

**As Passed by the Senate**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. H. B. No. 66**

**Representative Merrin**

**Cosponsors: Representatives Lang, Romanchuk, Vitale, Becker, Miller, A., Riedel, Zeltwanger, Schaffer, Jordan, Leland, Crossman, Galonski, Rogers, Seitz, Smith, T., Carfagna, Carruthers, Cross, DeVitis, Ginter, Green, Greenspan, Hambley, Holmes, A., Hoops, Jones, Keller, Kick, Lanese, Manning, D., McClain, Oelslager, Perales, Plummer, Powell, Reineke, Scherer, Sheehy, Stein, Stoltzfus, Wiggam**

**Senators Coley, Antonio, Brenner, Craig, Fedor, Gavarone, Hackett, Hoagland, Huffman, M., Huffman, S., Johnson, Kunze, Lehner, McColley, Obhof, O'Brien, Peterson, Roegner, Schaffer, Sykes, Thomas, Wilson, Yuko**

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**A BILL**

To amend sections 105.41, 2929.01, 2929.18, and 2929.28 of the Revised Code to enact the "Theft Victims' Restitution Act" to allow restitution for the cost of accounting or auditing done to determine the extent of a victim's economic loss, to make changes regarding appointed members of the Capitol Square Review and Advisory Board, to vacate a seat on the Joint Legislative Ethics Committee, and to declare an emergency. 1  
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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 105.41, 2929.01, 2929.18, and 2929.28 of the Revised Code be amended to read as follows: 11  
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**Sec. 105.41.** (A) There is hereby created in the 13

legislative branch of government the capitol square review and 14  
advisory board, consisting of twelve members as follows: 15

(1) Two members of the senate, appointed by the president 16  
of the senate, both of whom shall not be members of the same 17  
political party; 18

(2) Two members of the house of representatives, appointed 19  
by the speaker of the house of representatives, both of whom 20  
shall not be members of the same political party; 21

(3) Four members appointed by the governor, with the 22  
advice and consent of the senate, not more than three of whom 23  
shall be members of the same political party, one of whom shall 24  
be the chief of staff of the governor's office, one of whom 25  
shall represent the Ohio arts council, one of whom shall 26  
represent the Ohio history connection, and one of whom shall 27  
represent the public at large; 28

(4) One member, who shall be a former president of the 29  
senate, appointed by the current president of the senate. If the 30  
current president of the senate, in the current president's 31  
discretion, decides for any reason not to make the appointment 32  
or if no person is eligible or available to serve, the seat 33  
shall remain vacant. 34

(5) One member, who shall be a former speaker of the house 35  
of representatives, appointed by the current speaker of the 36  
house of representatives. If the current speaker of the house of 37  
representatives, in the current speaker's discretion, decides 38  
for any reason not to make the appointment or if no person is 39  
eligible or available to serve, the seat shall remain vacant. 40

(6) The clerk of the senate and the clerk of the house of 41  
representatives. 42

(B) All appointed members of the board serve at the 43  
pleasure of the appointing authority and may be discharged from 44  
the board, by the appointing authority, without cause. Terms of 45  
office of each member appointed ~~member of the board under~~ 46  
divisions (A) (3), (4), and (5) of this section shall be for 47  
three years, ~~except that members~~ unless discharged by the 48  
appointing authority before the end of the term. Members of the 49  
general assembly appointed to the board ~~shall~~ may be members of 50  
the board only so long as they are members of the general 51  
assembly and the chief of staff of the governor's office ~~shall~~ 52  
may be a member of the board only so long as the appointing 53  
governor remains in office. ~~Each member shall hold office from~~ 54  
~~the date of the member's appointment until the end of the term~~ 55  
~~for which the member was appointed.~~ In case of a vacancy 56  
occurring on the board, the president of the senate, the speaker 57  
of the house of representatives, or the governor, as the case 58  
may be, shall in the same manner prescribed for the regular 59  
appointment to the commission, fill the vacancy by appointing a 60  
member. Any member appointed to fill a vacancy occurring prior 61  
to the expiration of the term for which the member's predecessor 62  
was appointed shall hold office for the remainder of the term. 63  
Any appointed member ~~shall continue in office subsequent to the~~ 64  
~~expiration date of the member's term until the member's~~ 65  
~~successor takes office, or until a period of sixty days has~~ 66  
~~elapsed, whichever occurs first~~ may be reappointed, provided the 67  
member continues to meet all other eligibility requirements. 68

(C) The board shall hold meetings in a manner and at times 69  
prescribed by the rules adopted by the board. A majority of the 70  
board constitutes a quorum, and no action shall be taken by the 71  
board unless approved by at least six members or by at least 72  
seven members if a person is appointed under division (A) (4) or 73

(5) of this section. At its first meeting, the board shall adopt 74  
rules for the conduct of its business and the election of its 75  
officers, and shall organize by selecting officers other than a 76  
chairperson as it considers necessary. In odd-numbered years, 77  
the majority member from the senate shall serve as chairperson; 78  
in even-numbered years, the majority member from the house of 79  
representatives shall serve as chairperson. Board members shall 80  
serve without compensation but shall be reimbursed for actual 81  
and necessary expenses incurred in the performance of their 82  
duties. 83

(D) The board may do any of the following: 84

(1) Employ or hire on a consulting basis professional, 85  
technical, and clerical employees as are necessary for the 86  
performance of its duties. All employees of the board are in the 87  
unclassified service and serve at the pleasure of the board. For 88  
purposes of section 4117.01 of the Revised Code, employees of 89  
the board shall be considered employees of the general assembly, 90  
except that employees who are covered by a collective bargaining 91  
agreement on September 29, 2011, shall remain subject to the 92  
agreement until the agreement expires on its terms, and the 93  
agreement shall not be extended or renewed. Upon expiration of 94  
the agreement, the employees are considered employees of the 95  
general assembly for purposes of section 4117.01 of the Revised 96  
Code and are in the unclassified service and serve at the 97  
pleasure of the board. 98

(2) Hold public hearings at times and places as determined 99  
by the board; 100

(3) Adopt, amend, or rescind rules necessary to accomplish 101  
the duties of the board as set forth in this section; 102

(4) Sponsor, conduct, and support such social events as 103  
the board may authorize and consider appropriate for the 104  
employees of the board, employees and members of the general 105  
assembly, employees of persons under contract with the board or 106  
otherwise engaged to perform services on the premises of capitol 107  
square, or other persons as the board may consider appropriate. 108  
Subject to the requirements of Chapter 4303. of the Revised 109  
Code, the board may provide beer, wine, and intoxicating liquor, 110  
with or without charge, for those events and may use funds only 111  
from the sale of goods and services fund to purchase the beer, 112  
wine, and intoxicating liquor the board provides; 113

(5) Purchase a warehouse in which to store items of the 114  
capitol collection trust and, whenever necessary, equipment or 115  
other property of the board. 116

(E) The board shall do all of the following: 117

(1) Have sole authority to coordinate and approve any 118  
improvements, additions, and renovations that are made to the 119  
capitol square. The improvements shall include, but not be 120  
limited to, the placement of monuments and sculpture on the 121  
capitol grounds. 122

(2) Operate the capitol square, and have sole authority to 123  
regulate all uses of the capitol square. The uses shall include, 124  
but not be limited to, the casual and recreational use of the 125  
capitol square. 126

(3) Employ, fix the compensation of, and prescribe the 127  
duties of the executive director of the board and other 128  
employees the board considers necessary for the performance of 129  
its powers and duties; 130

(4) Establish and maintain the capitol collection trust. 131

The capitol collection trust shall consist of furniture, 132  
antiques, and other items of personal property that the board 133  
shall store in suitable facilities until they are ready to be 134  
displayed in the capitol square. 135

(5) Perform repair, construction, contracting, purchasing, 136  
maintenance, supervisory, and operating activities the board 137  
determines are necessary for the operation and maintenance of 138  
the capitol square; 139

(6) Maintain and preserve the capitol square, in 140  
accordance with guidelines issued by the United States secretary 141  
of the interior for application of the secretary's standards for 142  
rehabilitation adopted in 36 C.F.R. part 67; 143

(7) Plan and develop a center at the capitol building for 144  
the purpose of educating visitors about the history of Ohio, 145  
including its political, economic, and social development and 146  
the design and erection of the capitol building and its grounds. 147

(F) (1) The board shall lease capital facilities improved 148  
by the department of administrative services or financed by the 149  
treasurer of state pursuant to Chapter 154. of the Revised Code 150  
for the use of the board, and may enter into any other 151  
agreements with the department, the Ohio public facilities 152  
commission, or any other authorized governmental agency 153  
ancillary to improvement, financing, or leasing of those capital 154  
facilities, including, but not limited to, any agreement 155  
required by the applicable bond proceedings authorized by 156  
Chapter 154. of the Revised Code. Any lease of capital 157  
facilities authorized by this section shall be governed by 158  
Chapter 154. of the Revised Code. 159

(2) Fees, receipts, and revenues received by the board 160

from the state underground parking garage constitute available 161  
receipts as defined in section 154.24 of the Revised Code, and 162  
may be pledged to the payment of bond service charges on 163  
obligations issued by the treasurer of state pursuant to Chapter 164  
154. of the Revised Code to improve, finance, or purchase 165  
capital facilities useful to the board. The treasurer of state 166  
may, with the consent of the board, provide in the bond 167  
proceedings for a pledge of all or a portion of those fees, 168  
receipts, and revenues as the treasurer of state determines. The 169  
treasurer of state may provide in the bond proceedings or by 170  
separate agreement with the board for the transfer of those 171  
fees, receipts, and revenues to the appropriate bond service 172  
fund or bond service reserve fund as required to pay the bond 173  
service charges when due, and any such provision for the 174  
transfer of those fees, receipts, and revenues shall be 175  
controlling notwithstanding any other provision of law 176  
pertaining to those fees, receipts, and revenues. 177

