

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 285**

**Senators Thomas, Schiavoni**

**Cosponsors: Senators Skindell, Williams, Tavares, Brown, Sykes, Yuko**

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**A BILL**

To amend sections 2929.28 and 5122.311 and to enact 1  
section 2923.27 of the Revised Code to regulate 2  
the transfer of firearms at a gun show. 3

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

**Section 1.** That sections 2929.28 and 5122.311 be amended 4  
and section 2923.27 of the Revised Code be enacted to read as 5  
follows: 6

**Sec. 2923.27.** (A) As used in this section: 7

(1) "Federally licensed firearms dealer" has the same 8  
meaning as in section 5502.63 of the Revised Code. 9

(2) "Gun show" means the entire premises provided for an 10  
event or function, including all parking areas for the event or 11  
function, that is sponsored to facilitate, in whole or in part, 12  
the purchase, transfer, offer for transfer, or collection of 13  
firearms and at which either or both of the following occurs: 14

(a) Twenty-five or more firearms are exhibited or offered 15  
for transfer. 16

(b) Not less than three gun show vendors exhibit, 17

transfer, or offer for transfer firearms. 18

(3) "Gun show promoter" means a person who organizes or 19  
operates a gun show. 20

(4) "Gun show vendor" means any person who exhibits, 21  
transfers, or offers for transfer any firearm at an event or 22  
function that is sponsored to facilitate any conduct of that 23  
nature, regardless of whether the person arranges with a gun 24  
show promoter for a fixed location from which to engage in that 25  
conduct. 26

(5) "Local law enforcement agency with jurisdiction over 27  
the show" means the sheriff with jurisdiction over the place at 28  
which a gun show is conducted and, for a gun show that is 29  
conducted in a municipal corporation, the law enforcement agency 30  
of that municipal corporation. 31

(6) "Point of contact agency" with respect to a particular 32  
gun show means either of the following with jurisdiction over 33  
the place at which the gun show is conducted: 34

(a) The sheriff with jurisdiction over the place at which 35  
the gun show is conducted; 36

(b) If the gun show is conducted in a municipal 37  
corporation, the law enforcement agency of that municipal 38  
corporation. 39

(7) "Transfer" means any sale, exchange, trade, barter, or 40  
other type of transfer. 41

(8) "Unlicensed transferee" means a person who is not a 42  
federally licensed firearms dealer and who desires to be 43  
transferred a firearm from an unlicensed transferor. 44

(9) "Unlicensed transferor" means a person who is not a 45

federally licensed firearms dealer and who desires to transfer a 46  
firearm to an unlicensed transferee. 47

(B) (1) (a) Divisions (B) (2), (3), (4), and (5) of this 48  
section apply to a transfer of a firearm at a gun show if any 49  
part of the transfer transaction takes place at the show. 50

(b) Any point of contact agency with respect to a 51  
particular gun show is hereby authorized to conduct background 52  
checks for transfers of firearms at the gun show by an 53  
unlicensed transferor to an unlicensed transferee and to 54  
otherwise comply with divisions (B) to (D) of this section 55  
regarding the gun show and firearms transfers at it. 56

(2) No unlicensed transferor shall recklessly transfer a 57  
firearm to an unlicensed transferee at a gun show unless the 58  
firearm is transferred through a federally licensed firearms 59  
dealer or a point of contact agency under division (C) of this 60  
section and the federally licensed dealer or point of contact 61  
agency through which the transfer is made gives a notice 62  
described in division (C) (4) (a) of this section. 63

(3) No unlicensed transferor shall recklessly transfer a 64  
firearm to an unlicensed transferee at a gun show if the 65  
federally licensed firearms dealer or point of contact agency 66  
through which the transfer is made under division (C) of this 67  
section gives a notice described in division (C) (4) (b) of this 68  
section. 69

(4) No unlicensed transferee shall recklessly acquire a 70  
firearm transferred from an unlicensed transferor at a gun show 71  
if the transfer is made in violation of division (B) (2) or (3) 72  
of this section. 73

(5) No gun show promoter shall recklessly operate a gun 74

show unless the promoter and show satisfy divisions (E) (3) and 75  
(F) of this section. 76

