 89  
victims of crime or delinquent acts; 90

(3) Assistance to victims of crime or delinquent acts in 91  
judicial proceedings; 92

(4) Assistance to victims of crime or delinquent acts under 93  
the operation of any political subdivision of the state or a 94  
branch of the criminal justice system set forth in division 95  
(B)(1)(a), (b), or (c) of section 5502.61 of the Revised Code; 96

(5) Technical assistance to persons or organizations that 97  
provide services to victims of crime or delinquent acts under the 98  
operation of a branch of the criminal justice system set forth in 99  
division (B)(1)(a), (b), or (c) of section 5502.61 of the Revised 100  
Code. 101

A victim assistance program does not include the program for 102

the reparation of crime victims established pursuant to Chapter 103  
2743. of the Revised Code. 104

Sec. 109.921. (A) As used in this section: 105

(1) "Rape crisis program" means any of the following: 106

(a) The nonprofit state sexual assault coalition designated 107  
by the center for injury prevention and control of the federal 108  
centers for disease control and prevention; 109

(b) A victim witness assistance program operated by a 110  
prosecuting attorney; 111

(c) A program operated by a government-based or nonprofit 112  
entity that provides a full continuum of services to victims of 113  
sexual assault, including hotlines, victim advocacy, and support 114  
services from the onset of the need for services through the 115  
completion of healing, that does not provide medical services, and 116  
that may refer victims to physicians for medical care but does not 117  
engage in or refer for services for which the use of genetic 118  
services funds is prohibited by section 3701.511 of the Revised 119  
Code. 120

(2) "Sexual assault" means any of the following: 121

(a) A violation of section 2907.02, 2907.03, 2907.04, 122  
2907.05, or former section 2907.12 of the Revised Code; 123

(b) A violation of an existing or former municipal ordinance 124  
or law of this or any other state or the United States that is or 125  
was substantially equivalent to any section listed in division 126  
(A)(2)(a) of this section. 127

(B) There is hereby created in the state treasury the rape 128  
crisis program trust fund, consisting of money paid into the fund 129  
pursuant to sections 307.515 and 311.172 of the Revised Code and 130  
any money appropriated to the fund by the general assembly or 131  
donated to the fund. The attorney general shall administer the 132

fund. The attorney general may use not more than five per cent of 133  
the money deposited or appropriated into the fund to pay costs 134  
associated with administering this section and shall use at least 135  
ninety-five per cent of the money deposited or appropriated into 136  
the fund for the purpose of providing funding to rape crisis 137  
programs under this section. 138

(C)(1) The attorney general shall adopt rules under Chapter 139  
119. of the Revised Code that establish procedures for rape crisis 140  
programs to apply to the attorney general for funding out of the 141  
rape crisis program trust fund and procedures for the attorney 142  
general to distribute money out of the fund to rape crisis 143  
programs. 144

(2) The attorney general may decide upon an application for 145  
funding out of the rape crisis program trust fund without a 146  
hearing. A decision of the attorney general to grant or deny 147  
funding is final and not appealable under Chapter 119. or any 148  
other provision of the Revised Code. 149

(D) A rape crisis program that receives funding out of the 150  
rape crisis program trust fund shall use the money received only 151  
for the following purposes: 152

(1) If the program is the nonprofit state sexual assault 153  
coalition, to provide training and technical assistance to service 154  
providers; 155

(2) If the program is a victim witness assistance program, to 156  
provide victims of sexual assault with hotlines, victim advocacy, 157  
or support services; 158

(3) If the program is a government-based or nonprofit entity 159  
that provides a full continuum of services to victims of sexual 160  
assault, to provide those services and education to prevent sexual 161  
assault. 162