(3) All moneys received by the treasurer of state on 178  
account of the board and required by the applicable bond 179  
proceedings or by separate agreement with the board to be 180  
deposited, transferred, or credited to the bond service fund or 181  
bond service reserve fund established by the bond proceedings 182  
shall be transferred by the treasurer of state to such fund, 183  
whether or not it is in the custody of the treasurer of state, 184  
without necessity for further appropriation. 185

(G) (1) Except as otherwise provided in division (G) (2) of 186  
this section, all fees, receipts, and revenues received by the 187  
board from the state underground parking garage shall be 188  
deposited into the state treasury to the credit of the 189  
underground parking garage operating fund, which is hereby 190  
created, to be used for the purposes specified in division (F) 191

of this section and for the operation and maintenance of the 192  
garage. All investment earnings of the fund shall be credited to 193  
the fund. 194

(2) There is hereby created the parking garage automated 195  
equipment fund, which shall be in the custody of the treasurer 196  
of state but shall not be part of the state treasury. Money in 197  
the fund shall be used to purchase the automated teller machine 198  
quality dollar bills needed for operation of the parking garage 199  
automated equipment. The fund shall consist of fees, receipts, 200  
or revenues received by the board from the state underground 201  
parking garage; provided, however, that the total amount 202  
deposited into the fund at any one time shall not exceed ten 203  
thousand dollars. All investment earnings of the fund shall be 204  
credited to the fund. 205

(H) All donations received by the board shall be deposited 206  
into the state treasury to the credit of the capitol square 207  
renovation gift fund, which is hereby created. The fund shall be 208  
used by the board as follows: 209

(1) To provide part or all of the funding related to 210  
construction, goods, or services for the renovation of the 211  
capitol square; 212

(2) To purchase art, antiques, and artifacts for display 213  
at the capitol square; 214

(3) To award contracts or make grants to organizations for 215  
educating the public regarding the historical background and 216  
governmental functions of the capitol square. Chapters 125., 217  
127., and 153. and section 3517.13 of the Revised Code do not 218  
apply to purchases made exclusively from the fund, 219  
notwithstanding anything to the contrary in those chapters or 220



that section. All investment earnings of the fund shall be 221  
credited to the fund. 222

(I) Except as provided in divisions (G), (H), and (J) of 223  
this section, all fees, receipts, and revenues received by the 224  
board shall be deposited into the state treasury to the credit 225  
of the sale of goods and services fund, which is hereby created. 226  
Money credited to the fund shall be used solely to pay costs of 227  
the board other than those specified in divisions (F) and (G) of 228  
this section. All investment earnings of the fund shall be 229  
credited to the fund. 230

(J) There is hereby created in the state treasury the 231  
capitol square improvement fund, to be used by the board to pay 232  
construction, renovation, and other costs related to the capitol 233  
square for which money is not otherwise available to the board. 234  
Whenever the board determines that there is a need to incur 235  
those costs and that the unencumbered, unobligated balance to 236  
the credit of the underground parking garage operating fund 237  
exceeds the amount needed for the purposes specified in division 238  
(F) of this section and for the operation and maintenance of the 239  
garage, the board may request the director of budget and 240  
management to transfer from the underground parking garage 241  
operating fund to the capitol square improvement fund the amount 242  
needed to pay such construction, renovation, or other costs. The 243  
director then shall transfer the amount needed from the excess 244  
balance of the underground parking garage operating fund. 245

(K) As the operation and maintenance of the capitol square 246  
constitute essential government functions of a public purpose, 247  
the board shall not be required to pay taxes or assessments upon 248  
the square, upon any property acquired or used by the board 249  
under this section, or upon any income generated by the 250

operation of the square.	251
(L) As used in this section, "capitol square" means the	252
capitol building, senate building, capitol atrium, capitol	253
grounds, the state underground parking garage, and the warehouse	254
owned by the board.	255
(M) The capitol annex shall be known as the senate	256
building.	257
(N) Any person may possess a firearm in a motor vehicle in	258
the state underground parking garage at the state capitol	259
building, if the person's possession of the firearm in the motor	260
vehicle is not in violation of section 2923.16 of the Revised	261
Code or any other provision of the Revised Code. Any person may	262
store or leave a firearm in a locked motor vehicle that is	263
parked in the state underground parking garage at the state	264
capitol building, if the person's transportation and possession	265
of the firearm in the motor vehicle while traveling to the	266
garage was not in violation of section 2923.16 of the Revised	267
Code or any other provision of the Revised Code.	268
<b>Sec. 2929.01.</b> As used in this chapter:	269
(A) (1) "Alternative residential facility" means, subject	270
to division (A) (2) of this section, any facility other than an	271
offender's home or residence in which an offender is assigned to	272
live and that satisfies all of the following criteria:	273
(a) It provides programs through which the offender may	274
seek or maintain employment or may receive education, training,	275
treatment, or habilitation.	276
(b) It has received the appropriate license or certificate	277
for any specialized education, training, treatment,	278
habilitation, or other service that it provides from the	279

government agency that is responsible for licensing or 280  
certifying that type of education, training, treatment, 281  
habilitation, or service. 282

(2) "Alternative residential facility" does not include a 283  
community-based correctional facility, jail, halfway house, or 284  
prison. 285

(B) "Basic probation supervision" means a requirement that 286  
the offender maintain contact with a person appointed to 287  
supervise the offender in accordance with sanctions imposed by 288  
the court or imposed by the parole board pursuant to section 289  
2967.28 of the Revised Code. "Basic probation supervision" 290  
includes basic parole supervision and basic post-release control 291  
supervision. 292

(C) "Cocaine," "fentanyl-related compound," "hashish," 293  
"L.S.D.," and "unit dose" have the same meanings as in section 294  
2925.01 of the Revised Code. 295

(D) "Community-based correctional facility" means a 296  
community-based correctional facility and program or district 297  
community-based correctional facility and program developed 298  
pursuant to sections 2301.51 to 2301.58 of the Revised Code. 299

(E) "Community control sanction" means a sanction that is 300  
not a prison term and that is described in section 2929.15, 301  
2929.16, 2929.17, or 2929.18 of the Revised Code or a sanction 302  
that is not a jail term and that is described in section 303  
2929.26, 2929.27, or 2929.28 of the Revised Code. "Community 304  
control sanction" includes probation if the sentence involved 305  
was imposed for a felony that was committed prior to July 1, 306  
1996, or if the sentence involved was imposed for a misdemeanor 307  
that was committed prior to January 1, 2004. 308

(F) "Controlled substance," "marihuana," "schedule I," and 309  
"schedule II" have the same meanings as in section 3719.01 of 310  
the Revised Code. 311

(G) "Curfew" means a requirement that an offender during a 312  
specified period of time be at a designated place. 313

(H) "Day reporting" means a sanction pursuant to which an 314  
offender is required each day to report to and leave a center or 315  
other approved reporting location at specified times in order to 316  
participate in work, education or training, treatment, and other 317  
approved programs at the center or outside the center. 318

(I) "Deadly weapon" has the same meaning as in section 319  
2923.11 of the Revised Code. 320

(J) "Drug and alcohol use monitoring" means a program 321  
under which an offender agrees to submit to random chemical 322  
analysis of the offender's blood, breath, or urine to determine 323  
whether the offender has ingested any alcohol or other drugs. 324

(K) "Drug treatment program" means any program under which 325  
a person undergoes assessment and treatment designed to reduce 326  
or completely eliminate the person's physical or emotional 327  
reliance upon alcohol, another drug, or alcohol and another drug 328  
and under which the person may be required to receive assessment 329  
and treatment on an outpatient basis or may be required to 330  
reside at a facility other than the person's home or residence 331  
while undergoing assessment and treatment. 332

(L) "Economic loss" means any economic detriment suffered 333  
by a victim as a direct and proximate result of the commission 334  
of an offense and includes any loss of income due to lost time 335  
at work because of any injury caused to the victim, ~~and~~ any 336  
property loss, medical cost, or funeral expense incurred as a 337

result of the commission of the offense, and the cost of any 338  
accounting or auditing done to determine the extent of loss if 339  
the cost is incurred and payable by the victim. "Economic loss" 340  
does not include non-economic loss or any punitive or exemplary 341  
damages. 342

(M) "Education or training" includes study at, or in 343  
conjunction with a program offered by, a university, college, or 344  
technical college or vocational study and also includes the 345  
completion of primary school, secondary school, and literacy 346  
curricula or their equivalent. 347

(N) "Firearm" has the same meaning as in section 2923.11 348  
of the Revised Code. 349

(O) "Halfway house" means a facility licensed by the 350  
division of parole and community services of the department of 351  
rehabilitation and correction pursuant to section 2967.14 of the 352  
Revised Code as a suitable facility for the care and treatment 353  
of adult offenders. 354

(P) "House arrest" means a period of confinement of an 355  
offender that is in the offender's home or in other premises 356  
specified by the sentencing court or by the parole board 357  
pursuant to section 2967.28 of the Revised Code and during which 358  
all of the following apply: 359

