

As Reported by the House Judiciary Committee

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**

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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
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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 163
moneys arising from forfeited bail in, a municipal court for 164
offenses and misdemeanors brought for prosecution in the name of a 165
municipal corporation under one of its penal ordinances, where 166
there is in force a state statute under which the offense might be 167
prosecuted, or brought for prosecution in the name of the state, 168
except a portion of those fines, penalties, and moneys that, plus 169
all costs collected monthly in those state cases, equal the 170

compensation allowed by the board of county commissioners to the 171
judges of the municipal court, its clerk, and the prosecuting 172
attorney of that court in state cases, shall be retained by the 173
clerk of that municipal court and shall be deposited by the clerk 174
each month in the county law library resources fund that is 175
created under section 307.514 of the Revised Code in the county in 176
which that municipal corporation is located. The sum that the 177
clerk of the municipal court deposits in the county law library 178
resources fund shall in no month be less than twenty-five per cent 179
of the amount of such fines, penalties, and moneys received in 180
that month, without deducting the amount of the allowance of the 181
board of county commissioners to the judges, clerk, and 182
prosecuting attorney. 183

The total amount paid under this section in any one calendar 184
year by the clerks of all municipal courts in any one county to 185
the county law library resources fund shall in no event exceed the 186
following amounts: 187

(1) In counties having a population of fifty thousand or 188
less, seventy-five hundred dollars and the maximum amount paid by 189
any of such courts shall not exceed four thousand dollars in any 190
calendar year. 191

(2) In counties having a population in excess of fifty 192
thousand but not in excess of one hundred thousand, eight thousand 193
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 Revised Code, or for violations of any municipal ordinance that is substantively comparable to that division, all of which shall be forwarded to the treasurer of state as provided in division (E) of section 4513.263 of the Revised Code.

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

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

This section does not apply to fines imposed under division (B)(9) of section 2929.18 of the Revised Code and collected by a court of common pleas, all of which shall be forwarded by the court to the treasurer of state not later than the twentieth day of the month after the month in which they are collected for deposit into the state treasury to the credit of the rape crisis program trust fund created by section 109.921 of the Revised Code.

(D) In each county, the treasurer of the county or the treasurer of the municipal corporation shall deposit monthly fifty per cent of all fines and penalties collected by, and fifty per

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 353
thousand dollars; 354

(b) For a felony of the second degree, not more than fifteen 355
thousand dollars; 356

(c) For a felony of the third degree, not more than ten 357
thousand dollars; 358

(d) For a felony of the fourth degree, not more than five 359

thousand dollars; 360

(e) For a felony of the fifth degree, not more than two 361
thousand five hundred dollars. 362

(4) A state fine or costs as defined in section 2949.111 of 363
the Revised Code. 364

(5)(a) Reimbursement by the offender of any or all of the 365
costs of sanctions incurred by the government, including the 366
following: 367

(i) All or part of the costs of implementing any community 368
control sanction, including a supervision fee under section 369
2951.021 of the Revised Code; 370

(ii) All or part of the costs of confinement under a sanction 371
imposed pursuant to section 2929.14, 2929.142, or 2929.16 of the 372
Revised Code, provided that the amount of reimbursement ordered 373
under this division shall not exceed the total amount of 374
reimbursement the offender is able to pay as determined at a 375
hearing and shall not exceed the actual cost of the confinement; 376

(iii) All or part of the cost of purchasing and using an 377
immobilizing or disabling device, including a certified ignition 378
interlock device, or a remote alcohol monitoring device that a 379
court orders an offender to use under section 4510.13 of the 380
Revised Code. 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
felony is required to impose upon the offender a financial
sanction of restitution under division (B)(8)(a) of this section,
in addition to that financial sanction of restitution, the court
may sentence the offender to any other financial sanction or
combination of financial sanctions authorized under this section,
including a restitution sanction under division (A)(1) of this
section.

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

(C)(1) The offender shall pay reimbursements imposed upon the
offender pursuant to division (A)(5)(a) of this section to pay the
costs incurred by the department of rehabilitation and correction
in operating a prison or other facility used to confine offenders
pursuant to sanctions imposed under section 2929.14, 2929.142, or
2929.16 of the Revised Code to the treasurer of state. The
treasurer of state shall deposit the reimbursements in the
confinement cost reimbursement fund that is hereby created in the
state treasury. The department of rehabilitation and correction
shall use the amounts deposited in the fund to fund the operation
of facilities used to confine offenders pursuant to sections
2929.14, 2929.142, and 2929.16 of the Revised Code.

(2) Except as provided in section 2951.021 of the Revised
Code, the offender shall pay reimbursements imposed upon the
offender pursuant to division (A)(5)(a) of this section to pay the
costs incurred by a county 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 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 Code. Before entering into a contract for the collection of amounts due from an offender pursuant to any financial sanction imposed pursuant to this section or section 2929.32 of the Revised Code, a court shall comply with sections 307.86 to 307.92 of the Revised Code.

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

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

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

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	674
General Revenue Fund	675
GRF 055501 Rape Crisis Centers \$ 1,000,000 \$ 1,000,000	676
TOTAL GRF General Revenue Fund \$ 1,000,000 \$ 1,000,000	677
TOTAL ALL BUDGET FUND GROUPS \$ 1,000,000 \$ 1,000,000	678

Section 4. Within the limits set forth in this act, the 680
Director of Budget and Management shall establish accounts 681
indicating the source and amount of funds for each appropriation 682
made in this act, and shall determine the form and manner in which 683
appropriation accounts shall be maintained. Expenditures from 684
appropriations contained in this act shall be accounted for as 685
though made in the main operating appropriations act of the 130th 686
General Assembly. 687

The appropriations made in this act are subject to all 688
provisions of the main operating appropriations act of the 130th 689
General Assembly that are generally applicable to such 690
appropriations. 691