(C) A federally licensed firearms dealer who agrees to 77  
assist in the transfer of a firearm at a gun show between an 78  
unlicensed transferor and an unlicensed transferee under 79  
division (B) of this section, or a point of contact agency that 80  
assists in the transfer of a firearm at a gun show between an 81  
unlicensed transferor and an unlicensed transferee under 82  
division (B) of this section, shall do all of the following: 83

(1) If a federally licensed firearms dealer is assisting 84  
in the transfer, the dealer shall comply with 18 U.S.C. 922(t) 85  
as if transferring the firearm from the inventory of the 86  
federally licensed firearms dealer to the unlicensed transferee, 87  
except that a federally licensed firearms dealer assisting in 88  
the transfer of a firearm under this division shall not be 89  
required to comply again with the requirements of that provision 90  
in delivering the firearm to the unlicensed transferee. 91

(2) If a point of contact agency is assisting in the 92  
transfer, the agency shall comply with 18 U.S.C. 922(t) with 93  
respect to the transfer. 94

(3) Conduct an incompetency records check of the 95  
unlicensed transferee by contacting the attorney general of this 96  
state and requesting a check of the records maintained under 97  
section 5122.311 of the Revised Code, to determine if the 98  
transfer of the firearm to the unlicensed transferee or the 99  
unlicensed transferee's acquisition or possession of the firearm 100  
would violate the law of this state; 101

(4) Notify the unlicensed transferor and unlicensed 102  
transferee of whichever of the following is applicable: 103

(a) That the dealer or agency has complied with 18 U.S.C. 922(t) as provided in division (C)(1) or (2) of this section and the transfer of the firearm is not prohibited under that provision and that the dealer or agency has conducted the incompetency records check of the unlicensed transferee as provided in division (C)(3) of this section and has not determined in that check that the unlicensed transferee's acquisition or possession of the firearm would violate the law of this state; 104  
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(b) That the dealer or agency has complied with 18 U.S.C. 922(t) as provided in division (C)(1) or (2) of this section and has received a notice from the national instant criminal background check system that the transfer would violate 18 U.S.C. 922 or the law of this state or that the dealer or agency has conducted the incompetency records check of the unlicensed transferee as provided in division (C)(3) of this section and has determined in that check that the unlicensed transferee's acquisition or possession of the firearm would violate the law of this state. 113  
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(5) Enter into a separate bound record any information about the firearm that the attorney general of this state or the attorney general of the United States may require by rule or regulation. 123  
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(D) A federally licensed firearms dealer or point of contact agency that assists in the transfer of a firearm at a gun show under this section may assess and collect a fee, in an amount not to exceed ten dollars, with respect to each firearm transfer so assisted. 127  
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(E)(1) The attorney general of this state by rule shall prescribe the forms to be used for keeping the records and 132  
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making the reports required under this section and for the signs 134  
and notices required by this section to be posted at gun shows 135  
and in gun show parking areas. If the attorney general of the 136  
United States adopts forms to be used for keeping similar 137  
records and making similar reports that may be required under 138  
federal law, the attorney general of this state shall prescribe 139  
those forms to be used for keeping the records and making the 140  
reports required under this section. 141

(2) The department of public safety shall prescribe the 142  
form that a gun show promoter shall use to apply for a permit to 143  
be issued by sheriffs to gun show promoters authorizing the 144  
operation of a gun show, and the form for a permit to be issued 145  
by sheriffs to gun show promoters under division (E) (3) of this 146  
section authorizing the operation of a gun show. 147

(3) A gun show promoter who wishes to operate a gun show 148  
shall apply to the sheriff with jurisdiction over the location 149  
at which the gun show will be held, using the form prescribed 150  
under division (E) (2) of this section, for a permit authorizing 151  
the operation of the gun show. Upon the application by a gun 152  
show promoter under this division for a permit authorizing the 153  
operation of a gun show, a sheriff shall review the application 154  
and any supporting information presented by the promoter. If the 155  
sheriff determines that the location at which the gun show will 156  
be held is within the jurisdiction of the sheriff, that the gun 157  
show promoter has complied with the requirements of divisions 158  
(F) (1) (a) to (d) of this section, and that the gun show promoter 159  
previously has not been convicted of or pleaded guilty to a 160  
violation of division (B) of this section, the sheriff shall 161  
issue the permit for the gun show to the applicant promoter. 162

(F) (1) A gun show promoter shall do all of the following 163

with respect to each of the promoter's gun shows, prior to 164  
conducting the show: 165