(1) The offender is required to remain in the offender's 360  
home or other specified premises for the specified period of 361  
confinement, except for periods of time during which the 362  
offender is at the offender's place of employment or at other 363  
premises as authorized by the sentencing court or by the parole 364  
board. 365

(2) The offender is required to report periodically to a 366

person designated by the court or parole board. 367

(3) The offender is subject to any other restrictions and 368  
requirements that may be imposed by the sentencing court or by 369  
the parole board. 370

(Q) "Intensive probation supervision" means a requirement 371  
that an offender maintain frequent contact with a person 372  
appointed by the court, or by the parole board pursuant to 373  
section 2967.28 of the Revised Code, to supervise the offender 374  
while the offender is seeking or maintaining necessary 375  
employment and participating in training, education, and 376  
treatment programs as required in the court's or parole board's 377  
order. "Intensive probation supervision" includes intensive 378  
parole supervision and intensive post-release control 379  
supervision. 380

(R) "Jail" means a jail, workhouse, minimum security jail, 381  
or other residential facility used for the confinement of 382  
alleged or convicted offenders that is operated by a political 383  
subdivision or a combination of political subdivisions of this 384  
state. 385

(S) "Jail term" means the term in a jail that a sentencing 386  
court imposes or is authorized to impose pursuant to section 387  
2929.24 or 2929.25 of the Revised Code or pursuant to any other 388  
provision of the Revised Code that authorizes a term in a jail 389  
for a misdemeanor conviction. 390

(T) "Mandatory jail term" means the term in a jail that a 391  
sentencing court is required to impose pursuant to division (G) 392  
of section 1547.99 of the Revised Code, division (E) of section 393  
2903.06 or division (D) of section 2903.08 of the Revised Code, 394  
division (E) or (G) of section 2929.24 of the Revised Code, 395

division (B) of section 4510.14 of the Revised Code, or division 396  
(G) of section 4511.19 of the Revised Code or pursuant to any 397  
other provision of the Revised Code that requires a term in a 398  
jail for a misdemeanor conviction. 399

(U) "Delinquent child" has the same meaning as in section 400  
2152.02 of the Revised Code. 401

(V) "License violation report" means a report that is made 402  
by a sentencing court, or by the parole board pursuant to 403  
section 2967.28 of the Revised Code, to the regulatory or 404  
licensing board or agency that issued an offender a professional 405  
license or a license or permit to do business in this state and 406  
that specifies that the offender has been convicted of or 407  
pleaded guilty to an offense that may violate the conditions 408  
under which the offender's professional license or license or 409  
permit to do business in this state was granted or an offense 410  
for which the offender's professional license or license or 411  
permit to do business in this state may be revoked or suspended. 412

(W) "Major drug offender" means an offender who is 413  
convicted of or pleads guilty to the possession of, sale of, or 414  
offer to sell any drug, compound, mixture, preparation, or 415  
substance that consists of or contains at least one thousand 416  
grams of hashish; at least one hundred grams of cocaine; at 417  
least one thousand unit doses or one hundred grams of heroin; at 418  
least five thousand unit doses of L.S.D. or five hundred grams 419  
of L.S.D. in a liquid concentrate, liquid extract, or liquid 420  
distillate form; at least fifty grams of a controlled substance 421  
analog; at least one thousand unit doses or one hundred grams of 422  
a fentanyl-related compound; or at least one hundred times the 423  
amount of any other schedule I or II controlled substance other 424  
than marihuana that is necessary to commit a felony of the third 425

degree pursuant to section 2925.03, 2925.04, 2925.05, or 2925.11 426  
of the Revised Code that is based on the possession of, sale of, 427  
or offer to sell the controlled substance. 428

(X) "Mandatory prison term" means any of the following: 429

(1) Subject to division (X)(2) of this section, the term 430  
in prison that must be imposed for the offenses or circumstances 431  
set forth in divisions (F)(1) to (8) or (F)(12) to (21) of 432  
section 2929.13 and division (B) of section 2929.14 of the 433  
Revised Code. Except as provided in sections 2925.02, 2925.03, 434  
2925.04, 2925.05, and 2925.11 of the Revised Code, unless the 435  
maximum or another specific term is required under section 436  
2929.14 or 2929.142 of the Revised Code, a mandatory prison term 437  
described in this division may be any prison term authorized for 438  
the level of offense except that if the offense is a felony of 439  
the first or second degree committed on or after ~~the effective~~ 440  
~~date of this amendment~~ March 22, 2019, a mandatory prison term 441  
described in this division may be one of the terms prescribed in 442  
division (A)(1)(a) or (2)(a) of section 2929.14 of the Revised 443  
Code, whichever is applicable, that is authorized as the minimum 444  
term for the offense. 445

(2) The term of sixty or one hundred twenty days in prison 446  
that a sentencing court is required to impose for a third or 447  
fourth degree felony OVI offense pursuant to division (G)(2) of 448  
section 2929.13 and division (G)(1)(d) or (e) of section 4511.19 449  
of the Revised Code or the term of one, two, three, four, or 450  
five years in prison that a sentencing court is required to 451  
impose pursuant to division (G)(2) of section 2929.13 of the 452  
Revised Code. 453

(3) The term in prison imposed pursuant to division (A) of 454  
section 2971.03 of the Revised Code for the offenses and in the 455



circumstances described in division (F) (11) of section 2929.13 456  
of the Revised Code or pursuant to division (B) (1) (a), (b), or 457  
(c), (B) (2) (a), (b), or (c), or (B) (3) (a), (b), (c), or (d) of 458  
section 2971.03 of the Revised Code and that term as modified or 459  
terminated pursuant to section 2971.05 of the Revised Code. 460

(Y) "Monitored time" means a period of time during which 461  
an offender continues to be under the control of the sentencing 462  
court or parole board, subject to no conditions other than 463  
leading a law-abiding life. 464

(Z) "Offender" means a person who, in this state, is 465  
convicted of or pleads guilty to a felony or a misdemeanor. 466

(AA) "Prison" means a residential facility used for the 467  
confinement of convicted felony offenders that is under the 468  
control of the department of rehabilitation and correction and 469  
includes a violation sanction center operated under authority of 470  
section 2967.141 of the Revised Code. 471

(BB) (1) "Prison term" includes either of the following 472  
sanctions for an offender: 473

(a) A stated prison term; 474

(b) A term in a prison shortened by, or with the approval 475  
of, the sentencing court pursuant to section 2929.143, 2929.20, 476  
2967.26, 5120.031, 5120.032, or 5120.073 of the Revised Code. 477

(2) With respect to a non-life felony indefinite prison 478  
term, references in any provision of law to a reduction of, or 479  
deduction from, the prison term mean a reduction in, or 480  
deduction from, the minimum term imposed as part of the 481  
indefinite term. 482

(CC) "Repeat violent offender" means a person about whom 483

both of the following apply:	484
(1) The person is being sentenced for committing or for complicity in committing any of the following:	485 486
(a) Aggravated murder, murder, any felony of the first or second degree that is an offense of violence, or an attempt to commit any of these offenses if the attempt is a felony of the first or second degree;	487 488 489 490
(b) An offense under an existing or former law of this state, another state, or the United States that is or was substantially equivalent to an offense described in division (CC) (1) (a) of this section.	491 492 493 494
(2) The person previously was convicted of or pleaded guilty to an offense described in division (CC) (1) (a) or (b) of this section.	495 496 497
(DD) "Sanction" means any penalty imposed upon an offender who is convicted of or pleads guilty to an offense, as punishment for the offense. "Sanction" includes any sanction imposed pursuant to any provision of sections 2929.14 to 2929.18 or 2929.24 to 2929.28 of the Revised Code.	498 499 500 501 502
(EE) "Sentence" means the sanction or combination of sanctions imposed by the sentencing court on an offender who is convicted of or pleads guilty to an offense.	503 504 505
(FF) (1) "Stated prison term" means the prison term, mandatory prison term, or combination of all prison terms and mandatory prison terms imposed by the sentencing court pursuant to section 2929.14, 2929.142, or 2971.03 of the Revised Code or under section 2919.25 of the Revised Code. "Stated prison term" includes any credit received by the offender for time spent in jail awaiting trial, sentencing, or transfer to prison for the	506 507 508 509 510 511 512

offense and any time spent under house arrest or house arrest 513  
with electronic monitoring imposed after earning credits 514  
pursuant to section 2967.193 of the Revised Code. If an offender 515  
is serving a prison term as a risk reduction sentence under 516  
sections 2929.143 and 5120.036 of the Revised Code, "stated 517  
prison term" includes any period of time by which the prison 518  
term imposed upon the offender is shortened by the offender's 519  
successful completion of all assessment and treatment or 520  
programming pursuant to those sections. 521

