



## Ohio Revised Code Section 2152.203 Restitution.

Effective: April 6, 2023

Legislation: House Bill 343 - 134th General Assembly

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(A) As used in this section, "criminal offense" and "delinquent act" have the same meanings as in section 2930.01 of the Revised Code.

(B) In determining the amount of restitution under this section, the court shall order full restitution for any expenses related to a victim's economic loss due to the delinquent act. The amount of restitution shall be reduced by any payments to the victim for economic loss made or due under a policy of insurance or governmental program.

Economic loss includes, but is not limited to, the following:

(1) Full or partial payment for the value of stolen or damaged property. The value of stolen or damaged property shall be the replacement cost of the property or the actual cost of repairing the property when repair is possible.

(2) Medical expenses;

(3) Mental health counseling expenses;

(4) Wages or profits lost due to injury or harm to the victim as determined by the court. Lost wages include commission income as well as base wages. Commission income shall be established by evidence of commission income during the twelve-month period prior to the date of the delinquent act for which restitution is being ordered, unless good cause for a shorter time period is shown.

(5) Expenses related to making a vehicle or residence accessible to the victim if the victim is partially permanently disabled or totally permanently disabled as a direct result of the delinquent act.

(C) Upon notification by the court, any money owed by the state or by a political subdivision of the state to a delinquent child or juvenile traffic offender who is required to make restitution under this



section, including any tax refund owed to the child or offender, shall be assigned to the discharge of the child's or offender's outstanding restitution obligation, subject to any superseding federal statutes or regulations, including court-ordered support obligations.

(D) If a delinquent child or juvenile traffic offender is required to make restitution under this section in the form of monetary payments to more than one victim, the child or offender shall make the payments to the victims in the following order of priority:

- (1) Individuals;
- (2) Nonprofit organizations;
- (3) Business entities;
- (4) Governmental entities.

(E) A court that orders restitution as part of a delinquent child's or juvenile traffic offender's disposition under this section shall not suspend that part of the disposition if the victim or victim's attorney, if applicable, objects to the restitution part of the disposition being suspended.

(F) A restitution obligation imposed by a court does not expire until paid in full. If an order remains unpaid in full, even if a period of community control expires or is otherwise terminated, a court order for restitution imposed under this section shall be reduced to a civil judgment in favor of the victim prior to the termination of the court's jurisdiction upon the delinquent child's or juvenile traffic offender's attainment of twenty-one years of age. If the order is reduced to such a judgment, the person required to pay the restitution under the order is the judgment debtor. The court retains jurisdiction over the restitution order until the delinquent child or juvenile traffic offender attains twenty-one years of age and the civil judgment obligation continues to be enforceable by a victim, victim's representative, or victim's attorney, if applicable, until the obligation is satisfied. All civil actions to collect on the judgment after the child attains twenty-one years of age shall be filed in the county or municipal court of the child's, offender's, or victim's residence.

(G) The supreme court shall create a standardized form to be made publicly available that provides



guidance for victims and victims' representatives regarding the compilation of evidence to demonstrate losses for the purpose of this section.

(H) On the request of the victim, if a judge determines that, under the circumstances, it is appropriate and the victim has not been coerced, a victim may accept a settlement that is less than the full restitution order.