(a) Prepare a security plan for the gun show and provide 166  
each local law enforcement agency with jurisdiction over the 167  
show, and the state highway patrol, with notice of the plan; 168

(b) Certify to each local law enforcement agency with 169  
jurisdiction over the show that the promoter will comply with 170  
the provisions of this section and with other applicable 171  
provisions of the law of this state; 172

(c) Inform the sheriff with jurisdiction over the location 173  
at which the gun show will be held of the details of the show, 174  
obtain from the sheriff a statement of the amount of liability 175  
insurance coverage that the sheriff specifies as necessary for 176  
the show, and obtain liability insurance for the show in the 177  
amount specified by the sheriff; 178

(d) Certify to the sheriff described in division (F) (1) (c) 179  
of this section that the promoter agrees that for all firearm 180  
transfers at the show by an unlicensed transferor to an 181  
unlicensed transferee, the transferor will be required to comply 182  
with the provisions of division (B) of this section; 183

(e) Not earlier than sixty days and not later than thirty 184  
days before conducting the show, obtain from the sheriff with 185  
jurisdiction over the location at which the show will be 186  
conducted, as specified in divisions (E) (2) and (3) of this 187  
section, a permit for the operation of the show; 188

(f) Not later than seven days after obtaining from the 189  
appropriate sheriff the permit for the show required by division 190  
(F) (1) (e) of this section, provide a copy of the permit to each 191  
local law enforcement agency with jurisdiction over the show. 192

(2) A gun show promoter shall do all of the following with 193  
respect to each gun show that the promoter conducts: 194

(a) Prepare and maintain for the duration of the show a 195  
list of all gun show vendors that are present at the show and, 196  
not later than five days after the completion of the show, 197  
transmit a copy of that list to the sheriff with jurisdiction 198  
over the location of the show; 199

(b) Ensure that all firearms that are brought into the 200  
show have been cleared of ammunition before being brought into 201  
the show and that they are tagged for identification purposes; 202

(c) Prohibit a person under eighteen years of age from 203  
entering the gun show unless the person is accompanied by a 204  
parent, guardian, or custodian; 205

(d) Arrange for the services of one or more federally 206  
licensed firearms dealers or point of contact agencies on the 207  
premises of the gun show to perform the services required by 208  
this section; 209

(e) Prominently post a sign, in a readily visible location 210  
at each entrance to the parking areas of the gun show, and in a 211  
form prescribed by the attorney general of this state pursuant 212  
to division (E) of this section, that states the following: 213

"The transfer of firearms in the parking areas of this 214  
facility must be completed in the same manner as is required for 215  
a transfer of a firearm in this facility, and the transfer of a 216  
firearm in the parking areas in any other manner is a crime." 217

(f) Prominently post a notice at the gun show, in a form 218  
prescribed by the attorney general of this state pursuant to 219  
division (E) of this section, that sets forth the requirements 220  
for a background check and incompetency check as provided by 221



this section; 222

(g) Prominently post at the gun show a copy of the permit 223  
for the show obtained from the appropriate sheriff as required 224  
by division (F) (1) (e) of this section; 225

(h) For each firearm transfer that is completed at the gun 226  
show, do all of the following: 227

(i) Report the transfer to the law enforcement agencies 228  
with jurisdiction over the location of the show; 229

(ii) Record the transfer on a form prescribed by the 230  
attorney general of this state pursuant to division (E) of this 231  
section, which record shall include the serial number of the 232  
firearm transferred, the name of the unlicensed transferor and 233  
the name of the unlicensed transferee involved in the transfer, 234  
and any other identifying information required by the attorney 235  
general; 236

(iii) Redact the names of the unlicensed transferor and 237  
unlicensed transferee and all other identifying information 238  
relating to either of them from a copy of the form referred to 239  
in division (F) (2) (h) (ii) of this section and, not later than 240  
thirty-one days after the date on which the transfer occurs, 241  
submit to the attorney general of the United States the redacted 242  
copy of the form; 243

(iv) Retain for at least ten years after the date of the 244  
transfer, as part of the permanent business records of the 245  
promoter, the record of the transfer specified under division 246  
(F) (2) (h) (ii) of this section. 247

(G) Unless the transfer is prohibited by any other 248  
provision of law, division (B) of this section shall not apply 249  
to any transfer of a firearm between an unlicensed transferor 250

and unlicensed transferee if any of the following apply with 251  
respect to the transfer: 252