(2) As used in the definition of "stated prison term" set 522  
forth in division (FF)(1) of this section, a prison term is a 523  
definite prison term imposed under section 2929.14 of the 524  
Revised Code or any other provision of law, is the minimum and 525  
maximum prison terms under a non-life felony indefinite prison 526  
term, or is a term of life imprisonment except to the extent 527  
that the use of that definition in a section of the Revised Code 528  
clearly is not intended to include a term of life imprisonment. 529  
With respect to an offender sentenced to a non-life felony 530  
indefinite prison term, references in section 2967.191 or 531  
2967.193 of the Revised Code or any other provision of law to a 532  
reduction of, or deduction from, the offender's stated prison 533  
term or to release of the offender before the expiration of the 534  
offender's stated prison term mean a reduction in, or deduction 535  
from, the minimum term imposed as part of the indefinite term or 536  
a release of the offender before the expiration of that minimum 537  
term, references in section 2929.19 or 2967.28 of the Revised 538  
Code to a stated prison term with respect to a prison term 539  
imposed for a violation of a post-release control sanction mean 540  
the minimum term so imposed, and references in any provision of 541  
law to an offender's service of the offender's stated prison 542  
term or the expiration of the offender's stated prison term mean 543

service or expiration of the minimum term so imposed plus any 544  
additional period of incarceration under the sentence that is 545  
required under section 2967.271 of the Revised Code. 546

(GG) "Victim-offender mediation" means a reconciliation or 547  
mediation program that involves an offender and the victim of 548  
the offense committed by the offender and that includes a 549  
meeting in which the offender and the victim may discuss the 550  
offense, discuss restitution, and consider other sanctions for 551  
the offense. 552

(HH) "Fourth degree felony OVI offense" means a violation 553  
of division (A) of section 4511.19 of the Revised Code that, 554  
under division (G) of that section, is a felony of the fourth 555  
degree. 556

(II) "Mandatory term of local incarceration" means the 557  
term of sixty or one hundred twenty days in a jail, a community- 558  
based correctional facility, a halfway house, or an alternative 559  
residential facility that a sentencing court may impose upon a 560  
person who is convicted of or pleads guilty to a fourth degree 561  
felony OVI offense pursuant to division (G) (1) of section 562  
2929.13 of the Revised Code and division (G) (1) (d) or (e) of 563  
section 4511.19 of the Revised Code. 564

(JJ) "Designated homicide, assault, or kidnapping 565  
offense," "violent sex offense," "sexual motivation 566  
specification," "sexually violent offense," "sexually violent 567  
predator," and "sexually violent predator specification" have 568  
the same meanings as in section 2971.01 of the Revised Code. 569

(KK) "Sexually oriented offense," "child-victim oriented 570  
offense," and "tier III sex offender/child-victim offender" have 571  
the same meanings as in section 2950.01 of the Revised Code. 572

(LL) An offense is "committed in the vicinity of a child" 573  
if the offender commits the offense within thirty feet of or 574  
within the same residential unit as a child who is under 575  
eighteen years of age, regardless of whether the offender knows 576  
the age of the child or whether the offender knows the offense 577  
is being committed within thirty feet of or within the same 578  
residential unit as the child and regardless of whether the 579  
child actually views the commission of the offense. 580

(MM) "Family or household member" has the same meaning as 581  
in section 2919.25 of the Revised Code. 582

(NN) "Motor vehicle" and "manufactured home" have the same 583  
meanings as in section 4501.01 of the Revised Code. 584

(OO) "Detention" and "detention facility" have the same 585  
meanings as in section 2921.01 of the Revised Code. 586

(PP) "Third degree felony OVI offense" means a violation 587  
of division (A) of section 4511.19 of the Revised Code that, 588  
under division (G) of that section, is a felony of the third 589  
degree. 590

(QQ) "Random drug testing" has the same meaning as in 591  
section 5120.63 of the Revised Code. 592

(RR) "Felony sex offense" has the same meaning as in 593  
section 2967.28 of the Revised Code. 594

(SS) "Body armor" has the same meaning as in section 595  
2941.1411 of the Revised Code. 596

(TT) "Electronic monitoring" means monitoring through the 597  
use of an electronic monitoring device. 598

(UU) "Electronic monitoring device" means any of the 599  
following: 600

(1) Any device that can be operated by electrical or 601  
battery power and that conforms with all of the following: 602

(a) The device has a transmitter that can be attached to a 603  
person, that will transmit a specified signal to a receiver of 604  
the type described in division (UU) (1) (b) of this section if the 605  
transmitter is removed from the person, turned off, or altered 606  
in any manner without prior court approval in relation to 607  
electronic monitoring or without prior approval of the 608  
department of rehabilitation and correction in relation to the 609  
use of an electronic monitoring device for an inmate on 610  
transitional control or otherwise is tampered with, that can 611  
transmit continuously and periodically a signal to that receiver 612  
when the person is within a specified distance from the 613  
receiver, and that can transmit an appropriate signal to that 614  
receiver if the person to whom it is attached travels a 615  
specified distance from that receiver. 616

(b) The device has a receiver that can receive 617  
continuously the signals transmitted by a transmitter of the 618  
type described in division (UU) (1) (a) of this section, can 619  
transmit continuously those signals by a wireless or landline 620  
telephone connection to a central monitoring computer of the 621  
type described in division (UU) (1) (c) of this section, and can 622  
transmit continuously an appropriate signal to that central 623  
monitoring computer if the device has been turned off or altered 624  
without prior court approval or otherwise tampered with. The 625  
device is designed specifically for use in electronic 626  
monitoring, is not a converted wireless phone or another 627  
tracking device that is clearly not designed for electronic 628  
monitoring, and provides a means of text-based or voice 629  
communication with the person. 630

(c) The device has a central monitoring computer that can 631  
receive continuously the signals transmitted by a wireless or 632  
landline telephone connection by a receiver of the type 633  
described in division (UU) (1) (b) of this section and can monitor 634  
continuously the person to whom an electronic monitoring device 635  
of the type described in division (UU) (1) (a) of this section is 636  
attached. 637

(2) Any device that is not a device of the type described 638  
in division (UU) (1) of this section and that conforms with all 639  
of the following: 640

(a) The device includes a transmitter and receiver that 641  
can monitor and determine the location of a subject person at 642  
any time, or at a designated point in time, through the use of a 643  
central monitoring computer or through other electronic means. 644

(b) The device includes a transmitter and receiver that 645  
can determine at any time, or at a designated point in time, 646  
through the use of a central monitoring computer or other 647  
electronic means the fact that the transmitter is turned off or 648  
altered in any manner without prior approval of the court in 649  
relation to the electronic monitoring or without prior approval 650  
of the department of rehabilitation and correction in relation 651  
to the use of an electronic monitoring device for an inmate on 652  
transitional control or otherwise is tampered with. 653

(3) Any type of technology that can adequately track or 654  
determine the location of a subject person at any time and that 655  
is approved by the director of rehabilitation and correction, 656  
including, but not limited to, any satellite technology, voice 657  
tracking system, or retinal scanning system that is so approved. 658

(VV) "Non-economic loss" means nonpecuniary harm suffered 659

by a victim of an offense as a result of or related to the 660  
commission of the offense, including, but not limited to, pain 661  
and suffering; loss of society, consortium, companionship, care, 662  
assistance, attention, protection, advice, guidance, counsel, 663  
instruction, training, or education; mental anguish; and any 664  
other intangible loss. 665

(WW) "Prosecutor" has the same meaning as in section 666  
2935.01 of the Revised Code. 667

(XX) "Continuous alcohol monitoring" means the ability to 668  
automatically test and periodically transmit alcohol consumption 669  
levels and tamper attempts at least every hour, regardless of 670  
the location of the person who is being monitored. 671

(YY) A person is "adjudicated a sexually violent predator" 672  
if the person is convicted of or pleads guilty to a violent sex 673  
offense and also is convicted of or pleads guilty to a sexually 674  
violent predator specification that was included in the 675  
indictment, count in the indictment, or information charging 676  
that violent sex offense or if the person is convicted of or 677  
pleads guilty to a designated homicide, assault, or kidnapping 678  
offense and also is convicted of or pleads guilty to both a 679  
sexual motivation specification and a sexually violent predator 680  
specification that were included in the indictment, count in the 681  
indictment, or information charging that designated homicide, 682  
assault, or kidnapping offense. 683

(ZZ) An offense is "committed in proximity to a school" if 684  
the offender commits the offense in a school safety zone or 685  
within five hundred feet of any school building or the 686  
boundaries of any school premises, regardless of whether the 687  
offender knows the offense is being committed in a school safety 688  
zone or within five hundred feet of any school building or the 689



boundaries of any school premises. 690

(AAA) "Human trafficking" means a scheme or plan to which 691  
all of the following apply: 692

(1) Its object is one or more of the following: 693

(a) To subject a victim or victims to involuntary 694  
servitude, as defined in section 2905.31 of the Revised Code or 695  
to compel a victim or victims to engage in sexual activity for 696  
hire, to engage in a performance that is obscene, sexually 697  
oriented, or nudity oriented, or to be a model or participant in 698  
the production of material that is obscene, sexually oriented, 699  
or nudity oriented; 700

(b) To facilitate, encourage, or recruit a victim who is 701  
less than sixteen years of age or is a person with a 702  
developmental disability, or victims who are less than sixteen 703  
years of age or are persons with developmental disabilities, for 704  
any purpose listed in divisions (A) (2) (a) to (c) of section 705  
2905.32 of the Revised Code; 706

(c) To facilitate, encourage, or recruit a victim who is 707  
sixteen or seventeen years of age, or victims who are sixteen or 708  
seventeen years of age, for any purpose listed in divisions (A) 709  
(2) (a) to (c) of section 2905.32 of the Revised Code, if the 710  
circumstances described in division (A) (5), (6), (7), (8), (9), 711  
(10), (11), (12), or (13) of section 2907.03 of the Revised Code 712  
apply with respect to the person engaging in the conduct and the 713  
victim or victims. 714

(2) It involves at least two felony offenses, whether or 715  
not there has been a prior conviction for any of the felony 716  
offenses, to which all of the following apply: 717

