

Executive

As Passed By House

**DRCCD9 Confidentiality of victim statements**

R.C. 149.43, 2967.12

Exempts written and oral statements provided by a victim or victim's representative to DRC in connection with the pendency of any pardon, commutation, or parole are confidential and privileged statements, from the public records law, and are not subject to subpoena or discovery.

Prohibits those victim statements from being admissible in evidence in any action.

**Fiscal effect: None.**

R.C. 149.43, 2967.12

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DRCCD10 Records related to incarcerated people and supervisees**

R.C. 149.43, 5120.21

Expressly states that records pertaining to inmates committed to DRC and persons under Adult Parole Authority supervision are not public records, except for the following: (1) name, (2) criminal convictions, (3) photograph, (4) supervision status including current and past place of incarceration, (5) and disciplinary history.

**Fiscal effect: This appears to clarify current practice, thus there would be no fiscal impact.**

R.C. 149.43, 5120.21

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DRCCD7 Commitment to DRC**

R.C. 2151.311, 2152.26, 2967.28, 5120.16

Permits a court of common pleas to enter into an agreement with DRC under which persons may be electronically committed to DRC.

Requires that persons sentenced to DRC, or to any institution or place within DRC, be conveyed by the sheriff initially to an appropriate facility established and maintained by DRC, or committed electronically for reception, examination, observation, and classification.

Requires the sheriff to convey the sentenced person to DRC or electronically commit the sentenced person to DRC prior to removal of an individual on an out of jurisdiction detainer.

R.C. 2151.311, 2152.26, 2967.28, 5120.16

Same as the Executive.

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Requires an offender to be committed to DRC before post-release control may be imposed.

Same as the Executive.

**Fiscal effect: None, largely codifies current practice.**

**Fiscal effect: Same as the Executive.**

**DRCCD6    Illegal conveyance of certain items into government facilities**

**R.C.        2921.36**

Increases the penalty for illegal conveyance of a communications device onto the grounds of a specified governmental facility from a first degree misdemeanor to a fifth degree felony, and the penalty for a repeat violation from a fifth degree felony to a third degree felony.

**R.C.        2921.36**

Same as the Executive.

Makes the penalty for illegal conveyance of a communications device onto the grounds of a specified governmental facility a third degree felony if the offender is a DRC or DYS employee, and requires the court to impose a mandatory prison term.

Same as the Executive, but additionally applies these penalties to offenders who are contractors or employees of contractors providing services to DRC or DYS.

Requires the court to impose a mandatory prison term if a DYS employee is guilty of illegal conveyance of a weapon onto the grounds of a detention facility, in addition to a DRC employee as under current law.

Same as the Executive, but additionally applies this penalty to offenders who are contractors or employees of contractors providing services to DRC or DYS.

No provision.

Requires the court to impose a mandatory prison term if a contractor or employee of a contractor providing services to DRC or DYS is guilty of illegal conveyance of drugs of abuse onto the grounds of a specified governmental facility, in addition to a DRC or DYS employee as under current law.

**Fiscal effect: Potential increase in costs for DRC if longer sentences are served.**

**Fiscal effect: Same as the Executive.**

**DRCCD20    Reentry housing near schools**

No provision.

**R.C.        2967.14, 2967.26, 2967.271, 5120.035**

Prohibits DRC's Division of Parole and Community Services from licensing a halfway house, reentry center, or community residential center that operates within 500 feet of a school or child care center.

**Fiscal effect: Minimal.**

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**DRCCD16 Frederick Douglass Project for Justice**

No provision.

**R.C. 5120.039, Section 383.20**

Requires DRC to permit the Frederick Douglass Project for Justice to operate in all prisons.

No provision.

Earmarks \$350,000 in FY 2026 and \$150,000 in FY 2027 from GRF ALI 506321, Institution Education Services, for direct distribution to the Frederick Douglass Project for Justice to operate in all prisons.

**DRCCD18 Health care coverage for a deceased correction officer's spouse**

No provision.

**R.C. 5120.85**

Requires the DAS Director, on receiving notice from the DRC Director that a correction officer was killed in the line of duty, to enroll the deceased officer's surviving spouse in any health benefits offered to state employees.

No provision.

Requires DRC to pay DAS for the full cost of a surviving spouse's health benefits, including any administrative costs.

No provision.

Requires a surviving spouse to apply to DAS for health care coverage after being approved for death benefits from the Ohio Public Safety Officers Death Benefit Fund.

No provision.

Makes a surviving spouse who is a state employee ineligible for a health benefit through the fund.

No provision.

Specifies that receiving a health benefit does not make the surviving spouse a state employee.

**Fiscal effect: Increases DRC's costs associated with health insurance benefits. The costs would depend on the number of such surviving spouses who would enroll in the plans, including premiums and administrative costs charged by the plans.**

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**DRCCD15 Mandatory drug screening**

No provision.

**R.C. 5145.32**

Requires every officer, employee, contractor, or employee of a contractor who is entering the grounds of a state correctional institution be subject to screening to prevent the conveyance of drugs of abuse into the institution.