**Sec. 307.515.** (A) All fines and penalties collected by, and moneys arising from forfeited bail in, a municipal court for offenses and misdemeanors brought for prosecution in the name of a municipal corporation under one of its penal ordinances, where there is in force a state statute under which the offense might be prosecuted, or brought for prosecution in the name of the state, except a portion of those fines, penalties, and moneys that, plus all costs collected monthly in those state cases, equal the compensation allowed by the board of county commissioners to the judges of the municipal court, its clerk, and the prosecuting attorney of that court in state cases, shall be retained by the clerk of that municipal court and shall be deposited by the clerk each month in the county law library resources fund that is created under section 307.514 of the Revised Code in the county in which that municipal corporation is located. The sum that the clerk of the municipal court deposits in the county law library resources fund shall in no month be less than twenty-five per cent of the amount of such fines, penalties, and moneys received in that month, without deducting the amount of the allowance of the board of county commissioners to the judges, clerk, and prosecuting attorney.

The total amount paid under this section in any one calendar year by the clerks of all municipal courts in any one county to the county law library resources fund shall in no event exceed the following amounts:

(1) In counties having a population of fifty thousand or less, seventy-five hundred dollars and the maximum amount paid by any of such courts shall not exceed four thousand dollars in any calendar year.

(2) In counties having a population in excess of fifty thousand but not in excess of one hundred thousand, eight thousand

dollars and the maximum amount paid by any of such courts shall 194  
not exceed five thousand five hundred dollars in any calendar 195  
year. 196

(3) In counties having a population in excess of one hundred 197  
thousand but not in excess of one hundred fifty thousand, ten 198  
thousand dollars and the maximum amount paid by any of such courts 199  
shall not exceed seven thousand dollars in any calendar year. 200

(4) In counties having a population of in excess of one 201  
hundred fifty thousand, fifteen thousand dollars in any calendar 202  
year. The maximum amount to be paid by each clerk shall be 203  
determined by the county auditor in December of each year for the 204  
next succeeding calendar year and shall bear the same ratio to the 205  
total amount payable under this section from the clerks of all 206  
municipal courts in such county as the total fines, costs, and 207  
forfeitures received by the corresponding municipal court, bear to 208  
the total fines, costs, and forfeitures received by all the 209  
municipal courts in the county, as shown for the last complete 210  
year of actual receipts, on the latest available budgets of such 211  
municipal courts. Payments in the full amounts provided in this 212  
section shall be made monthly by each clerk in each calendar year 213  
until the maximum amount for such year has been paid. When that 214  
amount, so determined by the auditor, has been paid to the county 215  
law library resources fund, then no further payments shall be 216  
required in that calendar year from the clerk of that court. 217

(5) This section does not apply to fines collected by a 218  
municipal court for violations of division (B) of section 4513.263 219  
of the Revised Code, or for violations of any municipal ordinance 220  
that is substantively comparable to that division, all of which 221  
shall be forwarded to the treasurer of state as provided in 222  
division (E) of section 4513.263 of the Revised Code. 223

(B) The county treasurer, upon the voucher of the county 224  
auditor, shall deposit fifty per cent of all moneys collected by a 225



county court accruing from fines, penalties, and forfeited bail, 226  
unless otherwise distributed by law, in the county law library 227  
resources fund in that county that is created under section 228  
307.514 of the Revised Code. The county treasurer shall deposit 229  
those moneys into that fund within thirty days after those moneys 230  
have been paid into the county treasury by the clerk of the county 231  
court. 232

This section does not apply to fines collected by a county 233  
court for violations of division (B) of section 4513.263 of the 234  
Revised Code, or for violations of any municipal ordinance that is 235  
substantively comparable to that division, all of which shall be 236  
forwarded to the treasurer of state as provided in division (E) of 237  
section 4513.263 of the Revised Code. 238

(C) In each county of the state, the clerk of the court of 239  
common pleas and the clerk of the probate court shall retain all 240  
fines and penalties collected by, and moneys arising from 241  
forfeited bail in, the court of common pleas and the probate court 242  
of that county for offenses and misdemeanors brought for 243  
prosecution in those courts in the name of the state and monthly 244  
shall deposit those moneys in the county law library resources 245  
fund in that county that is created under section 307.514 of the 246  
Revised Code. The total sums so deposited shall not exceed twelve 247  
hundred fifty dollars per annum, and when that amount has been 248  
deposited in the fund in accordance with this section then no 249  
further payments shall be required under this section in that 250  
calendar year from the clerks of those respective courts. 251