(a) Each of the felony offenses is a violation of section 718

2905.01, 2905.02, 2905.32, 2907.21, 2907.22, or 2923.32, 719  
division (A) (1) or (2) of section 2907.323, or division (B) (1), 720  
(2), (3), (4), or (5) of section 2919.22 of the Revised Code or 721  
is a violation of a law of any state other than this state that 722  
is substantially similar to any of the sections or divisions of 723  
the Revised Code identified in this division. 724

(b) At least one of the felony offenses was committed in 725  
this state. 726

(c) The felony offenses are related to the same scheme or 727  
plan and are not isolated instances. 728

(BBB) "Material," "nudity," "obscene," "performance," and 729  
"sexual activity" have the same meanings as in section 2907.01 730  
of the Revised Code. 731

(CCC) "Material that is obscene, sexually oriented, or 732  
nudity oriented" means any material that is obscene, that shows 733  
a person participating or engaging in sexual activity, 734  
masturbation, or bestiality, or that shows a person in a state 735  
of nudity. 736

(DDD) "Performance that is obscene, sexually oriented, or 737  
nudity oriented" means any performance that is obscene, that 738  
shows a person participating or engaging in sexual activity, 739  
masturbation, or bestiality, or that shows a person in a state 740  
of nudity. 741

(EEE) "Accelerant" means a fuel or oxidizing agent, such 742  
as an ignitable liquid, used to initiate a fire or increase the 743  
rate of growth or spread of a fire. 744

(FFF) "Permanent disabling harm" means serious physical 745  
harm that results in permanent injury to the intellectual, 746  
physical, or sensory functions and that permanently and 747

substantially impairs a person's ability to meet one or more of 748  
the ordinary demands of life, including the functions of caring 749  
for one's self, performing manual tasks, walking, seeing, 750  
hearing, speaking, breathing, learning, and working. 751

(GGG) "Non-life felony indefinite prison term" means a 752  
prison term imposed under division (A) (1) (a) or (2) (a) of 753  
section 2929.14 and section 2929.144 of the Revised Code for a 754  
felony of the first or second degree committed on or after ~~the~~ 755  
~~effective date of this amendment~~ March 22, 2019. 756

**Sec. 2929.18.** (A) Except as otherwise provided in this 757  
division and in addition to imposing court costs pursuant to 758  
section 2947.23 of the Revised Code, the court imposing a 759  
sentence upon an offender for a felony may sentence the offender 760  
to any financial sanction or combination of financial sanctions 761  
authorized under this section or, in the circumstances specified 762  
in section 2929.32 of the Revised Code, may impose upon the 763  
offender a fine in accordance with that section. Financial 764  
sanctions that may be imposed pursuant to this section include, 765  
but are not limited to, the following: 766

(1) Restitution by the offender to the victim of the 767  
offender's crime or any survivor of the victim, in an amount 768  
based on the victim's economic loss. If the court imposes 769  
restitution, the court shall order that the restitution be made 770  
to the victim in open court, to the adult probation department 771  
that serves the county on behalf of the victim, to the clerk of 772  
courts, or to another agency designated by the court. If the 773  
court imposes restitution, at sentencing, the court shall 774  
determine the amount of restitution to be made by the offender. 775  
If the court imposes restitution, the court may base the amount 776  
of restitution it orders on an amount recommended by the victim, 777

the offender, a presentence investigation report, estimates or 778  
receipts indicating the cost of repairing or replacing property, 779  
and other information, provided that the amount the court orders 780  
as restitution shall not exceed the amount of the economic loss 781  
suffered by the victim as a direct and proximate result of the 782  
commission of the offense. If the court imposes restitution for 783  
the cost of accounting or auditing done to determine the extent 784  
of economic loss, the court may order restitution for any amount 785  
of the victim's costs of accounting or auditing provided that 786  
the amount of restitution is reasonable and does not exceed the 787  
value of property or services stolen or damaged as a result of 788  
the offense. If the court decides to impose restitution, the 789  
court shall hold a hearing on restitution if the offender, 790  
victim, or survivor disputes the amount. All restitution 791  
payments shall be credited against any recovery of economic loss 792  
in a civil action brought by the victim or any survivor of the 793  
victim against the offender. 794

If the court imposes restitution, the court may order that 795  
the offender pay a surcharge of not more than five per cent of 796  
the amount of the restitution otherwise ordered to the entity 797  
responsible for collecting and processing restitution payments. 798

The victim or survivor may request that the prosecutor in 799  
the case file a motion, or the offender may file a motion, for 800  
modification of the payment terms of any restitution ordered. If 801  
the court grants the motion, it may modify the payment terms as 802  
it determines appropriate. 803

(2) Except as provided in division (B) (1), (3), or (4) of 804  
this section, a fine payable by the offender to the state, to a 805  
political subdivision, or as described in division (B) (2) of 806  
this section to one or more law enforcement agencies, with the 807

amount of the fine based on a standard percentage of the 808  
offender's daily income over a period of time determined by the 809  
court and based upon the seriousness of the offense. A fine 810  
ordered under this division shall not exceed the maximum 811  
conventional fine amount authorized for the level of the offense 812  
under division (A) (3) of this section. 813

(3) Except as provided in division (B) (1), (3), or (4) of 814  
this section, a fine payable by the offender to the state, to a 815  
political subdivision when appropriate for a felony, or as 816  
described in division (B) (2) of this section to one or more law 817  
enforcement agencies, in the following amount: 818

(a) For a felony of the first degree, not more than twenty 819  
thousand dollars; 820

(b) For a felony of the second degree, not more than 821  
fifteen thousand dollars; 822

(c) For a felony of the third degree, not more than ten 823  
thousand dollars; 824

(d) For a felony of the fourth degree, not more than five 825  
thousand dollars; 826

(e) For a felony of the fifth degree, not more than two 827  
thousand five hundred dollars. 828

(4) A state fine or costs as defined in section 2949.111 829  
of the Revised Code. 830

(5) (a) Reimbursement by the offender of any or all of the 831  
costs of sanctions incurred by the government, including the 832  
following: 833

(i) All or part of the costs of implementing any community 834  
control sanction, including a supervision fee under section 835

2951.021 of the Revised Code; 836

(ii) All or part of the costs of confinement under a 837  
sanction imposed pursuant to section 2929.14, 2929.142, or 838  
2929.16 of the Revised Code, provided that the amount of 839  
reimbursement ordered under this division shall not exceed the 840  
total amount of reimbursement the offender is able to pay as 841  
determined at a hearing and shall not exceed the actual cost of 842  
the confinement; 843

(iii) All or part of the cost of purchasing and using an 844  
immobilizing or disabling device, including a certified ignition 845  
interlock device, or a remote alcohol monitoring device that a 846  
court orders an offender to use under section 4510.13 of the 847  
Revised Code. 848

(b) If the offender is sentenced to a sanction of 849  
confinement pursuant to section 2929.14 or 2929.16 of the 850  
Revised Code that is to be served in a facility operated by a 851  
board of county commissioners, a legislative authority of a 852  
municipal corporation, or another local governmental entity, if, 853  
pursuant to section 307.93, 341.14, 341.19, 341.23, 753.02, 854  
753.04, 753.16, 2301.56, or 2947.19 of the Revised Code and 855  
section 2929.37 of the Revised Code, the board, legislative 856  
authority, or other local governmental entity requires prisoners 857  
to reimburse the county, municipal corporation, or other entity 858  
for its expenses incurred by reason of the prisoner's 859  
confinement, and if the court does not impose a financial 860  
sanction under division (A) (5) (a) (ii) of this section, 861  
confinement costs may be assessed pursuant to section 2929.37 of 862  
the Revised Code. In addition, the offender may be required to 863  
pay the fees specified in section 2929.38 of the Revised Code in 864  
accordance with that section. 865

(c) Reimbursement by the offender for costs pursuant to 866  
section 2929.71 of the Revised Code. 867

(B)(1) For a first, second, or third degree felony 868  
violation of any provision of Chapter 2925., 3719., or 4729. of 869  
the Revised Code, the sentencing court shall impose upon the 870  
offender a mandatory fine of at least one-half of, but not more 871  
than, the maximum statutory fine amount authorized for the level 872  
of the offense pursuant to division (A)(3) of this section. If 873  
an offender alleges in an affidavit filed with the court prior 874  
to sentencing that the offender is indigent and unable to pay 875  
the mandatory fine and if the court determines the offender is 876  
an indigent person and is unable to pay the mandatory fine 877  
described in this division, the court shall not impose the 878  
mandatory fine upon the offender. 879

(2) Any mandatory fine imposed upon an offender under 880  
division (B)(1) of this section and any fine imposed upon an 881  
offender under division (A)(2) or (3) of this section for any 882  
fourth or fifth degree felony violation of any provision of 883  
Chapter 2925., 3719., or 4729. of the Revised Code shall be paid 884  
to law enforcement agencies pursuant to division (F) of section 885  
2925.03 of the Revised Code. 886

(3) For a fourth degree felony OVI offense and for a third 887  
degree felony OVI offense, the sentencing court shall impose 888  
upon the offender a mandatory fine in the amount specified in 889  
division (G)(1)(d) or (e) of section 4511.19 of the Revised 890  
Code, whichever is applicable. The mandatory fine so imposed 891  
shall be disbursed as provided in the division pursuant to which 892  
it is imposed. 893

