

As Passed by the House

136th General Assembly

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Am. H. B. No. 397

Representatives Deeter, Johnson

**Cosponsors: Representatives Brennan, Fowler Arthur, Schmidt, King,
Klopfenstein, Manning, Miller, K., Newman, Young**

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, recreation, and education, or treatment 24
and programming services, or both, for the benefit of persons 25
incarcerated in the jail; 26

(b) To purchase medication in relation to treatment and 27
programming; 28

(c) To pay salary and benefits, in part or in whole, for 29
employees of the sheriff who work in or are employed for the 30
purpose of providing service to the commissary or to investigate 31
allegations of staff misconduct, illegal conveyance of 32
contraband, or sexual abuse within the facility; 33

~~(e)~~(d) To purchase technology and tools designed to 34
prevent contraband from entering the jail as well as technology 35
necessary for the general safety of the jail facility if the 36
purchased items exceed the minimum required standards; 37

~~(d)~~(e) To pay for construction or renovation of a jail 38
facility to provide medical or mental health services; 39

(f) To pay for advanced staff training of jail personnel 40
in excess of state mandated training for the benefit of persons 41
incarcerated in the jail. 42

(4) The sheriff shall adopt rules for the operation of any 43
commissary fund the sheriff establishes. 44

Section 2. That existing section 341.25 of the Revised 45
Code is hereby repealed. 46