This section does not apply to fines collected by a court of 252  
common pleas for violations of division (B) of section 4513.263 of 253  
the Revised Code, all of which shall be forwarded to the treasurer 254  
of state as provided in division (E) of that section. 255

This section does not apply to fines imposed under division 256  
(B)(9) of section 2929.18 of the Revised Code and collected by a 257

court of common pleas, all of which shall be forwarded by the 258  
court to the treasurer of state not later than the twentieth day 259  
of the month after the month in which they are collected for 260  
deposit into the state treasury to the credit of the rape crisis 261  
program trust fund created by section 109.921 of the Revised Code. 262

(D) In each county, the treasurer of the county or the 263  
treasurer of the municipal corporation shall deposit monthly fifty 264  
per cent of all fines and penalties collected by, and fifty per 265  
cent of moneys arising from forfeited bail in, any court in that 266  
county for offenses brought for prosecution under Chapters 4301. 267  
and 4303. of the Revised Code and the state traffic laws in the 268  
county legal resources fund in that county that is created under 269  
section 307.514 of the Revised Code. The sum so deposited in that 270  
fund by each treasurer shall not exceed twelve hundred dollars per 271  
annum under Chapters 4301. and 4303. of the Revised Code, and when 272  
that amount has been deposited in that fund in accordance with 273  
this section, then no further deposits shall be required under 274  
this section in that calendar year from those treasurers. 275

As used in this section, "state traffic laws" does not 276  
include division (B) of section 4513.263 of the Revised Code. 277

**Sec. 311.172.** (A) The sheriff shall charge a one-time fee of 278  
one hundred dollars when a person who, on or after the effective 279  
date of this section, is convicted of an offense for which 280  
registration is required under section 2950.04 or 2950.041 of the 281  
Revised Code registers for the first time. The fee shall be in 282  
addition to any fee that may be charged under section 311.171 of 283  
the Revised Code. 284

(B) The sheriff shall not refuse to register a person who 285  
does not pay the fee required by this section. At the end of each 286  
calendar year, the sheriff shall report to the attorney general 287  
all fees that have been due and unpaid for more than one year and 288

that the sheriff has not previously reported. The attorney general 289  
may recover those fees in a civil action. 290

(C) The sheriff shall transmit on or before the twentieth day 291  
of the following month all money collected during a month under 292  
this section to the county treasurer. Within sixty days after 293  
receipt, the county treasurer shall transmit the money to the 294  
treasurer of state to be credited to the rape crisis program trust 295  
fund created by section 109.921 of the Revised Code. 296

**Sec. 2929.18.** (A) Except as otherwise provided in this 297  
division and in addition to imposing court costs pursuant to 298  
section 2947.23 of the Revised Code, the court imposing a sentence 299  
upon an offender for a felony may sentence the offender to any 300  
financial sanction or combination of financial sanctions 301  
authorized under this section or, in the circumstances specified 302  
in section 2929.32 of the Revised Code, may impose upon the 303  
offender a fine in accordance with that section. Financial 304  
sanctions that may be imposed pursuant to this section include, 305  
but are not limited to, the following: 306

(1) Restitution by the offender to the victim of the 307  
offender's crime or any survivor of the victim, in an amount based 308  
on the victim's economic loss. If the court imposes restitution, 309  
the court shall order that the restitution be made to the victim 310  
in open court, to the adult probation department that serves the 311  
county on behalf of the victim, to the clerk of courts, or to 312  
another agency designated by the court. If the court imposes 313  
restitution, at sentencing, the court shall determine the amount 314  
of restitution to be made by the offender. If the court imposes 315  
restitution, the court may base the amount of restitution it 316  
orders on an amount recommended by the victim, the offender, a 317  
presentence investigation report, estimates or receipts indicating 318  
the cost of repairing or replacing property, and other 319

information, provided that the amount the court orders as 320  
restitution shall not exceed the amount of the economic loss 321  
suffered by the victim as a direct and proximate result of the 322  
commission of the offense. If the court decides to impose 323  
restitution, the court shall hold a hearing on restitution if the 324  
offender, victim, or survivor disputes the amount. All restitution 325  
payments shall be credited against any recovery of economic loss 326  
in a civil action brought by the victim or any survivor of the 327  
victim against the offender. 328

