



OHIO HOUSE OF REPRESENTATIVES

Majority Communications Department

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Rep. Merrin Announces Passage of Bill Recovering Losses for Theft Victims

Sub. H.B. 391 broadens “economic loss” to cover accounting and auditing costs

COLUMBUS—State Representative Derek Merrin (R-Monclova Twp.) today announced the passage of legislation he sponsored by the Ohio House of Representatives. Substitute House Bill 391 broadens the definition of “economic loss” in criminal theft cases, and provides judges with the opportunity to include accounting and auditing costs incurred by the victim when determining restitution.

“We must ensure theft victims are made financially whole. Criminals should bear the total cost of their crimes,” said Representative Merrin.

Current law allows crime victims to get restitution for economic loss caused directly by the crime. However, the current definition of economic loss does not include noneconomic loss or punitive or exemplary damages. This means that accounting and auditing costs—commonly incurred when determining the theft amount—are not covered by current law, and thus cannot be included in restitution ordered in criminal trials.

Many businesses and individuals who have been victims of thefts suffer further financial loss while determining the amount taken. They must absorb those costs themselves or file a new civil suit, which is costly and further expends judicial resources through a civil trial.

“The bill is a big win for businesses fighting against thefts. By holding criminals fully accountable for their crimes, hopefully it will deter future thefts,” said Representative Merrin.

Through this legislation, the restitution granted to the victim will be limited to the value of the stolen or damaged property or services, and must be considered reasonable.

Having passed out of the House with an 88-0 vote, Substitute House Bill 391 now awaits consideration by the Ohio Senate.

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For more information, please contact Rep. Merrin’s office at (614) 466-1731 and Rep47@ohiohouse.gov.