(4) Notwithstanding any fine otherwise authorized or 894  
required to be imposed under division (A)(2) or (3) or (B)(1) of 895

this section or section 2929.31 of the Revised Code for a 896  
violation of section 2925.03 of the Revised Code, in addition to 897  
any penalty or sanction imposed for that offense under section 898  
2925.03 or sections 2929.11 to 2929.18 of the Revised Code and 899  
in addition to the forfeiture of property in connection with the 900  
offense as prescribed in Chapter 2981. of the Revised Code, the 901  
court that sentences an offender for a violation of section 902  
2925.03 of the Revised Code may impose upon the offender a fine 903  
in addition to any fine imposed under division (A) (2) or (3) of 904  
this section and in addition to any mandatory fine imposed under 905  
division (B) (1) of this section. The fine imposed under division 906  
(B) (4) of this section shall be used as provided in division (H) 907  
of section 2925.03 of the Revised Code. A fine imposed under 908  
division (B) (4) of this section shall not exceed whichever of 909  
the following is applicable: 910

(a) The total value of any personal or real property in 911  
which the offender has an interest and that was used in the 912  
course of, intended for use in the course of, derived from, or 913  
realized through conduct in violation of section 2925.03 of the 914  
Revised Code, including any property that constitutes proceeds 915  
derived from that offense; 916

(b) If the offender has no interest in any property of the 917  
type described in division (B) (4) (a) of this section or if it is 918  
not possible to ascertain whether the offender has an interest 919  
in any property of that type in which the offender may have an 920  
interest, the amount of the mandatory fine for the offense 921  
imposed under division (B) (1) of this section or, if no 922  
mandatory fine is imposed under division (B) (1) of this section, 923  
the amount of the fine authorized for the level of the offense 924  
imposed under division (A) (3) of this section. 925



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

(6) If the sum total of a mandatory fine amount imposed for a first, second, or third degree felony violation of section 2925.03 of the Revised Code under division (B) (1) of this section plus the amount of any fine imposed under division (B) (4) of this section does not exceed the maximum statutory fine amount authorized for the level of the offense under division (A) (3) of this section or section 2929.31 of the Revised Code, the court may impose a fine for the offense in addition to the mandatory fine and the fine imposed under division (B) (4) of this section. The sum total of the amounts of the mandatory fine, the fine imposed under division (B) (4) of this section, and the additional fine imposed under division (B) (6) of this section shall not exceed the maximum statutory fine amount authorized for the level of the offense under division (A) (3) of this section or section 2929.31 of the Revised Code. The clerk of the court shall pay any fine that is imposed under division (B) (6) of this section to the county, township, municipal corporation, park district as created pursuant to section 511.18 or 1545.04 of the Revised Code, or state law enforcement

agencies in this state that primarily were responsible for or 957  
involved in making the arrest of, and in prosecuting, the 958  
offender pursuant to division (F) of section 2925.03 of the 959  
Revised Code. 960

(7) If the sum total of the amount of a mandatory fine 961  
imposed for a first, second, or third degree felony violation of 962  
section 2925.03 of the Revised Code plus the amount of any fine 963  
imposed under division (B) (4) of this section exceeds the 964  
maximum statutory fine amount authorized for the level of the 965  
offense under division (A) (3) of this section or section 2929.31 966  
of the Revised Code, the court shall not impose a fine under 967  
division (B) (6) of this section. 968

(8) (a) If an offender who is convicted of or pleads guilty 969  
to a violation of section 2905.01, 2905.02, 2907.21, 2907.22, or 970  
2923.32, division (A) (1) or (2) of section 2907.323 involving a 971  
minor, or division (B) (1), (2), (3), (4), or (5) of section 972  
2919.22 of the Revised Code also is convicted of or pleads 973  
guilty to a specification of the type described in section 974  
2941.1422 of the Revised Code that charges that the offender 975  
knowingly committed the offense in furtherance of human 976  
trafficking, the sentencing court shall sentence the offender to 977  
a financial sanction of restitution by the offender to the 978  
victim or any survivor of the victim, with the restitution 979  
including the costs of housing, counseling, and medical and 980  
legal assistance incurred by the victim as a direct result of 981  
the offense and the greater of the following: 982

(i) The gross income or value to the offender of the 983  
victim's labor or services; 984

(ii) The value of the victim's labor as guaranteed under 985  
the minimum wage and overtime provisions of the "Federal Fair 986

Labor Standards Act of 1938," 52 Stat. 1060, 20 U.S.C. 207, and 987  
state labor laws. 988

(b) If a court imposing sentence upon an offender for a 989  
felony is required to impose upon the offender a financial 990  
sanction of restitution under division (B) (8) (a) of this 991  
section, in addition to that financial sanction of restitution, 992  
the court may sentence the offender to any other financial 993  
sanction or combination of financial sanctions authorized under 994  
this section, including a restitution sanction under division 995  
(A) (1) of this section. 996

(9) In addition to any other fine that is or may be 997  
imposed under this section, the court imposing sentence upon an 998  
offender for a felony that is a sexually oriented offense or a 999  
child-victim oriented offense, as those terms are defined in 1000  
section 2950.01 of the Revised Code, may impose a fine of not 1001  
less than fifty nor more than five hundred dollars. 1002

(10) For a felony violation of division (A) of section 1003  
2921.321 of the Revised Code that results in the death of the 1004  
police dog or horse that is the subject of the violation, the 1005  
sentencing court shall impose upon the offender a mandatory fine 1006  
from the range of fines provided under division (A) (3) of this 1007  
section for a felony of the third degree. A mandatory fine 1008  
imposed upon an offender under division (B) (10) of this section 1009  
shall be paid to the law enforcement agency that was served by 1010  
the police dog or horse that was killed in the felony violation 1011  
of division (A) of section 2921.321 of the Revised Code to be 1012  
used as provided in division (E) (1) (b) of that section. 1013

(11) In addition to any other fine that is or may be 1014  
imposed under this section, the court imposing sentence upon an 1015  
offender for any of the following offenses that is a felony may 1016

impose a fine of not less than seventy nor more than five 1017  
hundred dollars, which shall be transmitted to the treasurer of 1018  
state to be credited to the address confidentiality program fund 1019  
created by section 111.48 of the Revised Code: 1020

(a) Domestic violence; 1021

(b) Menacing by stalking; 1022

(c) Rape; 1023

(d) Sexual battery; 1024

(e) Trafficking in persons; 1025

(f) A violation of section 2905.01, 2905.02, 2907.21, 1026  
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323 1027  
involving a minor, or division (B) (1), (2), (3), (4), or (5) of 1028  
section 2919.22 of the Revised Code, if the offender also is 1029  
convicted of a specification of the type described in section 1030  
2941.1422 of the Revised Code that charges that the offender 1031  
knowingly committed the offense in furtherance of human 1032  
trafficking. 1033

(C) (1) Except as provided in section 2951.021 of the 1034  
Revised Code, the offender shall pay reimbursements imposed upon 1035  
the offender pursuant to division (A) (5) (a) of this section to 1036  
pay the costs incurred by a county pursuant to any sanction 1037  
imposed under this section or section 2929.16 or 2929.17 of the 1038  
Revised Code or in operating a facility used to confine 1039  
offenders pursuant to a sanction imposed under section 2929.16 1040  
of the Revised Code to the county treasurer. The county 1041  
treasurer shall deposit the reimbursements in the sanction cost 1042  
reimbursement fund that each board of county commissioners shall 1043  
create in its county treasury. The county shall use the amounts 1044  
deposited in the fund to pay the costs incurred by the county 1045

pursuant to any sanction imposed under this section or section 1046  
2929.16 or 2929.17 of the Revised Code or in operating a 1047  
facility used to confine offenders pursuant to a sanction 1048  
imposed under section 2929.16 of the Revised Code. 1049

(2) Except as provided in section 2951.021 of the Revised 1050  
Code, the offender shall pay reimbursements imposed upon the 1051  
offender pursuant to division (A) (5) (a) of this section to pay 1052  
the costs incurred by a municipal corporation pursuant to any 1053  
sanction imposed under this section or section 2929.16 or 1054  
2929.17 of the Revised Code or in operating a facility used to 1055  
confine offenders pursuant to a sanction imposed under section 1056  
2929.16 of the Revised Code to the treasurer of the municipal 1057  
corporation. The treasurer shall deposit the reimbursements in a 1058  
special fund that shall be established in the treasury of each 1059  
municipal corporation. The municipal corporation shall use the 1060  
amounts deposited in the fund to pay the costs incurred by the 1061  
municipal corporation pursuant to any sanction imposed under 1062  
this section or section 2929.16 or 2929.17 of the Revised Code 1063  
or in operating a facility used to confine offenders pursuant to 1064  
a sanction imposed under section 2929.16 of the Revised Code. 1065

(3) Except as provided in section 2951.021 of the Revised 1066  
Code, the offender shall pay reimbursements imposed pursuant to 1067  
division (A) (5) (a) of this section for the costs incurred by a 1068  
private provider pursuant to a sanction imposed under this 1069  
section or section 2929.16 or 2929.17 of the Revised Code to the 1070  
provider. 1071