(1) The transfer is a bona fide gift between immediate 253  
family members, including spouses, parents, children, siblings, 254  
grandparents, and grandchildren. 255

(2) The transfer is approved by the specified officer of 256  
the United States pursuant to 26 U.S.C 5812. 257

(3) The transfer is to an authorized representative of a 258  
law enforcement agency of any municipal corporation, any county, 259  
this state, or the federal government for exclusive use by that 260  
governmental entity and, prior to the transfer, written 261  
authorization from the head of the agency authorizing the 262  
transaction is presented to the person from whom the transfer is 263  
being made. The proper written authorization shall be verifiable 264  
written certification from the head of the agency by which the 265  
transferee is employed, identifying the employee as an 266  
individual authorized to conduct the transaction, and 267  
authorizing the transaction for the exclusive use of the agency 268  
by which that person is employed. 269

(4) The transfer is to an authorized representative of a 270  
municipal corporation, a county, this state, or the federal 271  
government and is for the governmental entity, and the entity is 272  
acquiring the firearm as part of an authorized, voluntary 273  
program in which the entity is buying or receiving weapons from 274  
private individuals. 275

(5) The transfer is by a person to any public or private 276  
nonprofit historical society, museum, or institutional 277  
collection, if all of the following conditions are met: 278

(a) The entity receiving the firearm is open to the 279

<u>public.</u>	280
<u>(b) The firearm prior to delivery is deactivated or</u>	281
<u>rendered inoperable.</u>	282
<u>(c) The firearm is not of a type prohibited by provision</u>	283
<u>of law from being transferred to the public at large.</u>	284
<u>(d) Prior to delivery, the entity receiving the firearm</u>	285
<u>submits a written statement to a law enforcement representative</u>	286
<u>described in division (G) (3) of this section stating that the</u>	287
<u>firearm will not be restored to operating condition and will</u>	288
<u>either remain with that entity, or if subsequently disposed of,</u>	289
<u>will be transferred in accordance with the applicable provisions</u>	290
<u>of law.</u>	291
<u>(H) (1) Whoever violates division (B) (2) or (3) of this</u>	292
<u>section shall be punished as provided in divisions (H) (1) (a) to</u>	293
<u>(c) of this section:</u>	294
<u>(a) Except as otherwise provided in division (H) (2) of</u>	295
<u>this section, the offender is guilty of a misdemeanor and shall</u>	296
<u>be fined five thousand dollars. Notwithstanding sections 2929.21</u>	297
<u>to 2929.28 of the Revised Code, no other sanction shall be</u>	298
<u>imposed on the offender under any of those sections.</u>	299
<u>(b) If the offender previously has been convicted of or</u>	300
<u>pleaded guilty to one or more violations of division (B) (2) or</u>	301
<u>(3) of this section, the offender is guilty of a misdemeanor of</u>	302
<u>the first degree, the offender shall be fined five thousand</u>	303
<u>dollars, and, in addition to the fine, the court may impose any</u>	304
<u>other sanction authorized for a misdemeanor of the first degree</u>	305
<u>other than a fine specified in section 2929.28 of the Revised</u>	306
<u>Code.</u>	307
<u>(c) In addition to the sanctions required by division (H)</u>	308

(1) (a) or required or authorized by division (H) (1) (b) of this 309  
section, the offender is forever barred from conducting a gun 310  
show. 311

(2) Whoever violates division (B) (4) of this section is 312  
guilty of a misdemeanor. Except as otherwise provided in this 313  
division, the offender shall be fined two hundred fifty dollars. 314  
If the offender previously has been convicted of or pleaded 315  
guilty to one or more violations of division (B) (4) of this 316  
section, the offender shall be fined five hundred dollars. 317  
Notwithstanding sections 2929.21 to 2929.28 of the Revised Code 318  
and regardless of whether the offender previously has been 319  
convicted of or pleaded guilty to any violation of division (B) 320  
(4) of this section, no other sanction shall be imposed on the 321  
offender under any of those sections. 322

(3) Whoever violates division (B) (5) of this section is 323  
guilty of a misdemeanor and shall be fined five thousand 324  
dollars. Notwithstanding sections 2929.21 to 2929.28 of the 325  
Revised Code, no other sanction shall be imposed on the offender 326  
under any of those sections. 327

