

As Introduced

**130th General Assembly
Regular Session
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H. B. No. 674

Representatives Budish, Celebrezze

Cosponsor: Representative Antonio

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A B I L L

To amend sections 2743.56, 2743.68, 2743.70, and 1
2743.71 of the Revised Code to eliminate the 2
period of limitations for a minor to file a 3
victim's reparations application and for the 4
filing of supplemental reparations applications 5
and to increase the court costs for certain 6
misdemeanors that fund the Reparations Fund. 7

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

Section 1. That sections 2743.56, 2743.68, 2743.70, and 8
2743.71 of the Revised Code be amended to read as follows: 9

Sec. 2743.56. (A) A claim for an award of reparations shall 10
be commenced by filing an application for an award of reparations 11
with the attorney general. The application may be filed by mail. 12
If the application is filed by mail, the post-marked date of the 13
application shall be considered the filing date of the 14
application. The application shall be in a form prescribed by the 15
attorney general and shall include a release authorizing the 16
attorney general and the court of claims to obtain any report, 17
document, or information that relates to the determination of the 18
claim for an award of reparations that is requested in the 19

application. 20

(B) All applications for an award of reparations shall be 21
filed ~~as follows:~~ 22

~~(1) If the victim of the criminally injurious conduct was a 23
minor, within two years of the victim's eighteenth birthday or 24
within two years from the date a complaint, indictment, or 25
information is filed against the alleged offender, whichever is 26
later. This division does not require that a complaint, 27
indictment, or information be filed against an alleged offender in 28
order for an application for an award of reparations to be filed 29
pertaining to a victim who was a minor if the application is filed 30
within two years of the victim's eighteenth birthday, and does not 31
affect the provisions of section 2743.64 of the Revised Code. 32~~

~~(2) If the victim of the criminally injurious conduct was an 33
adult, at any time after the occurrence of the criminally 34
injurious conduct. 35~~

Sec. 2743.68. A claimant may file a supplemental reparations 36
application in a claim if the attorney general or the court of 37
claims, ~~within five years prior to the filing of the supplemental 38
application,~~ has made any of the following determinations: 39

(A) That an award, supplemental award, or installment award 40
be granted; 41

(B) That an award, supplemental award, or installment award 42
be conditioned or denied because of actual or potential recovery 43
from a collateral source; 44

(C) That an award, supplemental award, or installment award 45
be denied because the claimant had not incurred any economic loss 46
at that time. 47

Sec. 2743.70. (A)(1) The court, in which any person is 48

convicted of or pleads guilty to any offense other than a traffic 49
offense that is not a moving violation, shall impose the following 50
sum as costs in the case in addition to any other court costs that 51
the court is required by law to impose upon the offender: 52

(a) Thirty dollars, if the offense is a felony; 53

(b) ~~Nine~~ Eleven dollars, if the offense is a misdemeanor. 54

The court shall not waive the payment of the ~~thirty thirty-~~ 55
or ~~nine dollars~~ eleven-dollar court ~~costs~~ cost, unless the court 56
determines that the offender is indigent and waives the payment of 57
all court costs imposed upon the indigent offender. All such 58
moneys shall be transmitted on the first business day of each 59
month by the clerk of the court to the treasurer of state and 60
deposited by the treasurer in the reparations fund. 61

(2) The juvenile court in which a child is found to be a 62
delinquent child or a juvenile traffic offender for an act which, 63
if committed by an adult, would be an offense other than a traffic 64
offense that is not a moving violation, shall impose the following 65
sum as costs in the case in addition to any other court costs that 66
the court is required or permitted by law to impose upon the 67
delinquent child or juvenile traffic offender: 68

(a) Thirty dollars, if the act, if committed by an adult, 69
would be a felony; 70

(b) ~~Nine~~ Eleven dollars, if the act, if committed by an 71
adult, would be a misdemeanor. 72

The ~~thirty thirty-~~ or ~~nine dollars~~ eleven-dollar court ~~costs~~ 73
cost shall be collected in all cases unless the court determines 74
the juvenile is indigent and waives the payment of all court 75
costs, or enters an order on its journal stating that it has 76
determined that the juvenile is indigent, that no other court 77
costs are to be taxed in the case, and that the payment of the 78
~~thirty thirty-~~ or ~~nine dollars~~ eleven-dollar court ~~costs~~ cost is 79

waived. All such moneys collected during a month shall be 80
transmitted on or before the twentieth day of the following month 81
by the clerk of the court to the treasurer of state and deposited 82
by the treasurer in the reparations fund. 83

