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**H.B. 519**  
**136<sup>th</sup> General Assembly**

## Bill Analysis

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**Version:** As Passed by the House

**Primary Sponsor:** Rep. A. White

Ashley F. Dean, Attorney

### SUMMARY

- Specifies that possession or control of an electronic device or tool with the intent to commit a theft offense that involves a motor vehicle constitutes prima-facie evidence of the criminal purpose required to commit the offense of possessing criminal tools.
- If the circumstances indicate that an electronic tool or device was involved in the offense of possessing criminal tools, increases the penalty for possessing criminal tools to a fourth degree felony.
- Creates a repeat motor vehicle theft juvenile offender classification.
- If a child is a repeat motor vehicle theft juvenile offender, requires the court to commit the child to the temporary custody of any school, camp, institution or other facility, place the child in a detention facility or district detention facility for up to 90 days, or admit the child to a Department of Youth Services (DYS) facility.

### DETAILED ANALYSIS

#### Possessing criminal tools

The continuing law offense of “possessing criminal tools” prohibits a person from possessing or having under the person’s control any substance, device, instrument, or article with purpose to use it criminally.<sup>1</sup>

<sup>1</sup> R.C. 2923.24(B).

The bill specifies that possession or control of an “electronic device or tool” under circumstances indicating an intent to commit a “theft offense” that involves a motor vehicle constitutes prima-facie evidence of a criminal purpose.<sup>2</sup>

Under continuing law, the general penalty for possessing criminal tools is a first degree misdemeanor.<sup>3</sup> If the circumstances indicate that the substance, device, instrument, or article involved in the offense was intended for use in the commission of a felony, possessing criminal tools is a fifth degree felony.<sup>4</sup> If the circumstances indicate that an electronic tool or device was involved in the offense, the bill increases the penalty to a fourth degree felony.<sup>5</sup>

## **Repeat motor vehicle theft juvenile offender**

The bill creates a “repeat motor vehicle theft juvenile offender” classification. A “repeat motor vehicle theft juvenile offender” is a delinquent child about whom both of the following apply:<sup>6</sup>

- The child is being adjudicated a delinquent child for committing the offense of possessing criminal tools and the violation involves possessing or controlling an electronic device or tool or a theft offense and the violation involves theft of a motor vehicle.
- The child was previously adjudicated a delinquent child for committing a violation described above.

If a child is a repeat motor vehicle theft juvenile offender, the bill requires the court to admit the child to a DYS facility or make one of the following orders of disposition:<sup>7</sup>

- Commit the child to the temporary custody of any school, camp, institution or other facility operated for the care of delinquent children by the county, by a district, or by a private agency or organization inside or outside of Ohio, that is authorized and qualified to provide the care, treatment, or placement required.
- Place the child in a detention facility or district detention facility for up to 90 days.

Under current law, if a child is adjudicated a delinquent child, the court may make any of the following orders of disposition, in addition to the above dispositions or any other disposition authorized under Ohio law regarding delinquent children and juvenile traffic offenders (R.C. Chapter 2152):<sup>8</sup>

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<sup>2</sup> R.C. 2923.24(C)(4).

<sup>3</sup> R.C. 2923.24(D)(2).

<sup>4</sup> R.C. 2923.24(D)(2)(a).

<sup>5</sup> R.C. 2923.24(D)(2)(b).

<sup>6</sup> R.C. 2152.02(DD).

<sup>7</sup> R.C. 2152.19(A)(2) and (3) and (B).

<sup>8</sup> R.C. 2152.19(A)(1) and (4) to (8).

- Make any specified order for the care and protection of an abused, neglected, or dependent child;
- Place the child on community control under any sanctions, services, or conditions that the court prescribes;
- Commit the child to the custody of the court;
- Require the child not to be absent without legitimate excuse from the public school the child is supposed to attend for a specified period;
- If the child is adjudicated a delinquent child for violating a court order regarding the child's prior adjudication as an unruly child for being a habitual truant, require the child or parent to participate in a truancy prevention mediation program or community service;
- Make any further disposition that the court finds proper, except that the child must not be placed in a state correctional institution, a county, multicounty, or municipal jail or workhouse, or another place in which an adult convicted of a crime, under arrest, or charged with a crime is held.

## Definitions

The bill defines an “**electronic device or tool**” as a device or tool designed or adapted for use in unlocking or turning on a motor vehicle and does not include a previously issued or activated electronic card, key, or other electronic device assigned to the lawful owner of a motor vehicle.<sup>9</sup>

The bill uses the existing definition of “**theft offense**” as any of the following:<sup>10</sup>

- A violation of aggravated robbery, robbery, aggravated burglary, burglary, breaking and entering, safecracking, tampering with coin machines, theft, unauthorized use of a vehicle, unauthorized use of property, unauthorized use of computer, cable, or telecommunications property, possession of an authorized device, telecommunications fraud, unlawful use of a telecommunications device, organized theft of retail property, passing bad checks, misuse of credit cards, forgery, forging identification cards or selling or distributing forged identification cards, criminal simulation, making or using slugs, trademark counterfeiting, Medicaid fraud, tampering with records, securing writings by deception, impersonating an officer, defrauding creditors, insurance fraud, workers' compensation fraud, receiving stolen property, cheating, corrupting sports, or theft in office;
- A violation of an existing or former municipal ordinance or law of Ohio, any other state, or the United States, substantially equivalent to any of the above violations;

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<sup>9</sup> R.C. 2923.24(A)(1).

<sup>10</sup> R.C. 2923.24(A)(2), by reference to R.C. 2913.01(K), not in the bill.

- An offense under an existing or former municipal ordinance or law of Ohio, any other state, or the United States, involving robbery, burglary, breaking and entering, theft, embezzlement, wrongful conversion, forgery, counterfeiting, deceit, or fraud.

## Conforming changes

The bill makes necessary cross-reference changes.<sup>11</sup>

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## HISTORY

Action	Date
Introduced	10-14-25
Reported, H. Public Safety	11-12-25
Passed House (82-0)	11-19-25

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<sup>11</sup> R.C. 2930.12, 2930.13, and 2951.03.