**Sec. 2929.28.** (A) In addition to imposing court costs 328  
pursuant to section 2947.23 of the Revised Code, the court 329  
imposing a sentence upon an offender for a misdemeanor, 330  
including a minor misdemeanor, may sentence the offender to any 331  
financial sanction or combination of financial sanctions 332  
authorized under this section. If the court in its discretion 333  
imposes one or more financial sanctions, the financial sanctions 334  
that may be imposed pursuant to this section include, but are 335  
not limited to, the following: 336

(1) Unless the misdemeanor offense is a minor misdemeanor 337  
or could be disposed of by the traffic violations bureau serving 338

the court under Traffic Rule 13, restitution by the offender to 339  
the victim of the offender's crime or any survivor of the 340  
victim, in an amount based on the victim's economic loss. The 341  
court may not impose restitution as a sanction pursuant to this 342  
division if the offense is a minor misdemeanor or could be 343  
disposed of by the traffic violations bureau serving the court 344  
under Traffic Rule 13. If the court requires restitution, the 345  
court shall order that the restitution be made to the victim in 346  
open court or to the adult probation department that serves the 347  
jurisdiction or the clerk of the court on behalf of the victim. 348

If the court imposes restitution, the court shall 349  
determine the amount of restitution to be paid by the offender. 350  
If the court imposes restitution, the court may base the amount 351  
of restitution it orders on an amount recommended by the victim, 352  
the offender, a presentence investigation report, estimates or 353  
receipts indicating the cost of repairing or replacing property, 354  
and other information, provided that the amount the court orders 355  
as restitution shall not exceed the amount of the economic loss 356  
suffered by the victim as a direct and proximate result of the 357  
commission of the offense. If the court decides to impose 358  
restitution, the court shall hold an evidentiary hearing on 359  
restitution if the offender, victim, or survivor disputes the 360  
amount of restitution. If the court holds an evidentiary 361  
hearing, at the hearing the victim or survivor has the burden to 362  
prove by a preponderance of the evidence the amount of 363  
restitution sought from the offender. 364

All restitution payments shall be credited against any 365  
recovery of economic loss in a civil action brought by the 366  
victim or any survivor of the victim against the offender. No 367  
person may introduce evidence of an award of restitution under 368  
this section in a civil action for purposes of imposing 369

liability against an insurer under section 3937.18 of the Revised Code.	370 371
If the court imposes restitution, the court may order that the offender pay a surcharge, of not more than five per cent of the amount of the restitution otherwise ordered, to the entity responsible for collecting and processing restitution payments.	372 373 374 375
The victim or survivor may request that the prosecutor in the case file a motion, or the offender may file a motion, for modification of the payment terms of any restitution ordered. If the court grants the motion, it may modify the payment terms as it determines appropriate.	376 377 378 379 380
(2) A fine of the type described in divisions (A) (2) (a) and (b) of this section payable to the appropriate entity as required by law:	381 382 383
(a) A fine in the following amount:	384
(i) For a misdemeanor of the first degree, not more than one thousand dollars;	385 386
(ii) For a misdemeanor of the second degree, not more than seven hundred fifty dollars;	387 388
(iii) For a misdemeanor of the third degree, not more than five hundred dollars;	389 390
(iv) For a misdemeanor of the fourth degree, not more than two hundred fifty dollars;	391 392
(v) For a minor misdemeanor, not more than one hundred fifty dollars.	393 394
(b) A state fine or cost as defined in section 2949.111 of the Revised Code.	395 396

(3) (a) Reimbursement by the offender of any or all of the 397  
costs of sanctions incurred by the government, including, but 398  
not limited to, the following: 399

(i) All or part of the costs of implementing any community 400  
control sanction, including a supervision fee under section 401  
2951.021 of the Revised Code; 402

(ii) All or part of the costs of confinement in a jail or 403  
other residential facility, including, but not limited to, a per 404  
diem fee for room and board, the costs of medical and dental 405  
treatment, and the costs of repairing property damaged by the 406  
offender while confined; 407

(iii) All or part of the cost of purchasing and using an 408  
immobilizing or disabling device, including a certified ignition 409  
interlock device, or a remote alcohol monitoring device that a 410  
court orders an offender to use under section 4510.13 of the 411  
Revised Code. 412