**Fiscal effect: Costs will depend on the extent to which DRC subjects officers, employees, and contractors to drug screenings under current practice and whether new procedures would need to be adopted to comply with this requirement.**

**DRCCD19 Analytics Platform Pilot**

No provision.

**Section: 383.20**

Earmarks \$1,000,000 in fiscal year 2026 under GRF ALI 501321, Institutional Operations, to be used by DRC to procure a software analytics platform to establish a pilot program to transcribe and analyze all inmate phone calls to increase the security and safety of DRC facilities.

No provision.

Requires the procured analytics platform to be accessible to all law enforcement agencies in this state to support criminal investigations.

No provision.

Requires CIIC to approve the location of the pilot program.

No provision.

Requires DRC to submit a report of its findings from the pilot program to CIIC by December 31, 2026.

**DRCCD1 Expedited pardon initiative**

**Section: 383.20**

Earmarks up to \$500,000 in each fiscal year of GRF ALI 501321, Institutional Operations, to be used by DRC to support projects connecting rehabilitated citizens with community projects to advance the expedited pardon initiative and to help eligible individuals navigate the process and access clemency.

**Section: 383.20**

Same as the Executive.

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**DRCCD13 Felony offense cost reimbursements**

No provision.

**Section: 383.20**

Earmarks \$250,000 in each fiscal year from GRF ALI 501321, Institutional Operations, for reimbursements to counties (prosecuting attorney, indigent defense counsel, the court of common pleas, the clerk of the court of common pleas, and the sheriff) for their costs incurred in the prosecution of felonies that occur on the grounds of state correctional institutions operated by DRC.

**DRCCD2 OSU medical charges**

**Section: 383.20**

Requires The Ohio State University Medical Center, including the Arthur G. James Cancer Hospital and Richard J. Solove Research Institute and the Richard M. Ross Heart Hospital, at the request of DRC, to provide necessary care to persons who are confined in state adult correctional facilities.

**Section: 383.20**

Same as the Executive.

Requires the provision of necessary inpatient care billed to DRC to be reimbursed at a rate not to exceed the authorized reimbursement rate for the same service established by ODM under the Medicaid Program.

Same as the Executive.

**DRCCD3 Transitional housing funding**

**Section: 383.20**

Requires, with regard to use of GRF ALI 501405, Reentry, Housing, and Support Services, priority be given to residential providers that accept and place individuals released from institutions operated by DRC to the supervision of the Adult Parole Authority who were previously rejected by all other residential providers.

**Section: 383.20**

Same as the Executive.

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**DRCCD4 Adult Correctional Facilities Lease Rental Bond Payments**

**Section: 383.20**

Requires GRF ALI 501406, Adult Correctional Facilities Lease Rental Bond Payments, to be used to meet all payments during the biennium by DRC for leases and agreements for buildings. Specifies that the ALI is the source of funds pledged for bond service charges on related obligations issued under the state’s capital improvements and debt financing program.

**Section: 383.20**

Same as the Executive.

**DRCCD5 Probation Improvement and Incentive Grants**

**Section: 383.20**

Requires GRF ALI 501411, Probation Improvement and Incentive Grants, to be allocated by DRC to municipalities as grants with an emphasis on: (1) providing services to those addicted to opiates and other illegal substances, and (2) supplementing the programs and services funded by grants distributed from GRF ALI 501407, Community Nonresidential Programs.

**Section: 383.20**

Same as the Executive.

**DRCCD17 Local Jail Grants**

No provision.

**Section: 383.30**

Requires DRC to use Fund 5ZQ0 ALI 501505, Local Jail Grants, to provide grants for county jail construction and renovation projects.

No provision.

Requires DRC to accept and review applications and designate the projects involving the construction and renovation of county jails.

No provision.

Continues a funding formula, using property tax and sales tax data, by which the neediest counties may receive state assistance in constructing or renovating jail facilities, in which TAX conducts a financial ranking of all counties.

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No provision.

Continues guidelines that (1) require DRC, upon receiving the final rankings, to select a number of counties among the lowest ranking counties and invite the selected counties to apply for assistance, (2) require DRC, upon the application of a county so invited, to proceed with a needs assessment, (3) permit DRC to approve a project only if the project conforms to existing jail facilities standards and keeps with the needs of the county as determined by the needs assessment, (4) specify that a county's portion of the basic project cost is to be 1% of the basic project cost times the percentile in which the county ranks according to the funding formula, and (5) prohibit a county's or counties' share of the basic project cost from being above 75%.

No provision.

Allows DRC to establish guidelines for multicounty project applications.

No provision.

Requires DRC to award the funds to selected counties no later than July 1, 2027.

**DRCCD11 Madison county land conveyance**

**Section: 701.40**

No provision.

Authorizes the conveyance of certain state-owned land and improvements in Madison County under the jurisdiction of DRC to Madison County through a negotiated purchase agreement, or, if the grantee does not complete the purchase within the time period provided in the agreement, any reasonable method of sale to determine an alternate grantee willing to complete the purchase within three years after the effective date of this provision.

No provision.

Requires the proceeds from the conveyance to be deposited into the GRF.

No provision.