(D) Except as otherwise provided in this division, a 1072  
financial sanction imposed pursuant to division (A) or (B) of 1073  
this section is a judgment in favor of the state or a political 1074  
subdivision in which the court that imposed the financial 1075

sanction is located, and the offender subject to the financial 1076  
sanction is the judgment debtor. A financial sanction of 1077  
reimbursement imposed pursuant to division (A)(5)(a)(ii) of this 1078  
section upon an offender who is incarcerated in a state facility 1079  
or a municipal jail is a judgment in favor of the state or the 1080  
municipal corporation, and the offender subject to the financial 1081  
sanction is the judgment debtor. A financial sanction of 1082  
reimbursement imposed upon an offender pursuant to this section 1083  
for costs incurred by a private provider of sanctions is a 1084  
judgment in favor of the private provider, and the offender 1085  
subject to the financial sanction is the judgment debtor. A 1086  
financial sanction of a mandatory fine imposed under division 1087  
(B)(10) of this section that is required under that division to 1088  
be paid to a law enforcement agency is a judgment in favor of 1089  
the specified law enforcement agency, and the offender subject 1090  
to the financial sanction is the judgment debtor. A financial 1091  
sanction of restitution imposed pursuant to division (A)(1) or 1092  
(B)(8) of this section is an order in favor of the victim of the 1093  
offender's criminal act that can be collected through a 1094  
certificate of judgment as described in division (D)(1) of this 1095  
section, through execution as described in division (D)(2) of 1096  
this section, or through an order as described in division (D) 1097  
(3) of this section, and the offender shall be considered for 1098  
purposes of the collection as the judgment debtor. Imposition of 1099  
a financial sanction and execution on the judgment does not 1100  
preclude any other power of the court to impose or enforce 1101  
sanctions on the offender. Once the financial sanction is 1102  
imposed as a judgment or order under this division, the victim, 1103  
private provider, state, or political subdivision may do any of 1104  
the following: 1105

(1) Obtain from the clerk of the court in which the 1106

judgment was entered a certificate of judgment that shall be in 1107  
the same manner and form as a certificate of judgment issued in 1108  
a civil action; 1109

(2) Obtain execution of the judgment or order through any 1110  
available procedure, including: 1111

(a) An execution against the property of the judgment 1112  
debtor under Chapter 2329. of the Revised Code; 1113

(b) An execution against the person of the judgment debtor 1114  
under Chapter 2331. of the Revised Code; 1115

(c) A proceeding in aid of execution under Chapter 2333. 1116  
of the Revised Code, including: 1117

(i) A proceeding for the examination of the judgment 1118  
debtor under sections 2333.09 to 2333.12 and sections 2333.15 to 1119  
2333.27 of the Revised Code; 1120

(ii) A proceeding for attachment of the person of the 1121  
judgment debtor under section 2333.28 of the Revised Code; 1122

(iii) A creditor's suit under section 2333.01 of the 1123  
Revised Code. 1124

(d) The attachment of the property of the judgment debtor 1125  
under Chapter 2715. of the Revised Code; 1126

(e) The garnishment of the property of the judgment debtor 1127  
under Chapter 2716. of the Revised Code. 1128

(3) Obtain an order for the assignment of wages of the 1129  
judgment debtor under section 1321.33 of the Revised Code. 1130

(E) A court that imposes a financial sanction upon an 1131  
offender may hold a hearing if necessary to determine whether 1132  
the offender is able to pay the sanction or is likely in the 1133

future to be able to pay it. 1134

(F) Each court imposing a financial sanction upon an 1135  
offender under this section or under section 2929.32 of the 1136  
Revised Code may designate the clerk of the court or another 1137  
person to collect the financial sanction. The clerk or other 1138  
person authorized by law or the court to collect the financial 1139  
sanction may enter into contracts with one or more public 1140  
agencies or private vendors for the collection of, amounts due 1141  
under the financial sanction imposed pursuant to this section or 1142  
section 2929.32 of the Revised Code. Before entering into a 1143  
contract for the collection of amounts due from an offender 1144  
pursuant to any financial sanction imposed pursuant to this 1145  
section or section 2929.32 of the Revised Code, a court shall 1146  
comply with sections 307.86 to 307.92 of the Revised Code. 1147

(G) If a court that imposes a financial sanction under 1148  
division (A) or (B) of this section finds that an offender 1149  
satisfactorily has completed all other sanctions imposed upon 1150  
the offender and that all restitution that has been ordered has 1151  
been paid as ordered, the court may suspend any financial 1152  
sanctions imposed pursuant to this section or section 2929.32 of 1153  
the Revised Code that have not been paid. 1154

(H) No financial sanction imposed under this section or 1155  
section 2929.32 of the Revised Code shall preclude a victim from 1156  
bringing a civil action against the offender. 1157

**Sec. 2929.28.** (A) In addition to imposing court costs 1158  
pursuant to section 2947.23 of the Revised Code, the court 1159  
imposing a sentence upon an offender for a misdemeanor, 1160  
including a minor misdemeanor, may sentence the offender to any 1161  
financial sanction or combination of financial sanctions 1162  
authorized under this section. If the court in its discretion 1163



imposes one or more financial sanctions, the financial sanctions 1164  
that may be imposed pursuant to this section include, but are 1165  
not limited to, the following: 1166

(1) Unless the misdemeanor offense is a minor misdemeanor 1167  
or could be disposed of by the traffic violations bureau serving 1168  
the court under Traffic Rule 13, restitution by the offender to 1169  
the victim of the offender's crime or any survivor of the 1170  
victim, in an amount based on the victim's economic loss. The 1171  
court may not impose restitution as a sanction pursuant to this 1172  
division if the offense is a minor misdemeanor or could be 1173  
disposed of by the traffic violations bureau serving the court 1174  
under Traffic Rule 13. If the court requires restitution, the 1175  
court shall order that the restitution be made to the victim in 1176  
open court or to the adult probation department that serves the 1177  
jurisdiction or the clerk of the court on behalf of the victim. 1178

If the court imposes restitution, the court shall 1179  
determine the amount of restitution to be paid by the offender. 1180  
If the court imposes restitution, the court may base the amount 1181  
of restitution it orders on an amount recommended by the victim, 1182  
the offender, a presentence investigation report, estimates or 1183  
receipts indicating the cost of repairing or replacing property, 1184  
and other information, provided that the amount the court orders 1185  
as restitution shall not exceed the amount of the economic loss 1186  
suffered by the victim as a direct and proximate result of the 1187  
commission of the offense. If the court imposes restitution for 1188  
the cost of accounting or auditing done to determine the extent 1189  
of economic loss, the court may order restitution for any amount 1190  
of the victim's costs of accounting or auditing provided that 1191  
the amount of restitution is reasonable and does not exceed the 1192  
value of property or services stolen or damaged as a result of 1193  
the offense. If the court decides to impose restitution, the 1194

court shall hold an evidentiary hearing on restitution if the 1195  
offender, victim, or survivor disputes the amount of 1196  
restitution. If the court holds an evidentiary hearing, at the 1197  
hearing the victim or survivor has the burden to prove by a 1198  
preponderance of the evidence the amount of restitution sought 1199  
from the offender. 1200

All restitution payments shall be credited against any 1201  
recovery of economic loss in a civil action brought by the 1202  
victim or any survivor of the victim against the offender. No 1203  
person may introduce evidence of an award of restitution under 1204  
this section in a civil action for purposes of imposing 1205  
liability against an insurer under section 3937.18 of the 1206  
Revised Code. 1207

If the court imposes restitution, the court may order that 1208  
the offender pay a surcharge, of not more than five per cent of 1209  
the amount of the restitution otherwise ordered, to the entity 1210  
responsible for collecting and processing restitution payments. 1211

The victim or survivor may request that the prosecutor in 1212  
the case file a motion, or the offender may file a motion, for 1213  
modification of the payment terms of any restitution ordered. If 1214  
the court grants the motion, it may modify the payment terms as 1215  
it determines appropriate. 1216

(2) A fine of the type described in divisions (A) (2) (a) 1217  
and (b) of this section payable to the appropriate entity as 1218  
required by law: 1219

(a) A fine in the following amount: 1220

(i) For a misdemeanor of the first degree, not more than 1221  
one thousand dollars; 1222

(ii) For a misdemeanor of the second degree, not more than 1223

seven hundred fifty dollars;	1224
(iii) For a misdemeanor of the third degree, not more than five hundred dollars;	1225 1226
(iv) For a misdemeanor of the fourth degree, not more than two hundred fifty dollars;	1227 1228
(v) For a minor misdemeanor, not more than one hundred fifty dollars.	1229 1230
(b) A state fine or cost as defined in section 2949.111 of the Revised Code.	1231 1232
(3) (a) Reimbursement by the offender of any or all of the costs of sanctions incurred by the government, including, but not limited to, the following:	1233 1234 1235
(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;	1236 1237 1238
(ii) All or part of the costs of confinement in a jail or other residential facility, including, but not limited to, a per diem fee for room and board, the costs of medical and dental treatment, and the costs of repairing property damaged by the offender while confined;	1239 1240 1241 1242 1243
(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.	1244 1245 1246 1247 1248
(b) The amount of reimbursement ordered under division (A) (3) (a) of this section shall not exceed the total amount of reimbursement the offender is able to pay and shall not exceed	1249 1250 1251

the actual cost of the sanctions. The court may collect any 1252  
amount of reimbursement the offender is required to pay under 1253  
that division. If the court does not order reimbursement under 1254  
that division, confinement costs may be assessed pursuant to a 1255  
repayment policy adopted under section 2929.37 of the Revised 1256  
Code. In addition, the offender may be required to pay the fees 1257  
specified in section 2929.38 of the Revised Code in accordance 1258  
with that section. 1259