(B) Whenever a person is charged with any offense other than 84
a traffic offense that is not a moving violation and posts bail 85
pursuant to sections 2937.22 to 2937.46 of the Revised Code, 86
Criminal Rule 46, or Traffic Rule 4, the court shall add to the 87
amount of the bail the thirty or ~~nine~~ eleven dollars required to 88
be paid by division (A)(1) of this section. The thirty or ~~nine~~ 89
eleven dollars shall be retained by the clerk of the court until 90
the person is convicted, pleads guilty, forfeits bail, is found 91
not guilty, or has the charges dismissed. If the person is 92
convicted, pleads guilty, or forfeits bail, the clerk shall 93
transmit the thirty or ~~nine~~ eleven dollars to the treasurer of 94
state, who shall deposit it in the reparations fund. If the person 95
is found not guilty or the charges are dismissed, the clerk shall 96
return the thirty or ~~nine~~ eleven dollars to the person. 97

(C) No person shall be placed or held in jail for failing to 98
pay the additional ~~thirty~~ thirty- or ~~nine-dollars~~ eleven-dollar 99
court ~~costs~~ cost or bail ~~that are~~ required to be paid by this 100
section. 101

(D) As used in this section: 102

(1) "Moving violation" means any violation of any statute or 103
ordinance, other than section 4513.263 of the Revised Code or an 104
ordinance that is substantially equivalent to that section, that 105
regulates the operation of vehicles, streetcars, or trackless 106
trolleys on highways or streets or that regulates size or load 107
limitations or fitness requirements of vehicles. "Moving 108
violation" does not include the violation of any statute or 109
ordinance that regulates pedestrians or the parking of vehicles. 110

(2) "Bail" means cash, a check, a money order, a credit card, 111
or any other form of money that is posted by or for an offender 112
pursuant to sections 2937.22 to 2937.46 of the Revised Code, 113
Criminal Rule 46, or Traffic Rule 4 to prevent the offender from 114
being placed or held in a detention facility, as defined in 115
section 2921.01 of the Revised Code. 116

Sec. 2743.71. (A) Any law enforcement agency that 117
investigates, and any prosecuting attorney, city director of law, 118
village solicitor, or similar prosecuting authority who 119
prosecutes, an offense committed in this state shall, upon first 120
contact with the victim or the victim's family or dependents, give 121
the victim or the victim's family or dependents a copy of an 122
information card or other printed material provided by the 123
attorney general pursuant to division (B) of this section and 124
explain, upon request, the information on the card or material to 125
the victim or the victim's family or dependents. 126

(B) The attorney general shall have printed, and shall 127
provide to law enforcement agencies, prosecuting attorneys, city 128
directors of law, village solicitors, and similar prosecuting 129
authorities, cards or other materials that contain information 130
explaining awards of reparations. The information on the cards or 131
other materials shall include, but shall not be limited to, the 132
following statements: 133

(1) Awards of reparations are limited to losses that are 134
caused by physical injury resulting from criminally injurious 135
conduct; 136

(2) Reparations applications ~~are required to~~ shall be filed 137
~~within the period provided by division (B)(1) of section 2743.56~~ 138
~~of the Revised Code if the victim~~ at any time after the occurrence 139
of the criminally injurious conduct ~~was a minor;~~ 140

(3) An attorney who represents an applicant for an award of 141

reparations cannot charge the applicant for the services rendered 142
in relation to that representation but is required to apply to the 143
attorney general for payment for the representation; 144

(4) Applications for awards of reparations may be obtained 145
from the attorney general, law enforcement agencies, and victim 146
assistance agencies and are to be filed with the attorney general. 147

(C) The attorney general may order that a reasonable amount 148
of money be paid out of the reparations fund, subject to the 149
limitation imposed by division (D) of this section, for use by the 150
attorney general to publicize the availability of awards of 151
reparations. 152

(D) During any fiscal year, the total expenditure for the 153
printing and providing of information cards or other materials 154
pursuant to division (B) of this section and for the publicizing 155
of the availability of awards of reparations pursuant to division 156
(C) of this section shall not exceed two per cent of the total of 157
all court costs deposited, in accordance with section 2743.70 of 158
the Revised Code, in the reparations fund during the immediately 159
preceding fiscal year. 160

Section 2. That existing sections 2743.56, 2743.68, 2743.70, 161
and 2743.71 of the Revised Code are hereby repealed. 162

Section 3. The amendment to section 2743.56 of the Revised 163
Code made by this act applies to all applications for an award of 164
reparations filed on or after the effective date of this act. The 165
amendment to section 2743.68 of the Revised Code made by this act 166
applies to all applications for supplemental award of reparations 167
filed on or after the effective date of this act. 168