(b) The amount of reimbursement ordered under division (A) 413  
(3) (a) of this section shall not exceed the total amount of 414  
reimbursement the offender is able to pay and shall not exceed 415  
the actual cost of the sanctions. The court may collect any 416  
amount of reimbursement the offender is required to pay under 417  
that division. If the court does not order reimbursement under 418  
that division, confinement costs may be assessed pursuant to a 419  
repayment policy adopted under section 2929.37 of the Revised 420  
Code. In addition, the offender may be required to pay the fees 421  
specified in section 2929.38 of the Revised Code in accordance 422  
with that section. 423

(4) For a misdemeanor violation of section 2923.27 of the 424  
Revised Code, the court shall impose upon the offender a 425

mandatory fine in the amount specified in division (H) (1), (2), 426  
or (3) of that section. 427

(B) If the court determines a hearing is necessary, the 428  
court may hold a hearing to determine whether the offender is 429  
able to pay the financial sanction imposed pursuant to this 430  
section or court costs or is likely in the future to be able to 431  
pay the sanction or costs. 432

If the court determines that the offender is indigent and 433  
unable to pay the financial sanction or court costs, the court 434  
shall consider imposing and may impose a term of community 435  
service under division (A) of section 2929.27 of the Revised 436  
Code in lieu of imposing a financial sanction or court costs. If 437  
the court does not determine that the offender is indigent, the 438  
court may impose a term of community service under division (A) 439  
of section 2929.27 of the Revised Code in lieu of or in addition 440  
to imposing a financial sanction under this section and in 441  
addition to imposing court costs. The court may order community 442  
service for a minor misdemeanor pursuant to division (D) of 443  
section 2929.27 of the Revised Code in lieu of or in addition to 444  
imposing a financial sanction under this section and in addition 445  
to imposing court costs. If a person fails to pay a financial 446  
sanction or court costs, the court may order community service 447  
in lieu of the financial sanction or court costs. 448

(C) (1) The offender shall pay reimbursements imposed upon 449  
the offender pursuant to division (A) (3) of this section to pay 450  
the costs incurred by a county pursuant to any sanction imposed 451  
under this section or section 2929.26 or 2929.27 of the Revised 452  
Code or in operating a facility used to confine offenders 453  
pursuant to a sanction imposed under section 2929.26 of the 454  
Revised Code to the county treasurer. The county treasurer shall 455



deposit the reimbursements in the county's general fund. The 456  
county shall use the amounts deposited in the fund to pay the 457  
costs incurred by the county pursuant to any sanction imposed 458  
under this section or section 2929.26 or 2929.27 of the Revised 459  
Code or in operating a facility used to confine offenders 460  
pursuant to a sanction imposed under section 2929.26 of the 461  
Revised Code. 462

(2) The offender shall pay reimbursements imposed upon the 463  
offender pursuant to division (A) (3) of this section to pay the 464  
costs incurred by a municipal corporation pursuant to any 465  
sanction imposed under this section or section 2929.26 or 466  
2929.27 of the Revised Code or in operating a facility used to 467  
confine offenders pursuant to a sanction imposed under section 468  
2929.26 of the Revised Code to the treasurer of the municipal 469  
corporation. The treasurer shall deposit the reimbursements in 470  
the municipal corporation's general fund. The municipal 471  
corporation shall use the amounts deposited in the fund to pay 472  
the costs incurred by the municipal corporation pursuant to any 473  
sanction imposed under this section or section 2929.26 or 474  
2929.27 of the Revised Code or in operating a facility used to 475  
confine offenders pursuant to a sanction imposed under section 476  
2929.26 of the Revised Code. 477

(3) The offender shall pay reimbursements imposed pursuant 478  
to division (A) (3) of this section for the costs incurred by a 479  
private provider pursuant to a sanction imposed under this 480  
section or section 2929.26 or 2929.27 of the Revised Code to the 481  
provider. 482

(D) In addition to any other fine that is or may be 483  
imposed under this section, the court imposing sentence upon an 484  
offender for misdemeanor domestic violence or menacing by 485

stalking may impose a fine of not less than seventy nor more 486  
than five hundred dollars, which shall be transmitted to the 487  
treasurer of state to be credited to the address confidentiality 488  
program fund created by section 111.48 of the Revised Code. 489

