(136th General Assembly)
(Amended House Bill Number 397)

AN ACT

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

Be it enacted by the General Assembly of the State of Ohio:

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

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

(B)(1) If a commissary is established, the sheriff shall establish a commissary fund for the jail. The management of funds in the commissary fund shall be strictly controlled in accordance with procedures adopted by the auditor of state, and any record pertaining to the use of the fund is a public record subject to disclosure under section 149.43 of the Revised Code.

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

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

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

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

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

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

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

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

(4) The sheriff shall adopt rules for the operation of any commissary fund the sheriff

establishes.

SECTION 2. That existing section 341.25 of the Revised Code is hereby repealed.

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Speaker _____ of the House of Representatives.

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President _____ of the Senate.

Passed _____, 20____

Approved _____, 20____

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Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

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Secretary of State.

File No. _____ Effective Date _____