

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**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.