If the court imposes restitution, the court may order that 329  
the offender pay a surcharge of not more than five per cent of the 330  
amount of the restitution otherwise ordered to the entity 331  
responsible for collecting and processing restitution payments. 332

The victim or survivor may request that the prosecutor in the 333  
case file a motion, or the offender may file a motion, for 334  
modification of the payment terms of any restitution ordered. If 335  
the court grants the motion, it may modify the payment terms as it 336  
determines appropriate. 337

(2) Except as provided in division (B)(1), (3), or (4) of 338  
this section, a fine payable by the offender to the state, to a 339  
political subdivision, or as described in division (B)(2) of this 340  
section to one or more law enforcement agencies, with the amount 341  
of the fine based on a standard percentage of the offender's daily 342  
income over a period of time determined by the court and based 343  
upon the seriousness of the offense. A fine ordered under this 344  
division shall not exceed the maximum conventional fine amount 345  
authorized for the level of the offense under division (A)(3) of 346  
this section. 347

(3) Except as provided in division (B)(1), (3), or (4) of 348  
this section, a fine payable by the offender to the state, to a 349  
political subdivision when appropriate for a felony, or as 350  
described in division (B)(2) of this section to one or more law 351

enforcement agencies, in the following amount:	352
(a) For a felony of the first degree, not more than twenty thousand dollars;	353 354
(b) For a felony of the second degree, not more than fifteen thousand dollars;	355 356
(c) For a felony of the third degree, not more than ten thousand dollars;	357 358
(d) For a felony of the fourth degree, not more than five thousand dollars;	359 360
(e) For a felony of the fifth degree, not more than two thousand five hundred dollars.	361 362
(4) A state fine or costs as defined in section 2949.111 of the Revised Code.	363 364
(5)(a) Reimbursement by the offender of any or all of the costs of sanctions incurred by the government, including the following:	365 366 367
(i) All or part of the costs of implementing any community control sanction, including a supervision fee under section 2951.021 of the Revised Code;	368 369 370
(ii) All or part of the costs of confinement under a sanction imposed pursuant to section 2929.14, 2929.142, 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;	371 372 373 374 375 376
(iii) All or part of the cost of purchasing and using an immobilizing or disabling device, including a certified ignition interlock device, or a remote alcohol monitoring device that a court orders an offender to use under section 4510.13 of the Revised Code.	377 378 379 380 381

(b) If the offender is sentenced to a sanction of confinement 382  
pursuant to section 2929.14 or 2929.16 of the Revised Code that is 383  
to be served in a facility operated by a board of county 384  
commissioners, a legislative authority of a municipal corporation, 385  
or another local governmental entity, if, pursuant to section 386  
307.93, 341.14, 341.19, 341.23, 753.02, 753.04, 753.16, 2301.56, 387  
or 2947.19 of the Revised Code and section 2929.37 of the Revised 388  
Code, the board, legislative authority, or other local 389  
governmental entity requires prisoners to reimburse the county, 390  
municipal corporation, or other entity for its expenses incurred 391  
by reason of the prisoner's confinement, and if the court does not 392  
impose a financial sanction under division (A)(5)(a)(ii) of this 393  
section, confinement costs may be assessed pursuant to section 394  
2929.37 of the Revised Code. In addition, the offender may be 395  
required to pay the fees specified in section 2929.38 of the 396  
Revised Code in accordance with that section. 397

(c) Reimbursement by the offender for costs pursuant to 398  
section 2929.71 of the Revised Code. 399