(B) If the court determines a hearing is necessary, the 1260  
court may hold a hearing to determine whether the offender is 1261  
able to pay the financial sanction imposed pursuant to this 1262  
section or court costs or is likely in the future to be able to 1263  
pay the sanction or costs. 1264

If the court determines that the offender is indigent and 1265  
unable to pay the financial sanction or court costs, the court 1266  
shall consider imposing and may impose a term of community 1267  
service under division (A) of section 2929.27 of the Revised 1268  
Code in lieu of imposing a financial sanction or court costs. If 1269  
the court does not determine that the offender is indigent, the 1270  
court may impose a term of community service under division (A) 1271  
of section 2929.27 of the Revised Code in lieu of or in addition 1272  
to imposing a financial sanction under this section and in 1273  
addition to imposing court costs. The court may order community 1274  
service for a minor misdemeanor pursuant to division (D) of 1275  
section 2929.27 of the Revised Code in lieu of or in addition to 1276  
imposing a financial sanction under this section and in addition 1277  
to imposing court costs. If a person fails to pay a financial 1278  
sanction or court costs, the court may order community service 1279  
in lieu of the financial sanction or court costs. 1280

(C) (1) The offender shall pay reimbursements imposed upon 1281

the offender pursuant to division (A) (3) of this section to pay 1282  
the costs incurred by a county pursuant to any sanction imposed 1283  
under this section or section 2929.26 or 2929.27 of the Revised 1284  
Code or in operating a facility used to confine offenders 1285  
pursuant to a sanction imposed under section 2929.26 of the 1286  
Revised Code to the county treasurer. The county treasurer shall 1287  
deposit the reimbursements in the county's general fund. The 1288  
county shall use the amounts deposited in the fund to pay the 1289  
costs incurred by the county pursuant to any sanction imposed 1290  
under this section or section 2929.26 or 2929.27 of the Revised 1291  
Code or in operating a facility used to confine offenders 1292  
pursuant to a sanction imposed under section 2929.26 of the 1293  
Revised Code. 1294

(2) The offender shall pay reimbursements imposed upon the 1295  
offender pursuant to division (A) (3) of this section to pay the 1296  
costs incurred by a municipal corporation pursuant to any 1297  
sanction imposed under this section or section 2929.26 or 1298  
2929.27 of the Revised Code or in operating a facility used to 1299  
confine offenders pursuant to a sanction imposed under section 1300  
2929.26 of the Revised Code to the treasurer of the municipal 1301  
corporation. The treasurer shall deposit the reimbursements in 1302  
the municipal corporation's general fund. The municipal 1303  
corporation shall use the amounts deposited in the fund to pay 1304  
the costs incurred by the municipal corporation pursuant to any 1305  
sanction imposed under this section or section 2929.26 or 1306  
2929.27 of the Revised Code or in operating a facility used to 1307  
confine offenders pursuant to a sanction imposed under section 1308  
2929.26 of the Revised Code. 1309

(3) The offender shall pay reimbursements imposed pursuant 1310  
to division (A) (3) of this section for the costs incurred by a 1311  
private provider pursuant to a sanction imposed under this 1312

section or section 2929.26 or 2929.27 of the Revised Code to the 1313  
provider. 1314

(D) In addition to any other fine that is or may be 1315  
imposed under this section, the court imposing sentence upon an 1316  
offender for misdemeanor domestic violence or menacing by 1317  
stalking may impose a fine of not less than seventy nor more 1318  
than five hundred dollars, which shall be transmitted to the 1319  
treasurer of state to be credited to the address confidentiality 1320  
program fund created by section 111.48 of the Revised Code. 1321

(E) Except as otherwise provided in this division, a 1322  
financial sanction imposed under division (A) of this section is 1323  
a judgment in favor of the state or the political subdivision 1324  
that operates the court that imposed the financial sanction, and 1325  
the offender subject to the financial sanction is the judgment 1326  
debtor. A financial sanction of reimbursement imposed pursuant 1327  
to division (A) (3) (a) (i) of this section upon an offender is a 1328  
judgment in favor of the entity administering the community 1329  
control sanction, and the offender subject to the financial 1330  
sanction is the judgment debtor. A financial sanction of 1331  
reimbursement imposed pursuant to division (A) (3) (a) (ii) of this 1332  
section upon an offender confined in a jail or other residential 1333  
facility is a judgment in favor of the entity operating the jail 1334  
or other residential facility, and the offender subject to the 1335  
financial sanction is the judgment debtor. A financial sanction 1336  
of restitution imposed pursuant to division (A) (1) of this 1337  
section is an order in favor of the victim of the offender's 1338  
criminal act that can be collected through a certificate of 1339  
judgment as described in division (E) (1) of this section, 1340  
through execution as described in division (E) (2) of this 1341  
section, or through an order as described in division (E) (3) of 1342  
this section, and the offender shall be considered for purposes 1343

of the collection as the judgment debtor. 1344

Once the financial sanction is imposed as a judgment or 1345  
order under this division, the victim, private provider, state, 1346  
or political subdivision may do any of the following: 1347

(1) Obtain from the clerk of the court in which the 1348  
judgment was entered a certificate of judgment that shall be in 1349  
the same manner and form as a certificate of judgment issued in 1350  
a civil action; 1351

(2) Obtain execution of the judgment or order through any 1352  
available procedure, including any of the procedures identified 1353  
in divisions (E) (1) and (2) of section 2929.18 of the Revised 1354  
Code. 1355

(3) Obtain an order for the assignment of wages of the 1356  
judgment debtor under section 1321.33 of the Revised Code. 1357

(F) The civil remedies authorized under division (E) of 1358  
this section for the collection of the financial sanction 1359  
supplement, but do not preclude, enforcement of the criminal 1360  
sentence. 1361

(G) Each court imposing a financial sanction upon an 1362  
offender under this section may designate the clerk of the court 1363  
or another person to collect the financial sanction. The clerk, 1364  
or another person authorized by law or the court to collect the 1365  
financial sanction may do the following: 1366

(1) Enter into contracts with one or more public agencies 1367  
or private vendors for the collection of amounts due under the 1368  
sanction. Before entering into a contract for the collection of 1369  
amounts due from an offender pursuant to any financial sanction 1370  
imposed pursuant to this section, a court shall comply with 1371  
sections 307.86 to 307.92 of the Revised Code. 1372

(2) Permit payment of all or any portion of the sanction 1373  
in installments, by financial transaction device if the court is 1374  
a county court or a municipal court operated by a county, by 1375  
credit or debit card or by another electronic transfer if the 1376  
court is a municipal court not operated by a county, or by any 1377  
other reasonable method, in any time, and on any terms that 1378  
court considers just, except that the maximum time permitted for 1379  
payment shall not exceed five years. If the court is a county 1380  
court or a municipal court operated by a county, the acceptance 1381  
of payments by any financial transaction device shall be 1382  
governed by the policy adopted by the board of county 1383  
commissioners of the county pursuant to section 301.28 of the 1384  
Revised Code. If the court is a municipal court not operated by 1385  
a county, the clerk may pay any fee associated with processing 1386  
an electronic transfer out of public money or may charge the fee 1387  
to the offender. 1388

(3) To defray administrative costs, charge a reasonable 1389  
fee to an offender who elects a payment plan rather than a lump 1390  
sum payment of any financial sanction. 1391

(H) No financial sanction imposed under this section shall 1392  
preclude a victim from bringing a civil action against the 1393  
offender. 1394

**Section 2.** That existing sections 105.41, 2929.01, 1395  
2929.18, and 2929.28 of the Revised Code are hereby repealed. 1396

**Section 3.** Section 2929.01 of the Revised Code is 1397  
presented in this act as a composite of the section as amended 1398  
by Sub. H.B. 63, Sub. H.B. 411, Am. Sub. S.B. 1, Sub. S.B. 20, 1399  
and Am. Sub. S.B. 201, all of the 132nd General Assembly. The 1400  
General Assembly, applying the principle stated in division (B) 1401  
of section 1.52 of the Revised Code that amendments are to be 1402



harmonized if reasonably capable of simultaneous operation, 1403  
finds that the composite is the resulting version of the section 1404  
in effect prior to the effective date of the section as 1405  
presented in this act. 1406

**Section 4.** This act shall be known as the "Theft Victims'  
Restitution Act." 1407  
1408

**Section 5.** An individual who is an appointed member of the 1409  
Capitol Square Review and Advisory Board under section 105.41 of 1410  
the Revised Code, as of the effective date of this act, may be 1411  
discharged without cause by the member's appointing authority on 1412  
or after the effective date of this act. 1413

**Section 6.** Notwithstanding any contrary provision of 1414  
section 101.34 of the Revised Code, during the 133rd General 1415  
Assembly, if a member of the Joint Legislative Ethics Committee 1416  
is or has been charged with or indicted for a violation of any 1417  
of the offenses listed within section 101.721 of the Revised 1418  
Code, that member's seat on the Committee shall be deemed 1419  
vacant. The Speaker of the House of Representatives or the 1420  
President of the Senate, as applicable, shall appoint a member 1421  
to fill the vacancy not later than fifteen days after the seat 1422  
becomes vacant. 1423

**Section 7.** This act is hereby declared to be an emergency 1424  
measure necessary for the immediate preservation of the public 1425  
peace, health, and safety. The reason for such necessity is to 1426  
maintain the integrity of the Joint Legislative Ethics 1427  
Committee. Therefore, this act shall go into immediate effect. 1428