

As Introduced

136th General Assembly

Regular Session

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H. B. No. 397

Representatives Deeter, Johnson

To amend section 341.25 of the Revised Code to 1
expand the allowable uses of profits from jail 2
commissary funds. 3

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

Section 1. That section 341.25 of the Revised Code be 4
amended to read as follows: 5

Sec. 341.25. (A) The sheriff may establish a commissary 6
for the jail. The commissary may be established either in-house 7
or by another arrangement. If a commissary is established, all 8
persons incarcerated in the jail shall receive commissary 9
privileges. A person's purchases from the commissary shall be 10
deducted from the person's account record in the jail's business 11
office. The commissary shall provide for the distribution to 12
indigent persons incarcerated in the jail necessary hygiene 13
articles and writing materials. 14

(B) (1) If a commissary is established, the sheriff shall 15
establish a commissary fund for the jail. The management of 16
funds in the commissary fund shall be strictly controlled in 17
accordance with procedures adopted by the auditor of state. 18

(2) Commissary fund revenue over and above operating costs 19
and reserve shall be considered profits. 20

(3) All profits from the commissary fund shall be used for 21
the following: 22

(a) To purchase supplies and equipment, and to provide 23
life skills training and education or treatment services, or 24
both, for the benefit of persons incarcerated in the jail; 25

(b) To pay salary and benefits for employees of the 26
sheriff who work in or are employed for the purpose of providing 27
service to the commissary; 28

(c) To purchase technology designed to prevent contraband 29
from entering the jail; 30

(d) To pay for construction or renovation of a jail 31
facility to provide medical or mental health services; 32

(e) To purchase supplies and equipment necessary for the 33
operations of the jail facility if the purchased items exceed 34
the minimum standards required by state or federal regulations; 35

(f) To cover emergency expenses for a jail facility if the 36
agency can demonstrate the following: 37

(i) The urgency of the expenditure; 38

(ii) The allocated funding has been exhausted; 39

(iii) The cost is not covered by the existing budget. 40

(g) To supplement costs for equipment, salaries, training, 41
and operational expenses of investigative personnel or units 42
tasked with investigating and safeguarding the rights of 43
inmates. 44

(4) The sheriff shall adopt rules for the operation of any 45
commissary fund the sheriff establishes. 46

Section 2. That existing section 341.25 of the Revised 47

Code is hereby repealed.