(B)(1) For a first, second, or third degree felony violation 400  
of any provision of Chapter 2925., 3719., or 4729. of the Revised 401  
Code, the sentencing court shall impose upon the offender a 402  
mandatory fine of at least one-half of, but not more than, the 403  
maximum statutory fine amount authorized for the level of the 404  
offense pursuant to division (A)(3) of this section. If an 405  
offender alleges in an affidavit filed with the court prior to 406  
sentencing that the offender is indigent and unable to pay the 407  
mandatory fine and if the court determines the offender is an 408  
indigent person and is unable to pay the mandatory fine described 409  
in this division, the court shall not impose the mandatory fine 410  
upon the offender. 411

(2) Any mandatory fine imposed upon an offender under 412  
division (B)(1) of this section and any fine imposed upon an 413

offender under division (A)(2) or (3) of this section for any 414  
fourth or fifth degree felony violation of any provision of 415  
Chapter 2925., 3719., or 4729. of the Revised Code shall be paid 416  
to law enforcement agencies pursuant to division (F) of section 417  
2925.03 of the Revised Code. 418

(3) For a fourth degree felony OVI offense and for a third 419  
degree felony OVI offense, the sentencing court shall impose upon 420  
the offender a mandatory fine in the amount specified in division 421  
(G)(1)(d) or (e) of section 4511.19 of the Revised Code, whichever 422  
is applicable. The mandatory fine so imposed shall be disbursed as 423  
provided in the division pursuant to which it is imposed. 424

(4) Notwithstanding any fine otherwise authorized or required 425  
to be imposed under division (A)(2) or (3) or (B)(1) of this 426  
section or section 2929.31 of the Revised Code for a violation of 427  
section 2925.03 of the Revised Code, in addition to any penalty or 428  
sanction imposed for that offense under section 2925.03 or 429  
sections 2929.11 to 2929.18 of the Revised Code and in addition to 430  
the forfeiture of property in connection with the offense as 431  
prescribed in Chapter 2981. of the Revised Code, the court that 432  
sentences an offender for a violation of section 2925.03 of the 433  
Revised Code may impose upon the offender a fine in addition to 434  
any fine imposed under division (A)(2) or (3) of this section and 435  
in addition to any mandatory fine imposed under division (B)(1) of 436  
this section. The fine imposed under division (B)(4) of this 437  
section shall be used as provided in division (H) of section 438  
2925.03 of the Revised Code. A fine imposed under division (B)(4) 439  
of this section shall not exceed whichever of the following is 440  
applicable: 441

(a) The total value of any personal or real property in which 442  
the offender has an interest and that was used in the course of, 443  
intended for use in the course of, derived from, or realized 444  
through conduct in violation of section 2925.03 of the Revised 445

Code, including any property that constitutes proceeds derived 446  
from that offense; 447

(b) If the offender has no interest in any property of the 448  
type described in division (B)(4)(a) of this section or if it is 449  
not possible to ascertain whether the offender has an interest in 450  
any property of that type in which the offender may have an 451  
interest, the amount of the mandatory fine for the offense imposed 452  
under division (B)(1) of this section or, if no mandatory fine is 453  
imposed under division (B)(1) of this section, the amount of the 454  
fine authorized for the level of the offense imposed under 455  
division (A)(3) of this section. 456

(5) Prior to imposing a fine under division (B)(4) of this 457  
section, the court shall determine whether the offender has an 458  
interest in any property of the type described in division 459  
(B)(4)(a) of this section. Except as provided in division (B)(6) 460  
or (7) of this section, a fine that is authorized and imposed 461  
under division (B)(4) of this section does not limit or affect the 462  
imposition of the penalties and sanctions for a violation of 463  
section 2925.03 of the Revised Code prescribed under those 464  
sections or sections 2929.11 to 2929.18 of the Revised Code and 465  
does not limit or affect a forfeiture of property in connection 466  
with the offense as prescribed in Chapter 2981. of the Revised 467  
Code. 468