Establishes requirements regarding how the land is to be advertised and sold, including that DAS pay all advertising costs incidental to the sale of the real estate, and the grantee pay all other costs associated with the purchase, closing, and conveyance of the real estate.

**Fiscal effect: One-time revenue gain to the GRF.**

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DRCCD12 DRC food service- Ross Correctional Institution

No provision.

Section: 751.50

Requires DRC to create a pilot program in the Ross Correctional Institution that ensures that no private entity provides food service in that institution and instead requires the institution utilize state employees to oversee meals and food service, to extent that the pilot program does not conflict with existing contracts.

**Fiscal effect: Increased operational costs compared to contractual agreement.**



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AGOCD28 Special prosecutor for correctional institution offenses

R.C. 109.39

No provision.

Allows AGO to appoint a special prosecutor for the prosecution of offenses perpetrated in facilities operated by DRC.

**Fiscal effect: Shifts prosecuting costs from the applicable county to the AGO.**

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**DPSCD40 Representation for sworn officers in criminal complaints**

**R.C. 109.872**

Allows the Governor or the Governor’s designee, at their discretion, to approve legal representation for a sworn employee as described below.

Allows a sworn employee who was involved in a use of force incident that resulted in physical harm or death to another individual to apply for legal representation if the use of force was within the scope of that employee’s official duties.

Requires the sworn employee’s appointing authority to pay the costs of that representation.

Defines “sworn employee” as:

(a) Enforcement agents appointed to enforce Ohio’s liquor laws and rules regulating the use of supplemental nutrition assistance program (SNAP) benefits (i.e. Ohio Investigative Unit);

(b) The Superintendent and troopers of the Ohio State Highway Patrol;

(c) Special police officers of the Ohio State Highway Patrol; and

(d) Other employees of any department, agency, or board of this state who are under the executive branch and ultimately report to the Governor and are authorized to investigate, execute the laws of the state, protect public safety, or enforce the laws of this state as part of their job duties.

**Fiscal effect: Potential increase in costs for a sworn employee’s appointing authority if legal representation is requested and approved.**

**R.C. 109.872**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(c) Same as the Executive.

(d) Same as the Executive.

**Fiscal effect: Same as the Executive.**

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Other Taxation Provisions

**TAXCD20 Adult use marijuana excise tax: rate and distribution**

R.C. 3780.02, 3780.03, 3780.10, 3780.18 (repealed), 3780.19 (repealed), 3780.22, 3780.23, 3780.25, 3780.26, 3780.30, Section 801.60

R.C. 3780.02, 3780.03, 3780.10, 3780.18 (repealed), 3780.19 (repealed), 3780.22, 3780.23 (repealed), 3780.25, 3780.26, 3780.30, Section 801.60

Increases the rate of the excise tax on adult use marijuana, beginning on July 1, 2025, from 10% to 20%.

No provision.

Imposes a 20% excise tax on the illegal sale of marijuana by an unlicensed seller.

Same as the Executive, but lowers the rate to 10%.

Repeals current law’s tax revenue distributions (36% to the state Cannabis Social Equity and Jobs Fund, 36% to the Host Community Cannabis Fund, 25% to the state Substance Abuse and Addiction Fund, and 3% to COM and TAX for administration purposes) and reallocates revenue from the tax to substance abuse prevention, treatment, and recovery programs, the 9-8-8 suicide prevention and mental health crisis hotline, county jail grant programs, training of peace officers and troopers, construction and renovation of such training facilities, local drug task forces, safe driver programs, Ohio investigative unit operations, Ohio poison control programs and laboratory testing, and temporarily to the AGO for administering requests for expungements. Limits some allocations for these purposes and directs any remaining receipts to the GRF.

Same as the Executive on repealing current law’s tax revenue distributions, but reallocates revenues from the tax all to the GRF except distributing 20% of tax revenue, for five years, to the Host Community Cannabis Fund to be distributed to municipalities and townships that have at least one adult-use dispensary or a location for which a provisional dispensary license is issued before July 1, 2025.

**Fiscal effect: The Executive estimates an increase of \$86.8 million in FY 2026 and \$175.7 million in FY 2027 in adult use marijuana tax revenue.**

**Fiscal effect: Approximately \$95.6 million in FY 2026 and \$156.2 million in FY 2027 of adult use marijuana tax would be allocated to the GRF while the Host Community Cannabis Fund would receive about \$23.9 million in FY 2026 and \$39.1 million in FY 2027.**

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DYSCD6 Juveniles committed to DRC

No provision.

**R.C. 2949.12**

Requires, for convictions occurring on or after the provision's effective date, a convicted felon who is under 18 to be held in an institution operated by DYS until the felon turns 18 or would otherwise be released from imprisonment, or if the DYS director determines that DYS lacks the capacity to house the felon.

No provision.

Requires a convicted felon under 18 to be committed to DRC in the same manner as a felon over 18 if the felon is determined by DYS to be a danger to self or others.

**Fiscal effect: Potential increase in costs for DYS if a juvenile, under the age of 18, serves a portion of their incarceration at a DYS facility instead of a state prison. The FY 2024 per diems for DYS and DRC were approximately \$610 and \$106, respectively.**