

Sub. H.B. 33
As Passed by the Senate
PUBCD7

_____ moved to amend as follows:

In line 9 of the title, after "120.08," insert "120.34," 1

In line 768, after "120.08," insert "120.34," 2

After line 5391, insert: 3

"**Sec. 120.34.** The (A) Except as provided in division (D) of 4
this section, the total amount of money paid to all counties in 5
any fiscal year pursuant to sections 120.18, 120.28, 120.33, 6
120.35, and 2941.51 of the Revised Code for the reimbursement of 7
the counties' cost of operating county public defender offices, 8
joint county public defender offices, and county appointed counsel 9
systems, the counties' costs and expenses of conducting the 10
defense in capital cases, and the counties' costs and expenses of 11
appointed counsel covered by section 2941.51 of the Revised Code 12
shall not exceed the total amount appropriated for that fiscal 13
year by the general assembly for the reimbursement of the counties 14
for the operation of the offices and systems and for those 15
appointed counsel costs and expenses, and shall be determined as 16
specified in this section. If the amount appropriated by the 17
general assembly in any fiscal year is insufficient to pay the 18
cost in the fiscal year of all county public defender offices, all 19
joint county public defender offices, all county appointed counsel 20

systems, and all costs and expenses of appointed counsel covered 21
by section 2941.51 of the Revised Code, the amount of money paid 22
in that fiscal year pursuant to sections 120.18, 120.28, 120.33, 23
120.35, and 2941.51 of the Revised Code to each county for the 24
fiscal year shall be reduced proportionately so that each county 25
is paid an equal percentage of its cost in the fiscal year for 26
operating its county public defender system, its joint county 27
public defender system, and its county appointed counsel system, 28
an equal percentage of its costs and expenses of conducting the 29
defense in capital cases in the fiscal year, and an equal 30
percentage of its costs and expenses of appointed counsel covered 31
by section 2941.51 of the Revised Code. 32

(B) If any county receives an amount of money pursuant to 33
section 120.18, 120.28, 120.33, 120.35, or 2941.51 of the Revised 34
Code that is in excess of the amount of reimbursement it is 35
entitled to receive pursuant to this section, the state public 36
defender shall request the board of county commissioners to return 37
the excess payment and the board of county commissioners, upon 38
receipt of the request, shall direct the appropriate county 39
officer to return the excess payment to the state. 40

(C) Within thirty days of the end of each fiscal quarter, the 41
state public defender shall provide to the office of budget and 42
management and the legislative service commission an estimate of 43
the amount of money that will be required for the balance of the 44
fiscal year to make the payments required by sections 120.18, 45
120.28, 120.33, 120.35, and 2941.51 of the Revised Code. 46

(D) No reimbursement shall be made under this section for 47
costs of indigent defense to the extent that those costs exceed 48
the hourly rate, if any, established by the general assembly." 49

In line 124591, after "120.08," insert "120.34," 50

The motion was _____ agreed to.

SYNOPSIS

Indigent defense reimbursement	51
R.C. 120.34	52
Restores a provision of the House-passed bill that specifies	53
that reimbursements made to counties by the State Public Defender	54
for indigent defense may be capped at rates specified by the	55
General Assembly.	56