(6) If the sum total of a mandatory fine amount imposed for a 469  
first, second, or third degree felony violation of section 2925.03 470  
of the Revised Code under division (B)(1) of this section plus the 471  
amount of any fine imposed under division (B)(4) of this section 472  
does not exceed the maximum statutory fine amount authorized for 473  
the level of the offense under division (A)(3) of this section or 474  
section 2929.31 of the Revised Code, the court may impose a fine 475  
for the offense in addition to the mandatory fine and the fine 476  
imposed under division (B)(4) of this section. The sum total of 477



the amounts of the mandatory fine, the fine imposed under division 478  
(B)(4) of this section, and the additional fine imposed under 479  
division (B)(6) of this section shall not exceed the maximum 480  
statutory fine amount authorized for the level of the offense 481  
under division (A)(3) of this section or section 2929.31 of the 482  
Revised Code. The clerk of the court shall pay any fine that is 483  
imposed under division (B)(6) of this section to the county, 484  
township, municipal corporation, park district as created pursuant 485  
to section 511.18 or 1545.04 of the Revised Code, or state law 486  
enforcement agencies in this state that primarily were responsible 487  
for or involved in making the arrest of, and in prosecuting, the 488  
offender pursuant to division (F) of section 2925.03 of the 489  
Revised Code. 490

(7) If the sum total of the amount of a mandatory fine 491  
imposed for a first, second, or third degree felony violation of 492  
section 2925.03 of the Revised Code plus the amount of any fine 493  
imposed under division (B)(4) of this section exceeds the maximum 494  
statutory fine amount authorized for the level of the offense 495  
under division (A)(3) of this section or section 2929.31 of the 496  
Revised Code, the court shall not impose a fine under division 497  
(B)(6) of this section. 498

(8)(a) If an offender who is convicted of or pleads guilty to 499  
a violation of section 2905.01, 2905.02, 2907.21, 2907.22, or 500  
2923.32, division (A)(1) or (2) of section 2907.323, or division 501  
(B)(1), (2), (3), (4), or (5) of section 2919.22 of the Revised 502  
Code also is convicted of or pleads guilty to a specification of 503  
the type described in section 2941.1422 of the Revised Code that 504  
charges that the offender knowingly committed the offense in 505  
furtherance of human trafficking, the sentencing court shall 506  
sentence the offender to a financial sanction of restitution by 507  
the offender to the victim or any survivor of the victim, with the 508  
restitution including the costs of housing, counseling, and 509

medical and legal assistance incurred by the victim as a direct 510  
result of the offense and the greater of the following: 511

(i) The gross income or value to the offender of the victim's 512  
labor or services; 513

(ii) The value of the victim's labor as guaranteed under the 514  
minimum wage and overtime provisions of the "Federal Fair Labor 515  
Standards Act of 1938," 52 Stat. 1060, 20 U.S.C. 207, and state 516  
labor laws. 517

(b) If a court imposing sentence upon an offender for a 518  
felony is required to impose upon the offender a financial 519  
sanction of restitution under division (B)(8)(a) of this section, 520  
in addition to that financial sanction of restitution, the court 521  
may sentence the offender to any other financial sanction or 522  
combination of financial sanctions authorized under this section, 523  
including a restitution sanction under division (A)(1) of this 524  
section. 525

(9) In addition to any other fine that is or may be imposed 526  
under this section, the court imposing sentence upon an offender 527  
for a felony that is a sexually oriented offense or a child-victim 528  
oriented offense, as those terms are defined in section 2950.01 of 529  
the Revised Code, may impose a fine of not less than fifty nor 530  
more than five hundred dollars. 531

(C)(1) The offender shall pay reimbursements imposed upon the 532  
offender pursuant to division (A)(5)(a) of this section to pay the 533  
costs incurred by the department of rehabilitation and correction 534  
in operating a prison or other facility used to confine offenders 535  
pursuant to sanctions imposed under section 2929.14, 2929.142, or 536  
2929.16 of the Revised Code to the treasurer of state. The 537  
treasurer of state shall deposit the reimbursements in the 538  
confinement cost reimbursement fund that is hereby created in the 539  
state treasury. The department of rehabilitation and correction 540

shall use the amounts deposited in the fund to fund the operation 541  
of facilities used to confine offenders pursuant to sections 542  
2929.14, 2929.142, and 2929.16 of the Revised Code. 543