(E) Except as otherwise provided in this division, a 490  
financial sanction imposed under division (A) of this section is 491  
a judgment in favor of the state or the political subdivision 492  
that operates the court that imposed the financial sanction, and 493  
the offender subject to the financial sanction is the judgment 494  
debtor. A financial sanction of reimbursement imposed pursuant 495  
to division (A) (3) (a) (i) of this section upon an offender is a 496  
judgment in favor of the entity administering the community 497  
control sanction, and the offender subject to the financial 498  
sanction is the judgment debtor. A financial sanction of 499  
reimbursement imposed pursuant to division (A) (3) (a) (ii) of this 500  
section upon an offender confined in a jail or other residential 501  
facility is a judgment in favor of the entity operating the jail 502  
or other residential facility, and the offender subject to the 503  
financial sanction is the judgment debtor. A financial sanction 504  
of restitution imposed pursuant to division (A) (1) of this 505  
section is an order in favor of the victim of the offender's 506  
criminal act that can be collected through a certificate of 507  
judgment as described in division (E) (1) of this section, 508  
through execution as described in division (E) (2) of this 509  
section, or through an order as described in division (E) (3) of 510  
this section, and the offender shall be considered for purposes 511  
of the collection as the judgment debtor. 512

Once the financial sanction is imposed as a judgment or 513  
order under this division, the victim, private provider, state, 514  
or political subdivision may do any of the following: 515

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

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

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

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

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

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

(2) Permit payment of all or any portion of the sanction in installments, by financial transaction device if the court is a county court or a municipal court operated by a county, by credit or debit card or by another electronic transfer if the

court is a municipal court not operated by a county, or by any 545  
other reasonable method, in any time, and on any terms that 546  
court considers just, except that the maximum time permitted for 547  
payment shall not exceed five years. If the court is a county 548  
court or a municipal court operated by a county, the acceptance 549  
of payments by any financial transaction device shall be 550  
governed by the policy adopted by the board of county 551  
commissioners of the county pursuant to section 301.28 of the 552  
Revised Code. If the court is a municipal court not operated by 553  
a county, the clerk may pay any fee associated with processing 554  
an electronic transfer out of public money or may charge the fee 555  
to the offender. 556

(3) To defray administrative costs, charge a reasonable 557  
fee to an offender who elects a payment plan rather than a lump 558  
sum payment of any financial sanction. 559

(H) No financial sanction imposed under this section shall 560  
preclude a victim from bringing a civil action against the 561  
offender. 562

**Sec. 5122.311.** (A) Notwithstanding any provision of the 563  
Revised Code to the contrary, if, on or after April 8, 2004, an 564  
individual is found by a court to be a mentally ill person 565  
subject to court order or becomes an involuntary patient other 566  
than one who is a patient only for purposes of observation, the 567  
probate judge who made the adjudication or the chief clinical 568  
officer of the hospital, community mental health services 569  
provider, or facility in which the person is an involuntary 570  
patient shall notify the office of the attorney general, on the 571  
form described in division (C) of this section, of the identity 572  
of the individual. The notification shall be transmitted by the 573  
judge or the chief clinical officer not later than seven days 574

after the adjudication or commitment. 575

(B) The office of the attorney general shall compile and 576  
maintain the notices it receives under division (A) of this 577  
section and the notices shall be used for the purpose of 578  
conducting incompetency records checks requested by sheriffs, 579  
federally licensed firearms dealers, or point of contact 580  
agencies pursuant to section 311.41 or 2923.27 of the Revised 581  
Code. Records checks requested by a federally licensed firearms 582  
dealer or point of contact agency pursuant to section 2923.27 of 583  
the Revised Code shall be conducted, and results of the checks 584  
shall be provided, immediately upon receipt of the request. The 585  
notices referred to in this division and the information they 586  
contain are confidential, except as provided in this division, 587  
and are not public records. 588

(C) The attorney general, by rule adopted under Chapter 589  
119. of the Revised Code, shall prescribe and make available to 590  
all probate judges and all chief clinical officers a form to be 591  
used by them for the purpose of making the notifications 592  
required by division (A) of this section. 593

(D) As used in division (C) of this section, "federally 594  
licensed firearms dealer" and "point of contact agency" have the 595  
same meanings as in section 2923.27 of the Revised Code. 596

**Section 2.** That existing sections 2929.28 and 5122.311 of 597  
the Revised Code are hereby repealed. 598