



Ohio Legislative Service Commission

Bill Analysis

David M. Gold

H.B. 542

130th General Assembly
(As Introduced)

Reps. Barborak, Butler, Rogers, Stinziano

BILL SUMMARY

- Authorizes a sentencing court to order an offender to reimburse a law enforcement agency for funds expended to purchase a drug, controlled substance, or controlled substance analog from the offender during the agency's investigation of a drug offense.
- Makes the amount of reimbursement so ordered a judgment in favor of the law enforcement agency, with the offender as the judgment debtor.

CONTENT AND OPERATION

Financial sanction in drug cases

The bill adds to the list of financial sanctions that a court may impose when sentencing an offender for either a felony or a misdemeanor. Under existing law, unchanged by the bill, possible financial sanctions include restitution to the victim, a fine, costs, reimbursement of the costs incurred by the government for other sanctions (for example, the costs of confining the offender), and reimbursement of investigative costs in certain cases. Under the bill, the court may order the offender to reimburse a county, township, municipal corporation, or state law enforcement agency for funds expended to purchase a drug, controlled substance, or controlled substance analog from the offender during the agency's investigation of a drug offense that is a violation of any provision of R.C. Chapter 2925. (drug offenses).¹ The bill makes the new financial sanction a judgment in favor of the agency, with the offender as the judgment debtor.²

¹ R.C. 2929.18(A)(7) and 2929.28(A)(4).

² R.C. 2929.18(D) and 2929.28(D).

Definitions

For purposes of R.C. Chapter 2929. (criminal penalties), the bill defines "controlled substance analog" as having the same meaning as in the controlled substances law³ and "drug" as having the same meaning as in the Revised Code chapter that regulates pharmacists.⁴

HISTORY

ACTION	DATE
Introduced	05-19-14

H0542-I-130.docx/emr

³ R.C. 2929.01(F) (incorporating R.C. 3719.01(HH) by reference).

⁴ R.C. 2929.01(EEE) (incorporating by reference R.C. 4729.01(E)).