(2) Except as provided in section 2951.021 of the Revised 544  
Code, the offender shall pay reimbursements imposed upon the 545  
offender pursuant to division (A)(5)(a) of this section to pay the 546  
costs incurred by a county pursuant to any sanction imposed under 547  
this section or section 2929.16 or 2929.17 of the Revised Code or 548  
in operating a facility used to confine offenders pursuant to a 549  
sanction imposed under section 2929.16 of the Revised Code to the 550  
county treasurer. The county treasurer shall deposit the 551  
reimbursements in the sanction cost reimbursement fund that each 552  
board of county commissioners shall create in its county treasury. 553  
The county shall use the amounts deposited in the fund to pay the 554  
costs incurred by the county pursuant to any sanction imposed 555  
under this section or section 2929.16 or 2929.17 of the Revised 556  
Code or in operating a facility used to confine offenders pursuant 557  
to a sanction imposed under section 2929.16 of the Revised Code. 558

(3) Except as provided in section 2951.021 of the Revised 559  
Code, the offender shall pay reimbursements imposed upon the 560  
offender pursuant to division (A)(5)(a) of this section to pay the 561  
costs incurred by a municipal corporation pursuant to any sanction 562  
imposed under this section or section 2929.16 or 2929.17 of the 563  
Revised Code or in operating a facility used to confine offenders 564  
pursuant to a sanction imposed under section 2929.16 of the 565  
Revised Code to the treasurer of the municipal corporation. The 566  
treasurer shall deposit the reimbursements in a special fund that 567  
shall be established in the treasury of each municipal 568  
corporation. The municipal corporation shall use the amounts 569  
deposited in the fund to pay the costs incurred by the municipal 570  
corporation pursuant to any sanction imposed under this section or 571  
section 2929.16 or 2929.17 of the Revised Code or in operating a 572

facility used to confine offenders pursuant to a sanction imposed 573  
under section 2929.16 of the Revised Code. 574

(4) Except as provided in section 2951.021 of the Revised 575  
Code, the offender shall pay reimbursements imposed pursuant to 576  
division (A)(5)(a) of this section for the costs incurred by a 577  
private provider pursuant to a sanction imposed under this section 578  
or section 2929.16 or 2929.17 of the Revised Code to the provider. 579

(D) Except as otherwise provided in this division, a 580  
financial sanction imposed pursuant to division (A) or (B) of this 581  
section is a judgment in favor of the state or a political 582  
subdivision in which the court that imposed the financial sanction 583  
is located, and the offender subject to the financial sanction is 584  
the judgment debtor. A financial sanction of reimbursement imposed 585  
pursuant to division (A)(5)(a)(ii) of this section upon an 586  
offender who is incarcerated in a state facility or a municipal 587  
jail is a judgment in favor of the state or the municipal 588  
corporation, and the offender subject to the financial sanction is 589  
the judgment debtor. A financial sanction of reimbursement imposed 590  
upon an offender pursuant to this section for costs incurred by a 591  
private provider of sanctions is a judgment in favor of the 592  
private provider, and the offender subject to the financial 593  
sanction is the judgment debtor. A financial sanction of 594  
restitution imposed pursuant to division (A)(1) or (B)(8) of this 595  
section is an order in favor of the victim of the offender's 596  
criminal act that can be collected through a certificate of 597  
judgment as described in division (D)(1) of this section, through 598  
execution as described in division (D)(2) of this section, or 599  
through an order as described in division (D)(3) of this section, 600  
and the offender shall be considered for purposes of the 601  
collection as the judgment debtor. Imposition of a financial 602  
sanction and execution on the judgment does not preclude any other 603  
power of the court to impose or enforce sanctions on the offender. 604

Once the financial sanction is imposed as a judgment or order 605  
under this division, the victim, private provider, state, or 606  
political subdivision may do any of the following: 607

