



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

Jeff Hobday

H.B. 553

132nd General Assembly
(As Introduced)

Reps. Cupp, Butler, Gavarone, Riedel

BILL SUMMARY

- Increases the penalty for theft in office when the value of property or services stolen is \$150,000 or more.
 - Includes as restitution the costs of auditing any public entity that suffered loss as a result of theft in office.
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CONTENT AND OPERATION

Theft in office

Penalty enhancements

The bill increases the penalty for theft in office when the value of property or services stolen is \$150,000 or more. A public official or party official commits theft in office if the official commits any theft offense and either of the following applies:¹

- (1) The offender uses the offender's office in aid of committing the offense or permits or assents to its use in aid of committing the offense; or
- (2) The property or service involved is owned by a local, state, or federal government entity, owned by a political party, or is part of a political campaign fund.

Under current law, theft in office involving a loss of \$7,500 or more is a third degree felony. Under the bill, theft in office is a third degree felony if the value of

¹ R.C. 2921.41(A).

property or services stolen is \$7,500 or more but less than \$150,000; a second degree felony if the value stolen is \$150,000 or more but less than \$750,000; or a first degree felony if the value stolen is \$750,000 or more.²

Auditing costs as restitution

The bill requires an offender convicted of theft in office to pay restitution for the costs of auditing any of the public entities that suffered loss as a result of the offense. As under current law, when the offense involved theft of property or services owned by the government, a political party, or a political campaign fund, the offender must make restitution for all of the property or services stolen. If the offense involved using the offender's office in aid of committing theft or permitting or assenting to such conduct, the court first must determine at trial that this state, a political subdivision of this state, or a political party suffered actual loss as a result of the offense. If so, the offender must pay restitution to the state, political subdivision, or political party that suffered loss.³

HISTORY

ACTION	DATE
Introduced	03-13-18

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² R.C. 2921.41(B).

³ R.C. 2921.41(C)(2)(a).