(1) Obtain from the clerk of the court in which the judgment 608  
was entered a certificate of judgment that shall be in the same 609  
manner and form as a certificate of judgment issued in a civil 610  
action; 611

(2) Obtain execution of the judgment or order through any 612  
available procedure, including: 613

(a) An execution against the property of the judgment debtor 614  
under Chapter 2329. of the Revised Code; 615

(b) An execution against the person of the judgment debtor 616  
under Chapter 2331. of the Revised Code; 617

(c) A proceeding in aid of execution under Chapter 2333. of 618  
the Revised Code, including: 619

(i) A proceeding for the examination of the judgment debtor 620  
under sections 2333.09 to 2333.12 and sections 2333.15 to 2333.27 621  
of the Revised Code; 622

(ii) A proceeding for attachment of the person of the 623  
judgment debtor under section 2333.28 of the Revised Code; 624

(iii) A creditor's suit under section 2333.01 of the Revised 625  
Code. 626

(d) The attachment of the property of the judgment debtor 627  
under Chapter 2715. of the Revised Code; 628

(e) The garnishment of the property of the judgment debtor 629  
under Chapter 2716. of the Revised Code. 630

(3) Obtain an order for the assignment of wages of the 631  
judgment debtor under section 1321.33 of the Revised Code. 632

(E) A court that imposes a financial sanction upon an 633

offender may hold a hearing if necessary to determine whether the 634  
offender is able to pay the sanction or is likely in the future to 635  
be able to pay it. 636

(F) Each court imposing a financial sanction upon an offender 637  
under this section or under section 2929.32 of the Revised Code 638  
may designate the clerk of the court or another person to collect 639  
the financial sanction. The clerk or other person authorized by 640  
law or the court to collect the financial sanction may enter into 641  
contracts with one or more public agencies or private vendors for 642  
the collection of, amounts due under the financial sanction 643  
imposed pursuant to this section or section 2929.32 of the Revised 644  
Code. Before entering into a contract for the collection of 645  
amounts due from an offender pursuant to any financial sanction 646  
imposed pursuant to this section or section 2929.32 of the Revised 647  
Code, a court shall comply with sections 307.86 to 307.92 of the 648  
Revised Code. 649

(G) If a court that imposes a financial sanction under 650  
division (A) or (B) of this section finds that an offender 651  
satisfactorily has completed all other sanctions imposed upon the 652  
offender and that all restitution that has been ordered has been 653  
paid as ordered, the court may suspend any financial sanctions 654  
imposed pursuant to this section or section 2929.32 of the Revised 655  
Code that have not been paid. 656

(H) No financial sanction imposed under this section or 657  
section 2929.32 of the Revised Code shall preclude a victim from 658  
bringing a civil action against the offender. 659

**Sec. 2950.012.** If a court sentences a person who commits a 660  
sexually oriented offense or a child-victim oriented offense to a 661  
community control sanction, the court may make payment of the 662  
registration fee required by section 311.172 of the Revised Code a 663  
condition of the community control sanction. 664

**Section 2.** That existing sections 109.91, 307.515, and 2929.18 of the Revised Code are hereby repealed.

**Section 3.** All items in this section are hereby appropriated out of any moneys in the state treasury to the credit of the designated fund. For all appropriations made in this act, those in the first column are for fiscal year 2014 and those in the second column are for fiscal year 2015. The appropriations made in this act are in addition to any other appropriations made for the FY 2014-FY 2015 biennium.

AGO OFFICE OF THE ATTORNEY GENERAL

General Revenue Fund

GRF 055501 Rape Crisis Centers	\$	1,000,000	\$	1,000,000
TOTAL GRF General Revenue Fund	\$	1,000,000	\$	1,000,000
TOTAL ALL BUDGET FUND GROUPS	\$	1,000,000	\$	1,000,000

**Section 4.** Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from appropriations contained in this act shall be accounted for as though made in the main operating appropriations act of the 130th General Assembly.

The appropriations made in this act are subject to all provisions of the main operating appropriations act of the 130th General Assembly that are generally applicable to such appropriations.